

Georgia State Law

ALUMNI MAGAZINE • FALL 2017

BUILDING a FOUNDATION of AWARENESS

Courtney Anderson
champions housing issues
to break cycle of poverty



First look | *Orientation 2017*



SBA Treasurer Jaryd Tamares (J.D. '19), right, joined about 50 incoming first-year students in sorting and packing at Books for Africa as part of the Orientation Community Service Activity. The organization ships books to students of all ages in Africa.

ENTERING CLASS**J.D. students**

Total applicants: 1,879

Enrolled: 190

Men: 90 (48%)

Women: 99 (52%)

Diversity: 60 (32%)

Part-time: 45

Full-time: 145

Non residents: 21

Average age: 25

GPA

75th percentile: 3.65

25th percentile: 3.24

Median: 3.5

LSAT

75th: 159

25th: 154

Median: 157

LL.M. students

Bar track: 10

General studies track: 5

Countries represented:

Brazil, Cameroon,
China, Democratic
Republic of Congo,
India, Liberia, Nigeria,
Ukraine, United States,
Venezuela



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From the Interim Dean

IT IS NO SECRET that health law has dominated the news this year. It is an area that affects people in their daily lives and has wide-reaching implications for society. Health is a complex concept that is determined by far more than the simple availability of quality medical care. It is also heavily influenced by access to clean water and nutritious food, substandard housing conditions and unhealthy neighborhoods, mortality rates and prevalence of disease, economic and educational opportunities and much more.

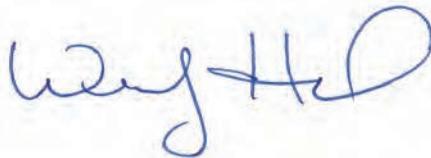


In this environment, the need for educated professionals capable of addressing complex problems in health law has never been greater. Georgia State Law is meeting that need through our award-winning Center for Law, Health & Society. Our J.D. program has consistently ranked among the best in the nation and continues to attract national and international attention. This year, we are expanding our health law offerings to include an LL.M. that equips both domestic and foreign-trained lawyers with the knowledge and skills needed for this demanding field. Both programs are taught by exceptional faculty who are experts in such areas as the opioid epidemic, the Affordable Care Act, food safety and genetic testing. We highlight just a fraction of their work in this issue.

We are exceptionally proud of our innovative Health Law Partnership Legal Services Clinic, which is celebrating its 10th anniversary (page 20). Professors Charity Scott, Sylvia Caley (M.B.A. '86, J.D. '89) and Lisa Bliss all have devoted much of their time to making the clinic a success. The clinic is part of a medical-legal partnership in which students in law, medicine, social work and bioethics work collaboratively to provide services to low-income families with children in need of medical care. Students gain experience in representing clients at the same time they positively impact lives in our community.

Georgia State Law also continues to lead the way in providing students not only with an understanding of the law, but also the issues, implications and history behind it. Assistant Professor Courtney Anderson, whose scholarship focuses on preserving affordable housing and eradicating the disparities in low-income and minority communities that exacerbate health issues, is a prime example (page 10). Each year, she takes students on a bus tour through Atlanta, contrasting the wealthy neighborhoods with those mired in poverty. Her students also work with local organizations on various projects, such as researching how access to sexual reproductive education could potentially impact the prevalence of HIV in a community.

Finally, if you have not already done so, I encourage you to visit the College of Law to view the “Health is a Human Right” exhibit on display through December (page 24). This thought-provoking collection of documents and photos shows the many ways the history of health law and policies has affected—and continues to affect—many lives. It is a powerful reminder of the important role that lawyers and health play in a free society.



Wendy F. Hensel
Interim Dean and Professor of Law

Briefs

Knapp, McCarthy to lead professional development team



Lyn Rogers Knapp (right) has been named senior director for the new Center for Professional Development & Career Strategies, with **Amy McCarthy** (J.D. '02) (left) being named director.

Formerly the Career Services Office, the Center for Professional Development & Career Strategies will build upon the foundation **Vickie Brown** and McCarthy established, Knapp said.

Knapp has extensive experience in legal recruiting, human resources and corporate counseling. She successfully ran Peachtree Legal Recruiting for more than 20 years, and prior to joining Georgia State Law, started the corporate consulting company Culture Grow.

"I am passionate about building relationships, particularly in the context of career and business development. In this role, I can utilize my broad network of legal and business contacts and my experience recruiting and consulting to assist students and alumni as they begin and then build their careers," Knapp said.

McCarthy has worked with the college since 2013. In her role as director, she has established an enhanced professional development curriculum for students.

"The curriculum dovetails nicely with Georgia State Law's emphasis on and commitment to professional identity formation," McCarthy said. "I will work to ensure that students are absolutely prepared to impress employers with their application materials and career readiness."

Brown retiring, leaving a lasting impression

After 29 years, **Vickie Brown** retired as the director of the Career Services Office (CSO). She joined Georgia State Law in August 1988 and accepted the interim director position in 1996.

When Brown first started with CSO, legal employers weren't always eager to hire Georgia State Law students. She helped change that.

"Georgia State Law was the new kid on the block, as the youngest law school in the state," she said. "Invitations for students to meet with employers were not always embraced, and sometimes phone calls were not returned. Well, that is no longer the case! I'm proud to have expanded our employer hiring portfolio and imprint locally and nationally."

For Brown, nothing has been more gratifying than helping students and alumni land their first job or transition into their next position.

"Whether I helped them make industry connections or just served as a compassionate champion when they appeared defeated or fed up with the process, I continuously experienced joy from the fruit of their labor and mine whenever they informed me they secured that hard, sought-after job," Brown said.

Brown said she is thankful for the staff and faculty at Georgia State Law. "They are incredibly talented, dedicated people who work tirelessly to contribute to the law school's great success. The faculty here is the best. I've worked with my fair share, and it has been a great privilege."

JUST MERCY

Incoming first-year students read and discussed *Just Mercy* by Bryan Stevenson as part of orientation. Read more at law.gsu.edu/just-mercy.



LL.M. with concentration in health law now available

This fall, Georgia State Law introduced a master of laws with a concentration in health law through its Center for Law, Health & Society. This program builds on the center's successful and popular health law certificate for J.D. students.

"Health law touches so many different fields and careers," said **Stacie Kershner (J.D. '08)**, center associate director. "I receive many calls from our graduates and other attorneys interested in learning more about health law. We want to meet these needs, and our ability to offer both full-time and part-time options makes us uniquely capable of doing so."

The LL.M. takes advantage of the depth and breadth of the center's faculty expertise as well as one of the top-rated health law programs in the country.

The program is designed to prepare attorneys for practice or policy work in health law through exposure to the foundations and key concepts, laws, policies, institutions, skills and values in the field.

Attorneys who are transitioning to health law from another area of law, as well as those who want to deepen their knowledge of a particular area to enhance their existing practice or career, can benefit from the program.

"We have 12 full-time faculty and additional affiliated and adjunct faculty who offer courses across a range of health law topics," said **Leslie Wolf**, center director and professor of law. "This allows us to meet the needs of students who come with different experiences and different interests in health law. Health law continues to be an important growth area, and we are excited to serve the needs of a new group of students."

To learn more about the LL.M. with a concentration in health law, visit clhs.law.gsu.edu/llm_healthlaw.

HEALTH LAW CONFERENCE

The Center for Law, Health & Society hosted the American Society of Law, Medicine & Ethics' 40th Annual Health Law Professors Conference on June 8–10. The conference, which is the premier meeting for academics in health law or bioethics in schools of law, health, public health or business, focused on health equity. Keynote speaker **Camara Phyllis Jones**, immediate past president of the American Public Health Association and a senior fellow at the Satcher Health Leadership Institute and the Cardiovascular Research Institute at Morehouse School of Medicine, said racism has profound impacts on the health and well-being of the nation.

"Achieving health equity requires valuing all of the individuals in a population equally, recognizing and rectifying historical injustices and providing resources not equally but according to need," Jones said. "Health disparities will be eliminated if health equity is achieved."

Read more at law.gsu.edu/aslme-keynote.



Bright wins Supreme Court case

Professor of Practice **Stephen B. Bright**, former president and senior counsel of the Southern Center for Human Rights (SCHR), has successfully argued four times before the U.S. Supreme Court.

His most recent win in the 2017 term, *McWilliams v. Dunn*, could have major implications for the criminal justice system. The 5–4 decision handed down June 19 invalidated the death sentence of the petitioner, who was denied expert mental health assistance in his 1986 capital murder trial.

The Supreme Court's reversal is important not only to James McWilliams but to other poor people accused of crimes who cannot receive a fair trial without access to experts, Bright said.

"This is about fairness," he said. "It is not fair for a person to face the death penalty without being able to even consult with an expert, while the prosecution can hire any expert it wants and as many experts as it wants."

Bright said it was a close and difficult case and he was relieved to get the opinion. "I look forward to integrating not only the decision but the briefing and argument into my future classes," he said.

As a former student of Bright's at Harvard Law School, **Lauren Sudeall Lucas**, faculty director for the Center for Access to Justice and associate professor of law, said Bright's work highlights how pro bono help from attorneys can help radically alter the course of a client's life.

"Steve's role in the McWilliams case provides a shining example for our students not only because it ended in a win and will impact cases for years to come but also because the Southern Center's work on the case is a prime example of the difference that effective lawyering can make to one client — in this case, the difference between life and death," said Lucas, also a former attorney for the Southern Center who worked on the McWilliams case during her time there.



Center for Access to Justice introduces Public Interest Law and Policy Certificate, Pro Bono Program

This fall, the Center for Access to Justice introduced a Public Interest Law and Policy Certificate and the student-run Pro Bono Program, both of which are designed to prepare law students to serve underrepresented populations, whether in a full-time or pro bono (without charge) capacity.

"The certificate curriculum exposes students to the skills and legal knowledge necessary to work with underserved individuals, communities and interests," said **Lauren Sudeall Lucas**, faculty director of the Center for Access to Justice, who developed the certificate along with Assistant Director **Darcy Meals**.

Certificate students complete at least 40 hours of volunteer legal service through the Pro Bono Program, which pairs interested students with local legal organizations, providing an opportunity to develop relevant skills and substantive knowledge while giving back to the community.

"The certificate, the Pro Bono Program and the Center for Access to Justice's broader mission reflect Georgia State's commitment to public service and underscore lawyers' responsibility to provide legal services to those who are unable to pay," Meals said. "As the justice gap widens, the Center for Access to Justice is training the next generation of lawyers to serve the public interest, empowering students to identify and eliminate barriers to equal justice."

For more information, visit law.gsu.edu/center-access-justice.

Hoffman receives award

Joe Hoffman (J.D. '10) was honored with the Atlanta Bar Association's Distinguished Service Award for his work as co-chair of the membership committee, which he renamed the membership "action" committee.

Hoffman, who specializes primarily in business litigation and corporate counsel for Kitchens Kelley Gaynes, recognized an opportunity to engage all Atlanta bar members in brainstorming ways to increase membership.

"To be effective, sustainable membership must be a bar-wide effort," he said. "The idea behind changing to the membership action committee was to allow members to present ideas to the committee's attention for consideration and implementation."

Hoffman has helped create more social events for members, including the new bocce ball league and the recent Casino Night.

"The Atlanta Bar must be more than a provider of CLEs, luncheons and award ceremonies. While it excels in those areas, younger lawyers demand more for their money and their time," Hoffman said. "It is critical that we not only provide opportunities for growth in the legal practice but that we also facilitate social interaction and fellowship."

Marseille Study Space Program explores urban redevelopment projects

In June, the Center for the Comparative Study of Metropolitan Growth hosted its 10th Study Space Program, an annual weeklong international workshop designed to provide participants with an in-depth study of land use, growth management and environmental challenges facing the host city. This year's program focused on large-scale urban redevelopment and cultural projects undertaken in Marseille, France, rapidly transforming the formerly dirty, crime-ridden city to a popular tourist destination and attractive, livable city. The program was led by **Julian Juergensmeyer, Karen Johnston, Ryan Rowberry and John Marshall**. The workshop drew 26 lawyers, urban development professionals and cities scholars from Europe, Asia, South America and North America. The program was co-sponsored by, among others, two premier French universities: Sciences Po École de Droit and Aix-Marseille University.

Information: law.gsu.edu/centers/metro-growth.

"I research HIV-related laws in the U.S. and its territories and compare provisions in the law and policies across jurisdictions."

Dr. Sheila Salvant Valentine (J.D./M.S.H.A. '16)

Why did you decide to study health law?

My background is in medicine; I was in practice for nine years. As a physician, I found it difficult to talk to administrators, lawyers and policy makers — it seemed like we wanted different things. But I realized that we all want the same result — for the health system to work and for people to be healthy. Because each of these groups speak a different language and have different approaches and different methods, it can be difficult to sit at a table and reach a goal together. I wanted to do something to help bridge the communication gap because in the end, we all have the same goal.

Part of your job as a fellow at the Centers for Disease Control and Prevention (CDC) involves legal mapping. What is that?

It is a field that's still developing, and it's very interesting. I research HIV-related laws in the United States and its territories and compare provisions in the law and policies across jurisdictions.

How is legal mapping helpful?

The research will give insights into whether laws are a factor in the cause, distribution and/or prevention of HIV. Once my research is done, an epidemiologist will plot it out with numbers and data to see if there is a correlation or causation between the rates of HIV and laws in that state or jurisdiction.

What else do you do as a fellow?

I practice traditional public health law. In addition, I am helping the CDC establish partnerships with legal organizations; traditionally, the partnerships have been with organizations that deal directly with HIV. With legal partnerships, we can keep track of what's happening at the state level legally and learn more about what legal barriers people are facing.

How does your background as a physician inform what you do now?

It's helpful to have knowledge about the pathology of diseases — to understand the disease itself, its epidemiology, its treatment, etc.

It's also helpful to understand the physician's perspective. For instance, in our research we may question why all physicians are not testing all of their patients routinely, but I have some understanding of the barriers physicians face.

Also, I work with so many physicians, so having that background makes communication easier. Adding my training as a lawyer enables me to see things differently; it gives me a different perspective, which is valuable.

What advice do you have for students?

I would encourage health law students to consider this particular field. It's a lot of research, coding and analyzing — but it's interesting and important. Public health law is a great field because the end product is healthy people.

Dr. Sheila Salvant Valentine (J.D./M.S.H.A. '16), a 2016 Health Law Award recipient, joined the Centers for Disease Control and Prevention in the HIV prevention division as an ORISE fellow in 2016. Formerly, she was a primary-care physician practicing in the Caribbean, first in Jamaica and then in Turks and Caicos Islands.

LEGAL MAPPING
AT THE CDC



"If you can read a jury or judge in the moment and tailor your message to them as much as possible, you will be much more successful."

Nikole Crow (B.A. '97, J.D. '02)

What's your day-to-day like?

As a litigator, there is never a dull moment. I defend complex insurance cases and ERISA (the Employee Retirement Income Security Act of 1974) benefits litigation for insurance companies and employers with self-funded plans. It is a niche practice, but litigation is litigation. My deadlines are imposed by federal district judges and in-house lawyers, and I do whatever is necessary to reach an outcome my clients can live with in each case. A lot of times that means informal settlement or mediation. Sometimes it means briefing issues and getting a dispositive ruling from the court.

You have a bachelor's degree in theater. What similarities are there in theater and litigation?

Both require memorizing a lot, then being able to think quickly enough on your feet to stray from the "script" when necessary. In theater, you may have to ad lib because another actor misses a cue or steps on your line, which requires knowing the script so well that you can steer the train back onto the track. Oral argument is not much different when you have 15 minutes to argue the points you need to make but get sidetracked by questions from the court—if you are prepared enough, you can answer them in a way that either makes your point or segues back to your point without missing a beat.

Both require you to "know your audience"—in theater you get a feel for the audience, and they are different at every show. You can't stand there and wait for them to laugh at the same lines

that last night's audience laughed at because you might hear crickets. Similarly, if you can read a jury or judge in the moment and tailor your message to them as much as possible, you will be much more successful. You can't just plow forward with a theory or narrative that isn't hitting home.

In the legal world, you often have to play a character similar to acting in a play. Maybe you have to be the "good cop" to your partner's "bad cop," or maybe you have to project absolute confidence in an inferior position to effectively mediate a case. Sometimes acting like you know it all will intimidate your opposition, and sometimes feigning ignorance gets you a better result, depending on your audience, of course.

What advice would you give first-year students?

What you do in your first year influences your career path, so take it seriously. Your grades will likely determine whether you end up on law review or moot court, which in turn will affect what firms will want to interview you for a summer associate job after your second year, and that job may determine where your career starts when you graduate. Also, you have to be flexible—learning to think like a lawyer sometimes changes the way we view various life issues, and you may not feel the same way coming out of law school that you felt going in. And that's OK. Sometimes the way we effect change



is to build a career and then get involved with organizations that seek to achieve the aspirations we had going in to law school.

What did you learn at Georgia State Law that helped prepare you for your job?

One helpful class was litigation taught by an adjunct professor who was practicing law. In fact, the first day of my summer associate position after my second year, a partner dropped a large stack of documents and folders on my desk and said, "Write me a pre-trial order." I would not have even known where to start if I didn't have my litigation binder that had all the pleadings from start to finish in our mock case. I looked at the pre-trial order we did in class and tailored it to the case I had been assigned.

Nikole Crow (B.A. '97, J.D. '02) is counsel in Womble Carlyle's Business Litigation Practice Group in the firm's Atlanta office. Her practice is focused on life, health and disability insurance litigation involving individual and group insurance policies, including those governed by ERISA, and self-funded employee welfare benefit plans.

BUILDING a FOUNDATION of AWARENESS

Courtney Anderson
champions housing issues
to break cycle of poverty

by Charles McNair

COMMUNITY CAN BE A MATTER OF life and death.

South Seattle knows this hard fact. Residents there rise each morning in a grinding urban neighborhood with high unemployment and substandard housing.

Just one mile distant, over a body of water that might as well be an ocean, lies Mercer Island, one of the 100 wealthiest ZIP codes in the United States.

A baby born today on Mercer Island can expect to live 10 years longer than a baby born in South Seattle.

Life expectancy isn't the only discrepancy between wealthy communities and poor ones. Low-income areas typically see higher rates of crime, disease, mental illness and drug addiction.

That's true in Seattle. It's true in Los Angeles, Detroit, Baltimore, Miami.

It's true in Atlanta.

In South Atlanta, Thomasville Heights Elementary School and its surrounding neighborhood share a ZIP code with a federal penitentiary. There's no building boom in this blighted section of one of America's fastest-growing cities.

In fact, substandard housing across the street from 600-student Thomasville Heights is considered the leading cause of a shocking year-over-year turnover rate in classrooms there.

From one year to the next, 40 percent of the students at Thomasville Heights go away. Some families leave the housing complex after complaining of intolerable conditions — structural

damage; dilapidation; infestations of snakes, rodents, insects. Others who can't find the means to pay rent move on because of eviction notices.

What happens to kids in this unstable circumstance? And their community in the long run?

Georgia State Law Assistant Professor Courtney Anderson has done her homework.

"The concentration of housing for low-income families in impoverished neighborhoods adversely affects educational attainment," she said. "Ultimately, this also impacts the opportunity for poor children to break the cycle of poverty as adults."

Substandard housing affects more than grades and graduations.

People in shoddy dwellings more often suffer respiratory and cardiovascular troubles from smoke and indoor air pollution. They're frequently exposed to high and low temperatures. Home injuries occur more often — floors or steps give way, roofs collapse, wiring shorts out. Sanitation problems can spread communicable diseases. More frequent diagnoses of allergies, asthma and mold-borne ailments add to woes.

Unraveling the knotted problems of housing, education and health takes a champion, someone willing to build awareness about problems in communities that often have no voice.

Anderson has made it her cause.



Home is where the health is

Anderson first grasped the link between housing and community health issues when she served as a clinical fellow at Georgetown University Law Center in 2012.

"We worked very closely with low-income tenant organizations who were attempting to purchase their buildings," she said. "The need for health services, education and other social services was always prevalent."

Anderson quickly realized that the needs of these clients stretched far beyond memos on legal letterhead or simple words of legal advice. That revelation shaped her teaching and research.

"We were our clients' only advocates," she said. "They told us how hard it was for them to access social services and education because of where they lived. We realized how many ancillary issues stemmed from the disparities in their communities ... and we were the only ones who could help."

Connecting the community dots, Anderson began to actively research housing instability in low-income neighborhoods.

"I work with sociologists, attorneys, educators and bankers to create a map of neighborhood stressors near schools with high turnover rates," she said. "Once we have that, we can better understand how educational attainment is disrupted by evictions, building code violations and mobility."

Anderson has published several notable papers exploring how events or conditions that touch any part of housing, education or health in underserved neighborhoods have a ripple effect in the other areas. Her titles describe the work: "The Disparate Impact of Shuttered Schools" in the *Journal of Gender, Social Policy & the Law* in 2015; "Affirmative Action for Affordable Housing" in *Howard Law Journal* in 2016; "You Cannot Afford to Live Here" in *Fordham Urban Law Journal* this year.

Perhaps most importantly of all, Anderson ventures out from the ivory tower of academia to hit the streets ... and she rides along with a posse.

"Her students are challenged to understand, form an opinion and make an impact to curb health disparities." —Genevieve Razick (J.D. '16)

Each year, she loads her Law and Health Equity class onto a bus and tools them up Peachtree Road and through ritzy Buckhead. The students admire Buckhead's fine houses and jeweled lawns and glittering automobiles.

Then, in jarring contrast, the student bus veers southward into grindingly poor Atlanta neighborhoods. The houses there have shuttered windows and trash-strewn lawns and abandoned cars.

"It really opens the students' eyes to a part of Atlanta they have never seen, despite the fact that it is five minutes away from the law school," Anderson said.

"We go from wealthy neighborhoods in North Atlanta to abject poverty that is not far from where they live and learn. The purpose is to give our law students context for how segregated cities can be and how man-made factors influence and cause this segregation."

Newly enlightened, Anderson's students then are urged to bring their budding legal skills to bear in service to the challenged communities they've seen.

Like many Georgia State Law students, a large number of these future lawyers have Atlanta roots or close community ties. It's not uncommon for them to suddenly develop a passion for community efforts driven by various nonprofits.

"The Atlanta Volunteers Lawyer Foundation, SisterLove and New Georgia Project have been great at identifying and assisting with the variety of issues that affect low-income populations," Anderson said. "Our students offer hands-on, real-world help."

Genevieve Razick (J.D. '16) took Anderson's classes in Property Law, Law & Health Equity and Law & Social Welfare. Razick now practices as an associate attorney at Arnall Golden Gregory, where she focuses on regulatory and transactional work for health care clients.

"Professor Anderson is truly passionate about bringing topics covered in class to life for her students so they aren't just reading another chapter in a textbook," Razick said.

"Her students are challenged to understand, form an opinion and make an impact to curb health disparities ... and her work is shedding light on some of the health and housing disparities in Georgia."

During her semester in Anderson's Law & Health Equity class, Razick supported SisterLove Inc., an organization serving to eradicate the disproportionate impact of HIV and sexual oppression on women in the United States.

"My Georgia State team helped SisterLove conduct legal research on the frameworks surrounding sexual reproductive education in schools in Georgia," Razick said. "We looked at how access to sexual reproductive education could potentially impact the prevalence of HIV in a community."

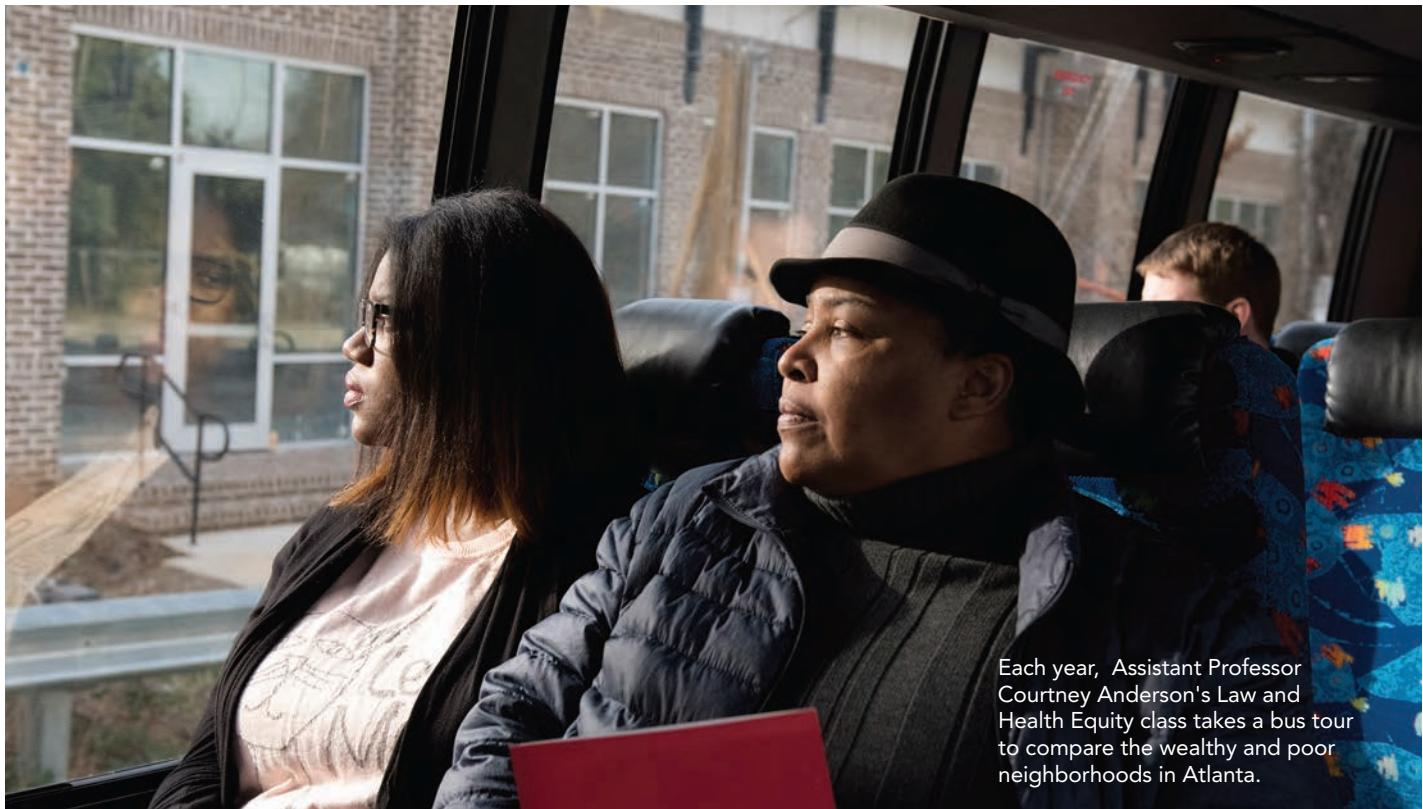
Anderson's students lend their legal expertise to other allies too.

Some support the work of Neighborhood Planning Units, citizen advisory councils that research and develop zoning, land use and other planning recommendations designed to address health disparities and inequalities. Their recommendations go directly to Atlanta's mayor and city council. Other students have pitched in with the Atlanta Youth Count and Needs Assessment, a comprehensive survey of youth homelessness in the city.

One of Anderson's students worked with Westside Atlanta Land Trust. That pairing resulted in a program proposal to train ex-criminal offenders in construction trades that can help them land jobs renovating blighted homes in a depressed area at Vine City/English Avenue.

Breakthrough thinking is badly needed in that area.

"This neighborhood," Anderson said, "has more vacant homes and ex-offenders than any other ZIP code in Georgia."



Each year, Assistant Professor Courtney Anderson's Law and Health Equity class takes a bus tour to compare the wealthy and poor neighborhoods in Atlanta.

Calling all leaders

Paul Bolster (J.D. '86) feels that efforts to cut through a Gordian knot of problems to find solutions in housing, health and education policy depend on leadership ... the path-breaking research and advocacy like Anderson's, but also political and legal leadership.

"I believe it takes legislative or executive department leadership to give a focus to citizen advocacy," Bolster said.

"For any public policy change," he emphasized, "there needs to be a legislative leader to make decisions and create partnerships that will lead to legislation. The courts can provide a context for the legislation and often political cover for taking actions that may not be popular or may get lost in the din of public discussion. Leadership can make an issue a priority for research, public debate and ultimately legislative action."

Bolster does his part. He founded and serves as principle consultant for Support Housing LLC, an organization assisting communities with plans to end homelessness. He co-develops supportive housing with service providers and organizes advocacy efforts focused on state and local policy issues. He founded the Georgia Supportive Housing Association, where he is its former executive director.

Anderson's work has earned Bolster's attention.

"Her research is important," he said. "Connecting housing to health and education is critical to public investment in the housing."

Anderson's leadership in housing and health policy could possibly lead to big changes at Thomasville Heights Elementary School. In the past two years, students in her Property Law classes worked with Purpose Built Schools to explore the underlying causes of churn problems at the educational institution.

Students pulled eviction records and documentation on housing conditions. They cross-referenced demographics to identify and map the issues that impact Thomasville students' ability to attend school.

Now, late this fall, Purpose Built Schools will hold a meeting to evaluate student recommendations based on that research—and possibly adopt those ideas in coming years.

Quality housing and reduced student turnover in the neighborhood that Thomasville Heights' student body calls home could arrest the cycle of poverty in the area.

In other words, two components of a true community—a stable, livable home and a classroom where familiar teachers and classmates show up reliably and faithfully—could potentially anchor the area and give it a chance at normal development.

A chance to share in the American Dream

A true sense of community remains a dream deferred, Anderson feels, without secure, protective, sheltering places to live, schools to spark ideas and health to support hope.

"We are far from the goal," Anderson said. "But awareness that there are these issues has definitely improved, and there has been more of an interdisciplinary approach to addressing them. Housing agencies are now opining on education policies and vice versa.

"Improving health equity will come with improving race relations and improvements in economic inequality," she added. "I think the focus right now still needs to be on awareness and education, with local groups taking the lead on testing possible solutions that can be replicated so that there can be more buy-in when they are proven effective."

Examining health

IN ADDITION TO EDUCATION and community outreach, professors affiliated with Georgia State Law's Center for Law, Health & Society engage in research and scholarship that address critical challenges to ensuring good health and high-quality health care. With its mission to advance the key role that law plays in promoting society's health, the center has six core areas of focus: Law, Medicine & Bioethics; Regulation of Health Care Business; Health Sciences, Technology & Law; Public Health and Environmental Law; Health & Social Justice; and International Health & Human Rights.

"We are fortunate to have a group of extraordinary faculty members who are experts in all these areas of health law and whose research is directed at addressing the issues that affect the health and well-being of individuals, families and communities," said Center Director Leslie E. Wolf, professor of law. "Their research helps identify best practices and promote laws and policies that are evidence-based, seek justice and advance the public's interest."

Here's a look at some of the research and scholarship center faculty are engaged in.





Repeal and replace has failed so far. What happens next?

It seems mostly dead for now, but that doesn't mean we have seen the end. Also, this year's failure to repeal doesn't mean Obamacare is safe. There are things the Trump administration can do without Congress that could significantly undermine the ACA.

The administration could stop making cost-sharing reduction payments to insurance companies that participate in the exchanges—insurance companies are required by law to lower deductibles and cost-sharing for low-income enrollees, and then the federal government is supposed to reimburse the insurance companies for these costs. The Trump administration has been wavering on whether it is going to continue making those payments.

If they stop making payments, the exchanges in some places would potentially collapse. If the payments stop, insurance companies would pull out of exchanges or raise premiums for everyone such that it could become untenable to sustain.

The Trump administration could also stop enforcing the individual mandate. If this happens, people who are healthy would wait until they get sick to buy coverage. If only the sicker people are left in the insurance pool, that will drive up premiums. That will have the same effect of destabilizing individual insurance markets—insurance companies either won't participate anymore or will have to significantly raise premiums if they do.

On the flip side, there are a few relatively simple fixes that would go a long way toward stabilizing the health insurance exchanges. Perhaps we will see renewed discussion of modest fixes that can gain bipartisan support. The other issue to watch for is whether states that have not expanded Medicaid, like Georgia, move to pursue expansion under waivers for experimental programs like other states, such as Arkansas or Indiana.

In your article "Developing a Durable Right to Health Care," you discuss the idea that once entitlement programs are passed, they are impossible to retrench.

There is this accepted wisdom that once you give people an entitlement or legal right to something as valuable as health care, the public will not want give it up. You can't take it back. Even though Obamacare has been controversial since the start, even though parts of it have been problematic and implementation has not been as smooth as hoped for, it has provided really important benefits to a lot of people.

Probably the ACA's biggest legacy is that it created in people's minds the notion that there is a right to health care coverage and that the government should help people who could not otherwise get coverage, whether through assistance to buy private insurance or through public programs.

If the Republican members of Congress were to pass something that significantly strips health care coverage from millions of people and suffer no negative political consequences, then that would suggest perhaps the theory is mistaken. However, so far it looks like the theory is holding, and we will have to see whether members of Congress who voted for ACA repeal and replace will be punished in the midterm elections for doing so.

How do you teach the ACA amidst all this uncertainty?

Students may have an initial feeling of "Why should I learn about Obamacare

if it all could be going away?" The first thing I say is, it's not all going away. Even if a repeal and replace bill were to pass, everything in the ACA would not disappear overnight. Some provisions would be phased out over time, other provisions would simply be tweaked, and entire swaths of the law would stay in place. At the time of this interview, however, it seems like the ACA will remain the law of the land.

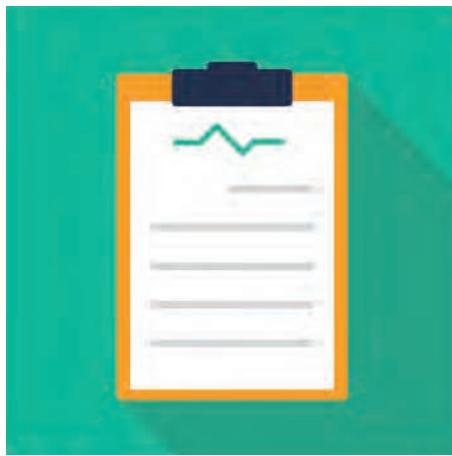
The ACA set the new baseline in the rules of the road for the health care system in the United States. And to understand and evaluate the merits or effects of any proposal to reform the health care system, you have to understand what the baseline is, what it achieved and how it did it.

In addition, students can be given tools to evaluate rapid-fire developments in the health care debate. They may be asked to determine the effects of the latest proposed bill or amendment and then convey that evaluation succinctly to a client, their classmates or their family members. Even if none of the repeal and replace proposals become law, the ability to evaluate and translate a proposal's implications in fair terms is a really valuable skill that few people can do. Health care is very complicated, and students can feel good if they become sophisticated consumers of all the information and misinformation out there. They may disagree with one another, but as long as they are able to offer a measured and informed analysis, we have done our job.



Associate Professor of Law Erin C. Fuse Brown's research and expertise include health care prices, medical billing, the Affordable Care Act, health care competition and regulation, surprise medical bills, consumer protections for patients and genetic research and privacy. She is one of five new casebook authors for the 8th edition of Health Law, published by West.

Prenatal genetic testing



You are part of a National Institute of Health grant to study the implications of technology that allows for early, noninvasive prenatal genetic diagnosis. Tell us more.

A new type of prenatal testing was introduced several years ago that only requires a blood sample from the mother, and it can be administered as early as eight weeks gestation. It's much less intrusive and costs less than previous tests and, as technology advances, eventually may be used to perform whole genome analysis.

The Hastings Center was given the grant to assemble a group of people—about 25 scientists, genetic counselors, physicians, obstetricians, anthropologists and others—to find out how the technology is being used now, consider the ethical implications and advise how it should be regulated, whether federally or through medical standard-setting organizations.

I was asked to be on the committee as a lawyer and as a historian because of my research in eugenics. They wanted to start out with a clear perspective on the ways in which we failed ethically in the past when questions of genetic diagnosis came up. This new technology raises questions about selecting, for or against, very specific embryos. I was asked to give an analysis of what parallels there may be in our history and how they might inform the current discussion.

What are some of those parallels?

In the past, we used what we thought were good technologies to exclude people, whether it was using IQ tests to exclude immigrants, or using tests of ethnicity to exclude people from civil society, or excluding people with disabilities both by institutionalizing them or preventing them from having children through sterilization. It's the specter of that kind of negative use of technologies that this committee wanted some insight into.

What are some of the ethical questions?

Should the testing be available to everyone for any trait or condition, or only to certain people to screen for very specific diseases? Should it be for profit? The concern is that for-profit businesses have already made it available to detect gender. So, if someone gets tested and says, "I want to have a boy, not a girl," do you say OK? Is sex selection something that we are going to endorse or not?

It also raises all sorts of questions about disabilities. Should those administering the tests be allowed to find anything the consumers want—for example, if they are carrying a baby with Down Syndrome or some other trait, like a heart defect or propensity to disease? There are 4,000 to 5,000 single genes that are identifiable using prenatal diagnosis. Who gets that information, and what can they do with it?

It's the kind of problem that could pit technology against the value systems that people bring to the table when they have children. It requires you to think about those value systems and whether or not the science is doing what it promises to do—are the tests even accurate?

So far, there are no cures for most of the conditions you can test for genetically. So, if the test is positive, do you terminate the pregnancy? If that's not an option, what are you going to do with the information?

In some cases, the information can be useful. There are nutritional choices

and early interventions a person can make during pregnancy and when the child is born that may help the condition. But most people don't use the tests for those purposes. People often do prenatal screening to get information about whether to continue a pregnancy. So, the disability rights community has raised serious questions, and it's an area where there is a tremendous amount of contention.

Are the tests accurate?

They aren't perfect; there can be false positives or false negatives. In some cases, a test is accurate in telling you what the genetic makeup of the fetus is, but we have no idea the likelihood of how specific genes will be expressed. Will the disease or condition you fear happen at all? Will it happen at age 15 or 50? This uncertainty about prediction raises other ethical questions. Are you putting yourself in a compromising position by having the test when you don't know what you'll do with the results?

How widespread is the use of this technology currently?

A number of for-profit laboratories do the testing, as well as some research institutions and major hospitals and science centers.

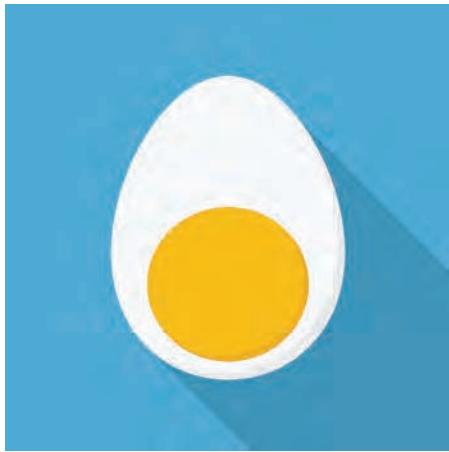
What's next?

The study will continue for another year, and then we will release a series of recommendations to



policy makers and to the scientific and medical communities.

Paul A. Lombardo, Regents' Professor and Bobby Lee Cook Professor of Law, is a lawyer/historian who served from 2011 to 2016 as a senior advisor to the Presidential Commission for the Study of Bioethical Issues. He has published extensively on topics in health law, medicolegal history and bioethics and is best known for his work on the legal history of the American eugenics movement.

**How big is the food safety problem?**

Researchers at the Centers for Disease Control and Prevention (CDC) in Atlanta estimate that each year in the United States, foodborne pathogens cause 48 million illnesses, 128,000 hospitalizations and 3,000 deaths. To put these figures in perspective, about one in six Americans suffers from foodborne illness each year, and more people are hospitalized from foodborne illness than are hospitalized from burns or firearms accidents. I would not say that this makes foodborne illness a crisis, but it is a public health concern that merits significant attention.

What may help improve food safety?

I think that the best investment we could make to improve food safety would be to spend more on the public health infrastructure that reports foodborne illness and traces it back to the source of contamination. This infrastructure knits together local, state and federal agencies and, by identifying the causes of outbreaks, helps to identify places where the food industry could do a better job of reducing the risk of contamination.

What do you think of the argument that local, sustainable farms should be subject to different regulations than large, industrial farms?

In food safety, as in most areas of regulation, there is no free lunch. More stringent food safety requirements, such as frequent audits or pathogen testing,

may favor large monoculture growing operations, which can take advantage of economies of scale, increasing industry consolidation and reducing consumer choice, especially options to buy locally sourced and organic products. At some point, the extra costs of increased food safety outweigh the additional benefits. Stepping up food safety becomes less desirable when it means that local family farms can no longer afford to compete with agribusiness.

Those who put food safety first are wary of exemptions for smaller, local or organic operations. Those who value alternatives to large-scale industrial production believe that some extra food safety risk is worth it. The proper balance is ultimately a question of how to balance competing values.

What is one of the biggest obstacles regarding any type of regulation?

Uncertainty is a major obstacle to successful food safety reform. For example, existing data regarding food safety efforts to reduce microbial contamination in fresh produce production indicate that they have encouraged higher rates of investment among farmers in expensive measures such as frequent testing of irrigation water and more thorough food safety audits. However, there is not data to show that these additional efforts have reduced the rate of foodborne illness. This inability to link investments in food safety to public health outcomes makes it hard to know what works and what doesn't and which measures are cost-effective and which are not. Most experts believe that some of these efforts are making our food safer, but no one really knows.

Your book *Kosher: Private Regulation in the Age of Industrial Food* discusses how the kosher certification system is one to be modeled. Why?

Retail buyers—supermarkets, restaurants and food services companies—require their suppliers to pay for and pass private, third-party food safety audits. The scale

of this private food safety auditing system is much larger than that of government food safety inspection. In 2011, the FDA inspected 19,073 domestic food facilities and 995 foreign food facilities. The USDA maintained inspectors in 6,000 domestic facilities that produce meat, poultry and processed egg products. State governments also conducted tens of thousands of food safety inspections.

By comparison, the Food Safety Service Providers, an industry association representing nine leading private food safety audit firms, asserted in 2011 that its members alone conduct more than 200,000 audits and inspections in over 100 countries each year. Beyond these nine industry leaders, the FDA estimated that there were 568 firms conducting private food safety audits. Based on these figures, it appears that by 2011, the scale of private food safety auditing activity far exceeded that of all federal and state efforts combined. Reliance on private food safety audits is even greater on farms, where federal and state officials rarely show up unless they are investigating an outbreak.

There are a lot of problems with private auditing—such as inconsistent audit quality and the conflict of interest inherent in a system in which the auditor is paid by the entity being audited. The kosher certification system in the United States developed from a highly corrupt system in the early 20th century into a very reliable system of private auditing today. My book tells the story of that transformation and identifies the key to increasing the reliability of private auditing systems.



Associate Dean for Research & Faculty Development and Distinguished University Professor Timothy D. Lytton's research examines health and safety regulations, with a particular focus on food policy. He is writing a book, *Outbreak: Foodborne Illness and the Evolving Food Safety System*.

**You are researching what you call "genetic paparazzi." Tell us more.**

It's very clear that when you are a public figure, you have less of an expectation of privacy because there is a public interest in information about you. This is well covered in case law and by courts.

This diminished level of legally enforceable expectations of privacy has already allowed for the emergence of a prosperous tabloid industry fueled by paparazzi. The stronger the public interest in a public figure's information, the lower their expectation of privacy.

Does that also apply to their genetic materials?

A strong case could be made that the public would want to know the medical history and genetics of public and elected officials. For instance, if a presidential candidate has the genetic makeup for Huntington's disease, which develops later in life and will inevitably affect a person's cognitive capabilities and emotional stability, does the public have a right to know? I am inclined to say yes, but regardless, the implication is that we could soon witness paparazzi carrying swabs and sterile tubes in search for genetic materials dropped by the subjects of their pursuit.

How likely is that to happen?

I think it's inevitable — it's actually already happening. Martin Shkreli was just sent

to prison because he solicited people to collect Hillary Clinton's DNA, and this past summer Madonna filed a lawsuit against an auction house selling some of her private effects that may contain her genetic material. As we learn more about what genes mean and as genetic sequencing and analysis technology becomes more ubiquitous, such practices are going to become even more prevalent.

You can now sequence a person's entire genome on the open market for just a couple thousand dollars. In the not-so-distant future, it will cost much less and be easier to obtain. We will have to determine what interest public figures have in their genetics that could be preserved based on existing privacy laws and doctrines, and what they do not.

What have you found in your research so far?

My co-author, Liza Vertinsky, an associate professor at Emory University School of Law, and I are only looking at cases where the biological material is taken in a nonconsensual context and unbeknownst to the subject in the context of civil litigation or law.

We consider two hypotheticals. One involves obtaining genetic material of a presidential candidate, and the other of a famous actor, then analyzing them and publicizing the results. One of these cases also involves selling the information and/or the material to a third party who offers genetic treatments based on the information.

With the possibility of designing for change in DNA, in the future we could imagine situations where desirable genetic attributes of celebrities could be available for private individuals. For example, say you want a unique eye color of a celebrity. If you know that person's genetic makeup, hypothetically a lab could form a treatment that would create that eye color.

Or suppose you want to have a child with a certain celebrity. It's likely that in the future, a clinic could create gametes from that person's genetic material — this technology already has been used in mice.

What's the argument for allowing genetic information to be publicized?

In regard to someone in an important office, such as president, who literally makes life-and-death decisions, or is in charge of the lives of millions, I think it's legitimate for the public to expect to know certain things about that person. Just as the public has a right to know what the president's finances are or have been, We argue the public has a right to know whether its public officials are prone to have certain illnesses.

What are the negative implications?

We are likely going to get into a realm of disclosures that are even more unsavory than what we are seeing now in the tabloid industry.

Do any current laws offer protection?

There are protections on people's genetic information, even if they are public figures. And there are laws that could be perceived as protecting public figures' interests in their genetics, such as privacy laws, HIPPA and right of publicity laws.

But we have doubts about public figures because, generally speaking, they have lower expectations of privacy.

We are mapping out the laws, which vary greatly between states, to get an idea of what could happen. In one of our hypotheticals, we consider what happens when genetic materials are obtained by a news outlet and then publicized nationally. There are a number of laws that could pose a problem to such news outlets, but we have not found something that would completely prohibit it.



Associate Professor of Law Yaniv Heled's research focuses on legal and ethical aspects of biomedical technologies. He is the co-director of the Center for Intellectual Property Law.

The opioid epidemic



Patricia J. Zettler, associate professor of law, served as a consultant to the National Academies of Sciences, Engineering, and Medicine (NASEM) Committee on Pain Management and Regulatory Strategies to Address Prescription Opioid Abuse. The report, which was commissioned by the U.S. Food and Drug Administration (FDA), was released in July.

How bad is the opioid crisis?

Drug overdose is the leading cause of accidental death in the United States, driven largely by overdose related to opioid use. On average, 90 individuals in the United States die each day from an overdose that involves an opioid. Trends indicate that premature deaths associated with the use of opioids are likely to climb, and overdose and other opioid-related harms are likely to significantly reduce quality of life for many for years to come.

What are some of the key findings of the report?

The committee was asked to characterize the opioid epidemic and recommend actions that the FDA and other organizations should take to respond.

The report lays out several key elements for a successful response to the opioid crisis. These include changing the culture of prescribing, partially through enhancing education for physicians and the general public; investing in treatment for the millions of individuals with opioid-use disorder and removing

impediments to those treatments; preventing overdose deaths, including by improving access to naloxone and safe injection equipment; incorporating the societal impacts of opioids into regulatory decisions; and investing in research, particularly in better understanding the nature of pain and developing nonaddictive alternatives to opioids for pain management.

Did the report discuss how opioids should be prescribed?

The committee found that, despite a recent decrease in the number of opioid prescriptions, opioids are still being prescribed much more frequently for chronic noncancer pain than is warranted. The report called for improved education for health care providers, including basic training in the treatment of opioid-use disorder for physicians, nurses, pharmacists, dentists, physician assistants, psychologists and social workers.

How will better access to naloxone help?

The provision of naloxone to overdose victims by health professionals in the pre-hospital setting is the standard of care. Specifically, the report determined that mechanisms for increasing naloxone prescribing and dispensing, equipping first responders and possibly enabling over-the-counter status, are warranted. The report, however, also acknowledged that these goals may be impeded by high and unpredictable medication costs. The cost of naloxone is a key consideration and can be a major impediment to access to branded naloxone products.

What actions can the FDA take to address opioid misuse?

The report recommended that the FDA incorporate broad public-health considerations into its opioid-related regulatory decisions. The FDA traditionally has taken a product specific approach to drug approval decisions by focusing on the data generated and submitted by a drug's manufacturer and

balancing the benefits against the risks to the individual patient. Although this approach works well in most cases, opioid medications should be viewed differently than many other drugs because, in addition to risks and benefits for the individual patient, these medications can have social externalities.

What will it take—and how long—to fix the problem?

It is important to keep in mind that the opioid crisis took nearly two decades to develop, and it will take many years to control and reverse. Therefore, years of a sustained and coordinated effort will be required to address the problem.

What else needs to be studied to further combat this crisis?

The report's first recommendation highlights the need to invest in research to better understand pain and opioid-use disorder. Chronic pain and opioid-use disorder represent complex human conditions affecting millions of Americans. Little is known about why some individuals who use prescribed opioids to alleviate pain develop opioid-use disorder. Research is needed to improve our understanding of opioid-use disorder, the nature of pain and the relationships among pain, opioids and the brain's reward pathways. Such research can help support the discovery of

innovative and successful treatments, including nonaddictive painkillers and nondrug approaches.



Zettler has expertise in the regulation of medical products, medicine and biomedical research, with an emphasis on the U.S. Food and Drug Administration (FDA). She is a former associate chief counsel in the FDA's Office of Chief Counsel.

A helping hand

by Ray Glier



10
years

250
cases

199
clients

25
counties

\$975,000+
in Social Security and Medicaid benefits



The Health Law Partnership (HeLP) Legal Services Clinic celebrates a decade of assisting low-income families with health-related legal issues.



\$100,000+
in housing

\$17,000+
in education services

When the judge at an administrative hearing for Social Security benefits leaves the room following the hearing, it can be weeks or months before a decision is rendered about whether to award benefits. Parents or caregivers making the appeal for a disabled child can sit in a stew of worry.

Sometimes, though, the nerve-shredding is limited because an appeal is so thoroughly put together that the judge rules immediately from the bench. You expect that kind of expert appeal work to be done by seasoned attorneys.

But in the fall of 2011, Megan Douglas (J.D. '12) and Meredith Linscott (J.D. '12), third-year law students at the time, delivered a rousing win for a 15-year-old client. They were representing the client as part of their work in the HeLP Legal Services Clinic, a subset of the Health Law Partnership (HeLP), an innovative community collaboration among Georgia State Law's Center for Law, Health & Society; Children's Healthcare of Atlanta Inc.; and the Atlanta Legal Aid Society.

Douglas and Linscott delivered such sound, compelling arguments before a Social Security Administration judge and a medical expert hired by the SSA that they did not even have to leave the room. The judge ruled from the bench in their favor in an obliteration of bureaucracy: a one-hour-long proceeding.

"It was our home run," Douglas said.

The judge ruled the Social Security Administration incorrectly denied benefits when the 15-year-old's mother first applied. The judge ordered the SSA to retroactively award the benefits that should have been paid the previous year.

There was one other win. The 30-page brief Douglas and Linscott submitted before the hearing included expert work from residents and medical students at the Morehouse School of Medicine, Douglas said. There is a difference between the medical standard and legal standard for arguments, and the team had both sides of the aisle covered for their young client.

When the judge asked the SSA's medical expert to weigh in following oral arguments, the expert completely agreed with the students.

A holistic relationship between law and medicine

This year, the HeLP Clinic is celebrating 10 years of interdisciplinary work in which students of medicine, social work,

bioethics and law work together for a just cause. Among its successes in the past decade, the HeLP Clinic has been recognized as one of the top 25 innovative clinics in the country by *National Jurist* magazine.

HeLP Clinic co-directors Lisa Radtke Bliss and Sylvia Caley (M.B.A. '86, J.D. '89) teach and preach about the benefits of a holistic relationship between law and medicine in the classroom and beyond. They have presented about their work all around the world, including in Brazil, Spain, Canada, India, Thailand, Turkey and the Philippines.



Sylvia Caley (M.B.A. '86, J.D. '89), director of the Health Law Partnership (HeLP) and co-director of the HeLP Clinic, chats with students.

"What we built in terms of the interdisciplinarity of the program is a real achievement," Bliss said. "Our goal was to have interprofessional education for students from the medical profession as well as the legal profession."

"This year we have at least a dozen medical students enrolled. That's an incredible number of students from another discipline who want to come to our law clinic to study and work together with us to address the social determinants of children's health."

The clinic opened in 2007, but its roots go back to 1989. Charity Scott, Catherine C. Henson Professor of Law and founding director of the HeLP Clinic, went to Boston with Caley to look at a collaboration between Harvard Law School, where she earned her degree, and Brigham and Women's Hospital.

"I wanted to develop a service-oriented practice for law students and medical students to work together," Scott said. "Interdisciplinary collaboration was my highest priority."

She smiled wide and said, "It took quite a number of years for folks to agree that this was a good idea."

Determined to make friends in the medical community, Scott became a faculty fellow at Emory and spent a sabbatical year in the neonatal intensive care unit in 1994–1995.

"Health care providers often think of lawyers as adversaries, that we are only there to sue them," Scott said. "We let them know we are their allies: 'We are here to work with you in order to help your patients by addressing the social and economic determinants of their health.'"



Lisa Radtke Bliss, associate dean of experiential education and co-director of the HeLP Clinic, teaches students.

Working with Caley and the Atlanta Legal Aid Society, Scott approached Grady Memorial Hospital several times over the next decade to try to launch the overall community collaboration between medical and legal professionals that ultimately became known as the Health Law Partnership (HeLP). During this time, Scott began teaching classes on medical ethics with Emory medical school faculty at Grady, and through those efforts successfully secured the enthusiastic support of Emory and Morehouse faculty for HeLP. The hospital administration remained unconvinced, however.

The breakthrough came when a friend, Dale Hetzler, general counsel at Children's Healthcare of Atlanta, agreed to the idea in 2004. That was fitting because Hetzler is regarded as an expert in conflict resolution in health care. With a generous grant from the Woodruff Foundation, Atlanta Legal Aid hired lawyers to begin HeLP's first component: providing legal services directly to patients and their families.

In June 2006, Georgia State Law gave Scott the go-ahead to set up HeLP's second component: an interdisciplinary educational clinic for students to take cases referred to them from HeLP. The clinic doors opened in January 2007.

Knocking down that wall of mistrust between attorneys and doctors is one of the biggest accomplishments of HeLP overall and of the clinic in particular, Scott said.

"When we first get the med students and law students together, they regard each other with a little bit of suspicion and distance," Bliss said. "We have them work on joint problem-solving exercises together, and they begin to realize they have many more similarities in their professions than differences."

"Most of them have joined the law or medical professions because they care about their communities and helping people. They care about good health outcomes and just results. By the end of their experience working together, they are exchanging emails, becoming friends on social media and developing professional connections."

Experiential learning

The HeLP Clinic is a live-client clinic. Instead of having their noses in books, students are nose-to-nose with the issue of intractable poverty as they interview parents and children. Much of the work is getting disability benefits for children, but HeLP can also take landlords to task for poor housing conditions. They also meet with public school officials to remind them of the bedrock of the 1973 Rehabilitation Act — that children with disabilities get "free appropriate public education."

"We are problem-solvers," said Caley, who closely supervises the students' work along with Bliss and supervising attorney Jimmy Mitchell. "Parents have an advocate with them. When we are successful in a disability case, they get a cash benefit, and that might mean the difference between housing and homelessness. It brings fee-for-service Medicaid, instead of managed care. It helps kids who need procedures and therapies. It means better health coverage."

Caley said the hearing before an administrative judge is invaluable experience for a law student. But students studying social work and bioethics also benefit because they are part of the interdisciplinary problem-solving on behalf of children.

"What makes this so dynamic and always interesting is the mix of skills that we've got here. The strong belief is that everybody — regardless if they are law students, med students, social work students, bioethics students — is better for the experience," Caley said.

From legal practice to public policy

With a strong background in the fundamentals of legal practice from her work in the clinic, Douglas has transitioned easily into

"What makes this so dynamic and always interesting is the mix of skills that we've got here. The strong belief is that everybody—regardless if they are law students, med students, social work students, bioethics students—is better for the experience."

—Sylvia Caley (M.B.A. '86, J.D. '89)

the field of public policy. She was the first attorney to participate in the Health Policy Leadership Fellowship at Morehouse, where she is now interim director, as well as an instructor in the Morehouse School of Medicine. The fellowship focuses on health policy and health equity; having a lawyer in its leadership role is notable and underscores the HeLP Clinic's interdisciplinary work.

While many HeLP Clinic students may not ultimately choose full-time careers in public interest law, lawyers exposed to the program are likely to start an internal dialogue with themselves: "Where can I help? Where do I spend my pro bono hours?" Their legal bandwidth becomes larger with exposure to the HeLP Clinic.

"We don't have an expectation that they will be public interest lawyers, but we do hope to imbue them with the sense of responsibility that they need to give back somehow, and that public service is important and rewarding to our community and that they will engage in some form of pro bono service after they graduate," Caley said.

Just as important, lawyers who have participated in the clinic prove to doctors they are a trusted ally and that the welfare of children is non-partisan. The adversary is life's bruises, not the other professionals in the room.

So when the yellow legal pad crosses with the stethoscope, there is a better chance for outcomes that rekindle spirits for children and their caregivers. If you are counting accomplishments for the HeLP Clinic in its 10 years, that might be the biggest of all.

Read about a student's experience working on a HeLP case and the impact it had on his client at law.gsu.edu/help-clinic-experience.

Read more about how HeLP is a model for other schools at clhs.law.gsu.edu/help-provides-mlp-model.

Watch a video about the HeLP Clinic celebration at law.gsu.edu/help-10-years-reception.

44th

Georgia's national rank on children's overall well-being, taking into account a variety of key factors affecting children's health, such as poverty, low birthweights and mortality, and teen birth rates.

—by the Annie E. Casey Foundation's 2014 KIDS COUNT



Charity Scott, Catherine C. Henson Professor of Law, was a founding leader in the Health Law Partnership (HeLP) and its clinic.



'Health is a Human Right' on display at College of Law

WHERE: College of Law, Research Centers and Institutes, Fourth Floor, 85 Park Place NE, Atlanta, 30303

WHEN: 9 a.m.–5 p.m. Monday–Friday

INFORMATION: publichealth.gsu.edu/health-exhibit

INTERACTIVE ONLINE VERSION: library.gsu.edu/healthexhibit

A thought-provoking exhibit about health equity is on display in the College of Law's Research Centers and Institutes. The Center for Law, Health & Society, in partnership with the School of Public Health and the University Library, has re-mounted portions of "Health is a Human Right: Race and Place in America," making materials originally displayed at the David J. Sencer CDC Museum available to the public for the first time since 2014.

The freshly curated display examines challenges of the past 120 years in achieving health equity in the U.S. through historic photos, posters and other documents. It is free and open to the public through Dec. 1, with plans to extend through May.

"This exhibit has rich components that complement the center's mission of providing a space for reflection on critical issues at the intersection of law, policy, health and society," said Stacie Kershner (J.D.'08), associate director of the center. "We encourage alumni and friends to drop by to see this important illustration of how socially disadvantaged populations face many inequities in regards to health."

Alumni profile | Nancee Tomlinson (J.D. '00)

by Jennifer Bryon Owen



LIKE NUMEROUS ATTORNEYS BEFORE HER, Nancee Tomlinson (J.D. '00) delves into her education and experiences to create the books she's writing.

Unlike other writers, some who spin words of bloodshed, heartache, passion and justice into fictional tales to entertain readers, Tomlinson uses her words to shed light on the reality she has seen play out in the courtroom. Her goal is to help those who face family-related judicial decisions to regain a measure of control over their lives. Her books, *Success in Dependency Court—A Parent's Guide to Completing a CPS Case Plan* and *Caregiver's Compass: Navigating Foster Care*, are how-to guides for that process.

"I went into law because I thought that was the best path for me to be a voice to help those who have no voice."

she said. "Some people don't speak up for themselves when they can, or they don't understand that they can."

Her private practice in Athens, Georgia, specializes in criminal defense of felonies and misdemeanors. She represents juveniles charged with delinquency; advocates for parents in dependency cases as well as child abuse registry cases; and handles guardianship and other probate matters. During her career, she has worked with civil litigation, family law litigation and juvenile court matters, including delinquency, deprivation and guardian ad litem appointments.

Tomlinson admits to always having been a "pushy, kinda strong," outspoken person, especially for those needing help.

"I went into law because I thought that was the best path for me to be a voice to help those who have no voice,"

On any given day in Georgia, about 12,700 children are in the foster care system. In the state's 2016 fiscal year, 19,466 children went through the system.

Cases dealing with children in the foster care system took an emotional toll on Tomlinson. Navigating a cumbersome, multifaceted, albeit well-meaning, system was so stressful that she had to take a break from most of those cases, though she still manages a few.

"Our job is to make sure the children get what they need," Tomlinson said. "But the system is getting more complex." She cited the layers of people and services that one must go through before a child can get what he or she needs, as well as dealing with parents who don't understand the system and foster parents who become overwhelmed.

Feeling compelled to contribute positively to making the system work better, Tomlinson began writing books that provide crucial information to parents and foster parents — information that they may have already heard from their attorneys or the judge, but most likely don't remember. Because of the deep-seated emotions and complex legal processes involved in these proceedings, many clients can't keep track of it all. The books help parents and foster parents navigate the numerous actions, people, places and appointments for which they are responsible, detailing how to meet expectations and goals.

Unfortunately, many people who end up in court often don't know the court's unwritten rules either, Tomlinson said, so the book for parents provides basic information on how to assert and present oneself in the courtroom. For example, don't be late; don't wear shorts and a tank top.

Many parents want to fight the judge over their perceived injustice, insisting they can raise their children the way they want, she said.

"I tell them, 'You want to beat DFACS [Division of Family and Children Services]? You play their game and win,'" Tomlinson said. "Once the court finds dependency, the parents need to quit fighting the judge and do what the court has ordered. It's that simple, but very difficult for many people to understand."

She stresses that they should show the judge the matter is important to them by meeting the court's requirements, such as visiting their children in foster care regularly and completing the court-ordered evaluations. Tomlinson's approach is positive and respectful, with the assumption that every parent wants the best for their child; they just need certain guidelines.

Both books are available through Amazon, and Tomlinson hasn't discounted the possibility of one day joining the ranks of attorneys-turned-novelists. But for now, her focus is on helping others — by getting what she's already written into the hands of parents prior to standing before the judge.

Faculty news

PRESENTATIONS

Ted Afield, associate clinical professor of law, participated in a tax law discussion group on "Pedagogy and Assessments in Tax Courses" and a legal education discussion group on "Responding to the Needs of Evening Students: The Night Owl Clinician" at the Southeastern Association of Law Schools Annual Conference.

Charlotte Alexander, associate professor of legal studies, participated in an author-meets-reader panel as an invited "reader" at the Law and Society Association Annual Meeting in Mexico City.

Hulett "Bucky" Askew, visiting professor of law, participated on a panel discussion about the validity of the bar exam and potential changes in the future of bar examining, "A Conversation with the Deans," at the National Conference of Bar Examiners (NCBE) Annual Education Conference in May. Askew is a member of the Board of Trustees of NCBE.

Margaret Butler, associate director for public services, presented "I, Robot: Leveraging your LMS to Automate Legal Research Assessment Using Regular Expressions and Specialized Testing Modules" at the American Association of Law Libraries Annual Meeting in Austin, Texas.

Erin C. Fuse Brown, associate professor of law, presented "ERISA as a Barrier to State Health Care Transparency Efforts" at Harvard Law School's Petrie-Flom Center. She and **Leslie Wolf** presented their research on legal protections for participants in large-scale genomic research at the Fourth ELSI Congress on Genomics and Society. Fuse Brown presented "Consumer Financial Protection in Health Care" and moderated several panels at the 40th Annual ASLME Health Law Professors Conference hosted by the College of Law.

Wendy Hensel, interim dean and professor of law, presented her article "Autism Spectrum Disorder in the Workplace" at the Autism Conference and Expo of Georgia in Atlanta in May.

Lytton named new associate dean

Distinguished University Professor and Professor of Law Timothy D. Lytton became associate dean for research and faculty development for Georgia State Law on July 1.



Lytton joined Georgia State Law in 2015. He teaches Administrative Law, Torts, Products Liability and Legislation & Statutory Interpretation, and his research examines health and safety regulations, with a particular focus on food policy.

In his new role, Lytton plans to continue the tradition of allowing faculty members several opportunities to share their research and receive constructive feedback through workshops, programs and relationships with other institutions and disciplines.

"The faculty culture at Georgia State Law is defined by an appreciation of intellectual diversity, a strong commitment to each other's success and a deep belief that high-quality scholarship and teaching should go hand-in-hand. I see my new position as merely a facilitator of this culture," Lytton said.

Lytton was attracted to Georgia State Law because of its commitment to interdisciplinary collaboration and efforts to put new ideas into practice throughout Atlanta.

"I'm very impressed by the intensity and creativity of intellectual life here in the law school," he said. "I'm also pleasantly surprised by how much I have learned in the classroom that has informed my research. My students bring to their studies a rich diversity of experiences, and classroom discussion has helped me refine my ideas about applying institutional theories to policy problems."

Nicole G. Iannarone, assistant clinical professor and director of the Investor Advocacy Clinic, co-moderated the discussion group "Responding to the Needs of Evening Students" at the Southeastern Association of Law Schools Annual Conference.

Julian Juergensmeyer, Ben F. Johnson Chair in Law and director of the Center for the Comparative Study of Metropolitan Growth, spoke at the graduation ceremony of the University of Warsaw's Center for American Law, of which Georgia State Law and Emory University School of Law are co-sponsors.

Kendall Kerew, assistant clinical professor and director of the Externship Program, presented "Professional Identity Formation Teaching Methodologies: TED Talk Assignment" at the July 2017 Professional Formation Workshop "Helping Each Student Internalize the Core Values and Ideals of the Profession" sponsored by the Holloran Center for Ethical Leadership in the Profession in Chaska, Minnesota. In addition, Kerew served as a discussant with **Lisa Bliss** in a session, "Building on Best Practices for Outcomes and Assessment," at the 2017

Southeastern Association of Law Schools Annual Meeting in Boca Raton, Florida.

Timothy K. Kuhner, associate professor of law, presented "Plutocracy and Partyocracy" at the Organization for Security and Cooperation in Europe in Poland and at the Real Sociedad Económica Matritense in Spain. He presented "From the Open Marketplace to Oligarchy: The Corruption of the First Amendment" at the American Political Science Association Annual Meeting. He presented "The 2016 U.S. Election: Democracy or Corruption?" at the University of Warsaw; at the Law Offices of K&L Gates (Warsaw); and at Fábrica Ramis (Balearic Islands, Spain). Kuhner also presented on plutocracy and campaign finance cases at Cornell Law School, Fordham Law School and at the Seton Hall/Free Speech for People Symposium: Reforming Campaign Finance in America Today.

Paul A. Lombardo, Regents' Professor and Bobby Lee Cook Professor of Law, presented "Advertising Eugenics: Selling America on Health, Heredity and Happy Babies" at the American

Association for the History of Medicine meeting in Nashville and spoke on "A Troubling Legacy: Eugenic Boundaries on Reproduction" at the Stem Cell Research Center Seminar at the University of California, Irvine. He also participated in "Goals and Practices for Next Generation Prenatal Testing" at the Hastings Center in Garrison, New York.

John Travis Marshall, assistant professor of law, spoke to an international cohort of John Lewis Fellows about "Creating the Win-Win for Communities of Color and the City of Atlanta: Development without Displacement."

Kristina L. Niedringhaus, associate dean for library and information services and associate professor of law, participated in the discussion groups "Legal Research and Law Practice Technology Pedagogy" and "Maximizing Scholarly Impact" at the Southeastern Association of Law Schools Annual Conference.

Mary Radford, professor of law, was a panelist at the ALI CLE Estate Planning in Depth Conference in Madison, Wisconsin. She spoke about

fiduciary law at the Fiduciary Law Institute ICLE in Georgia; the Cobb County Bar Estate Planning Section; and the DeKalb Estate Planning Council in Decatur, Georgia. She presented "Ethical Considerations in Representing Clients with Diminishing Capacity" at the Monroe County Bar Association in Rochester, New York; the Southern Arizona Estate Planning Council in Tucson, Arizona; the Southern Federal Tax Institute in Atlanta; and at the Alabama Federal Tax Institute in Tuscaloosa, Alabama.

Charity Scott, Catherine C. Henson Professor of Law, presented "Mindfulness and Health for Lawyers: Fostering Resilience and the Formation of Professional Identity" and co-hosted a plenary workshop on "Experiential Teaching and Learning in Health Law" at ASLME's 40th Annual Health Law Professors Conference held at Georgia State Law in June. She was a co-trainer in a three-day program on "Conflict Resolution Training for Health Care Professionals" sponsored by the Center for Conflict Resolution in Health Care in Memphis. Scott also offered two workshops for medical students at Emory University School of Medicine: one on law, ethics and politics in reproductive rights and one on conflict management in health care.

Jonathan Todres, professor of law, presented on human rights education at the University of Georgia School of Law's International Law Colloquium. He also presented on anti-bullying law and policy at Auburn University's Anti-Bullying Summit.

Anne Tucker, associate professor of law, presented her impact investment and mutual fund scholarship at NYU Law School, the Northwestern Kellogg School of Business and at the ABA's Business Law Section Annual Meeting in Chicago. She hosted the Seattle University School of Law's Adolf A. Berle Jr. Center on Corporations, Law & Society's Ninth Symposium on Investor Time Horizons at the College of Law in June.

Tanya Washington, professor of law, moderated a panel at the National Center for Civil and

Human Rights titled "Jim Crow America: Exploring Racial Justice in 2017"; delivered a keynote address at the NYU campus in Berlin on President Trump and race; taught a workshop and gave welcome remarks on behalf of the College of Law at the opening reception of the Justice Benham Law Camp; and served as a panelist on gentrification in the City of Atlanta and as a panelist at an event sponsored by the Southern Center for Civil and Human Rights. She also gave a talk hosted by Georgia Stonewall at the 191 Club.

Patricia J. Zettler, associate professor of law, presented on FDA oversight of novel nicotine products at the American Society of Law, Medicine & Ethics' 40th Annual Health Law Professors Conference and participated in the Regulation and Innovation in the Biosciences Workshop at the University of Michigan Law School.

PUBLICATIONS

Charlotte Alexander published "Transmitting the Costs of Unsafe Work" in the *American Business Law Journal*.

Bucky Askew contributed to the article "The Law Firm Incubator Movement" in the *Iowa Lawyer*, which highlighted Lawyers for Equal Justice (L4EJ).

Clark D. Cunningham, W. Lee Burge Chair in Law and Ethics, co-wrote "Educational Programs for Professional Identity Formation: The Role of Social Science Research" with Muriel J. Bebeau and Stephen J. Thoma (past and present directors of the Center for the Study of Ethical Development), which was published as the lead article in the annual symposium issue of the *Mercer Law Review*.

William A. Edmundson, Regents' Professor of Law and professor of philosophy, published the book *John Rawls: Reticent Socialist* with Cambridge University Press. He also published two articles: "Distributive Justice and Distributed Obligations" in the *Journal of Moral Philosophy* and "Political Political Theory Theory," co-authored with Jeremy D. Farris, in *Constitutional Commentary*.

Erin C. Fuse Brown published "Consumer Financial Protection in Health Care" in the *Washington University Law Review*.

Wendy Hensel published "Squaring State Child Vaccine Policy with Individual Rights Under the Individuals with Disabilities Education Act: Questions Raised in California" in *Public Health Reports*, co-written with Ross Silverman.

Julian Juergensmeyer published the 2017 Pocket Supplement to the treatise *Land Use Planning and Development Regulation Law*, third edition, co-written with **Ryan Rowberry**, associate professor of law.

Kendall Kerew published "Marking the Path from Law Student to Lawyer: Using Field Placement Courses to Facilitate the Deliberate Exploration of Professional Identity and Purpose" with co-author Timothy Floyd in the *Mercer Law Review*, Lead Articles edition.

Timothy K. Kuhner published "The Market Metaphor, Radicalized" in the *Election Law Journal*; "The Corruption of Liberal and Social Democracies" in the *Fordham Law Review*; "Plutocracy and Partyocracy: Oligarchies Born of Constitutional Interpretation" in the *Review of Constitutional Studies*; and "Plutocracy and Partyocracy" in the new book *Preventing Corruption and Promoting Good Government and Public Integrity*. Kuhner also placed two book projects under contract with Cambridge University Press.

Timothy D. Lytton, associate dean for research and faculty development, Distinguished University Professor and professor of law, published "Oversight of Private Food Safety Auditing in the United States: A Hybrid Approach to Auditor Conflict of Interest" in *Hybridization of Food Governance*.

Mary Radford published "Ethical Considerations for Lawyers Serving as and Representing Fiduciaries" in the *Estate Planning E-Journal* and "Wills, Trusts, Guardianships, and Fiduciary Administration: Recent Developments" in the *Mercer Law Journal*. She

also published updated editions of *Redfearn: Wills and Administration in Georgia*, *Georgia Trusts and Trustees* and *Georgia Guardianship and Conservatorship*.

Jonathan Todres published a chapter, "Children's Rights and Women's Rights: Interrelated and Interdependent," in the *Handbook of Children's Rights: Global and Multidisciplinary Perspectives*.

LECTURES ABROAD

Timothy K. Kuhner taught torts in fall 2016 for the Center for American Law Studies at the University of Warsaw.

NEW PROGRAMS

Lauren Sudeall Lucas, associate professor of law and director of the Center for Access to Justice, and **Darcy Meals**, assistant director, developed a Public Interest Law and Policy Certificate and the Pro Bono Program.

AWARDS AND ACCOLADES

Bucky Askew was selected by Emory University School of Law as one of 100 Emory law alumni "who have made extraordinary contributions to the law school and to the world at large" in 2017, the school's 100th year. The "Emory 100" were recognized in April at a Centennial Gala at which President Bill Clinton was the keynote speaker.

Timothy K. Kuhner has received a Fulbright Senior Scholar award (2017–2018) to conduct comparative law research in Spain. He will be based at the University of Barcelona.

SERVICE TO THE PROFESSION

Ted Afield, in his role as treasurer of the AALS Teaching Methods Section, helped establish a new series on "Ideas, Problems and Resources in Teaching," in which academics from around the country participate in quarterly conference calls on current pedagogical issues in the legal academy.

Johnston, Kershner and Meals appointed to faculty

The College of Law has appointed the associate and assistant directors of the Center for Law, Health & Society; the Center for the Comparative Study of Metropolitan Growth; and the Center for Access to Justice as non-tenure-track faculty. **Karen Johnston (J.D. '08)**, **Stacie Kershner (J.D. '08)** and **Darcy Meals** are now academic professionals.

"Our associate and assistant directors



have substantial responsibilities within their centers that draw on their professional training and background," said **Steven J. Kaminshine**, who recently stepped down as dean. "I am glad we were able to make

a change that is commensurate with what they do."

Assistant or associate directors of academic centers are responsible for managing daily operations, planning events and developing academic programming. "This appointment is indicative of the role we play in advising students and developing curriculum," said Meals, assistant director of the

Center for Access to Justice.

"Joining the faculty creates new opportunities for me at the College of Law and across the university," said Kershner, associate director of the Center for Law, Health & Society. "This is

exciting both for the center and my own professional development."

The appointment provides the opportunity to lead study abroad programs and expand international programming, said Johnston, assistant director of the Center for the Comparative Study of Metropolitan Growth.

"It also enables me to become more



involved in university committees and strategic initiatives such as the Urban Scholars Institute and international programs, providing more

opportunities for interdisciplinary collaboration," she said.

Bucky Askew serves as chair of the Board of Lawyers for Equal Justice (L4EJ), the Atlanta-based law practice incubator sponsored by the Supreme Court, the five Georgia law schools and the State Bar of Georgia. He also serves on the Access to Justice Committee of the State Bar and is a member of the working group developing a strategic plan addressing access to justice in Georgia pursuant to a Justice for All grant from the Public Welfare Foundation.

Margaret Butler is the editor of the newsletter for the Social Responsibilities Special Interest Section of the American Association of Law Libraries.

Andrea Curcio was the lead drafter of the Society of American Law Teachers' [SALT] comments to the ABA on the proposed change to Accreditation Standard 403. She continues to work with SALT on its bar exam reform efforts.

Nicole G. Iannarone was appointed chair of the State Bar of Georgia's Professionalism Committee and was invited to join the board of the Public

Investors Arbitration Bar Association (PIABA) Foundation.

Kendall Kerew was named to the planning committee for the 2017 Southern Clinical Conference and the 2018 Externships 9 Conference.

Timothy K. Kuhner was appointed as a member of the Legal Advisory Committee to Free Speech for People and is serving on the American Promise working group on drafting the 28th Amendment.

Paul A. Lombardo was the 2016–2017 chair of the Nominating Committee for the American Association for Bioethics and the Humanities.

John Travis Marshall was invited by AT&T's Atlanta legal department to participate in the AT&T Legal Scholars program, which targets students traditionally underrepresented in U.S. law schools. Marshall taught a mock Property Law class to the scholars.

Charity Scott has been appointed to the advisory board of the national Mindfulness in

Law Society and serves as faculty advisor to its student division. She also received approval from the Georgia Office of Dispute Resolution to provide 28-hour general civil mediation training as a primary trainer.

Jonathan Todres was appointed to the Board on Children, Youth, and Families of the National Academies of Sciences, Engineering, and Medicine.

Tanya Washington served on the provost's recruitment committee for the new associate provost for strategic initiatives and innovation and served as director of the 2017 John Lewis Fellowship.

Patricia J. Zettler co-founded a workshop for junior faculty focusing on regulation and innovation in the biosciences and co-created a listserv for faculty who teach food and drug law. She also continues to serve on the editorial advisory board for the *Food and Drug Law Journal* and as an ad hoc peer reviewer for various medical and legal journals.

MEDIA COMMENTARY

Charlotte Alexander was quoted in the *Atlanta Journal-Constitution* in an article about a lawsuit over unpaid wages and appeared on Georgia Public Broadcasting's radio show *On Second Thought* to talk about an age discrimination lawsuit by Atlanta public school teachers. She also reviewed an article on workers' compensation by Emily Spieler for the online journal *Jotwell*.

Clark D. Cunningham provided expert commentary to WJLA, the ABC affiliate in Washington, D.C., on whether President Trump's Twitter attacks on Special Counsel Robert Mueller's Russia investigation increased the president's exposure to criminal prosecution. He wrote two related articles on the firing of FBI Director James Comey for *The Conversation*: "Comey's firing may end other investigations into 2016 election" and "Did Sessions and Trump conspire to obstruct justice?"

Andrea Curcio was interviewed on how to help law students and lawyers understand implicit bias and its impact on client

representation for *Top of Mind* on BYUradio's satellite channel. She was also interviewed for an article about changing the bar exam that appeared on Law.com. She published "The Potential Adjunctification of Law School Faculties" and "Scholarship on Bar Exam Alternatives Needed" on the blog *Best Practices in Legal Education* and co-wrote "A Better Bar Exam? Look to Upper Canada" on the *Law School Café* blog.

Jessica Gabel Cino, associate dean for academic affairs and associate professor of law, was featured in the *Atlanta Journal-Constitution's Breakdown Podcast* for her work on a wrongful conviction case in South Georgia. Listen at <http://bit.ly/2wlWyor>.

Paul A. Lombardo was quoted in "Gorsuch's writings borrow from other authors" on Politico.com; in "Was Loving v. Virginia really about love?" in *The Atlantic*; and in "Did a U.S. surgeon general come up with the idea of the notorious Tuskegee syphilis experiment?" in the *Philadelphia Inquirer*.

Timothy D. Lytton was quoted in *The Economist* in an article about litigation against pharmaceutical companies for opioid abuse, in the *New Jersey Law Journal* in an article about litigation over chemical contamination of macaroni and cheese products and on Trucks.com in an article about the rights of truckers to carry weapons across state lines.

Charity Scott was featured in an article on the mindfulness program at Georgia State Law in the April issue of *The Atlanta Lawyer*.

Jonathan Todres was quoted in "Is America Holding Out on Protecting Children's Rights?" in *The Atlantic*.

Patricia J. Zettler co-founded *Objective Intent*, a blog on FDA law and policy, where she is a regular contributor. She also contributes to the *Yale Journal on Regulation*; the ABA Section of Administrative Law & Regulatory Practice's blog, *Notice & Comment*; and Stanford's *Law and the Biosciences* blog. Additionally, she was quoted on various FDA issues in *STAT News* and *Politico Pro*.

Professors among 2017 Fulbright awardees

Timothy K. Kuhner, **Ryan Rowberry** and **Jonathan Todres** were each awarded a 2017 Fulbright for academic study and research in their respective fields.

Rowberry, associate professor of law and co-director for the Center for the Comparative Study of Metropolitan Growth, will teach Introduction to U.S. Law for masters level students at Aarhus University in Denmark in July 2018. He will also research laws and policies that govern the protection of cultural heritage in coastal cities in Europe and the U.S. Those areas are most directly affected by climate change, Rowberry said.

He also plans to meet with 10 resilience officers on the Rockefeller Foundation's 100 Resilient Cities list, an initiative dedicated to helping cities around the world become more resilient to physical, social and economic challenges.

"I want to discover what role, if any, cultural heritage protection has figured into their strategies," he said. "I don't expect it has figured prominently in their planning processes, because local governments are often most worried about jobs and houses in times of crisis."

Yet cultural heritage matters, he said, because it creates jobs and a sense of place and drives tourism. Once his research is finished, Rowberry will write an academic article and complete policy briefs to be shared with government officials on state and local levels.

Associate Professor of Law Kuhner's Fulbright project centers on the financing of political parties and the regulation of corruption in Western European nations, especially Spain. He also plans to teach a seminar at the University of Barcelona.

Kuhner said the United States ought to be considered a "plutocracy," based on how campaigns, political parties and lobbyists are funded almost exclusively by wealthy individuals and business interests.

European nations are better described as a "party-ocracy," a system of government controlled by political parties, he said. However, wealthy interests often co-opt European politics as well.

"When you look at the U.S., you see rising economic and political inequality. You see political platforms and legislative agendas totally out of touch with the public and its problems. In fact, you see rising inequality and legislation in the private interest in most democracies around the world, not just developing democracies," he said. "I'm worried about that ... these issues are at the heart of whether a democracy is healthy or terminally ill."

Todres, professor of law, researches and writes extensively on children's rights and well-being. He serves as a regular advisor to nongovernmental organizations working on legislative and policy initiatives addressing child trafficking and children's rights. His Fulbright will focus on innovative strategies for human rights education and the implementation of children's rights, and includes a residency at University College Cork School of Law in Ireland, beginning in January.

"I'm interested in how children learn and understand their own rights and their responsibility to respect the rights of others," he said.

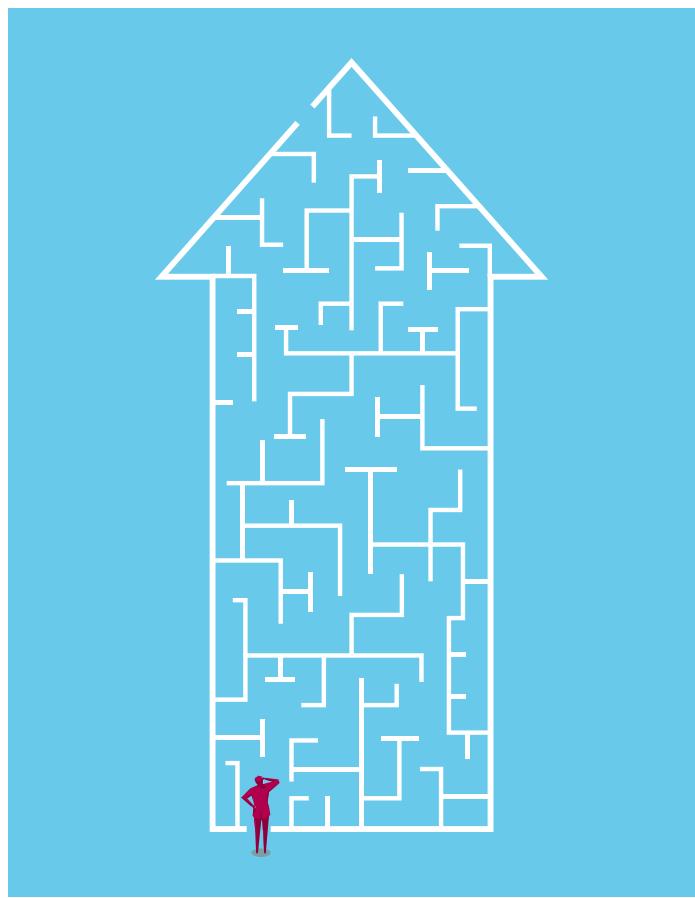
"Human rights education produces numerous benefits. Children exposed to it demonstrate the fundamentals of good citizenship and link rights and responsibilities," he continued. "Conversely, children who do not learn about human rights tend to think about rights as entitlements for themselves. Human rights education has been shown to reduce bullying in schools."

Todres hopes to build on prior work to expand his research to include global perspectives on human rights in children's literature and other opportunities to advance children's rights.



Tips for practitioners | *Dealing with uncertainty*

Most lawyers at some point in their careers will be asked to advise a client during a time of uncertainty. Uncertainty may result from a change in legal, political or economic climate, or be driven by a new business venture. The ability to manage and work through uncertainty is an important skill for a lawyer, as it is in life in general. *by Charlotte Combre (J.D. '97)*



Acknowledge and accept uncertainty

We all like to be in control. Control gives us a feeling of security, but with uncertainty there is a lack of control. Uncertainty brings about a sense of uneasiness, but it is not necessarily the time to stick your head in the sand. Ignoring the uncertainty of a situation will not make it go away, and most clients do not have the capability to simply stand still until the uncertainty is resolved. Whether your clients include businesses, nonprofit organizations or governmental entities, they will continue to operate, and you must be able to advise your clients regardless of the future. Particularly during times of uncertainty, your clients are looking to you to help them through the unknown. Acknowledging and accepting uncertainty allows everyone to keep moving.

Be prepared

You've heard the saying that "knowledge is power." It is especially true in times of uncertainty. Lawyers must research and understand the issues creating the uncertainty and stay current on how the issues may be resolved. In this process, there will be gaps in the information to which you have access. After all, you cannot predict the future. However, you should be honest with your clients about what you know and what you don't know. Your job is to help your clients make decisions based on the facts and information that are known. You can only make assumptions about the unknown. The more knowledge that you have about the subject, the better you will be able to advise your client. Knowledge inspires confidence.

Manage expectations

Know and understand your client's needs. Is the uncertainty making your client nervous? If so, why? Reduce stress of the unknown for your client by preparing for multiple possible outcomes. Assist clients with planning for the worst possible outcomes as well as the best. Stay positive, but have a backup plan.

Remain flexible

In giving clients options, you also provide them with flexibility. By being flexible, the client is able to control the process through which decisions are made. Change may not be a bad thing. In the allegorical book *Who Moved My Cheese?*, one of the main characters asks, "What would you do if you weren't afraid?" In uncertain times, help your client to think outside of the box and perhaps use the uncertainty as an opportunity to be innovative and try something different.

Keep calm and carry on

Remaining calm when faced with ambiguity allows you to make more thoughtful decisions. Instead of focusing on the negative aspects, assist your clients to focus on bettering the current situation.

Charlotte A. Combre (J.D. '97), a partner with BakerHostetler, focuses her practice on regulatory and compliance matters for health care organizations, including issues involving licensure, accreditation and provider enrollment and certification of health care facilities and practitioners in the Medicare and Medicaid programs. She is a past chair of the Health Law Section of the State Bar of Georgia.

Class actions

1987

Superior Court Judge **Shawn Ellen LaGrua** was elected secretary-treasurer of the Council of Superior Court Judges of Georgia. She is next in line to become president-elect and then president.

1988

L. Craig Dowdy joined Morris, Manning & Martin as a partner in February. He will create an Energy & Utilities Practice, working in the firm's Atlanta and Washington, D.C., offices.

1993

Jeffrey Kuester of Taylor English was recognized by *Intellectual Asset Management* among its IAM Patent 1000 list of leading patent attorneys for 2017. The list recognizes individuals and firms that play a strategic role in developing and implementing patent solutions locally and internationally.

1998



Paul Knowlton completed his role as CEO of Morningstar, a therapeutic foster-care facility in Brunswick, Georgia, in early 2017. He serves as founding director of the Institute for Spirituality in the Professions, a new initiative of Mercer University.

1999



Louann Bronstein has joined HunterMaclean as a partner in the corporate practice group.

2006



Jodi D. Taylor has been named a shareholder in Baker Donelson's Atlanta office. Taylor also serves on the Labor and Employment Division Steering Committee for the American Bar Association's Forum on Construction Law.

2008



Blair Chintella joined Evans Law Firm in Cartersville, Georgia, as an associate.

Share your news at **law.gsu.edu/class-actions**.



Jones (J.D. '11) recognized

Matthew Jones (J.D. '11) received the Award of Achievement for Outstanding Service to the Profession from the Young Lawyers Division (YLD) of the State Bar of Georgia for his work as committee chair of the William W. Daniel National Invitational Mock Trial Committee. The award is given annually to young lawyer members who have gone above and beyond for the YLD and to recognize work that benefits the legal profession, said Jennifer Mock, immediate past president of the Young Lawyers Division.

“Matt has chaired the William W. Daniel National Invitational Mock Trial Committee for the past five years and has done an amazing job of keeping the committee on track and handling all of the logistics that go into hosting a competition of this magnitude,” Mock said. “Matt always has a positive attitude and invests great time and effort to ensure everything runs smoothly. The YLD is fortunate to have him as a leader and volunteer in our organization.”

One of Jones' many duties as chairman is to find 90 people to volunteer as mock jurors. The competition is one of the few that has three judges, he said.

“Having three judges makes it more decisive, and students appreciate that,” he said. “We have a great local bar and a lot of mock trial alumni who are willing to help, which makes my job easier. The State Bar has been very supportive of the competition, including financially. I’m very appreciative.”

In addition to chairing the Daniel competition, Jones frequently coaches Student Trial Lawyers Association teams with his father, Tom Jones.

“I stay involved because of the legacy my father has left; I do what I can to contribute,” M. Jones said. “It is very rewarding to coach. I enjoy the interaction with the students, and it helps me hone my own trial practice skills as well. I learn things from the students — they are smart and creative. The thing I enjoy the most, though, is working alongside my father and realizing what a truly great trial lawyer he was.”

Two views | *Important cases to watch this term*



Neil Kinkopf

Trump v. Hawaii

I WAS EXCITED for this case, but after President Trump issued a third revised travel ban in September, the Supreme Court dismissed it as moot. However, I am still watching because the revised order is sure to end up back in the Supreme Court and, fingers crossed, it will get there this term.

Until recently, any administration would have expected this to be a relatively easy win. Federal immigration law vests the president with unusually broad discretion, and the order operates in a realm—foreign affairs and national security—where the president enjoys heightened constitutional authority. In numerous cases, the Court has deferred to the executive branch's orders regarding immigration.

But the world has changed.

First, the Court has taken a less deferential turn. For example, a divided Court affirmed (without an opinion) the Fifth Circuit's decision striking down President Obama's executive action on immigration—Deferred Action for Parents of Americans and Lawful Permanent Residents—even though his action was similar to those of presidents from both parties extending back for decades.

Trump's penchant for saying what he really thinks adds a second wrinkle. *Trump v. Hawaii* asserted that the order created a Muslim ban in violation of the establishment clause. As a candidate, Trump called for a Muslim ban. His advisors asserted the order was designed to keep that campaign promise. Thus, lower courts concluded it violated the establishment clause. Trump then criticized a newly revised order on social media, saying he should have stuck with the first one.

The Court will have a difficult time deferring to what the administration's lawyers assert is the motive and purpose of the order, when the president is publicly undermining those claims. This case will provide interesting insight into whether the transparency our internet and social media age have ushered in will erode ancient legal constructs, such as deference to the president.

Neil J. Kinkopf, professor of law, teaches Constitutional Law.



Lauren Sudeall Lucas

Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission

THIS TERM, THE SUPREME COURT will decide whether a baker violates state law by refusing to create custom cakes for same-sex weddings. Jack Phillips, owner of Masterpiece Cakeshop in Colorado, describes himself as a "cake artist" and a Christian. He creates cakes in line with his religious beliefs, which include that marriage should exist as a sacred union between one man and one woman. Thus, he declined to bake a cake for the wedding of Charlie Craig and David Mullins. They filed a claim of sexual-orientation discrimination, and Phillips was found to have violated Colorado law forbidding providers of public accommodations from discriminating on the basis of race, sex, marital status or sexual orientation.

Phillips claims that the finding violates his rights to free speech and free exercise of religion under the First Amendment. The Court's answer to whether the First Amendment can provide a defense against the enforcement of anti-discrimination law may have important implications for other areas, such as employment or the provision of social services. In an article published in the *UCLA Law Review* earlier this year, "The Free Exercise of Religious Identity," I explored the tension that arises in this case, and in similar cases, between an individual's constitutionally protected ability to exercise his or her own religious beliefs and the rights of others. One way to address this tension is to protect individuals' religious identity when directed internally, within the personal sphere or the confines of one's community. When, however, individuals project their religious identity on to others—by attempting to dictate how the law should apply to individuals outside of that religious community or to conform the law or government practices to a particular religious belief—we should be wary of the First Amendment transgressing its own boundaries. This distinction is not only consistent with Supreme Court precedent but also provides us with a way to navigate a pluralistic society in which the actions of some do not conform to the religious beliefs of others.

Lauren Sudeall Lucas is an associate professor of law and the faculty director of the Center for Access to Justice.

Bragging rights



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brides and bridesmaids were helped by Georgia State Law students and **Jessica Gabel Cino**, associate dean for academic affairs and associate professor of law. The team was on-site at Alfred Angelo in Dunwoody for two hours Saturday, Aug. 12, so the women could retrieve their dresses from the bridal chain, which had abruptly closed its 60 stores after filing for Chapter 7 bankruptcy in July. Read more at law.gsu.edu/students-volunteer-brides.

"When you're the lawyer, sometimes you need to do more than just legal work. Matching dresses to receipts doesn't seem like legal work to most, but it's work that matters to the brides and bridesmaids who need their items. This is a good opportunity to step up and help people who really don't have much recourse. Even if they somehow got money back from the bankruptcy—never a guarantee—what they really need is a dress, veil, etc. We're not getting paid to do this, but it's the right thing to do."

—Jessica Gabel Cino, associate dean for academic affairs and associate professor of law

RANKINGS

No. 33

on Above the Law's annual "Top 50 Law Schools" list

No. 2

on Student Loan Hero's list "20 Best Law Schools for Avoiding Six-Figure Student Debt"

No. 6

on Law Street Media's "Top 10 Law Schools for Health Law" list



ACCOLADES

Stephanie Everett (J.D. '02) was named one of the Fastcase 50 for 2017. The award honors "law's smartest, most courageous innovators, techies, visionaries, and leaders."

Stephen B. Bright, professor of practice, was named Attorney of the Year by the *Daily Report*. Read more at law.gsu.edu/Bright-honored.

Meghan R. Gordon (J.D./M.Tx '17) was awarded the 2017 Diane Cox Scholarship by the CREW (Commercial Real Estate Women) Atlanta chapter. Read more at law.gsu.edu/Gordon-CREW.

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