



Sotomayor:  
**JUSTICE**  
at Emory Law

**2** Blockchain's transformative potential

**6** Who owns what in the information age?

**10** Brain drain—in reverse

## A great time to be an Emory lawyer

My first academic year serving as dean is quickly coming to a close, and I am proud to have been a part of this notable time for the law school. New initiatives at the school are shining a light on diversity and inclusion, and we are maintaining our reputation as a top law school while building on our reputation for excellence in health law and international law.

What's more, this academic year has included historic visits to Emory Law from Judge Rosemary Barkett of

the Iran-United States Claims Tribunal; Rev. Raphael G. Warnock PhD, pastor of Historic Ebenezer Baptist Church; Lieutenant General Charles N. Pede, Judge Advocate General of the US Army; and Associate Justice Sonia Sotomayor of the United States Supreme Court, thanks to the working relationship between the justice and our own Professor **Fred O. Smith**, to whom we owe a debt of gratitude.

Justice Sotomayor's visit, a conversation with Professor Smith, was particularly meaningful to our community, as it is not

often that a Supreme Court justice is able to share experiences with, and answer questions from, the legal academic community. This is especially true when that school is not her or his alma mater. I have

to believe this speaks to the the reputation of Emory Law and to the quality of our faculty and students.

Some of those qualities are particularly evident in the scholarship that is produced within our intellectual community. You will get a glimpse of that in this magazine.

Within this issue, you will also find a great focus on the intersection between the law and technology. One feature story describes blockchain and illustrates how it could transform the way lawyers approach contracts. This story arises out of the recent TI:GER Innovation Conference. You will also find that this issue asks the tough questions about determining ownership interests in intangible property (think audiobooks and software — even medical records). There is even more to explore about law and technology in this issue, and I look forward to hearing your thoughts.

James B. Hughes Jr.  
*Interim Dean*

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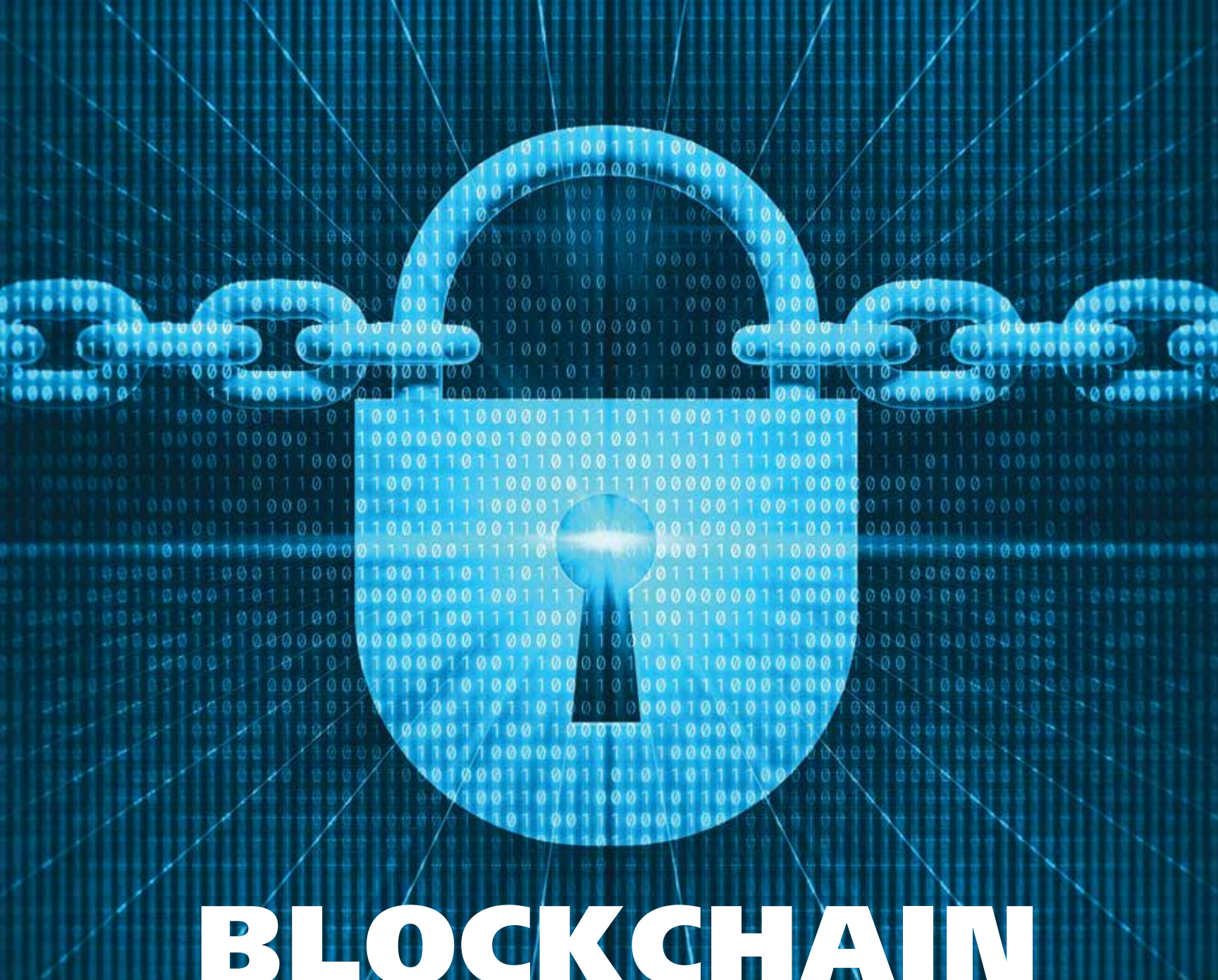
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# BLOCKCHAIN TECHNOLOGY

and its transformative potential  
for the legal industry

BY CANDACE GIBSON

**T**echnology seems to evolve at an ever-faster pace, and lawyers cannot simply opt out of educating themselves about dramatic shifts and trends in technology. In fact, the ABA's Model Rules of Professional Conduct state that lawyers must understand "the benefits and risks associated with relevant technology."

A nascent technology that is beginning to emerge for a variety of uses is blockchain technology. Blockchain is the backbone for Bitcoin, the most famous cryptocurrency. But this technology goes beyond Bitcoin.

Blockchain technology has the potential to dramatically change document storage management and to transform how people authenticate a variety of transactions. It also stands to reinvent the time-consuming processes of writing, revising, and handling contracts. The adoption of blockchain technology could happen so seamlessly that unsuspecting lawyers may see some of their key tasks disrupted, if not eliminated. Accordingly, lawyers must do their best to understand this potentially disruptive technology.

## A CRASH COURSE IN BLOCKCHAIN

Any understanding of this technology requires knowing how exactly blockchain technology works, for which tasks it is appropriate, and what the technology actually is not.

First, blockchain is not synonymous with Bitcoin. Reducing blockchain's capability to Bitcoin production would be like simplifying the internet to a place to check stocks or build an iTunes library. Blockchain's potential is truly limitless because of its inherent governing attributes.

Bitcoin was the first, and likely most famous, adopter of blockchain technology. Blockchain is the foundational technology that has made cryptocurrencies—simply, digitally encrypted currencies, such as Bitcoin—possible. Bitcoin is a purely peer-to-peer version of electronic cash that allows online payments to be sent directly from one party to another without going through a financial institution. A user can acquire Bitcoin by accepting it as payment from another user, buying it on an exchange or from local sellers, or through transacting with a Bitcoin ATM. At its essence, Bitcoin is a digital, decentralized currency. Whereas most currencies are backed by a government or central bank, Bitcoin is authenticated by the peer network that produced it. Blockchain enables Bitcoin users to interact with one another using pseudonyms, and their real identities are encrypted. Everyone who purchases a Bitcoin knows it is valid, because the same blockchain network has tracked it, and all other Bitcoins, since each was created. This is especially valuable for international payments, and it is incredibly secure.

The notion of decentralized digital currency started in 2008 when Satoshi Nakamoto published specs for the Bitcoin system. Today, Bitcoin is one of many cryptocurrencies. Some

popular blockchain-based cryptocurrencies include Ethereum, Litecoin, and Minero.

Why so much interest in a currency that has no affiliation with any government? Well, in part, Bitcoin has moved beyond the digital realm; some brick-and-mortar businesses now accept it as payment. The Bitcoin.org website estimated that as of April 2017 the total value of all Bitcoins in existence was \$20 billion.

**"BLOCKCHAIN is an extraordinary technology platform that will TRANSFORM many current business PROCESSES."**

— Nicole Morris, director of TI:GER and professor of practice

Blockchain is a distributed ledger system for recording and storing transactions. The blockchain is derived from the way transactions are stored. For example, every time a Bitcoin is created or changes hands, the ledger automatically creates a new transaction record composed of blocks of data, each encrypted by altering (or "hashing") part of the previous block. Blockchain relies on established cryptographic techniques to allow each participant in a network to interact (e.g., store, exchange, and view information) without preexisting trust between the parties. Since blockchain is a decentralized system, transaction records are stored and distributed across all network participants. Interactions with the blockchain become known to all participants and require verification by the network before information is added, enabling trustless collaboration between network participants while recording an immutable audit trail of all interactions.

What's more, due to blockchain's decentralized structure, so far it has been impervious to hackers (though it is worth noting that Bitcoin has been hacked). It may be difficult to imagine putting trust in a community of coders rather than a government or financial institution, but the key here is consensus. No single user has authority over another, and the community profits off collaboration and building applications from the platform.

Just as a spreadsheet populated with seemingly static data becomes a dynamic tool when a user applies a formula, so does blockchain contain potential for coding and useful applications. Beyond blockchain's capability to store sensitive documents pertaining to the legal and medical fields, blockchain can be used as a platform for developing smart contracts. We'll discuss both of these possibilities and how they stand to impact transactional law.



Nicole Morris

## SHARING AND STORING SECRETS

Document management systems vary widely across practices, but all systems have the same objective: protecting a client's confidentiality. Keeping documents secure has added implications beyond protecting attorney-client privilege: privacy practices also help safeguard information that may be trade secrets, confidential information, or other proprietary information that a client doesn't want unilaterally disclosed.

Whether paper, digital, or some combination, legal records must be stored safely, with their protections adhering to the highest standards of maintenance. Negligence in protecting these documents could have significant consequences, including the potential for disciplinary action by the bar. Technological advancements, of course, have made it easier to share and copy documents. But therein lies the problem. How secure are third-party applications for document sharing? How safe is cloud storage for storing confidential documents? How impenetrable are on-site and off-site servers? Beyond these questions, the sheer volume of documents is staggering. In significant litigation, raw data, emails, and other collected documents might number in the tens of thousands or greater. Where do lawyers store these documents so they are safe? And what about the meta-data attached to some of these documents? How can a firm be sure to purge any data to ensure that work product is not inadvertently revealed through, for example, comments in a text document or through the deletions apparent in a redline version?

In a paper system, documents are typically kept under lock and key within individual offices or within a dedicated file room. Depending on the size of the firm, those files might be moved to

offsite storage eventually, and, at a certain point, the documents will be offered up to the client or destroyed.

Paper, of course, has its own problems in terms of cost and environmental impacts. The advantages of digital document management systems became clear decades ago even to the most ardent hardcopy practitioners. Digital files take up less space. They can be accessed remotely, allowing practitioners to work from home (and potentially bill more hours, of course). An attorney should be able to find digital files more readily by using efficient, user-friendly interfaces, as opposed to rummaging through manila folders or using a physical index. Putting documents on a shared server or a cloud-based system allows multiple users to access and edit documents. These documents are kept safe with password protection, and when the documents are no longer current, they can be moved off a local drive onto a shared drive. For long-term, archived storage, these files can be backed up to a tape cartridge device. Anyone attempting to poach information would need to hazard a guess at which tape contains the relevant information, then locate the right software to read the data.

But lock-and-key and username-password protective measures don't necessarily keep the files tamper-proof. Information could still be stolen or deleted if the wrong hands achieve access to the files. Moreover, people log onto Wi-Fi in coffee shops and other communal spaces, making their files vulnerable over public connections. A simple text message or email reminder of a password sent to a colleague could be intercepted by the wrong audience. In short, the best training and internal practices can't give a failsafe solution for every security issue.

Enter blockchain. With a fundamental understanding of how this technology works, it's evident how this platform makes document management more secure. Within a blockchain, any data that is accessed is only seen in part — the hashed information, or the summary, of the document. In order to get the digital asset in full, the user needs both a private key known only by that user and a public key. The public key is a series of numbers; transactions within a blockchain identify the user by the public key associated with the action. And, if the data were altered in some way or deleted, the constantly syncing nodes maintaining the permissioned blockchain would instantly notice the discrepancy. This kind of inherent check and balance helps to keep data safe and ensures that unauthorized uses or alterations will be detected.

## WORKING SMARTER

Document management is just one of the challenges lawyers face. The other is handling contracts. Common roadblocks to writing, revising, or validating a contract include delays among reviewers, reader confusion over unclear language, challenges in securing and verifying the necessary signatures, and storing the contract safely. Blockchain is poised to transform these practices, too.

With a typical contract, the terms are set once the parties reach an agreement. Any change requires renegotiation and agreement by all parties to the contract. Imagine, instead, a dynamic document — a smart contract — built on a blockchain platform. Using blockchain technology, a smart contract that is coded to assimilate new information could update automatically as the permissioned blockchain syncs. Roadblocks

from lengthy delays and escalating costs during renegotiation are eliminated; concerns over the security of the contract are dispelled because all updates are made available to everyone with access to the document, and to only those interested parties. There are no questions about who is making the changes because accountability is provided by the timestamp and digital signature.

A smart contract is coded with "if, then" logic. The permissioned blockchain checks for conditions to be met and can settle transactions accordingly. What's more, Bitcoin or some other cryptocurrency can automate payments associated with contracts once all "if, then" conditions are met. If the technology works, lawyers need not lift a finger beyond the initial effort to collaborate on writing the smart contract — and since this is the collaborative blockchain community, there may come a time when publicly accessible templates exist for almost any type of contract. Lawyers would simply fill in the specifics. This could work for any number of transactions: real estate purchases, title transfers, or probate matters, for example. Of course, this is all speculative at this point. While one can envision such innovations, adopting blockchain technology is another matter entirely.

## THE FIRST WAVE

Doubtless, blockchain will have a profound effect on ways of doing business, even if Bitcoin and other cryptocurrencies are a passing technology fad. There are newly established groups working to promote blockchain's integration into the industries that could benefit most from the technology. The Global Blockchain Legal Consortium is one of these, stating on its website that in the absence of "convenience and

standards" set by "major intermediaries (cloud-based software, cloud-based document storage, etc.)" it will "adopt policies that promote a universal, blockchain-based technology infrastructure for law." Its mission is to "organize and align stakeholders" of blockchain technology to set industry standards regarding "security, privacy, productivity, and interoperability of the legal technology system." Members include major law firms IBM Watson Legal and Integra Ledger.

There's also the Enterprise Ethereum Alliance, whose goal it is to "connect Fortune 500 enterprises, startups, academics, and technology vendors with Ethereum subject matter experts... [to] learn from and build upon the only smart contract supporting blockchain currently running in real-world production — Ethereum — to define enterprise-grade software." Its Legal Industry Working Group members include the Duke Center on Law & Technology, the Wharton School's Department of Legal Studies and Business Ethics, ING, and JPMorgan Chase & Co., and other large businesses and law firms.

Ethereum may already have a working smart contract on the market, but Integra Ledger (aligned with the Global Blockchain Legal Consortium) is marketing itself as a legal-industry-specific service for smart contracts and more. "At the heart of Integra Ledger," the company says on its website, "is a new concept of universal, blockchain-based identities for legal information — matters, documents, clients, contracts, etc. These identities can be used by existing software, preserving legacy investments of law firms and clients." The service goes on to describe its "foundational object" within the blockchain as a "Ledger Matter ('LMat') ... that records the existence of a unique legal issue or matter."

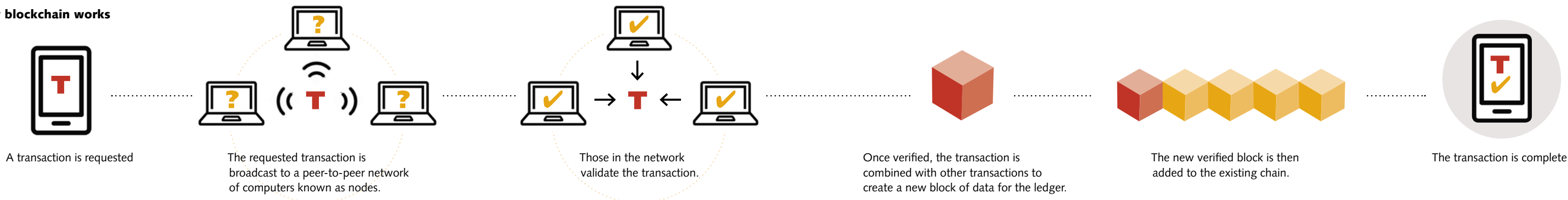
## INNOVATION CONFERENCE

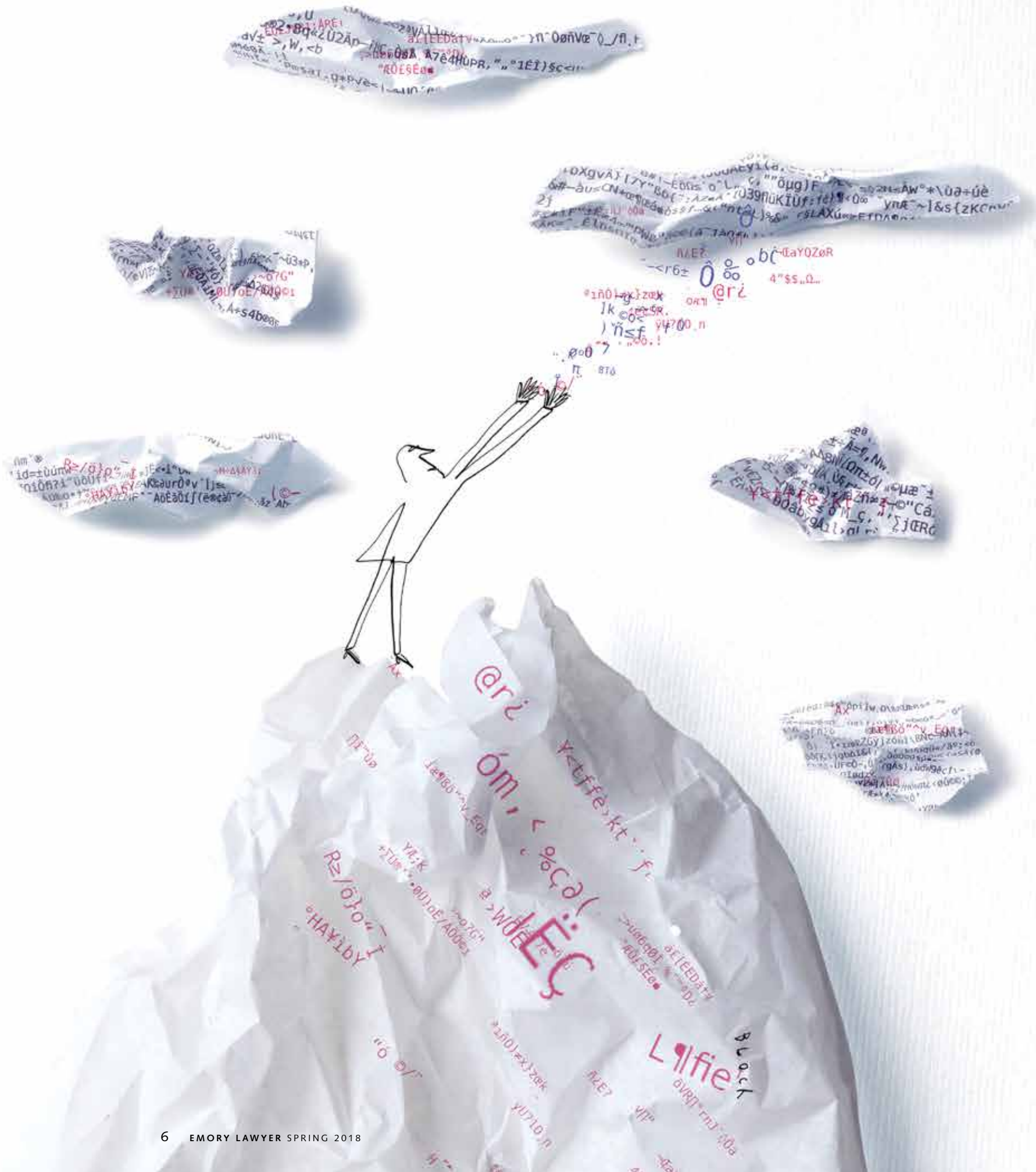
Emory Law is participating actively in conversations about blockchain to prepare students for the inevitable integration of the technology into the legal industry. On January 25, 2018, the TI:GER® program held its annual Innovation Conference, focusing on the business and legal implications of blockchain technology. **Nicole Morris**, director of TI:GER and professor of practice, said, "Blockchain is an extraordinary technology platform that will transform many current business processes ... It creates a system of digital trust between unrelated parties."

Morris brought together conference panelists who offered insight into blockchain technology's potential applications in real estate, healthcare, legal services, banking, and cryptocurrencies. Current and future practitioners of law will likely find their lives touched by blockchain in some way, and Morris predicts the technology will have a positive effect. "Blockchain technology will reduce redundant systems that currently involve intermediaries or reconciliation processes," she says. "This has huge implications in the legal industry because it creates the possibility of authoritative systems of record that are securely shared between law firms and clients."

If blockchain technologies are adopted, lawyers stand to benefit greatly from more secure document storage management and nearly seamless contract negotiations. How far off are these changes? And what — if not everything — will blockchain replace? It's hard to say for sure, but in an office where paper files, fax machines, dedicated server rooms, and cloud computing co-exist, blockchain could be one more workday tool — or it could be the technology that completely disrupts the workday as we know it.

## How blockchain works





# Left to our own devices: **OWNERSHIP** in the **DIGITAL AGE**

BY ANDREW FAUGHT, ILLUSTRATIONS BY SERGE BLOCH

**AS A MEMBER OF GENERATION X**, Emory Law Professor **Timothy Holbrook** is old enough to recall when CD sales — at their peak in 2002 — accounted for 95 percent of all recorded music revenues. While copyright law forbade him from burning copies for friends, the shiny disc was, otherwise, his to do with as he pleased.

“I could sell that CD, which is why we have used-CD stores and used-book stores,” he says. “Then someone could buy it, and they would be free to resell it.”

In 2014 came a turning point: digital music downloads and streaming subscriptions overtook CD sales for the first time. The development raised a pointed question.

Who owns what in the digital age?



**“THAT’S THE DYNAMIC** that is shifting,” Holbrook says, invoking Apple’s popular iTunes music library, which limits the number of devices on which purchased songs can be stored. “I think most people are of the mind, ‘It’s my music. I bought it. Why can’t I put it on what I want?’”

The information age, it turns out, is challenging notions of ownership on multiple fronts, from digital music and movies to college library e-books to computerized medical records and new inventions.

In terms of digital resale, the US District Court for the Southern District of New York spoke in 2013. The court ruled in *Capitol Records, LLC v. ReDigi Inc.* that a consumer could not resell lawfully owned digital materials. ReDigi is an online marketplace for “pre-owned” digital products.

In an era of iPads and Kindles, legal challenges are both inevitable and unfolding. Challenges are even treading into ground previously unanticipated. Holbrook says he expects ownership of 3-D printed materials to be contested, as many of the items created are generated from proprietary digital blueprints.

“There are so many things that have moved from the tangible physical space into the digital world,” he adds. “In some sense, the digital file is distinct from the thing. The gap between what we would historically think of as tangible and intangible has definitely shrunk dramatically.”

Property historically has encompassed land or physical personal possessions; intellectual property (IP) has enjoyed specific protections via patents, copyrights, and trademarks. Ownership

of digital materials, for its part, has turned notions of personal property on its ear, bound instead by small-print licensing agreements acceded to willingly or unwittingly by consumers.

In 2018, ownership rules are sometimes squishy, but often restrictive.

“When I download to my Kindle, most likely there is a contract between me and Amazon that dictates what I can and cannot do with that e-book,” says Holbrook, who teaches property law. “Even

though I, as the consumer, feel like I’m getting the book, the things I can do with that book may be different (from the physical form). Clearly, I can’t upload it and give it to a whole bunch of people.

“I think what’s really important here is the perception of consumers and the fact that most people probably don’t realize that they may not own the file on their phones or Kindles or iPads.”

**ACADEMIA IS HARDLY IMMUNE** to the vagaries of ownership in the digital age.

E-books have been viewed with caution among the country’s college and university libraries. In particular, librarians are concerned about books that are born in digital format (which come with restrictions on how many users may access the materials) — not the digitized book collections (made from existing books) available on Google Books or HathiTrust. The latter are hailed as a logical way to replace physical books — bringing scholarship to students anytime and anywhere — without the encumbrances of licensing restrictions.

In some cases, libraries must force a patron to read a licensed e-book on library grounds, or administrators must pay thousands of dollars in license fees to be able to offer a book to a wider audience.

“Some of these restrictions, called technological protection measures, do impact how students and faculty can use the books,” says Lisa Macklin, director of the Scholarly Communications Office at Emory. “We have a policy that we will still buy a print version of a book because we have heard

from our faculty and our students of the challenges they have using e-books.”

Buying a text under what’s known as the first-sale doctrine allows institutions to own and loan a book, make interlibrary loans, or even sell or destroy the item. Licensed e-books, however, often cannot be loaned to other libraries, and publishers can control the amount of time that an item is checked out.

Restrictions have led some academics to warn of onerous demands such contracts put on access to information.

“The key point is ownership,” wrote University of California, Davis, librarian Daniel Goldstein in a column for *Inside Higher Ed*. “Acquisition of a physical book brings with it a consistent and well-understood set of rights and restrictions that have been clearly defined and relatively stable for more than a century.”

Section 108 of the copyright law allows libraries and archives to reproduce and distribute one copy of a work under certain circumstances (for interlibrary loans, for example). But technology means longstanding dictates — especially as they apply to digital content — are in flux.

“The law is not set in stone,” Macklin says. “Part of what we’re dealing with is changing technology, a changing marketplace, and a law that hasn’t changed in a while. So how do we accommodate that in a way that still allows libraries to fulfill their mission without damaging the marketplace? I think that’s the balance that’s trying to be struck by the copyright office.”

While some university libraries’ book acquisitions include only e-books, Emory has not gone that route, Macklin notes. As for the e-books the university does purchase, “We are making a concerted effort to buy the ones that don’t have these technological protection measures, but they’re often considerably more expensive than either the print books or the same book with the technological protection measures.

“It’s a balancing act with the budget,” she adds, noting that some of the books without digital protections can cost double their licensed counterparts.

**IN 21ST-CENTURY AMERICA**, ownership has become murky in other arenas. Tesla cofounder and CEO Elon Musk last year ordered owners of his automotive brand not to use their electric vehicles for ride-hailing firms such as Uber.

Musk argued that its “supercharger” stations can’t accommodate private and for-profit uses.

Musk, whose cars are equipped with sophisticated technology, says he has other reasons for not allowing drivers to access computer equipment built into his vehicles. When Hurricane Irma struck Florida last summer, the company remotely controlled software affecting the cars’ batteries. The development gave the cars a farther range to escape danger.

Separately, John Deere tractors are outfitted with software that requires users to only use authorized repair shops when trouble arises.

## “In the **UNITED STATES**, generally speaking, the **PROVIDER** owns your **MEDICAL RECORD**.”

—Bernie Zidar 98L, chief intellectual property counsel, McKesson Corporation

One of the more emotionally fraught ownership debates centers on medical records. Until the San Francisco-based McKesson Corporation divested its electronic health record business last year, it housed data on tens of thousands, if not millions, of patients. (The company predominantly operates a network of warehouses that dispense pharmaceuticals and medical surgical supplies around the globe.)

Records that used to be held in paper files now reside in EHRs, or electronic health record management systems.



Bernie Zidar 98L

Perhaps surprising to many Americans, there’s nothing in the law prescribing ownership of EHRs. Meanwhile, there have been government incentives in the past decade to go digital — in part to ease the sharing of information among doctors.

“It’s an interesting legal question that doesn’t necessarily have a clear, concrete answer,” says Bernie Zidar 98L, chief intellectual property counsel at McKesson’s Atlanta operation. “Is it the property of the patient? It’s your history of injury, disease,

treatment, and care. On the other hand, the record itself is created by a healthcare provider, like your doctor. There are notes and observations on your health. Arguably, as they are created by the doctor, they should belong to the doctor.

“There’s no United States federal law that dictates ownership of medical records, so in the absence of federal law, state law controls,” Zidar adds. “In the United States, generally speaking, the provider owns your medical record.”

More than 20 states have created their own laws to ensure that doctors own the records.

But there are wild cards at play. What if a

healthcare provider is late paying a bill to their software provider? Or refuses to pay all together? The provider, just as a utility can turn off for nonpayment, is entitled to terminate access to doctors. Records ownership suddenly enters uncertain ground.

“The consequences of switching off that access can be very bad for the patient,” Zidar says. “That concerns some people from a policy perspective. But the issue of access is more of a practical issue than a legislative issue at this point.”

**INNOVATION IN THE INFORMATION AGE** is another area in which the rule of law is being reconsidered. Liza Vertinsky, associate professor of law with an expertise in innovation and IP, foresees big changes in the way patents are administered.

“I’ve been focusing on artificial intelligence and thinking machines and how that might change the process of invention and innovation in ways that need to be thought about,” she says. “You have a patent system that is designed based on this individual inventor paradigm, and now we have computers working in collaboration with people. Some computers are generating patentable inventions.”

Technically, computers have had the capacity to make their own inventions for decades. Patent

law hasn’t addressed the area, however. In an increasingly digital world, “It’s something that’s going to have to be addressed relatively soon,” Vertinsky says.

The ongoing legal debate, which has gained traction in recent years, has less to do with inventors protecting their creations than it does with the process itself.

Vertinsky cites a seminal paper by Mark Lemley, director of Stanford University’s Program in Law, Science & Technology. The document, titled “IP In a World Without Scarcity,” states that economics is based on scarcity and that “things are valuable because they are scarce.”

Artificial intelligence, 3-D printers, and the internet have “slashed the cost of creation, production, and distribution,” Lemley writes. “I can create without distributing, secure in the knowledge that my works will be disseminated by others who distribute without creating.”

“Rather than saying to the people who created the thinking machines that they have protection, my concern is more with how the system

changes and whether the law is equipped to deal with those changes,” Vertinsky says. “These technologies are paradigm shifts that change innovation in a way the law hasn’t fully caught up with or thought about.”



Liza Vertinsky

Digital age “ownership,” meanwhile, isn’t without a decades-old antecedent. Users of Microsoft Word, for example, don’t really own the software. A so-called shrink-wrap license, an end-user agreement, effectively binds the user to company terms once packaging is removed.

Current restrictions on digital content are “sort of the next generation of the idea that we don’t actually own these digital products,” says Holbrook. “We’re given the right to use them. You don’t own it in the classic sense.”

Consumers, perhaps out of convenience, appear to be taking the prohibitions in stride.

“I can just go online, find the item that I want, and it instantly appears on my device in the comfort of my home,” Holbrook says. “Given that convenience, people don’t seem to complain too much.”



Immigration  
restrictions fuel  
reverse

# BRAIN DRAIN

BY PATTI GHEZZI

The man on the phone was desperate. The Belgian professional had spent the past five years building a life in the United States, but he had not been able to secure a green card. Now, he was facing the prospect of having to leave for five years, per US immigration law.

**Charles Kuck**, an Atlanta immigration lawyer and adjunct Emory Law professor, did not have good news for him. “He must leave,” says Kuck, a partner at Kuck Baxter Immigration in Sandy Springs.

Such conversations play out again and again for business immigration lawyers working to help highly skilled technology professionals work legally in US jobs, where their talents are in demand. “We have immigration laws dating back to the 1990s that happened before these jobs existed,” Kuck says. “We’re tired of an immigration system we cannot use to get what we need for our clients.”

Technology companies depend on professionals from foreign countries to remain innovative and competitive, but experts say the difficulty such professionals face in navigating the immigration system and securing green cards is contributing to a so-called reverse brain drain, with talented engineers leaving the US and returning to work in their home countries, including India and China.

The problem has existed for years, squeezing companies as well as foreign-born employees, Kuck says. “It’s the inability to have enough visas available to bring the right people here when you need them, which leads to fraud and employers manipulating the system.”

In 2006, there were about one million skilled professionals vying for just 120,000 green cards available in their area of expertise, according to Vivek Wadhwa, author of *The Immigrant Exodus: Why America Is Losing the Global Race to Capture Entrepreneurial Talent* (Wharton Digital Press, 2012), adjunct professor, and distinguished fellow at the Integrated Innovation Institute, Carnegie Mellon University, Silicon Valley Campus. The wait for a green card could be a decade or more, leaving foreign-born employees in limbo, unable to change jobs or start their own companies. Today Wadhwa estimates there are about 1.5 million skilled workers in US immigration limbo.

Some are unwilling to wait.

The reverse brain drain Wadhwa predicted in his book is coming to fruition in part because of a political environment that makes it even less appealing for a foreign-born worker to try to make a life here, Kuck says. “Our political climate makes it look like a bad place to be an immigrant.”

Controversy over DACA (Deferred Action

for Childhood Arrivals) and travel restrictions affecting eight countries, six of which are majority-Muslim, suggest an overall worsening climate for immigrants, even those with specialized skills. In April, President Donald Trump ordered a review of the H1-B visa program, which grants temporary work visas to foreign professionals with specific skills that companies say they cannot source locally.

Fears of increasingly restrictive immigration policies are especially detrimental to the US technology sector, where as many as 15 percent of employees at some companies have an H1-B visa. In addition to the fierce competition for top talent that has always existed among technology companies in the US, such companies now face increased competition from technology companies abroad.

India has its own Silicon Valley — Bangalore — and China and Singapore are also home to many technology start-ups and established companies. Professionals who return to their home countries

with knowledge gained at US universities and companies have a strong advantage in the local labor market, giving them further incentive to abandon their dreams of permanent residency in the United States.

Tech companies have banded together to speak out against policies that make it difficult to recruit and retain immigrants. The focus of their public advocacy has been on DACA and the travel ban, however, not employees here on H1-B visas, a strategy that speaks to the sensitivity of the H1-B visa program and the perception that it takes jobs away from Americans, experts say. Tech companies maintain that they must recruit

the best and brightest from the global marketplace to keep the United States competitive in the technology space.

**Zander Lurie 99B 99L** is CEO of SurveyMonkey, a privately held online survey company based in Silicon Valley. “Being able to get the best talent from anywhere is an essential resource for many companies, especially if they want to stay innovative and competitive in the market,” he says.

The company has joined with other tech firms in support of DACA and against the travel ban.

“While immigration reform is a topic on many people’s minds, policy changes like reversing DACA or the travel ban aren’t good for business in the United States,” Lurie says. “SurveyMonkey has been vocal about our work against this administration’s actions and recent policies pertaining to immigration.”

Lurie would not comment on specific personnel matters related to recruiting and retaining foreign-born talent at SurveyMonkey.

In addition to the **FIERCE COMPETITION** for top talent that has always existed among **TECHNOLOGY COMPANIES** in the US, such companies now face increased competition from technology companies **ABROAD**.

The difficulty in navigating the immigration system during politically tumultuous times has meant more business for US immigration attorneys and heightened interest among law students, Kuck says. His most recent class was his largest in 18 years of teaching at Emory Law, with 75 students. Kuck says he sees no imminent resolution to the debate over who gets to come to the United States, which “has been festering since 1776.

“This has long-term detrimental effects on the US economy,” he says of restrictive immigration laws. “We are heading to a place where we are not going to be able to compete with other countries.”

“One of the most valuable skills that a good lawyer brings to the table in the tech space is a partnership mentality.”

**Q&A** WITH ZANDER LURIE 99B 99L



Lurie jokes that to find out how many of his peers know he is an Emory-trained lawyer, you would have to survey them. (He acknowledges that he uses this joke a lot.) He stepped in as interim CEO at SurveyMonkey in 2015 after the death of his close friend and then-CEO Dave Goldberg. When the CEO hired by SurveyMonkey’s board resigned after a few months on the job, Lurie returned to the helm, this time without the “interim.”

**You came to Emory to become a lawyer but quickly realized you wanted something different. What motivated you to cross the street to Goizueta for a joint degree?**

I was enamored by the classes and faculty during my first semester at Emory Law. There were a few concepts and principles I never mastered, though. The whole blue-booking exercise confounded me. Once people started asking me what kind of law I wanted to practice, I had to ask myself some tough questions ... starting with which degree would complement my JD.

**What were some memorable moments at Emory Law?**

I wasn’t a particularly great student, but I took some favorite classes I’ll never forget, including Real Estate by Professor Frank Alexander. I’m pretty sure I would have failed Civil Procedure but for the charity of my professor who let me claw back to a passing grade. It was a humbling experience in many ways.

**Were you interested in technology back then?**

I was very interested in technology and innovation. That was back in the day when we would check email, like, once per day. While I was at Goizueta, many of my close friends were moving into tech jobs, and everyone was inspired by all things World Wide Web. **Jim Lanzone 98B 98L** started a business with two classmates called eTour. I invested a tiny bit of money

and had fun watching them develop the product, marketing plan, and business model. My passion for investment banking stemmed from growth in companies like Netscape, Yahoo!, and Amazon. The IPO boom led to mergers and acquisitions and then consolidation when the market tanked. My tenure at JPMorgan was defined by my passion for helping internet companies with strategic advice and capital raising. I was fortunate to start my career at the dawn of such an important industry.

**How has your legal training helped you in your career?**

I have never deposed a witness, billed a client for an hour of work, or appeared in court, except for jury duty, but legal training has definitely helped me. Investment banking is a deals business, and law school helped me be a better reader, negotiator, and analytical thinker. As CFO at CNET Networks, I had public-company responsibilities where being trained as a lawyer was helpful. And serving on boards of directors constantly involves awareness of the regulatory environment.

**Do you use your legal training in your current role at SurveyMonkey?**

I try to go toe-to-toe with our general counsel, but I can’t even carry her briefcase. While I am not touching a lot of the day-to-day legal matters, I work closely with our legal team on strategic matters as they relate to company policies, M&A financings, and commercial contracts.

**What do lawyers bring to the tech space?**

One of the most valuable skills that a good lawyer brings to the table in the tech space is a partnership mentality. When businesses work through important decisions, you want your legal team to make sure you’re protected and managing risk, but not at all costs. If you’re on offense, you need to move forward.



# JUSTICE

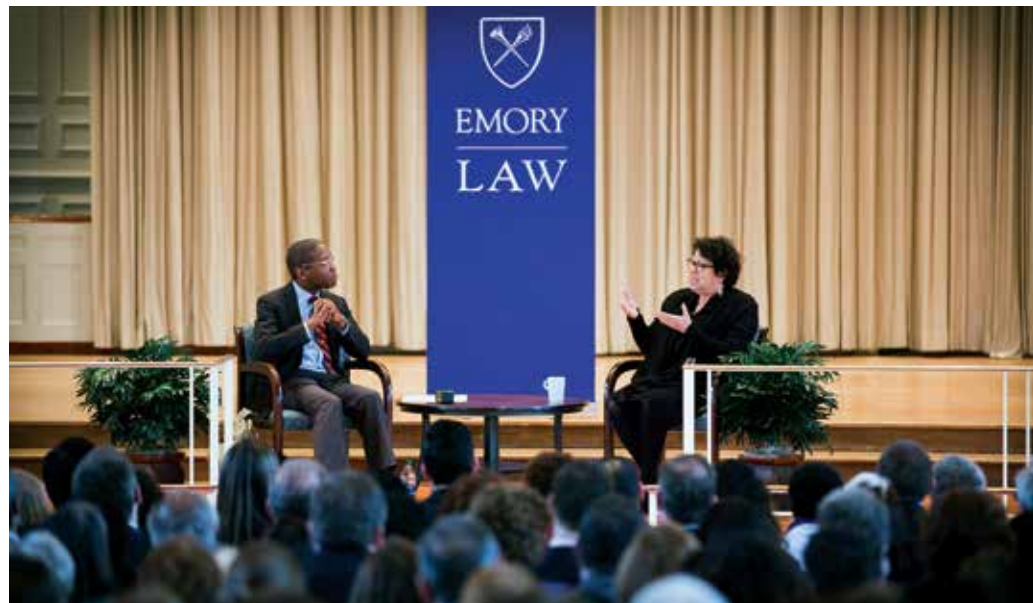
at Emory Law

BY SUSAN CARINI O4G | PHOTOGRAPHY BY ANN BORDEN, ANNALISE KAYLOR, AND STEPHEN NOWLAND





**She left the dais**, preferring the proximity to audience members, and succeeded in turning the imposing grandeur of Glenn Memorial Auditorium into a living room. It is rare for any speaker to be that personable — to say nothing of an associate justice of the US Supreme Court being nervously watched by security personnel. But that, in a nutshell, is Sonia Sotomayor.



**NOMINATED TO THE SUPREME COURT** by President Obama in 2009, Sotomayor was nominated by President George H. W. Bush to the US District Court, Southern District of New York, in 1991, serving in that role until 1998. She was then a judge on the US Court of Appeals for the Second Circuit from 1998 to 2009.

During Justice Sotomayor's February 6 visit, Emory Law Interim Dean **James B. Hughes Jr.** and Emory President **Claire E. Sterk** offered welcome messages, with the president expressing confidence that Sotomayor would help us "understand why the rule of law is more important now than it ever has been." **Stephanie Angel 19L**, president of the Latin American Law Students Association and a beneficiary of the Sonia and Celina Sotomayor Judicial Internship Program, introduced the justice.

As was evident in the Q&A with Emory Law Professor **Fred Smith Jr.**, a constitutional law scholar who clerked for her during the October 2013 term, Sotomayor considers both her life and career to be about relationships. The crux of the law, she asserted, is "about helping people," with the role of lawyers and judges being to help us navigate, if not improve upon, our relationships with one another.

She began with the simple example of stoplights. None of us craves sitting at them, but we understand why they are necessary. "Of course it gets more complex from there," she said. "But all of it is part of the law's beauty. Laws are made by people, for themselves. As citizens, we have an obligation to be part of these conversations."

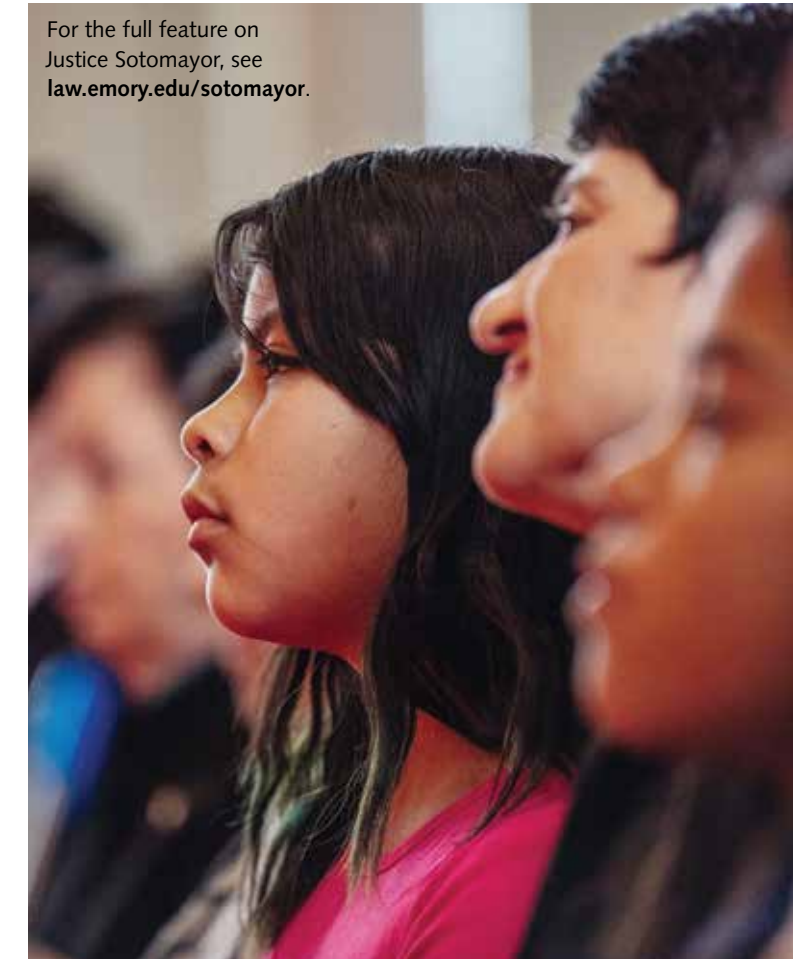
As a Latina from the South Bronx who often felt sidelined owing to juvenile diabetes, no phase of her life brought easy answers about fitting in. At Princeton, where she earned a BA, she "felt like an alien," hearing classmates recount trips to Europe while her travel bounced between visits with relatives in Puerto Rico and Camden, New Jersey.

Perhaps as a result of the barriers, Sotomayor emerged with a strong sense of self, which is why, following her first term on the Supreme Court, she wrote *My Beloved World*. She didn't want, as she described it, to "lose Sonia." And she was determined to restore a sense of humility, perhaps at risk from the many giant steps she had taken up life's ladder. "I am not self-made," she insisted. "All of us have people who support and guide us. I wanted the book to capture that, to pay tribute to those critical in my life."

Even today, as the object of so much admiration, a full sense of belonging still eludes her. But that's okay. As she said, "I may not belong 100 percent, but I'm there." She laughs at some ways she is out of step. Her fellow justices adore opera; she likes jazz.

And even with her presence among them, diversity on the highest court remains a work in progress: for instance, every justice still hails from the Ivy League, and their faith traditions remain narrow.

But while change comes slowly to a body with life terms, it is clear that Sotomayor takes pride in the institution of which she is now a part. "The Supreme Court," she noted, "explains fully our every decision. We are the only branch that does that. Most people react to our outcomes. Next time you don't like something the Supreme Court has done," she concluded with a wink, "read our opinions first."



For the full feature on Justice Sotomayor, see [law.emory.edu/sotomayor](http://law.emory.edu/sotomayor).

**"LAWS** are made by people, for themselves. As **CITIZENS**, we have an obligation to be part of these **CONVERSATIONS.**"

— Sonia Sotomayor, Associate Justice of the Supreme Court of the United States

# Emory Law offers LGBTQ Legal Services

BY SUSAN CARINI 04G



ELLS will connect pro bono attorneys and volunteer law students with low-income clients who need help with legal issues involving filing insurance denial appeals for trans persons and completing advanced directives. From left: Faris Mohammed 18L, Mary Dudziak, Danielle Bruce-Steele, Nicole Schladt 18L. Photo by Cynthia Varkey

**ATLANTA IS HOME TO ONE OF** the largest LGBTQ communities in the US, exceeding that in New York City, with 4.2 percent of residents self-identifying. When attention turns to the city's runaway and homeless youth population, that figure climbs even higher — to 28.2 percent self-identifying. Moreover, Georgia's transgender population is the fourth-highest in the nation.

Despite the community of LGBTQ individuals and organizations here, there isn't a robust enough network of LGBTQ-focused legal services in the area. Georgia Equality, the state's largest LGBTQ advocacy organization, currently directs LGBTQ individuals with legal needs toward the Stonewall Bar Association, Lambda Legal, or the American Civil Liberties Union (ACLU) Lesbian, Gay, Bisexual, Transgender Project. Yet given the primary missions of these groups — for Lambda Legal and the ACLU, for example, it is impact litigation — none is able to provide either legal services or the bandwidth necessary to fully maintain attorney directories. Little points of light emerge — the Atlanta Legal Aid Society recently opened up a trans name-change project — but more is needed.

## Emory Law's niche

Emory LGBTQ Legal Services (ELLS), launched January 20, will do its part to answer the regional need, trading on the school's excellent reputation, including that of its existing legal clinics. The launch date coincided with OUTLaw's (see sidebar) second-annual conference, "Transforming Advocacy:

Using the Law to Protect Our Community." Providing LGBTQ legal services answers President **Clarie E. Sterk's** call for Emory to build a more inclusive community and engage more fully with the city of Atlanta. This is the first university-sponsored effort devoted to issues of sexual orientation and gender identity in the region.

**Nicole Schladt 18L** and **Faris Mohammed 18L**, who led the effort to establish this service, used the school's successful Volunteer Clinic for Veterans as a model, with the aim of providing direct legal services to low-income LGBTQ individuals in the Atlanta area who are unable to access meaningful assistance through existing community programs. Mohammed credits Schladt with the original idea and goes on to say, "I gained a lot of practical experience in the Turner Environmental Law Clinic

and thought the idea of LGBTQ legal services was not only a great idea for the LGBTQ community but also something that students would gain a lot from as well. Researching what has been done in clinics at Emory Law and elsewhere helped guide us as to how this service should function and, even more important, sustain itself in the years to come."

Students who participate will work on a volunteer basis under the supervision of outside attorneys who, in turn, will have full responsibility for the cases and clients they take on pro bono. Students' contributions will be enhanced through bimonthly training sessions led by the legal director and guidance from the outside attorneys as they prepare cases. The scope of cases in the first year will include filing insurance denial appeals for trans individuals, completing advanced directives for the LGBTQ community, and compiling a database of community resources for LGBTQ individuals needing legal assistance.

Students apply to be included as volunteers, with 1Ls participating in a limited capacity. An interest in LGBTQ-rights law is preferred. In the first year of operation, students will not receive academic credit, though that possibility will be explored in the future. Skills students can expect to sharpen include client intake and interviewing, as well as legal research and writing. Eight students have been chosen for work in the inaugural semester.

**Danielle Bruce-Steele** from Emory's LGBT Life office has been chosen as director for the first year and will oversee day-to-day activities, while an administrator, Schladt, will

supervise the students. In the future, the administrator's role will go to a high-performing Emory Law student through an application process. Beth Littrell of the Lambda Legal Southern Regional Office will serve as the legal strategist. An advisory board composed of Emory Law faculty members, students, university affiliates, and outside community members is currently forming that will provide strategic support and advice.

## A warm welcome from partners

Bruce-Steele attests to the degree to which, "as a leader in LGBT equality in Georgia, Emory is what individuals from across the Southeast think of when encountering a problem." And that point of view is corroborated by staff at LGBTQ organizations across the region — including Brittany Garner, deputy director of programs for Lost-N-Found Youth, who says, "This would fill a large need for LGBTQ youth of Atlanta and would help change the trajectory of young queer and trans people who are in need. I see Emory's involvement as an important step in providing necessary legal services for some of the most disenfranchised in our community."



"I see Emory's involvement as an important step in providing necessary legal services for some of the most disenfranchised in our community."

—Brittany Garner, Lost-N-Found Youth

Other support has come from Lambda Legal and the Stonewall Bar Association, whose immediate past president, Kat Schuller, indicates, "We look forward to working side-by-side with Emory Law's LGBTQ Legal Services for years to come." Already, there is a high level of support inside Emory, including Emory's Office of LGBT Life and GALA, the LGBTQ organization for Emory alumni.

Schladt says that beyond the insufficiencies of the existing legal options for the Atlanta-area LGBTQ population, "the change of presidential administration last year at this time made us realize that a lot of people desperately needed access to LGBTQ-focused basic legal services. Our belief is that Emory Law's LGBTQ Legal Services is a means to start addressing those needs."

## OUTLaw's silver anniversary

# 25

Under its current name, OUTLaw has existed for a quarter century; however, according to past-president **Nicole Schladt 18L**, even before that — as the Lavender Law Association — there was a group at the law school serving

LGBTQ-identified individuals. Though the organization's names have varied, the mission has not. Says Schladt, "The idea always has been to provide a home where people can find mentors, ask about exams or professors, learn more about employment, and find fellowship and friends."

Each year, OUTLaw serves its community by providing education about LGBTQ rights both in general and in the context of an Emory Law education. With regard to the former, last January Schladt established the first conference sponsored by the group. "State of the Union" was a look at the current state of LGBTQ rights following the election of President Trump.

This year's conference, just completed, titled "Transforming Advocacy: Using the Law to Protect Our Community," was all about trans rights and consisted of a name-change workshop, a keynote speech by activist Dee Dee Chamblee, and a prisoner rights panel. Says Schladt, "We thought it important to do this because the trans population is the most marginalized among our community, especially when it comes to getting legal help and recognition."

Last year, OUTLaw made quite a splash partnering with the Stonewall Bar Association to sponsor a panel that included Jim Obergefell (the plaintiff in *Obergefell v. Hodges*) and Pulitzer Prize-winning journalist Debbie Cenziper; the pair had recently collaborated on the book *Love Wins*, detailing Obergefell's involvement in the landmark 2015 Supreme Court case that granted same-sex couples the right to marry.

## MARK YOUR CALENDARS

OUTLaw puts on a mentorship event in the fall semester. The month of March brings an "Out in Law" event to which Atlanta firms and organizations come, allowing students to conduct mock-interviews. In April, during Preview Day, OUTLaw does its part to welcome LGBTQ-identified students considering Emory Law. OUTLaw also goes big for Pride Week, hosting a keg and being, says Schladt, a "big, bright" part of the Emory Pride Parade.

Current OUTLaw president **Meghan Aubry 19L** perhaps captures the spirit of the group best, saying, "OUTLaw is committed to fostering LGBTQ+ visibility and support in the legal field and ensuring that Emory Law is a place where LGBTQ+ individuals thrive. As we move forward, we honor those who have worked tirelessly to further these goals, and we recognize the many ways in which their hard work has changed the world around us. We will continually work toward building environments where no one must face fear, harassment, discrimination, or violence."

2018 EPIC INSPIRATION AWARDS

# Spotlighting those who inspire

BY A. KENYATTA GREER

The Emory Public Interest Committee (EPIC) recently held its Inspiration Awards, where the group honors a student and three community members for their outstanding contributions to public service. This year's honorees count helping children, the indigent population, immigrants, and the hungry among their personal passions. On February 6, in Tull Auditorium, the Emory Law community recognized them for all they do to benefit the citizenry.

From left to right: Monica Modi Khant, Margaret W. Scott 03L, P. Harris Hines 65C 68L, Sai Santosh Kumar Kolluru 18L. Photos by Don Morgan



### Unsung Devotion to Those Most in Need



Monica Modi Khant is the executive director of the Georgia Asylum and Immigration Network (GAIN), where she oversees, supervises, trains, and mentors pro bono attorneys who represent immigrant victims of violence and asylum seekers. Khant received her BA from Rutgers University in 1995 and her JD from New England School of Law in 1998. After law school, she worked as the Detention Attorney at the American Friends Service Committee (AFSC) where she represented detained asylum seekers. She also worked at private immigration firms in Boston and worked as director of legal services at the International Institute of Boston (IIB). She serves on the advisory board of Raksha, a Georgia-based nonprofit organization for the South Asian community, is a graduate of the Leadership Atlanta Class of 2015, and has served as pro bono liaison of the Atlanta chapter of the America Immigration Lawyers Association (AILA). Khant is also an adjunct professor at Georgia State University, teaching Human Trafficking & Modern-Day Slavery. In 2017, she was recognized as one of *Atlanta Magazine's* "Women Making a Mark."

### Outstanding Leadership in the Public Interest



Margaret W. Scott 03L is a partner at Alston & Bird, where she focuses on estate planning, estate settlement, trust administration, charitable planning, and exempt organizations. Scott earned her BA from Duke University in 1996 and her JD, with honors, from Emory University School of Law in 2003. Prior to law school, she worked as a speech writer and policy analyst for the US Department of Education in Washington, DC. She has served on the Alston & Bird Pro Bono Committee since 2003 and founded Alston & Bird's Wills Program for emergency

services personnel and indigent Atlantans. Scott currently serves as secretary of the Charles Loridans Foundation, secretary/treasurer of the Vasser Woolley Foundation, and as a member of the board of the Chastain Park Conservancy, the Emory University Board of Visitors, and the Warren T. Jackson Elementary Education Foundation board. She served on the board of the Atlanta Volunteer Lawyers Foundation for more than 10 years. Scott is a fellow of the American College of Trusts and Estates Counsel. She was recognized in the 2018 edition of *The Best Lawyers in America* in the area of trusts and estates and as a Georgia Rising Star by *Super Lawyers* magazine.

### Lifetime Commitment to Public Service



Chief Justice P. Harris Hines 65C 68L was appointed to the Supreme Court of Georgia in 1995 by Governor Zell Miller and was sworn in as chief justice in January 2017 by Governor Nathan Deal. Before his appointment to the Supreme Court, Chief Justice Hines served as a judge on the superior and state courts in the Cobb Judicial Circuit. An Atlanta native, he graduated from Emory University in 1965 and received his JD from Emory University School of Law in 1968. After law school, he clerked for Judge E. A. Wright, senior judge of the Civil Court of Fulton County, and then joined the firm of Edwards, Bentley, Awtrey & Parker of Marietta, Georgia. Hines is a member of the Board of Visitors of the University of Georgia School of Law, a former trustee of the Kennesaw State University Foundation, a member and past distinguished president of the Kiwanis Club of Marietta, and a past distinguished lieutenant governor of the Georgia District of Kiwanis International. He served on the inaugural board of directors of the Cobb-Marietta Girls Club and is a past president of the Cobb County YMCA. He received the Big Voice for Children Award from Voices for Georgia's Children in 2015, and in 2016 and 2017, *Georgia Trend Magazine* named him "One of the 100 Most Influential Georgians." In 2017, he was recognized as one of

the "Emory Law 100," graduates who have made extraordinary contributions. Chief Justice Hines is married to the former Helen Holmes Hill and they have two children and four grandchildren.

### Mark and Rebekah Wasserman Public Service Award



Sai Santosh Kumar Kolluru 18L currently serves as president of the Immigration Law Society and communications chair for the South Asian Law Students Association. Despite transferring to Emory in his second year, Kolluru has become an indispensable member of Emory Law's public interest community. He is chief of staff and assistant managing editor of peer review for the *Journal of Law and Religion*. Kolluru has hosted a weekly Meditation & Mindfulness session for the Emory Law community throughout the academic year. He coordinated a clinic to support DACA students and takes the lead on all policy matters for Emory Law's International Refugee Assistance Project chapter. Outside of Emory, Kolluru founded Hind's Against Hunger to bring back the concept of food donation. He holds a bachelor's degree in mechanical engineering from Case Western Reserve University.

The Emory Public Interest Committee (EPIC) was founded by law students in 1988 to promote awareness and increase understanding of public interest law, encourage and facilitate the employment of Emory students in public interest legal positions, and acknowledge the professional responsibility of lawyers and law students to make legal services more accessible to those who do not have adequate representation.

EPIC AWARD WINNERS

# WHERE ARE THEY NOW?

BY KERRY MAFFEO

**FOR CLOSE TO THREE DECADES**, Emory University School of Law’s student-run Emory Public Interest Committee (EPIC) has worked to give law students access to the public interest field by raising funds, connecting with donors, and awarding EPIC Grants to selected students each year who have taken summer volunteer positions or clerkships with public interest organizations. Receiving an EPIC Grant gives students the opportunity to apply the skills they’re learning in the classroom toward finding real solutions to real problems in their communities. They do so through organizations like the Legal Aid Society and other nonprofit entities or through work in a public defender’s office or law firms around the country.

Every summer experience is different. Yet, as the EPIC Grant recipients featured here can attest, the grant’s effects continue to positively influence their career trajectory long after graduation.



**Joann Yoon Kang 02L**

In her role as policy lead for the Division of Unintentional Injury Prevention at the CDC in Atlanta, Georgia, Kang puts into practice every day the skills she honed working with the Atlanta Volunteer Lawyers Foundation (AVLF) as an EPIC Grant recipient in 2001. “Working with AVLF was such a great opportunity for me, since the primary reason I applied to law school was to work within the realm of domestic violence,” says Kang. “The work I did with AVLF was challenging, because I saw firsthand and up close the difficult issues that my clients had to face. Yet, that experience taught me how the law can be used to help protect and promote the well-being of individuals, which translates to the work I do today at the CDC. At AVLF, I learned how to distill the complexity of the law into language that allows the client to understand what is happening—skills I continue to use today. It was an amazing experience and absolutely helped to direct the trajectory of my career in the law, first as a public interest lawyer for five years and then transitioning into public policy.”

# 06

**Caitlin Berberich 06L**

When Berberich came to Emory Law, she knew she wanted to practice poverty law and work with Spanish-speaking populations, but she was unclear on what type of law she should pursue. “My EPIC Grant in 2004 was to work for the Farmworker Rights Division of the Georgia Legal Services Program (GLSP),” Berberich recalls. “GLSP represents migrant farmworkers in primarily employment-related issues. It felt like a perfect fit for what I wanted to do, and I developed a strong interest in employment law and for farmworker



rights. Most people have no idea of the egregious working and living conditions endured by farmworkers. Representing farmworkers is important and meaningful work, and that summer experience significantly influenced my career.

After law school, I went on to work as an attorney at Southern Migrant Legal Services, a project of Texas RioGrande Legal Aid Inc., where I continue to work today.”

**Laura Settlemyer 08L**

As the first director of Blight Remediation for Hartford, Connecticut, Settlemyer relies heavily on her legal expertise—gained during her two EPIC Grant experiences and nearly a decade of work as a lawyer—to design and implement policy. “With my first EPIC Grant (2006), I worked for the Pro Bono Partnership of Atlanta, which connects volunteer attorneys with nonprofits to provide business legal services,” Settlemyer remembers. “My second EPIC Grant (2007) was with the American Constitution Society for Law & Policy in Washington, DC. When I think about those EPIC Grant experiences—working with nonprofits and attorneys serving disadvantaged and underserved populations in Atlanta and gaining a deeper understanding of the design of law and policy in DC—there is certainly a connection between the work I do today in designing and implementing equitable policies to address vacant and abandoned properties and the work I did during those two summers.”



**JoAnna Smith 14L 14PH**

Smith was a 2013 and 2014 EPIC Grant recipient and worked in the Family Law and Domestic Violence Unit of the Legal Aid Society of the District of Columbia. “I represented clients in protective order and child support cases. It felt amazing to use the law for good,” Smith explains. “But there were many people we couldn’t serve, either because they didn’t meet the income qualifications or because there just wasn’t capacity.” This experience had such a profound impact on Smith that she began her own sliding-scale family law practice, Anderson, Rupani & Smith. The firm serves Georgians who do not qualify for free legal services but cannot afford traditional legal representation. Says Smith, “I am eternally grateful for the EPIC Grant, and I want other students to have the same opportunity to become involved in public interest work.” Smith’s law firm is sponsoring the EPIC Inspiration Awards for the second year in a row.

**Lukas Alfen 19L**

Alfen will focus his career on serving clients in public education. A recipient of an EPIC Grant in the summer of 2017, Alfen worked for the US



Department of Education’s Atlanta office, supporting its Office for Civil Rights. “That experience showed me how important civil rights work is to achieving educational equity in our country,” explains Alfen. “Enforcing statutes that protect

vulnerable students’ right to an excellent education is critical to overcoming the disparities between communities. This past fall, I was able to continue my work through an externship with the Atlanta Legal Aid Society, and this spring, I will work in the Legislative Advocacy Clinic of Emory’s Barton Child Law & Policy Center. I hope to apply what I learn from these experiences to the work I will do this summer with the Educational Opportunities Section of the US Department of Justice.”

# Open House

BY ERIC BUTTERMAN

**EMORY LAW'S HOUSES PROGRAM** owns a philosophy which, at first blush, seems contrary to the general competitiveness inherent in law school — one in which law students are advocates for each other rather than adversaries. Started in 2013 by **Katherine Brokaw**, assistant dean for academic engagement and student success, it's a rare law school program that operates under the assumption that resilience through mutual support is the recipe for success. Through the program, more seasoned students, along with faculty and staff, help advise students both on the traditional requirements for the law degree and on the skills required to finish the marathon of earning the law degree.

"Legal education is set up in a way that puts law students in competition with each other, especially for grades," Brokaw

says. "But there's a key problem with that way of thinking if it pervades all their interactions. I tell students, 'It's your peer group who may be the ones who come through when you really need it — throughout your career, for many years after you graduate. You need to build strong relationships with each other.' Houses are meant to help them do that."

Of course, they'll first have to get through law school. And the Houses program seeks to help with that, too. Houses are "learning communities," designed to support students' learning in and out of the classroom, in addition to supporting their well-being, which is known to improve academic success. Membership is based on the required legal writing classes, which are the only first-year courses that meet together both semesters and are small in size; transfer students and LLM

students are randomly assigned to existing Houses. The Houses are named for various Atlanta neighborhoods and are designed to include in each students with a diverse array of backgrounds, interests, and undergraduate colleges.

## House keeping

House activities run the gamut from icebreakers such as meet-and-greets to social breaks like movie nights and exam study breaks. One popular highlight occurs during Welcome Week, when students are involved in bonding through friendly competition. "The Amazing Race" pits House against House in a timed scavenger hunt. "Many students found their closest friends for law school through the race," Brokaw says. "Instead of starting off with anxiety, they get a chance to begin their experience here in a team setting that promotes collaboration and mutual support." Houses are also the basis for the break-out groups in that week's Professionalism Program, when students are introduced to legal ethics.

Another standout House program, "Real Talk with an Attorney" saw 10 attorneys of diverse practice areas, backgrounds, and career levels share their wisdom about law school and law careers last spring. Sponsored by two Houses, it won a coveted American Bar Association Award for Diversity, Law Student Division.

Each of the seven houses comprises two House coordinators, a Dean's Teaching Fellow, and a few associated faculty. The Dean's Teaching Fellows program, which creates a cadre of high-performing students to help mentor their peers, celebrates its tenth anniversary this academic year. "The House coordinators are similar to social directors, working hard to create events students will be enthusiastic about," Brokaw explains. "Dean's Teaching Fellows are like academic coaches who can help students with things such as outlining

or working with them on practice questions and exam preparation."

Her colleagues **Jennifer Geada Fernandez 03L** and **Sei Yoshioka-Cefalo** manage the Dean's Teaching Fellows and the House Coordinators, respectively, in addition to their other duties. Geada Fernandez had many of the same courses and professors as today's students; with her years of practicing law in Atlanta, that makes her a valuable link for students between their learning and the careers they hope to have in the legal profession.

## Structural support

**Samuel Steele McLelland 19L**, for one, found the Houses philosophy nothing less than vital when he was a 1L. "My first year was one of the most transformative years of my life," he recalls. "From getting back into the academic sphere after taking time off, to dealing with the rigor of law school generally, and dealing with the passing of my grandmothers, my friends in Decatur House were there to support me. I do not how I would have survived 1L year without the great friends I made."

But not only does the program provide support directly, it is even a vital aid to the law school's counselor. "With so many students here, it would be impossible for me to keep an eye on all of them on my own," says Yoshioka-Cefalo, associate director for student support. "But, with House leaders, they can keep me informed of when someone is having difficulties." When it comes to students' well-being, Yoshioka-Cefalo plays a unique role among law school staff. In the past, law schools would refer students to counselors at the main university for assistance. They still do, but with a licensed professional counselor on site, Emory Law is able to offer the intermediate step of providing a trained professional in the building who can assess a student's needs.

"It's difficult to get law students to go across campus to a different facility — partly because of their time pressures. They can talk with Sei and together decide if there is a need for further intervention," Brokaw explains.

The Houses Program, now in its fifth year, banks on the support students can provide each other when they share a common goal. In fact, it's a tribute that McLelland still finds the program offering him reinforcement as he supports others in the role of House coordinator this year. He notes, "Watching students grow and learn inside and outside the classroom has kept me grounded in what truly matters during this hectic 2L year — that we have to look out for each other, and we have to pull people up as we climb."

Houses are named for different Atlanta neighborhoods, and each house has its own designated color of the rainbow.

The Office of Academic Engagement and Student Success team includes Jennifer Geada Fernandez 03L (seated far left), Katherine Brokaw (center), and Sei Yoshioka-Cefalo. Here they wrangle therapy dogs that visit the law school every year for Wellness Week. Photo by Kay Hinton



# International Humanitarian Law Clinic celebrates 10th anniversary

BY A. KENYATTA GREER



The IHLC welcomed Lieutenant General Charles N. Pede, Judge Advocate General of the United States Army, as speaker for its second annual Global Leaders Lecture. Photo by Don Morgan

Emory’s International Humanitarian Law Clinic (IHLC) celebrates ten years in operation during the 2017–2018 academic year. This groundbreaking group works directly with international tribunals, militaries, nongovernment organizations, and other entities to promote the law of war, enforce that law, and train and educate through partnerships.

**Laurie Blank**, clinical professor of law and clinic director, teaches international humanitarian law and works directly with students on cutting-edge issues in humanitarian law and human rights. In a Q&A she explained the significance that the clinic has had to the law school and to global humanitarian efforts.

**HAVE THE GOALS OF THE CLINIC EVOLVED OVER THE PAST TEN YEARS? IF SO, HOW?**

The primary goals of the IHL Clinic are to give students an opportunity to do real-world legal work in the area of international law and armed conflict and to provide assistance to organizations, governments, militaries, and others working to implement and enforce international humanitarian law. These goals continue to animate the clinic’s work and

development. Participating directly in the application of IHL in concrete settings prepares students for careers in international law, provides them with training in general lawyering skills, and broadens their understanding of the complexity and implementation of IHL well beyond library research and classroom discussions. In addition, the assistance we provide not only helps these organizations directly with their work, but also contributes to the broader effort of disseminating and

promoting IHL, a key element of ensuring lawful and effective conduct during wartime.

The clinic’s focus in general has not changed — our work falls into three main pillars: promotion and implementation of IHL, enforcement and accountability, and training and education in IHL. Of course the specifics of issues that we work on change with the challenges that arise in new and different contexts around the world, but we continue to work across the spectrum of IHL application and implementation.

**WHAT ARE SOME OF THE CLINIC’S BIGGEST ACCOMPLISHMENTS? MOST PIVOTAL MOMENTS? THE THING ABOUT WHICH YOU ARE MOST PROUD?**

Our International Humanitarian Law Clinic International Exchange Program is truly a highlight — building a deep and lasting relationship with our partners overseas has been incredibly rewarding and productive. And it has been exciting to see how we’ve already inspired new IHL clinics at other schools in other countries. Watching our students from three different programs and many different international backgrounds engage with each other during our exchange visits has been fascinating and exciting, and we look forward to many more years of collaboration together.

I am also deeply satisfied with the breadth of engagement the IHL Clinic has built and sustained over the past decade. The diversity of experiences our students have through the wide variety of organizations we work with has contributed enormously to the clinic’s success overall and to the students’ comprehensive understanding of IHL, the challenges of contemporary armed conflict and counterterrorism operations, and the needs and interests of the many actors engaged in the implementation and enforcement of and advocacy about this critical body of law.

**WHERE DO YOU HOPE TO SEE THE CLINIC IN FIVE YEARS?**

In five years, I hope we are continuing along the same path — training great students and providing them with outstanding opportunities, engaging with leaders in the field from different types of institutions, and contributing to training in, advocacy about, and enforcement of international humanitarian law at home and abroad.

**HOW MANY STUDENTS HAVE BEEN INVOLVED?**

Nearly 200 students — 193 as of spring 2018 — have participated in the IHL Clinic.

**HAVE YOU SEEN THE PRINCIPLES YOU INTRODUCED TO STUDENTS BE PUT TO USE IN THEIR CAREERS?**

Quite a number of IHL Clinic alumni are putting their clinic experience to work directly every day. We have alums who have worked at the International Criminal Court, the International Criminal Tribunal for the Former Yugoslavia,



For more information about the IHLC, visit their site at [law.emory.edu/IHLC](http://law.emory.edu/IHLC).

the State Department, the Department of Justice, and the Military Commissions, for example. And several have joined the military to serve in the Judge Advocate General’s Corps — in the Army, Navy, Air Force, and Marines — and are stationed around the world providing legal advice and services to their units and commanders. What’s especially rewarding is to hear how they all rely on and value their IHL Clinic experience as a key preparatory tool and foundation for many of the issues they will address in their service.

**WHAT ARE THE MOST VALUED PARTNERSHIPS YOU HAVE BUILT?**

Our International Exchange Program is an exciting and remarkable partnership and continues to grow, with new potential partners overseas to expand our network and collaborative reach. Within our own clinical work, we have so many longstanding relationships, and each one adds immeasurably to our experiences and our ability to inspire and prepare students. One of these very valuable relationships is our partnership with Marine Corps University in Quantico, VA, which is now extending for eight years and is a unique and dynamic collaboration between a high-level US military educational institution and a civilian law school. It is a great privilege and honor that our contribution to MCU’s educational mission is so highly valued. Our engagement with the military at multiple levels enhances our ability to learn, teach, and contribute to the discourse on IHL.

**IS EMORY’S CLINIC STILL UNIQUE AFTER TEN YEARS?**

We are. The Emory IHL Clinic remains the only law clinic in the US dedicated to and focused solely on the full spectrum of international humanitarian law, from training and education to implementation to enforcement and accountability.

## Faculty honored for academic achievement



Dorothy Brown

### Dorothy Brown

Dorothy Brown, professor of law, has been named a co-recipient of the 2018 Clyde Ferguson Award by the Executive Committee of the Association of American Law Schools Section on Minority Groups. The selection committee cited her part, along with her co-recipient Professor Guy Charles (Duke Law), in helping to create and build the Jerome Culp Colloquium, which provides aspiring law professors with crucial guidance and mentorship at all stages of the appointments process and throughout the initial stages of their careers as they prepare for the tenure review.

Brown is a nationally recognized scholar in tax policy, race, and class and has published extensively on the racial implications of federal tax policy. She is highly sought for her expertise in workplace inclusion issues, a respected speaker in the legal community, and a regularly engaged expert by media including Bloomberg, CNN, National Public Radio, the *New York Times*, the *National Law Journal*, and *Forbes*.

She is the author of *Federal Income Taxation: Cases, Problems, and Materials* (Thomson West; sixth edition 2016) (with Joel S. Newman) and *Critical Race Theory: Cases, Materials, and Problems* (Thomson West 2003; second edition 2007; third edition 2014). She has a new book in the works that will explore her area of expertise, elucidating the connection between race and federal taxation.



Michael Broyde

### Michael Broyde

Michael Broyde, fellow in the Center for the Study of Law and Religion and professor of law at Emory, has won a Fulbright award to spend the 2018–2019 school year at Hebrew University in Israel, studying religious arbitration in diverse Western democracies. His project focuses on regulating religious communities in ways that encourage modernization and discourage radicalization. He will address one of the most serious challenges confronting every Western democracy: preventing the rise of radical religion. The project is a follow-up to his recent book, *Sharia Tribunals, Rabbinical Courts, and Christian Panels: Religious Arbitration in America and the West* (Oxford, 2017).

His project will tackle four questions: Why do religious communities feel disenfranchised from secular law, and particularly secular family law worldwide? What is the history of arbitration law in Israel? What are the reasonable limitations on religious arbitration? Is religious arbitration good for both civil society and faith groups worldwide, in a variety of different legal systems?



Tim Holbrook

### Tim Holbrook

The University Board of Trustees has approved the appointment of Tim Holbrook as Asa Griggs Candler Professor of Law.

This award is a fitting tribute to Holbrook's contributions to scholarship, teaching, and service to Emory and the broader legal community. As an internationally recognized expert on intellectual property, Holbrook has published more than three dozen articles and essays in national publications and has co-authored one book, *Patent Litigation and Strategy*. The US Court of Appeals for the Federal Circuit has cited his work favorably, embracing one of his theories of patent infringement. Holbrook has served as associate dean of faculty, was instrumental in founding the Atlanta Intellectual Property Inn of Court, has helped place students in federal clerkships (particularly at the US Court of Appeals for the Federal Circuit), and has long been a champion of diversity and inclusion.

The impact of his scholarship and service has extended through a range of public scholarship. Holbrook is a regular media contributor on issues related to patent law and LGBTQ rights. In recognition of his teaching and work on inclusion, he has received the Emory Williams Distinguished Teaching Award, the Chestnut LGBT Person of the Year Award at Emory University, the Outstanding Service to the Community Award by the Stonewall Bar Association, the Friends in the Faculty Award from the Division of Campus Life at Emory, and the Professor of the Year Award from Emory's Black Law Students Association.

### Michael Kang

The AALS Section on Election Law has selected "Gerrymandering and the Constitutional Norm Against Government Partisanship" by Michael S. Kang, Thomas Simmons Professor of Law and associated faculty, political science department, as the Best Election Law Paper of 2017.

Michael S. Kang is a nationally recognized expert on campaign finance, voting rights, redistricting, judicial elections, shareholder voting, and corporate governance. Kang's work has been published widely in leading law journals, including the *Yale Law Journal*, *NYU Law Review*, and *Stanford Law Review*, and has been featured in the *New York Times*, *Washington Post*, and *Forbes*, among others. His recent research focuses on partisan gerrymandering; the influence of party and campaign finance on elected judges; the deregulation of campaign finance after *Citizens United*; and so-called "sore loser laws" that restrict losing primary candidates from running in the general election.



Michael Kang

## A DECADE OF INNOVATIVE SCHOLARSHIP

THE CENTRE FOR LAW AND SOCIAL JUSTICE and the Vulnerability and the Human Condition Initiative at Leeds are hosting an international conference to celebrate the ten-year anniversary of the founding of the Vulnerability and the Human Condition Initiative by Professor **Martha Albertson Fineman**. The conference will be held over two days from September 20 to 21, 2018, in the Moot Court Room at the Leeds School of Law.



Martha Fineman

The conference will invite participants to review and discuss the scholarly impact of vulnerability theory. Vulnerability is understood as the universal and constant susceptibility to change, both positive and negative, in human physical and social well-being over the life course. It is human vulnerability and the dependency it inherently entails that compel the creation of institutions and relationships, from the family to international regulatory structures. What does this reality mean for law and theories of justice? Participants will draw from various theoretical and doctrinal backgrounds to overview the development of vulnerability theory and will reflect on its current application and possible steps for the future.

This event is planned as both a retrospective and prospective discussion on rethinking the vulnerable subject of law and as a celebration of ten years of scholarly impact.

The School of Law, University of Leeds, in collaboration with Emory University School of Law, launched a new research hub in 2017. The Vulnerability and the Human Condition Initiative at Leeds is coordinated by Professor Fineman and Dr. **Stu Marvel** and housed within the Centre for Law & Social Justice. An



inaugural event on vulnerability and the professions was held in October 2017, and this conference represents the next major gathering of the VHC at Leeds. Marvel has been hired in a permanent role as a lecturer in law at Leeds and will be in full-time residence at the VHC at Leeds starting in fall 2019.



Stu Marvel

The VHC at Leeds has already hosted three workshops at the Leeds School of Law, hosted three visiting scholars, and held related events at Essex and Exeter Law Schools, as well as talks in Oslo, Lund, Coimbra, Dublin, and Copenhagen. This conference will

be one of the largest events yet and an important capstone on ten years of vulnerability theory. The fact that it is being held at Leeds is a testament to the importance of the VHC at Leeds and its role as a research hub within the Centre for Law and Social Justice. The conference will draw in important vulnerability scholars from the United States as well as partners at the Center for Law and Vulnerabilities at Lund, Sweden, and at the University of Technology Sydney — two institutions that have a developing strategic relationship with the University of Leeds School of Law. It will also highlight the contributions of PhD and LLM students to emerging scholarship on vulnerability theory.

The initiative will also host two roundtable discussions at the Law and Society Association conference in Toronto from June 5 to 8. The event will feature sixteen scholars from around the world, with Fineman to sit on both panels. More information is available at [lawandsociety.org/Toronto2018/toronto2018.html](http://lawandsociety.org/Toronto2018/toronto2018.html).



# Teaching leadership skills to tomorrow's lawyers

BY MYRA THOMAS

**IT MAY COME AS A SURPRISE**, but, traditionally, law schools weren't the place to develop leadership skills. Business schools focused on the finer points of leading in the working world, while law schools taught how to make moral arguments, write effectively, do cross examinations, and draft contracts.



Frank Blake

The oversight is one that law schools like Emory are looking to correct. With that focus in mind, Frank Blake, former chair and CEO of The Home Depot, funded, spearheaded, and led a seven-week lecture series in the fall for Emory Law's second- and third-year students titled "Leadership for Lawyers: An Introduction."

Sponsored by Emory Law's Center for Professional Development and Career

Strategy, the series featured a panel of distinguished attorneys, including Blake, who offered their take on the key aspects of effective leadership, as well as the need for setting a strategy and vision for decision-making and leading teams. According to Blake, the success of any organization boils down to its people, including its legal team, choosing to lead with "vision, determination, and compassion." The lecture series focused on applying leadership theories to a wide swath of legal careers.

associate pastor of Ebenezer Baptist Church; and Teresa Wynn Roseborough, executive vice president, general counsel, and corporate secretary at The Home Depot.

According to **Robert B. Ahdieh**, K.H. Gyr Professor of Private International Law and director of the Center on Federalism and Intersystemic Governance at Emory Law, leadership doesn't come without its challenges. "We really want our students to be able to supplement the traditional law school curriculum and understand the value of leadership education," he says. Ahdieh rounded out the panel, reflecting on the nuances of leading accomplished lawyers. "Often, lawyers are in charge of other leaders, and that's when it's especially important to establish a common mission and get your people invested in it. They have to feel as if they have a voice in the process."

Readings and roundtable classroom discussions supplemented the series and gave students the chance to ruminate on the ideas of the panelists and their peers. **Kate Freeman 18L**, a participant in the series, says she valued the opportunity to reflect on the common misperceptions about lawyers. "I think we always imagine lawyers as 'know-it-alls' who are going to argue with you about everything and who always want to be right," she says. But Freeman notes that the speakers made it clear that good leaders are often humble and willing to ask for help when they need it. After graduation, she plans to do a judicial clerkship on the Texas Court of Criminal Appeals.

**Mathew Plott 18L** also credits the lecture series for helping to expand his notion of what being a lawyer truly means. The panelists reflected on their professional experiences and identified the many roles to play outside of the traditional legal setting. "The lecture series was really about challenging assumptions about leadership," he says. Plott also notes that the series helped him to better understand how to apply leadership theories to his potential career path, as he weighs the decision to focus on public service or criminal law.

Whether it's mentoring associates, guiding a team of lawyers on a case, working with clients, or serving on a corporate or nonprofit board, lawyers are constantly applying leadership skills in a variety of ways. And while lawyers might think the bottom line depends on billable hours, it often depends on leading and motivating people more effectively.

According to Reid-Rice, one of the panelists, every lawyer, no matter where they work, needs to practice "moral and courageous leadership." It could apply to compliance or fostering a more diverse workplace, she says. "Lawyers are trained to be transactional, but many times we need transformational leaders."

"Lawyers require leadership skills no matter where they work, whether it's in a law firm, Corporate America, the public sector, or a charitable organization."

—Frank Blake, former chair and CEO of The Home Depot

"Lawyers require leadership skills no matter where they work, whether it's in a law firm, Corporate America, the public sector, or a charitable organization," Blake notes. The panelists in the lecture series included lawyers from a variety of career paths: Richard Anderson, CEO of Amtrak; David Dabbieri, chief operating officer of AirWatch; Paul Hudson Jr., founding partner of Parker, Hudson, Rainer & Dobbs; David Ratcliffe, former chairman, president, and CEO at Southern Company Energy Solutions; Natosha Reid-Rice, associate general counsel of Habitat for Humanity International and

FROM THE ALUMNI BOARD PRESIDENT

## Passing the gavel

I am excited and humbled to have the opportunity to serve as your new president of the Emory Law Alumni Board.



John Maggio 96L (left), passes the gavel to John Jordak Jr. 93L.

During the fall 2017 board meeting, **John Maggio 96L** graciously passed the gavel to me. The entire Emory Law community is deeply grateful to John for his dedication to our alumni, students, and faculty during his term. I hope to emulate his commitment and thoughtfulness during my service as leader of the board.

A little background about myself. This year marks my 25th anniversary at Alston & Bird, where my practice concentrates on securities and complex commercial litigation, with a particular emphasis on class action defense. In addition to our alumni board, I am a member of the board of trustees at the Paideia School in Atlanta, pro bono counsel for the Peachtree Road Race Planning Committee, and serve on the UCLA Parents' Council.

I have several goals during my term:

- Build on the tremendous momentum from our 2017 Centennial celebration.
- Continue outreach among our practicing alumni base and find new ways to have our alumni who are in nontraditional legal fields plug into the Emory Law community.
- Serve as a source of support and information to the broader Emory Law alumni and student community.

Emory University School of Law is dedicated to innovation, as you can see highlighted in this issue on technology, and to advancing the rule of law through practice and service. Our success is due, in great part, to our accomplished and dedicated alumni. This spring, as part of the 2018 Emory Law Alumni Weekend (ELAW), we continued our tradition of celebrating contributions to the Emory Law community with the annual Alumni Awards. The ceremony on April 27 honored several alumni for their impressive accomplishments. Read about them in the following pages.

- **Hon. Catharina Haynes 86L**, Distinguished Alumni Award
- **Hon. Dorothy Beasley 08L**, Trailblazer Award
- **Carolyn Bregman 82L**, Alumni Service Award
- **Justin Victor 10L**, Young Alumni Award

We hope you were able to help us celebrate our honorees. Perhaps next year, our list of honorees will include your name. Or maybe you will be at one of our future celebrations where we recognize those standouts among us. However you choose to come to us, we are delighted every time you engage with Emory Law.

**John A. Jordak Jr. 93L**, partner in the Atlanta and New York offices of Alston & Bird, is president of the Emory Law Alumni Board.

2018 ALUMNI AWARDS

# EMORY LAW HONORS DISTINGUISHED GRADS

BY KERRY MAFFEO

On Friday, April 27, 2018, Emory University School of Law hosted the annual Alumni Awards, bestowing honors on four distinguished graduates in recognition of their achievements in the field of law.



## DISTINGUISHED ALUMNI AWARD

This year's Distinguished Alumni Award — an honor given to an alum whose extraordinary achievements in the legal profession and whose service to society embody the values and principles of the School of Law — was awarded to Judge **Catharina Haynes 86L**. From an early age, Haynes says she had a strong sense of the importance of justice for all, leading to her decision, at age 10, to pursue a career in law. That same passion for justice still drives her choices today. In the early part of her eminent career, she graduated with distinction from Emory Law and then spent a dozen years as a trial lawyer, including four years as a partner in Baker Botts's Dallas, Texas, office. In 1998, she was elected as a Texas state

district judge in Dallas, where she served for eight years. As a state judge, she served as chair of the Texas Court Reporters Certification Board for three years. In 2008, President George W. Bush appointed her to her current position as a judge on the US Court of Appeals for the Fifth Circuit. In 2016, Haynes was appointed to the Judicial Conference Committee on the Administration of the Bankruptcy System, where she currently serves as Diversity Working Group Chair. Additionally, she serves on Emory Law's Alumni Advisory Board, is the immediate past chair of the Appellate Judges Conference of the ABA's Judicial Division, and is the current chair of the Appellate Judges Education Institute.

## ALUMNI SERVICE AWARD



**Carolyn Bregman 82L** received the 2018 Alumni Service Award, given for a lifetime of outstanding leadership and service to the Emory Law community. Bregman practiced law for more than a decade before returning to her real passion — furthering the work of the School of Law — in 1993. For almost 15 years, she took on various roles, including a position as assistant dean for career services and working as a career adviser to 3Ls and alumni. In 2008, she joined the Emory Alumni Association, becoming senior director for alumni career services, where she created a robust alumni program until her retirement in 2015. Throughout her distinguished career, Bregman put her passion to work even outside of the office, logging countless volunteer hours in service of Emory Law. Among her many volunteer activities, she served as chair of the advisory board for Emory's Center for Women, as chair for the Women in Leadership Committee of Emory's President's Commission on the Status of Women, and as chair of Emory Law's Loan Repayment Assistance Program committee. She is also a member of the Emory Law Alumni Board, the Emory Public Interest Committee (EPIC) Advisory Board, and is on the editorial board for *Emory Lawyer* magazine.

## ELÉONORE RAOUL TRAILBLAZER AWARD



Throughout her career, this year's Eléonore Raoul Trailblazer Awardee, Judge **Dorothy Toth Beasley 08L**, has exhibited that same pioneering spirit the eponymous Raoul 1920L embodied as the first woman admitted to Emory University and later as a national leader in the women's suffrage movement. In 1977, Beasley was the first woman appointed and then elected as judge to the State Court of Fulton County, where she introduced civil mediation and community service sentencing. Thereafter, she was appointed in 1984 as the first woman on the Court of Appeals. After leaving that court in 1999, Beasley served as a mediator and arbitrator with Henning Mediation and Arbitration Services Inc., until retiring in 2017. Notable achievements include earning an Emory LLM degree in international law in 2008, then serving four months with the United Nations International Criminal Tribunal for Rwanda; championing an amendment to the Court of Appeal's motto to include women; cofounding Atlanta's Table, a project of the Atlanta Community Food Bank; raising awareness of child sex-trafficking; and serving on the Emory Law Alumni Board and the EPIC Advisory Board, as well as on other boards and committees. Among current involvements, she assists refugees through the Lutheran Services of Georgia Refugee Program and, as a member of the Georgia State Bar iCivics Committee, seeks to persuade school districts in Georgia to adopt iCivics, a teaching program founded by Justice Sandra Day O'Connor, as part of their curriculum.

## YOUNG ALUMNI AWARD



The 2018 Young Alumni Awardee was **Justin K. Victor 10L**, attorney with the Labor and Employment Practice Group of Morgan, Lewis & Bockius in their Philadelphia, Pennsylvania, and Wilmington, Delaware, offices. This award honors recent graduates (within 15 years) whose leadership and service contributions have elevated the legal profession and Emory Law. When an Emory alumnus stepped in to help Victor secure his first post-graduation position, working on corporate governance and whistleblower litigation, Victor says it inspired in him a strong desire to give back in the same way. Each year, he commits to making introductions, forwarding resumes, and helping at least two or three Emory Law students find work in the Philadelphia area. In his current role, Victor assists a wide array of employers, from start-ups to *Fortune* 500 companies, find efficient business solutions through the law — everything from putting labor and employment policies in place to trade secret litigation. Additionally, he serves as adjunct professor at Emory Law and has served as adjunct professor at Rutgers University-Camden; lectures every year at Emory's Kessler-Eidson Trial Techniques Program; was selected to participate in Leadership Philadelphia's Keepers Program; and was chosen to participate in the Anti-Defamation League's Glass Leadership Institute. Victor is also an active member of Emory Law's Alumni Board.

CLASS NOTES

70s



1 M. Lane Morrison 70L was selected for inclusion in The Best Lawyers in America 2018 for trusts and estates. He is an attorney at HunterMaclean.



T. Jackson Bedford 73L has been making sure Santa visits children at the Children's Healthcare of Atlanta at Egleston for more than two decades.



2 Luther Battiste III 74L has been elected vice president of the American Board of Trial Advocates and thus will become the organization's first African American president in 2020.



Richard Kaufman 76L has been confirmed to serve on the Fort Lewis College Board of Trustees. He serves on the Academic Affairs Committee and was recently named chair of the Presidential Search Committee tasked with identifying candidates for the office of the president of the college.



Jerry Blanchard 78L has been selected for inclusion in The Best Lawyers in America 2018 for his work in banking and finance law and financial services regulation law. He has also been named The Best Lawyers' 2018 Atlanta Financial Services Regulation Law "Lawyer of the Year." He is senior counsel at Bryan Cave in Atlanta in the Financial Institutions Group.



80s

3 A. Diane Baker 80L has joined MendenFreiman as a partner in its estate planning, trust and estate administration, and business practice areas.

Justice Leah Ward Sears 80L was interviewed by the National Law Journal about her recently released biography, Justice Leah Ward Sears: Seizing Serendipity, written by Rebecca Shiver Davis.

Debra Schwartz 82L received the Advocacy Award from the Georgia affiliate of the National Employment Lawyers Association.

Harold B. Yellin 82L 82B was selected for inclusion in The Best Lawyers in America 2018 for land use and zoning law and real estate law. He is an attorney at HunterMaclean.

Sara Anne Ford 84L was named the Birmingham "Lawyer of the Year" for litigation relating to mergers and acquisitions in The Best Lawyers in America 2018. She is a partner at Lightfoot, Franklin & White.

4 Diana J. P. McKenzie 84B 85L was selected for inclusion in The Best Lawyers in America 2018 for information technology law. She is an attorney at HunterMaclean.

Julie Fershtman 83C 86L, of Foster Swift Collins & Smith, was listed in The Best Lawyers in America 2018 and in Super Lawyers 2017. Fershtman was recognized for her work in commercial litigation, insurance law, and civil litigation (defense). For the fifth consecutive year, she has been listed in Michigan Super Lawyers for both the "Top 25 Women Business Lawyers" and the "Top 50 Women Lawyers."

Suzanne Tucker Plybon 86L has been named "Lawyer of the Year" for trust and estates law in metro Atlanta.

Mark D. Wasserman 86L, managing partner and co-CEO of Eversheds Sutherland, has been selected as one of Atlanta Business Chronicle's "Most Admired CEOs" for 2017. Wasserman is also chair of Emory Law's Advisory Board.

Richard K. Hellerman 87L obtained a landmark victory from the Illinois Appellate Court regarding the succession of prior unions' commercial debts.

Michael P. Saber 89L was included in The Best Lawyers in America 2018. He is a partner at Smith Anderson's Raleigh, North Carolina, office. His focus areas are biotechnology law, corporate law, mergers and acquisitions law, securities/capital markets law, and venture capital law.

James Trusty 89L, former chief of the Department of Justice's Organized Crime Section, is now a partner at Ifrah Law in Washington, DC.

90s

Shayna M. Steinfeld 86C 90L 90B published Her Story: Lessons in Success from Lawyers Who Live It earlier this year. Steinfeld is a coeditor and author of one of the book's essays. The book was published by the American Bar Association, Litigation Section.

Sarah H. Lamar 91L was selected for inclusion in The Best Lawyers in America 2018 for management-related employment law and management-related labor law. She is an attorney at HunterMaclean.

Pamela Pettus 91L is the chief executive officer and cofounder of The Gavel, a national legal network designed to streamline the claims-defense experience for claims professionals. Pettus brings decades of experience managing all lines of insured and self-insured claims.

5 Ross Ginsberg 93L was listed in The Best Lawyers in America 2018 for his work in construction law. He is a partner at Weinberg Wheeler Hudgins Gunn & Dial, where he focuses his practice on representation of project participants in a variety of construction projects.

Liz Bard Lindley 93L leads public relations and marketing campaigns for law firms in her new position as senior vice president with the communications agency Jaffe PR.

Aaron Marks 93L has joined Kirkland & Ellis as a partner in the Litigation Practice Group in its New York office.

Lisa Branch 94L, nominated by President Trump, was confirmed to the 11th Circuit Court of Appeals.

William J. Cooper 95L became a partner with the Houston office of Sidley Austin LLP.

G. Scott Rafshoon 96L has joined Hunton & Williams as a partner.

6 Matt Sours 96L frequently volunteers with the Kyle Pease Foundation, which assists people with disabilities in participating in sports.

Shawn A. Kachmar 97L was selected for inclusion in The Best Lawyers in America 2018 for management-related employment law. He is an attorney at HunterMaclean.

Jennifer Mencarini 97L is among 45 people in Leadership Greensboro's Class of 2018, which represents business, education, government, nonprofit, and neighborhood organizations.

Chad I. Michaelson 99L was named a 2017 Pennsylvania Super Lawyer in the category of business litigation. Michaelson is a partner with Meyer, Unkovic & Scott and practices in the firm's Pittsburgh office. His focus areas are litigation; construction, energy, utilities and mineral rights; and sustainable development.

00s

Derek Bauer 00L, partner at Atlanta's BakerHostetler, was quoted in the Daily Report on a story about the misdemeanor conviction of journalist Nydia Tisdale.

Michael D. Cross Jr. 00L, of Briskin, Cross & Sanford, has been named among Georgia's "Legal Elite" by Georgia Trend magazine.

Matthew Skolnik 02L accepted a position as deputy attorney general with the Pennsylvania Office of the Attorney General, within the office's civil litigation unit in Philadelphia.

Chintan Panchal 03L was interviewed by Forbes about the law firm he cofounded in 2010, RPCK Rastegar Panchal.

Anthony J. Ghitto 05L accepted a tenure-track position at Campbell University School of Law in North Carolina as an assistant professor of law. He previously served as a judge advocate in the US Air Force.

Elizabeth B. Rose 07L is a founding partner on the all-woman legal team at Caiola & Rose. The firm will focus on serving franchisors. Rose joined Slotkin & Caiola two years ago after serving as a law clerk for US Bankruptcy Court Judge Mary Grace Diehl.

7 Justin Barry 08L has been elected partner at Morris, Manning & Martin. He is in the Commercial Real Estate Development & Finance and Commercial Lending Groups.

Peter Booth 08L has been elected shareholder at Polsinelli PC, where his practice focuses on all aspects of commercial real estate.

Britt-Marie K. Cole-Johnson 08L has been appointed to the advisory board of Teach for America-Connecticut.

Shalanda Miller 08L was appointed as an associate judge to the Fulton County Magistrate Court.

8 Courtney Devon Taylor 08L was celebrated as one of the Philadelphia Business Journal's "Women of Distinction."

J. Nathanael Watson 08L has joined Stoel Rives as an of counsel attorney in its Environment, Land Use, and Natural Resources Group in Seattle. He was previously employed as a trial attorney for the Environment & Natural Resources Division of the US Department of Justice.

Erica M. Jackson 09L recently joined K&L Gates as a partner in the firm's Research Triangle Park, North Carolina, and Charleston, South Carolina, offices. She is a member of the firm's FDA and Healthcare Practice Groups.

Danielle Curtis Parrington 09L has joined Yardi Systems Inc. as corporate counsel in Boston. Parrington was formerly a commercial litigation associate at Bryan Cave in Atlanta.

David Ross Werner 09L began his new job as director of state and local government relations for Delta Air Lines. Late last year, Werner had been named executive counsel for Gov. Nathan Deal.

10s

Jason Esteves 10L, an assistant general counsel at Equifax, was inducted as a member of the latest Atlanta Business Chronicle "40 under 40" list. He was also recently reelected to At-Large Seat 9 on the Atlanta School Board.

Daniel Shulak 04C 10L, a senior associate at Hogan Lovells, was selected as a recommended practitioner for United States, Antitrust, Cartels in the Legal 500 for 2017. His practice is focused on domestic and international criminal cartel defense.

9 Alexandra "Sachi" Cole 11L has joined Atlanta's new Penn Law Group, specializing in complex civil litigation. Cole was previously at Parks, Chesin & Walbert in Atlanta.

Benjamin Farley 11L has been appointed as a trial attorney and law-of-war counsel at the US Department of Defense, Military Commissions Defense Organization. Farley joins the Department of Defense following five years at the US Department of State.

10 Joseph Minock 11L was promoted to member at Weinberg Wheeler Hudgins Gunn & Dial.

Louis Laverone 13L wrote an article critiquing the current US administration's use of Section 311 of the USA Patriot Act in its financial pressure campaign against North Korea, which was published in Foreign Affairs, the magazine of the Council on Foreign Relations.

Emily Quan 13L was promoted to member at Weinberg Wheeler Hudgins Gunn & Dial's Atlanta office.

11 Craig Samuel 14L has joined Ice Miller as an associate in the firm's Business Group.

Katherine Maddox Davis 15L joined Gibson, Dunn & Crutcher as an associate in Washington, DC. Davis recently completed federal clerkships with the Fifth Circuit Court of Appeals and the Eastern District of Virginia.

Farley H. Ezekiel 15L wrote in the Daily Report about helping domestic violence survivors in the aftermath of abuse.

Nicole Indelicato 17L has joined Cole Schotz as an associate in its Corporate Department.

Nora Xu 17L won the nationwide American Intellectual Property Law Association Robert C. Watson Award Competition with a paper written for Professor Margo Bagley's International Patent Law and Policy seminar.

12 Xin "Mina" Zhan 17L recently joined Freed Howard as an associate.

IN MEMORIAM

Jack H. Higgins 50L on November 28, 2017.

Judge Wilbert N. Little 50L on June 16, 2017.

Harry G. Weissenberger 52L on May 30, 2017.

Charles Ackerman 60L on September 22, 2017.

Judge Robert E. McDuff 52C 54L 62L on May 12, 2017.

Theodore Smith 65L on September 16, 2017.

William F. Barteer Jr. 66L on July 15, 2017.

Julian "J. D." Fleming Jr. 67L on July 29, 2017.

Judge Arthur W. Fudger 67L on May 14, 2017.

Elizabeth "Betsy" Evans Neely 67L on May 14, 2017.

Charles R. Holman Jr. 70L on June 18, 2017.

Laurence Christensen 76L on July 25, 2017.

Robert Henry Uehling 84L on May 15, 2017.

Stephen F. Mackie 81C 85L on December 11, 2017.

Michael C. Mauzeri 89L on June 17, 2017.

Donahue Scott Silvis 89L on April 12, 2017.

Ali Forrest Morad 90L on May 26, 2017.

David Charles Ates 91L on October 10, 2017.

Michael Leonard DiTano 06L on October 2, 2017.

YOU DID WHAT? Send your updates to lawcommunications@emory.edu. Class notes are submitted by alumni and are not verified by the editor. Read more about Emory Law alumni at law.emory.edu/alumni.



## Scholarship fund in Summer's memory unites class of '85, raises over \$100K

BY A. KENYATTA GREER



Daniel Summer 85L

On January 14, 2016, **Daniel Summer 85L**, age 55, died in his home after a long and courageous battle with ALS. Dan is survived by his beloved wife Chandelle, his father Mory Summer, his sister Jenny, and his children, whom he adored: Joey, Jack, Jake, Jeffrey, and Georgia Summer. He is also survived by an Emory Law community of classmates who were determined

to honor his life through a scholarship. The pooled scholarship fund, currently being called the Daniel Summer 85L Memorial Scholarship, has already raised more than \$100,000.

**Peter V. Hasbrouck 85L**, the lead fundraiser in this effort, said, "Speaking for his 1985 classmates, we hope this scholarship will help fund the next generation of Emory lawyers who are vigorous advocates, empathetic counselors, loving and devoted spouses and parents, and joyous celebrators of life — just like Danny!" Hasbrouck is aided in this effort by **Ray Giudice 80C 85L**, **Keith Lindsay 85L**, and **Wade Stribling 85L**.

Summer attended the University of Wisconsin–Madison, where he graduated with a bachelor of arts in economics with honors in three years. He moved to Atlanta to attend Emory University School of Law, graduating in 1985. Summer spent

his first few years in practice with the Hall County District Attorney's Office, where he distinguished himself as a tremendously successful trial lawyer. He entered private practice in 1989 with his wife and law partner, Chandelle, and they practiced law together for more than 25 years.

Summer's many significant contributions to the practice of criminal defense include a ground-breaking genetic defense in a capital murder case, the repeal of mandatory life sentences for certain felonies, and establishing new protections for criminal defendants at trial. His leadership in the legal community was recognized in 2011 when he was selected by the governor to serve on the Judicial Nominating Commission.

One of Summer's passions was his love for and the preservation of the historic treasures of his community. He realized his vision for Gainesville's downtown square by restoring and renovating many of its original landmarks. One need only walk the downtown square to appreciate his architectural achievements and artistic contributions, such as the Coca-Cola mural.

Since his death, many have honored his legacy with various efforts, including the establishment of the Emory Law scholarship in his name, numerous complementary resolutions by the Georgia Legislature and US House of Representatives, and a life-sized statue carved from a tree trunk on historic Green Street in Gainesville, Georgia.

For more information about this scholarship, contact Sarah King in the Emory Law Office of Development and Alumni Relations. Contribute to the fund at [law.emory.edu/alumni/give-now/](http://law.emory.edu/alumni/give-now/) by marking your donation for Daniel Summer 85L.

Alumni from the class of 1985 join with Daniel's widow, Chandelle, to honor her husband's memory through a scholarship in his name. From left to right: Keith Lindsay, Peter Hasbrouck, and Ray Giudice. Photo by Cynthia Varkey



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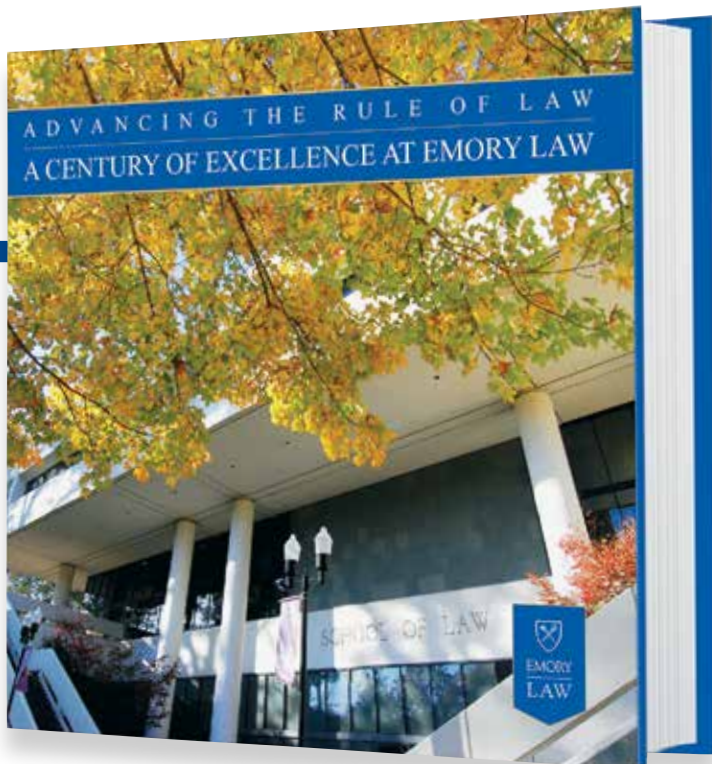
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