

EMORY | lawyer

WINTER 2023

How to kill a leviathan

Opioid crisis
litigation in America



INSIDE RECOGNIZING RETIREES • EVOLUTION OF CAREER SERVICES • STRIDES IN INNOVATION

Focusing in on our mission

ALTHOUGH WE ARE just halfway through the academic year, the New Year holiday allows us to reflect on our community's accomplishments and to share our hopes for the future. It has been an honor and a pleasure to connect with our faculty, staff, students, and alumni in person over the past few months. Our faculty members continue to inspire students in the classroom and to lead scholarly efforts to understand and to shape our laws to meet the needs of our society. Our staff members work with dedication and creativity to support student success and faculty impact. Our students pursue their dreams with passion, energy, and commitment. And, our alumni are deeply involved in nearly every aspect of the school, from funding the scholarships that allow us to recruit top students, to serving on advisory boards, and to teaching and mentoring students. It has been wonderful to hear the hum of conversation in Gambrell Hall, to see students preparing for class

in MacMillan Law Library, and to attend numerous events with thought provoking speakers and sophisticated discussions about complex legal issues and debates. Emory Law's recognition as a leading law school in the United States has been deeply connected to the excellence of our faculty members and the accomplishments of our graduates. In this edition of *Emory Lawyer*, you'll read about faculty scholarship and alumni involvement in addressing the opioid crisis through litigation. We celebrate several of our long-serving faculty members who will be retiring in the next few months. We are also mindful of our

responsibility to shape the future of Emory Law and to recruit the very best new faculty to our community during this significant transition in our faculty complement. Within this issue, we introduce you to several of the new faculty members who have or will be joining the law school in the next few months. The law school's recruitment efforts have had the strong support of the university provost and other senior leaders, especially through the university's new innovative AI.Humanity Initiative, which will support 30–40 new faculty members with expertise in artificial intelligence and machine learning in the law school and in other units across campus. The law school's faculty, staff, and alumni are focused on student flourishing and success. The primary goal of Campaign 2036 for Emory Law is to double our endowment with a focus of dedicating funds to students, enabling them to graduate with decreased debt loads, even better preparation for the bar, enhanced career outcomes, and enriched engagement with alumni mentors, faculty, and staff. As you are introduced to new people and new projects in these pages, you will also learn about curricular developments, including new concentrations created in response to changes in the marketplace and employer demands. These correspond with a story about how career services have changed since many of us completed our law degrees. This issue also highlights the incredible work done by our Volunteer Clinic for Veterans. Thank you for your continued interest in and involvement with Emory Law. We want to tell stories that help inform, update, and inspire thought. Let us know how we're doing. Email lawcommunications@emory.edu, and share your thoughts and story ideas with our team.

Mary Anne Bobinski
Dean and Asa Griggs Candler Professor of Law

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The Case for Reparations

At the 2022 Emory Public Interest Committee Conference, Donna Stephens, founder of the Chattahoochee Brick Descendants' Coalition, and Dr. Joseph Carter, founder and project coordinator of the Linnentown Project, share a light moment at the dais. PHOTOGRAPH BY BRANDON CLIFTON

HOW to KILL a LEVIATHAN

Opioid crisis litigation
in America

BY LISA ASHMORE • ILLUSTRATION BY CRISTINA SPANO



“YOU MURDERED MY DAUGHTER

and destroyed my family,” a mother of a 22-year-old testified this March in a federal bankruptcy courtroom in White Plains, New York.

It was extraordinary: three members of the Sackler family were required to listen to 26 people from 19 states tell them about family they’d lost or the costs of their own opioid addiction.

The Sacklers’ company, Purdue Pharma, owned the incredibly profitable painkiller OxyContin®, introduced in 1996.

Since 2000, opioid overdoses have been responsible for more than a million deaths in the United States. In 2015, American life expectancy dropped for the first time since World War II, and opioid overdoses contributed to the majority of the deaths.

Author Patrick Radden Keefe characterized the Sackler family’s wealth with his book title: *Empire of Pain*. He said the resulting opioid multidistrict litigation (MDL) has been called “the most complex civil action ever tackled by any American court.” **Paul J. Geller 93L** is a court-appointed member of the MDL’s



Paul J. Geller 93L

Plaintiff’s Executive Committee. He is a partner with Robbins Geller Rudman & Dowd and practices in the firm’s Boca Raton offices.

“It is the most complicated, most challenging, most demanding, and

of complex class actions that are important, but they boil down to being about money. But this one is different. People are dying. Families are suffering. And the impact is felt by everyone—rich and poor, rural and urban. We all know someone who lost a loved one to this crisis.”

Prior federal prosecution

In 2007, Purdue pled guilty in a US District Courtroom in Abingdon, Virginia, to federal criminal charges and paid \$600 million in fines and settlement payments; investigators said the company had misled doctors, patients, and regulators about the potential for abuse and addiction. But the company marched on, posting astronomical profits that allowed the family’s philanthropy to be associated with some of the world’s premier art galleries: New York’s Metropolitan Museum of Art, the Guggenheim, the Louvre, and London’s Tate Modern, among others. Most have since stripped the Sackler name from their buildings and exhibition spaces.

Purdue marketed OxyContin as different from oxycodone drugs because of a 12-hour controlled release, which the company

claimed made the drug safe for many kinds of pain rather than its previous use mostly for patients in extremis.

Between 2000 and 2010, the number of US prescriptions for oral opioids more than doubled. “In 2010, prescription rates topped out at 81.2 prescriptions per 100 persons per year,” Nora Freeman Engstrom and Robert L. Rabin write in their 2021 *Stanford Law Review* article, “Pursuing Public Health Through Litigation: Lessons from Tobacco and Opioids.”

When criminal prosecutions shut OxyContin pill mills down, the flow of OxyContin slowed. Many of those addicted then turned to heroin and fentanyl. (The American Society of Addiction Medicine estimates that four out of five heroin users started with prescription pills.) By 2016, synthetic opioids (primarily illegal fentanyl) were the leading cause of overdose deaths. Narcan, an antidote which had been around since the 1970s, became a standard part of police and EMT gear. But deaths and hospitalizations continued. Victims’ families filed suit and generally got nowhere.

By 2017, Purdue had acknowledged the potential for addiction: “Patients who take

OxyContin in accordance with its FDA-approved labeling instructions will likely develop physical dependence,” a company spokesman said in a statement to the *New Yorker*. That same year, more than 3,000 opioid lawsuits were combined into a multidistrict proceeding in Ohio US District Court Judge Dan Polster’s courtroom.

Organizing the MDL

Measured by any scale, the epidemic was a leviathan, and like monsters of lore, it left a trail of dead. Judge Polster emphasized urgency from the outset: “About 150 Americans are going to die today, just while we’re meeting,” he said at the MDL’s first hearing.

The years since have included hearings and COVID delays, forming a negotiating class (which was later rejected by the Sixth Circuit Court of Appeals), and working against well-funded multinational defendants. But this year massive settlements with drugstore chains and pharmaceutical manufacturers began—in February: \$26 billion to be paid by Janssen, McKesson, Cardinal Health, and AmerisourceBergen. July: Teva Pharmaceutical Industries and AbbVie/Allergan, \$6.6 billion; and in August, a \$650 million award against CVS, Walgreens, and Walmart to go to Lake and Trumbull counties in Ohio. (The six-week trial in Polster’s court was the first opioid case decided by a jury.)

’90s Big Tobacco settlements

Comparisons have been made to the tobacco industry’s 1998 master settlement agreement that involved 46 states. From the 1950s forward, tobacco companies won individual cases by arguing that the consumer knowingly assumed the health risks. But when they kept selling a product they knew was addictive and caused lung cancer (and concealed that knowledge), plaintiffs began to win.

Emory Law Associate Professor **Matthew Lawrence** is an authority on addiction who serves as a special advisor to the Drug Enforcement Agency. He notes similarities, but also some big differences.

“The ’90s tobacco litigation—and the \$250 billion settlement between tobacco companies and states—was a watershed moment after decades of questions about the public health harms of tobacco and the role of courts

and litigation in resolving those questions,” Lawrence said. “The opioid litigation that is still developing is in some ways comparable—both involve massive claims brought by states against companies believed to have contributed to an unthinkable amount of death and suffering.”



Matthew Lawrence

Despite the public health victory, there were widespread concerns the tobacco settlement dollars did not go to heal those harmed and prevent further addiction, Lawrence said.

“This time around, there has been a lot of attention paid to how opioid settlement funds can be used to address the still-raging overdose crisis, which killed more people last year than ever,” Lawrence said. “According to the

“If one restricts the legal sale of tobacco or nicotine, one has notched a victory for public health. If ... one restricts the legal sale of opioids, at least in the short term, death rates might rise,” Engstrom and Rabin write. And when pharmaceuticals are no longer available, the alternatives are illegal or more dangerous. “The move from prescription opioids to heroin is a one-way street,” they write. “For a number of reasons (including price and ease of acquisition), those who graduate to the latter don’t tend to go back to the former.”

A similarity to the tobacco cases was a coalition of state attorneys general who drove litigation. While a unified front is effective, the number of parties involved and deciding who was entitled to what from the MDL settlement certainly contributed to the complexity of the case, Geller said.

“With the governmental entities—states, cities, and counties—there is tremendous overlap in population,” he said. “In other words, if you live in Fort Lauderdale (a plaintiff), you also

“I’m involved in a lot of complex class actions that are important, but they boil down to being about money. **But this one is different.** People are dying. We all know someone who lost a loved one to this crisis.”

CDC, more than 107,000 Americans died from drug overdoses and poisonings in 2021. This crisis is still very much in progress.”

Geller agreed. “The tobacco cases were largely driven by the states, and the local subdivisions felt that they did not see the funds. States used money not only for anti-tobacco education campaigns, but also to fill potholes and build libraries. For opioids, the local governments took a much more aggressive and up-front role,” Geller said.

Another way the opioid crisis differs is in how to attack it.

live in Broward County (a plaintiff) and you also live in Florida (a plaintiff). This case involved a lot of very nuanced political collaboration—and in some cases jostling—between local and state governments along with the usual litigation against very sophisticated defendants. The defendants—manufacturers, distributors, and retail pharmacies—all pointed fingers at each other. So this was, and still is, an incredibly complex constellation of both state and federal lawsuits involving interrelated plaintiffs, interrelated defendants and complicated application of RICO and public nuisance laws.”

That’s why the work to certify a negotiating class was valuable even though the Sixth Circuit Court of Appeals later rejected it, Geller said. He was one of the architects of the class, and says it was essential to determine distribution. They consulted with public health economists, local government representatives, and state attorneys general.

“It was a long and tedious process, and not everyone was happy,” he said. “Certain states like California believed that population should be the most important metric. Other states like West Virginia recognized that it shouldered a disproportionate burden based on impact and that population would skew distribution in a way it felt was unfair. We had a lot of valid concerns and opinions to deal with.”

In the end, states overwhelmingly opted in, to both stop deaths and to save tax dollars. They had to do so without knowing how much they would receive, but with the understanding a very structured distribution plan would be geared toward treatment. Some factors included population, the rate of opioid abuse and deaths, and the number of pills that were distributed in the particular city or county. Also, the rate of adoption was important. In February’s \$26 billion settlement, a state got full allocation if all its local governments signed on. For example, all 100 North Carolina counties and 47 municipalities did so, and the state received \$750 million.

“It was very important to us that the recovery would be used to abate the public health crisis. Treatment. Prevention. Education,” Geller said. “Local government entities had their budgets ravaged by the crisis. Most heroin addiction is linked to prescription opioid addiction. Things like overcrowded jails, overcrowded hospitals, overworked first responders, insufficient treatment beds and programs, impact on foster care, increase in homelessness all track to this epidemic. So, money is needed and needed now.”

Criminal charges in federal court

In November 2020, Purdue Chair of the Board Steve Miller appeared before US District Judge Madeline Cox Arleo in New Jersey and pled guilty to three criminal charges on the company’s behalf.

Miller admitted Purdue had knowingly and intentionally conspired to defraud the

DEA and affirmed further questions about criminal acts involving kickbacks and conspiracy. The plea settlement required the Sacklers to pay the government \$225 million, part of a larger \$2 billion criminal forfeiture. The agreement also included a \$3.54 billion criminal fine and a \$2.8 billion civil settlement.

But as with the MDL, there were compromises and reversals. According to Reuters, in exchange for pleading guilty to three felony criminal charges, the \$225 million went toward the \$2 billion forfeiture. The Justice Department agreed to forego the rest if the company completed a bankruptcy reorganization to dissolve itself and shift assets to a public benefit company to allow the \$1.75 billion unpaid portion to go to thousands of US communities that had sued Purdue.

In December 2021, New York US District Court Judge Colleen McMahon overturned US Bankruptcy Court Judge Robert Drain’s decision that would have provided lifetime immunity for Sackler family members facing civil lawsuits in exchange for dissolving the company and paying \$4.5 billion. The agreement would have shielded family members from third-party claims in the Chapter 11 bankruptcy Purdue filed in 2019. Nine state attorneys general and the District of Columbia had strenuously objected to the plan. US Attorney General Merrick Garland agreed with McMahon: “The bankruptcy court did not have the authority to deprive victims of the opioid crisis of their right to sue the Sackler family.”

In March 2022, at the hearing that allowed family members to speak to the Sacklers, a new settlement was tentatively approved, estimated to be worth at least \$10 billion over time. Members of the Sackler family will contribute \$5.5 to \$6 billion over 17 years to fight the opioid crisis. Most will be used to fund efforts going forward, but \$750 million would go directly to victims or their survivors. It provides over \$150 million for Native American tribes and another \$100 million for children born in opioid withdrawal.

What’s ahead

While checks have begun to flow to local governments and massive settlements continue, lots of work remains, Geller said. In early November, Reuters reported the first nationwide settlement with retail pharmacies had

tentatively been reached. CVS and Walgreens agreed to pay about \$5 billion each, which will go to states and Native American tribes for abatement efforts. Talks with Walmart concerning a settlement were also underway, Geller said.

“The pharmacies are the last patient-facing link in the opioid supply chain. With improved dispensing protocols, they are uniquely positioned to help reduce opioid abuse and to save lives,” Geller said. “Still out there are the third-party payor (TPP) claims and others. The TPPs are the entities that foot the bill for the flood of pills, so these are important claims that still remain in the MDL against all defendants.”

So how valuable is litigation in attacking public health issues?

“Litigation (fortified by the damning disclosures uncovered in discovery) can help to shape public opinion and, ultimately, stimulate private, political, and regulatory activity,” Engstrom and Rabin say. In the opioid cases, “litigation has forced the public release of ARCOS data—the confidential database maintained by the DEA that maps where every pill originated and where it was sold.” That data revealed “that a mind-boggling number of pills was sold from 2006 through 2012 (far more than had been previously estimated). It also permits journalists, researchers, health experts, and the public to measure and map the precise roots and contours of the opioid epidemic for the first time, while also identifying, with precision, which manufacturers, distributors, and retailers shipped the most pills to the hardest-hit communities.”

Sources

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“Sacklers to Exit from Complex Purdue Bankruptcy with Billions,” by Jeremy Hill, Sophie Alexander, Jef Feeley, and Riley Griffin (Bloomberg)

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Honoring retiring Emory Law faculty

Lifetimes in the law

A COMBINED 231 YEARS OF Emory Law teaching, mentoring, scholarship, and camaraderie will be recognized this spring as some of the law school’s most influential faculty members retire from teaching. Among them are a former Emory Law dean and a former Emory Law interim dean, teaching award winners, former NITA directors, and a journal editor. They share a common thread of dedication to advancing the rule of law.

The school is actively hiring for numerous faculty positions, including endowed professorships as the law school approaches this faculty transition with the strategic priorities in mind. Dean **Mary Anne Bobinski** has outlined a hiring process that recruits faculty with scholarly impact from eminent institutions around the globe and at all levels of their academic careers.

The professors who have allowed us to highlight them herein, however, have contributed to the expansion of hundreds of minds, the forging of thousands of relationships, and the growth and flourishing of this leading national law school. Their contributions will inspire current and future Emory Law faculty members in the decades ahead.



Morgan Cloud
Charles Howard Candler
Professor of Law

“To [discuss my best memories here] would require more words than could be possibly included in my story yet would surely be woefully incomplete. Over the course of four decades, I have countless ‘best memories’ of Emory colleagues (both faculty and staff) at the law school and the university, as well as with our students and alums.”

For thirty-nine years, **Morgan Cloud** has taught and written about privacy law, constitutional criminal procedure, white collar crime, criminal law, and constitutional theory at Emory Law.

His numerous scholarly articles have been published in leading journals, including the *Stanford Law Review*, the *University of Chicago Law Review*, the *Southern California Law Review*, and the *UCLA Law Review*. Cloud has been a distinguished visiting professor at universities in the United States and Europe. In Europe he has been a German Marshall Fund distinguished guest lecturer and has taught courses on Corporate Crime in a Global Economy, constitutional theory, and United

States law at the University of Konstanz Law School in Germany, at the Central European University in Budapest, Hungary, and at the European Business School in Germany. He has lectured at various universities, including the University of Heidelberg and the University of Paris, Pantheon Sorbonne.

Before joining the Emory faculty, Cloud was a trial lawyer and litigator in Florida and California, litigating cases throughout the United States. He served as a program director for the National Institute for Trial Advocacy for more than twenty years and has lectured to practicing attorneys around the country about ethics, trial practice, civil litigation, and evidence. He has served as chairperson of the Section on Litigation of the Association of American Law Schools. He serves on the advisory board of the *Green Bag*, a journal devoted to legal history and legal policy issues.

“In some ways we accomplished more than I ever imagined possible when my family joined the Emory community; in others—not even close.”



James A. Hughes
Associate Professor of Law

As interim dean of Emory Law from September 2017 through July 2019, **Hughes** ushered the law school through a time of great transition, bridging the gap between the tenure of Deans **Robert Schapiro** and **Mary Anne Bobinski**. He stepped into the role with the calm-headedness and aplomb that are among his hallmark personality traits.

A thirty-year member of the faculty, Hughes has seen more than most and really experienced the transformation of the law school, through recessions and boons, trying and unifying times. He reflects, “The changes to the law school over the past thirty years are monumental. The law school’s national and international profiles have increased dramatically, along with its reputation. The range and depth of our curriculum has broadened to provide a much richer experience for our students, and it better prepares them for contemporary law practice. Importantly, the law school is much more diverse in every way. The breadth of scholarly inquiry has expanded dramatically with the addition of many exceptional faculty. The racial, ethnic, and gender makeup of faculty, students,

and staff is far more inclusive. One might say, if in 1992 I arrived at Emory Law 1.0, today it is Emory Law 5.0.”

Hughes was selected as the Most Outstanding Professor by the Emory Student Bar Association (2002) and as Professor of the Year by the Black Law Students Association (2005). In addition to serving as associate dean for academic affairs at the school (2002–2006 and 2014–2017), Hughes served as vice dean of Emory Law from 2006 through 2011. His extensive service to the Emory community includes serving in the University Senate, University Faculty Council, and numerous law school and university committees.

Regarding his impact, he says, “I would not be so presumptuous as to assume that I would have a lasting impact on the institution. However, I would hope that I have inspired and had a positive impact on my students, that I have been a good colleague to my friends on the faculty and staff, and that I have brought commitment and integrity to all of my work on the law school’s behalf.”



A. James Elliott 66L
Professor of Practice

A. James Elliott practiced law in Atlanta with the firm of Alston & Bird for twenty-eight years prior to returning to Emory. He is a past president of the State Bar of Georgia and of its Young Lawyers Division. He has served on several Supreme Court commissions dealing with professionalism and lawyer discipline. Professor Elliott is a co-founder of Georgia’s legal services program, which has provided legal services to almost one million poor Georgians, and of Georgia’s mandatory IOLTA program, which has raised \$100,000,000 for legal charities.

He is a fellow of the American College of Real Estate Lawyers, as well as the American and Georgia Bar Foundations. In 2012 Professor Elliott received the University’s Emory Williams Distinguished Teaching Award.

In 2017, Elliott was honored by the Committee to Promote Inclusion in the Profession of the State Bar of Georgia with the Randolph Thrower Lifetime Achievement Award. The Randolph Thrower Award recognizes an outstanding individual who has dedicated his or her career to providing opportunities that foster a more diverse legal profession for members of underrepresented groups in Georgia. **Robert Schapiro**, former dean, said of Elliott, “Jim has long been a leader in promoting diversity and inclusion. Through his commitment to this vital goal, as well as through his lifelong dedication to providing access to justice, he represents the highest ideals of the legal profession.”



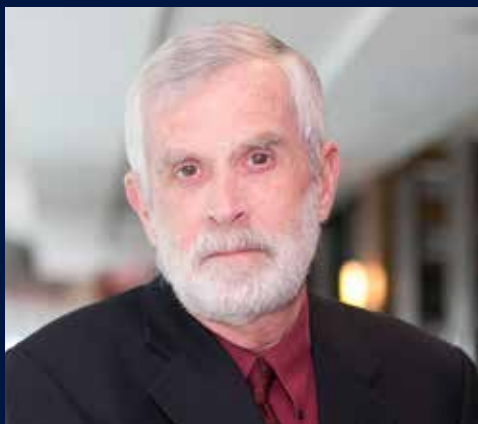
David F. Partlett
Asa Griggs Candler
Professor of Law

David F. Partlett’s sixteen-year career at Emory (including a stint as dean from 2006 to 2011) followed an extensive career in his home country of Australia.

“After my time at UVA I returned with [my wife] Nan to Australia. I wanted to do work at the Australian Attorney-General’s Department on legislation being developed in the Human Rights Section on Racial Discrimination and Human Rights. While doing that work the dean of the Australian National University (ANU) called me to teach Torts on an adjunct basis. Much of tort law was about to disappear with the introduction of a compensation scheme for personal injuries. Someone had to teach the dying area. I found that I loved my teaching and my interaction with my students. When I had completed my work at the attorney general’s and at the Australian Law Reform Commission, where I led a research team, I was keen to combine my research and writing with teaching. The life of the mind has a great allure. I was lucky to be invited back to take a faculty position at the ANU. Hence my 44-year career commenced.”

Partlett says he came to Emory to make a highly reputed school even better. He had been at other law schools in the United States that had thrived in large part because of their superlative student/faculty relations and had learned that student experience needed to be taken seriously. At Emory he found a similar dedication to classroom teaching, but students did not feel as tightly knitted to the mission of the school and became disconnected from the institution upon graduation. “I think we improved student engagement during my time,” he says. “We set a continuing structure that valued alumni’s voices. During my time we were able to recruit outstanding faculty and retain many who shared the vision of Emory.”

The law school became more comfortable as a unit of the wider university, he says. “The Great Recession was not a friend to ambitious plans, but I think we built those pillars deep. I’m eternally grateful that I had such a fulfilling career.”



Michael J. Perry
Robert W. Woodruff
Professor of Law

While an undergraduate at Georgetown University (1964–1968), **Michael Perry** decided to attend law school. It was a time of civil rights marches and demonstrations. He wanted to become a civil rights lawyer.

While a law student at Columbia University during the early 1970s, he decided to become a law professor. He had come to understand that a career as a law professor—rather than as a practicing lawyer—would give him the opportunity to delve much more deeply into the issues and controversies that greatly interested him.

Perry, who was born and raised in Louisville, Kentucky, received his AB from Georgetown University (1968) and his JD from Columbia University (1973). After graduating from law school, Perry served as a law clerk, first, to US District Judge Jack B. Weinstein (1973–1974) and, a year later, to US Circuit Judge Shirley M. Hufstедler (1974–1975).

“Happily, I’ve been able to achieve all that I hoped to achieve when, in the summer of 2003, I became a member of the law faculty at Emory University,” Perry says. “As a Robert W. Woodruff Professor of Law, I’ve been able to devote a major part of my time to my scholarship; I’ve also been able to teach the courses that complemented my scholarship. In my twenty years at Emory Law, I’ve written six books, the final of which—titled *Interrogating the Morality of Human Rights*—is scheduled to be published in the summer of 2023.”

A recent issue of *Emory Law Journal* was dedicated to Perry as a festschrift publication. In the foreword to this publication, Professor **John Witte** wrote about Perry’s “characteristic empathy for the needs and suffering of others and his generous charity” as well as his “insistence on doing the big things in life alongside his beloved wife Sarah.”



Paul J. Zwier II
Professor of Law

Paul J. Zwier II is one of the nation’s most distinguished professors of advocacy and skills training. His decision to study law was “part calling and part practicality.” He was a history and philosophy major at a small religious college in Michigan where he was advised to read *Gideon’s Trumpet* and *To Kill a Mockingbird*, and found the lawyers in these stories used knowledge and skill to make a real difference.

Zwier is the former director of public education for the National Institute for Trial Advocacy (NITA) and has taught and designed public and in-house skills programs in trial advocacy, appellate advocacy, advocacy in mediation, motion practice, negotiations, legal strategy, e-discovery, supervisory and leadership skills, and expert testimony at deposition and trial for more than 20 years. Zwier has taught advocacy skills to international lawyers and judges around the world, and, in 1998, Zwier received NITA’s Prentice Marshall Award.

He says that over his nearly 20 years at Emory, he was continually amazed at the commitment, passion, and enthusiasm of its law students. He also built relationships with several colleagues that have affected him personally

and professionally. He says fellow Woodruff Professor **Martha Albertson Fineman** “tolerated my questions and misunderstandings about vulnerability theory, which I still find provide some of the most important insights to my work, whether in dispute resolution, and in my rule of law work.” Then Dean **Thomas Arthur, Morgan Cloud, John Witte**, along with members of his hiring committee encouraged him to develop new areas of emphasis and scholarship during his first years. Professors **Frank Alexander** and **Hal Berman** offered warm welcomes. Professors **Broyde, van der Vyver**, and **Abdullahi Ahmed An-Na’im** provided inspiration for new collaborations. And **David F. Partlett** “has been a special colleague and friend who has shared drafts, coauthored articles, and taught me much, especially in the areas of remedies, law and religion, and torts. We have also fervently discussed the issues of rule of law and international politics, grandchildren, and travel, often well into the night. I have shared good conversation and wine with he and his wife Nan from France to Poland, to Atlanta, and back.”



Timothy P. Terrell
Professor of Law

“My experience on debate teams in high school and college made me realize that issues of public policy were of particular interest to me. Law school seemed the most direct—and intense—route for continuing and expanding that ambition.”

Timothy P. Terrell has three distinct areas of teaching and scholarly reputation: legal writing, legal ethics, and legal theory. He has published extensively on all these topics, and frequently conducts continuing legal education programs on them as well. Concerning legal writing in particular, he is, among law faculty nationwide, the leading presenter of programs for practicing lawyers and judges, not just in the United States, but around the world. He has consulted often for law firms on issues of legal ethics and has served on numerous occasions as an expert witness in litigation involving issues such as conflicts of interest, confidentiality, and lawyer malpractice.

Regarding legal writing, Terrell has for more than a decade conducted the writing and editing portion of the training program for new appellate judges at NYU Law School’s

Institute of Judicial Administration. In addition to presenting programs around the country to law firms and bar associations, he is the primary consultant on legal writing to the international association of law firms called Lex Mundi and has conducted programs at its member firms around the world. He is the coauthor of a popular text on legal writing, entitled *Thinking Like a Writer: A Lawyer’s Guide to Effective Writing and Editing* (3d ed., 2008, Practising Law Institute).

“I have been deeply gratified by the positive feedback I have received from judges, lawyers, and law students concerning the substance and structure of the legal writing training I have provided—not only in the US, but in many other countries as well,” he recalls. “Introducing audiences to the deeper concepts of excellent writing feedback has been the unusual hallmark of my presentations.”

And he’s still going. He has one scholarly project that he hopes to continue to develop after retirement: a book on the structure underlying philosophical reasoning.

From Matlock to the Suits

The evolution of career advising

BY NATASHA PATEL, ASSISTANT DEAN FOR CAREER DEVELOPMENT

AS I REFLECT ON the employment achievements for the Class of 2021, the highest in ten years at Emory Law, I consider the significant role that career departments in law schools now play in the trajectory of a student's legal career. From the 1L Career Strategy and Design Class, the one-on-one advisor meetings, optimization of the recruiting cycles, review of individual job applications, financial and salary counseling, and navigating offers and rejections, our career development office partners with every law student to launch them into their legal



Natasha Patel

careers. We help students meet both short-term and long-term career goals, because most will hold several jobs during their professional lives.

This is unlike the law school experience a generation ago (GenX, in my case) in which a career office had one person who made sure certain job and internship resources were readily available in alphabetically kept binders, while offering a compassionate ear to anyone who desired it. The paradox of the information age is that it necessitates the ability to review and synthesize the myriad of ever-changing legal market information to make it palatable and relatable to the recipient. For a law student, that is the career and professional development office.

My entire team comprises first-generation lawyers or business professionals. When we

say to a student “we’ve been there,” we are honest. None of us had known a legal professional until law school and yet our experiences are quite different. I learned about lawyering from *Matlock*. The current students learned from *Suits*. *Matlock*, a diligent, slow-paced, thoughtful show, wended its way to resolution. *Suits* is exciting, dynamic, fashionable, and clever, with multiple, fast-paced resolutions.

My classmates wallpapered bathrooms with the rejections that trickled in through snail mail. Today, a student logs on at 5:01 p.m. to view fifty accepts or declines—or a combination therein—from an employer. Immediate and harsh.

We’re the bridge between the professional reality that the students face and the secluded law school environment. A professor is more willing to alter deadlines than a judge.

Exceptions can be the norm in a learning, academic environment, but exceptions encounter tough obstacles in practice. Every student at Emory Law is the shining example in their communities; each deserving special. And

My entire team comprises first-generation lawyers or business professionals. When we say to a student “we’ve been there,” we are honest.

now that community is the larger legal profession. As the community gets larger, the students are called upon to advocate more determinedly for themselves, all while becoming

advocates for their clients. They are required to distinguish their talents and experiences to compete. We assist students through our tailored, individual advising approach and by engaging with employers to demonstrate how

every student with an Emory Law degree is worthy of a job.

This past year, employer recruitment increased by twenty percent, and both our

at-graduation employment rate and the bar required or JD preferred jobs our students secured was at a ten-year high. Our students are doing well. Emory Law is the largest law school in the southeast, and our students are succeeding across the country. Legal careers, like many other professional ones, may meander, bend, curve, twist, and zigzag along a paved, crooked, or cracked path. One thing I know for sure is that careers are long. Ultimately career satisfaction is rooted in sustainability. Our students are most successful when they embrace becoming long-term contributing members to this noble profession.

The legal profession, at its heart, is a service one. The work our office does is to make sure students are primed for their roles in this profession—and positioned for long-term success.

Morris named director of new legal tech initiative

BY A. KENYATTA GREER



Professor **Nicole Morris** has agreed to serve as the inaugural director of the Innovation and Legal Tech Initiative (ILTI). In this role, she will lead Emory Law's efforts to address the implications of advances in legal tech for faculty and for students preparing for the future of legal practice in the JD program. She may also develop programming for students enrolled in the law school's other graduate-level programs and/or the executive education program.

Morris will work with the administration to develop a plan of activities that may include the creation of new courses, the modification of existing courses to address changes in legal practice, and the development of modules, workshops, or programs designed to ensure that Emory Law students and graduates are prepared for changes in legal practice associated with advances in legal technology.

Joanna Shepherd, vice dean of Emory Law, says of Morris's appointment: "We are

delighted that Professor Morris has agreed to lead the effort to expand Emory Law's focus on innovation and legal technology.

"THIS NEW INITIATIVE WILL DEEPEN EMORY LAW'S CURRICULAR STRENGTH IN BRINGING TOGETHER LAW AND TECH." — Nicole Morris

Preparing students for changes in the legal profession has always been a priority for Emory Law and is an important part of our strategic plan. Professor Morris has both the expertise and the experience to develop program-

ming that teaches students how innovation and technology are employed in the modern legal market."

Morris's areas of expertise include patent law, patent litigation, patent prosecution, IP licensing, and strategy. She is director of the TI:GER Program (Technological Innovation: Generating Economic Results). The TI:GER program has evolved over the years to include the annual TI:GER Innovation Conference which draws renowned scholars in the tech realm to Emory Law to discuss various aspects of innovation. The law school ended its joint academic instruction with Georgia Tech in May 2022, and the Emory Law TI:GER program will continue with external partners such as the National Nuclear Security Administration within the Department of Energy.

In 2022, Morris was named one of the Women of Legal Tech by the American Bar Association's Legal Technology Resource

Center. She was among a list of just 17 women across the country. The ABA Legal Technology Resource Center's Women of Legal Tech initiative is intended to encourage diversity and

celebrate women in legal technology. This initiative launched in 2015 with a list of innovators and leaders in legal technology and with this year's additions, that list now includes 149 talented and influential women leaders.

Prior to joining the Emory faculty, Morris was the managing patent counsel at The Coca-Cola Company in Atlanta, Georgia. While at The Coca-Cola Company, she was responsible for the development and implementation of the company's global patent strategy and providing day-to-day advice and counseling to business stakeholders.

Morris has almost twenty years of experience practicing patent law in large and mid-sized law firms. Morris also worked as an engineer for six years with 3M and Eli Lilly and has thirty years of experience working with consumer products and technology commercialization.

She says, "I am thrilled to lead this inaugural innovation initiative. I am very committed to training future lawyers to use technology to make an impact on the profession. This new initiative will deepen Emory Law's curricular strength in bringing together law and tech. In one to three years, I want to collaborate with legal tech startups and have Emory Law students using their tech tools to assist clients."

Ajunwa to join Emory Law as part of university's AI.Humanity Initiative

BY A. KENYATTA GREER



Ifeoma Ajunwa, JD, PhD, will join the Emory University School of Law faculty in the fall of 2023, strengthening the school's offerings in AI and employment law. As AI.Humanity Professor of Law and Ethics, she will be part of the university's interdisciplinary AI.Humanity Initiative and become the founding director of a program dedicated to AI and the Law. Ajunwa will also take up an academic leadership role at the law school starting in Spring 2024.

An award-winning multidisciplinary scholar of artificial intelligence, law, and ethics, Ajunwa was recruited from the University of North Carolina School of Law, where she served as the founding director of the AI Decision-Making Research Program. Her scholarship and teaching focus on the intersection of law and technology with an emphasis on the ethical governance of workplace technologies.

In April 2022, Ajunwa visited campus as part of the AI.Humanity Ethics Lecture series, delivering a lecture titled "The Unrealized Promise of Artificial Intelligence."

"I'm thrilled to be joining Emory Law," says Ajunwa. "The Emory Law faculty is such a deeply vibrant and welcoming intellectual community. I am honored to join such a world-class faculty in a world-class city."

"Dr. Ajunwa is a noted scholar and teacher whose insights about the challenges and opportunities associated with AI and the law have been recognized by scholars, lawyers, corporate leaders, and policymakers," says Dean **Mary Anne Bobinski**. "Dr. Ajunwa's focus on AI will complement the work of other nationally and globally prominent Emory Law faculty members who focus on AI, IP and innovation, corporate law, health, and civil rights and social justice."

A prolific legal scholar and sociologist, Ajunwa has won academic awards including the Fulbright Scholar Award

forthcoming book, *The Quantified Worker*, with Cambridge University Press. This book will examine the role of technology in the workplace and its effects on management practices as moderated by employment law. Along with Dr. Jeremias Adams-Prasl of Oxford Law, she is also editing a forthcoming Oxford Handbook on algorithmic governance and the law.

Ajunwa is also an engaged public intellectual with an extensive list of bylines. She is a columnist at *Forbes* and has published op-eds in the *New York Times*, *Nature*, *Washington Post*, *Slate* and *The Atlantic*, among others. Her research and legal commentary have been featured by media outlets such as NPR, the *Wall Street Journal*, CNN, the *Guardian*, and the BBC.

She testified before the US House Committee on Education and Labor in 2020, and has also spoken before the Consumer Financial Protection Bureau and the Equal Employment Opportunity Commission. A DEI expert, Ajunwa has consulted with *Fortune* 500 corporations on ethical issues associated with tech and has served as advisory board member for tech companies in Silicon Valley.

"DR. AJUNWA IS A NOTED SCHOLAR AND TEACHER WHOSE INSIGHTS HAVE BEEN RECOGNIZED BY SCHOLARS, LAWYERS, CORPORATE LEADERS, AND POLICYMAKERS." — Mary Anne Bobinski, Dean

(2021–2022), NSF CAREER Award (2019), and the Derrick A. Bell Jr. Award (2018) from the Association of American Law Schools.

Her broad list of academic publications includes the *California Law Review*, *Cardozo Law Review*, *Fordham Law Review*, and *Northwestern Law Review*, as well as top law journals for specialty areas including the top journal in law and technology (the *Harvard Journal of Law and Technology*), antidiscrimination law (*Harvard Civil Rights–Civil Liberties Law Review*), and employment and labor law (*Berkeley Journal of Employment and Labor Law*). She has a

During a lecture at Emory University this spring, Ajunwa said, "Emory holds the reputation for being one of the oldest private institutions in the United States with a commitment to justice and inclusion. I see the AI.Humanity Initiative as necessary work for upholding those principles amid the expansion of artificial intelligence."

class notes

FROM THE ALUMNI BOARD PRESIDENT

An effect you can see

People sometimes ask why I spend my time and money supporting Emory Law. I rarely have time to explain all of the reasons because there are many.

For one, I am incredibly grateful for the scholarship I received that allowed me to graduate from law school with a manageable amount of debt. Providing other aspiring lawyers with that same opportunity is my way of paying it forward. If you benefitted from a scholarship to Emory Law (and even if you didn't), I hope you will consider giving back.

In addition, we live in a country and a world where the rule of law is sometimes taken for granted. We need lawyers who are well-trained not only in the basic subjects taught in all law schools (contracts, torts, etc.), but who also have an appreciation for the critical role lawyers play in a society that depends on the rule of law. Emory Law provides more than just an opportunity to learn the law—it also provides incredible opportunities for students to learn skills that will position them to be leaders in their firms, in their companies, and in their communities as they proceed in their careers. By way of example, our dean, **Mary Anne Bobinski**, is co-teaching a seminar on Leadership for Lawyers this coming semester. In this class, students will hear directly from leaders in the legal field, business world, and nonprofit and government positions about the fundamental principles of leadership and develop leadership competencies relevant to lawyers and law students.

Engaging with law students is also incredibly rewarding. Having coffee, lunch or even just a Zoom meeting with a law student to talk about career opportunities is something I thoroughly enjoy. If you have not taken the opportunity to connect with Emory Law students, please make an effort to do so. You can reach out to me or to the law school staff for ways to connect. I am confident you will find the experience personally rewarding—and you may even learn something yourself.

We are also at a key juncture in the history of the law school, with many long-time faculty retiring or approaching retirement. As we celebrate the contributions these professors have made to Emory Law, we have a tremendous opportunity to support the law school in its efforts to identify, recruit, and hire the high-quality faculty for which Emory Law is known. We are grateful for the financial and logistical support the University is providing. It would be wonderful to show the University that the Emory Law alumni appreciate their support by increasing our support, as well.

There are so many exciting opportunities to get involved and give back to Emory Law. I hope you will consider joining me in doing so.

Benjamin I. Fink 92L is a shareholder at Berman Fink Van Horn in Atlanta.



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76

Philip Reese 66C 76B

76L was recently elected to the National Council of the White House Historical Association in Washington, DC, and re-elected to the board of Philadelphia's Museum of the American Revolution, where he was a founding director.

80

Glenn Taubman 80L

is celebrating 40 years of working at the National Right to Work Legal Defense Foundation in Springfield, Virginia.

Leah Ward Sears 80L

was voted the best mediator/arbitrator by lawyers and law firm administrators who read the *Daily Report*. Also, her firm, Alterity ADR, an Atlanta-based alternative dispute resolution firm, was named "best of" in its category.

82

Lynn Greenky 82L's book, *When Freedom Speaks: The Boundaries and the Boundlessness of our First Amendment Right* was published in May by Brandeis University Press.

84

Michael Kenny 84L, a retired partner at Alston & Bird in Atlanta, has published his debut novel, *Life's Illusions*.

87

Richard Litwin 87L

of Litwin Law in Atlanta was one of 13 attorneys elected to the American College of Tax Counsel by the College's Board of Regents in 2022.

89

Alan Clarke 89L 89T

recently joined Greenspoon Marder's Entertainment, Media, and Technology Group in Atlanta. He was recently "Top Rated" by Georgia Super Lawyers and was among *Georgia Trend's* 2021 "Legal Elite" for entertainment and sports.

90

Cheryl Shaw 84C 90L is a new partner at Parker Poe, part of the expansion of its Atlanta office's education practice.

91

Sarah H. Lamar 91L,

a partner with HunterMaclean's employment practice group in Savannah, was ranked in Chambers USA 2022 for labor and employment. She was also named a 2022 Georgia Super Lawyer for employment and labor law.

Diane Melnick 91L is a partner in Practus's Intellectual Property Group. She is based in New York City.

92

Brian T. Casey 92L received the Innovator Award from Georgia State University's Risk Management Foundation at the Eighth Annual Risk Science & Insurance Leadership Awards.

95

Lisa Gruber 95L is vice president, tax, at Amgen, after serving as Hasbro's senior vice president, corporate tax, for the past five years.

97

Laurent Badoux 97L, a shareholder at Buchalter in Scottsdale, was included on AZBigMedia's list of most admired Arizona business leaders for 2022.

Shawn A. Kachmar 97L,

a partner with HunterMaclean's employment practice group in Savannah, was ranked in Chambers USA 2022 for litigation: general commercial. He was also named a 2022 Georgia Super Lawyer for employment litigation.

William Piercy 97L of

Berman Fink Van Horn represented the Atlanta-based Love Renaissance record label and its founders in a business divorce case covered by *Rolling Stone* and others. Read more about the five-day trial at the firm's blog.

Kimberli C. Withrow 97L,

a partner at Atlanta's Boyd Collar Nolen Tuggle & Roddenbery, has been recognized as a 2022 Georgia Super Lawyer for family law for the seventh consecutive year.

99

Chad I. Michaelson 99L has been named a Pennsylvania Super Lawyer for business litigation.

00

Joel Nichols 00L 00T is interim dean at the University of St. Thomas Law School in Minneapolis, where he has served as associate dean since 2013.

05

Nova D. Harb 05L has joined Bass, Berry & Sims as counsel in its Nashville office, part of the firm's launch of an Investment Funds Practice.

Chad F. Slieper 05L,

director of the Law, Science, and Technology program at Georgia Tech's Ivan Allen College of Liberal Arts School of Public Policy received an Academic Faculty Distinguished Teaching Award.

07

As of July 1, **Noah S. Robbins 07L** is a new partner at Ballard Spahr in Philadelphia, where he focuses on intellectual property disputes and counseling.

08

Kevin J. Rubin 08L has formed Rubin Family Law, a boutique firm in the Cumberland (Atlanta) area that focuses on all aspects of family law.

09

Ashley Edwards 09L, a partner with Parker Poe, is a member of the *Charlotte Business Journal's* 2022 class of the top 40 business leaders under 40.

James Janaitis 09L, an aviation attorney, joined Baker Donelson's Corporate Group as a shareholder in the firm's Washington, DC, office.

Deborah B. Koslin 09L

was promoted to partner at Levine Smith Snider & Wilson. She was named Atlanta's 2022 "Lawyer of the Year" for family law arbitration.

10

Rhani Lott Choi 10L has joined the National Institute for Trial Advocacy as education director, a newly created leadership position, effective June 1, 2022.

Ricardo Duarte 10L of The Duarte Firm in Tampa has been recognized as Rising Star in Business Litigation by *Florida Super Lawyers Magazine* each year since 2016.

Daniel Eric Shulak 04C 10L,

an antitrust litigator, was promoted to counsel at Hogan Lovells in Washington, DC, in January 2022.

11

Ryan M. Richards 11L has been named a shareholder in Baker Donelson's Nashville office.

Katherine Silverman 11L

of Berman Fink Van Horn represented the Atlanta-based Love Renaissance record label and its founders in a business divorce case covered by *Rolling Stone* and others. Read more about the five-day trial at the firm's blog.

Daniel Soleimani 11L

has joined Butzel as a shareholder in the firm's Troy, Michigan, office.

12

Michael "Mike" Baranovic Jr. 13L is one of 24 new partners at Sheppard, Mullin, Richter & Hampton. He's based in Washington, DC.

13

Bradley M. Strickland 13L, an associate with Kramon & Graham, has been selected as a member of Business Volunteers Maryland's GIVE Fellowship Class of 2022.



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14

MaryGrace Bell Kitrell 14L is a new associate at Parker Poe, part of the expansion of the Atlanta office's education practice.

15

Heather Kolinsky 15L joined Washington and Lee Law in 2021 as a professor of practice, where she teaches Legal Writing and Professional Responsibility.

16

Annalise Surnow 16L has been admitted as a member at Bodman's Detroit office. She's with the Business and Health Care Practice Groups.

Keong Min Yoon 16L, counsel, cybersecurity and data infrastructure, at the World Bank in Washington, DC, participated in the drafting process of a United Nations treaty on cybercrime.

18

Seth Church 18L, an associate and litigator with Dinsmore in Lexington, was named to the Elevate Kentucky Class of 2022.

John Keir 18L has been named lead counsel for data privacy and security at Intercontinental Exchange (ICE), effective February 1, 2022.

19

Aaron J. Walayat 19L has joined the University of Pittsburgh School of Law as an adjunct professor. He is also an associate with Tucker Arensberg.

Quinn Yeargain 19L has been appointed assistant professor of law at Widener University Commonwealth Law School in Harrisburg, Pennsylvania.

20

Diantha V. Ellis 20L received the 2022 W. Bruce and Rosalyn Ray Donaldson Excellence in Advising Award from Abraham Baldwin Agricultural College.

Pranav Lokin 20L, an associate at Akin Gump, was an author and principal investigator of the Association of Pro Bono Counsel's report, "Positive Change: How the Pandemic Changed Pro Bono and What We Should Keep."



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IN MEMORIAM

James L. Cox 52C 54L, on June 25, 2022

Ralph Williams 59L, on June 30, 2022

Judge Jack Manning McLaughlin Sr. 65L, on April 8, 2022

Bennett Lexon Kight 65C 66L, on June 21, 2022

Patrick Joseph McGee 66L, on June 23, 2022

Don Lee Hartman 67L, on May 24, 2021

James Edgar Long 69L, on April 23, 2022

Solomon Jackson Yeoman II 66C 69L, on July 7, 2022

Richard Franklin Livingstone Jr. 67C 70L, on June 8, 2022

Steven J. Martin 70L, on March 14, 2022

Gary I. Wittick 70L, on November 25, 2021

William Edward Frantz Jr. 71L, on June 1, 2022

H. Andrew Owen 71L, on April 5, 2022

T. Stanley Sunderland II 71L, on May 31, 2022

Robert D. Clark 72L, on May 5, 2022

Douglas N. Campbell 74L, on June 12, 2022

Kenneth Gartlir 76L, on May 20, 2022

Robert O. Van Norte 74L, on March 10, 2022

William Eugene Jessup 74C 80L, on February 3, 2022

Mark Owings Shriver IV 73B 81L, on October 25, 2021

Dan R. Musick 83L 87L, on April 26, 2022

Briggs Lovell Tobin 89L, on April 7, 2022

Deborah G. Krotenberg, 92L, on February 10, 2022

Willie Charles Adams Jr. 96L, on February 19, 2022

Tiffany Nichole Porter 05L, on May 5, 2022

ALUMNI BOARDS

Boards welcome new members

The Emory Law Dean's Advisory Board and the Emory Law Alumni Board are pleased to welcome twelve new members for the 2022–2023 academic year.

The Emory Law Dean's Advisory Board and the Emory Law Alumni Board, representing a diverse range of perspectives and geography, are appointed and work together to advise the dean and senior staff on the interests of the Emory Law community. The Advisory Board concentrates primarily on fiscal and operational strategic planning, and the Alumni Board focuses on strategic planning for alumni engagement. These volunteer leaders help to keep the law school apprised of and responsive to the current state of the legal profession and the concerns and needs of our alumni.

New members include **Elizabeth L. Fite 05L**, who recently completed her term as president of the Georgia Bar Association, and **Damon Erik Elmore 96L**, the executive director of the State Bar of Georgia, who recently completed a bicycle trip across Africa.

Advisory Board New Members

Marc R. Bryant 93L
Damon Erik Elmore 96L
Angela Hsu, Esq. 95L
Jennifer Marie Morgan 95L
Samuel Scott Olens 83L
Georgia Ravitz 89L
Brent Jamieson Savage Sr. 78L
James H. Wilson III 78L

Alumni Board New Members

Elizabeth L. Fite 05L
The Honorable Rahn L. Gatewood 05L
The Honorable Steven Daniel Grimberg 98L
Thomas H. Hong 97L

worth noting



HONORS

Faculty take on special appointments

by A. Kenyatta Greer



Laurie Blank

Blank, clinical professor of law, has been appointed as special counsel to the general counsel of the US Department of Defense. The Office of the General Counsel provides advice to the secretary and deputy secretary of defense regarding all legal matters and policies. Professor Blank took leave from the Emory faculty for one year, beginning September 1, 2022, to take up her appointment in Washington, DC.

Blank is director of the International Humanitarian Law Clinic at Emory University School of Law, where she teaches the law of armed conflict and works directly with students to assist international tribunals, nongovernmental organizations, and militaries around the world on cutting-edge issues in humanitarian law and human rights.

In her role as special counsel, Blank will focus primarily on the law of armed conflict and national security law. “I am incredibly excited about this opportunity to support the work of the general counsel. As the conflict in Ukraine highlights, this is a time of extraordinary tension and change in the international arena. I am honored to have this opportunity to contribute and look forward to getting to work on challenging issues with the talented and dedicated attorneys in the Office of the General Counsel.”



Kristen N. Johnson

Johnson, Asa Griggs Candler Professor of Law, was unanimously confirmed by the US Senate to serve a three-year term as a commissioner of the Commodity Futures Trading Commission.

Johnson is an internationally recognized expert on financial markets regulation and corporate governance, compliance, and risk management. Her recent research examines the implications of introducing cryptocurrencies and stablecoins in the financial markets ecosystem. In addition, Johnson’s recent work explores broader

technological innovations in society such as the integration of artificial intelligence technologies in commercial and consumer financial transactions, transfers, and assessments.

The CFTC’s regulatory authority over the derivatives markets includes policing fraud and manipulation in the markets for commodities such as gasoline and food. Johnson oversees the Commission’s Market Risk Advisory Committee (MRAC) and subcommittees focused on market structure and market risk management, climate risk in financial markets, and financial benchmark reforms.

“I am incredibly excited about this opportunity to support the work of the general counsel. As the conflict in Ukraine highlights, this is a time of extraordinary tension and change in the international arena.” —Laurie Blank



Matt Lawrence

Lawrence is associate professor of law; he researches and publishes on health care finance, administrative law, and addictions. This semester, Lawrence is serving as special advisor to the United States Drug Enforcement Agency.

In addition to his teaching and scholarship, Lawrence possesses a wealth of experience in the federal government. He most recently served as a special legal advisor to the US House of Representatives Budget Committee (Majority). Previously, he worked on health care regulatory issues during the Obama and Trump Administrations as a trial attorney in the Department of Justice’s Federal Programs Branch and attorney advisor in the Office of Management and Budget’s Office of General Counsel in the Executive Office of the President. In 2016, he received an individual special commendation award for his defense of Affordable Care Act programs while serving as trial attorney in the US Department of Justice.

ADMISSION

Smith is assistant dean of admission and financial aid

by A. Kenyatta Greer



Dexter A. Smith joined the Emory University School of Law community this fall as assistant dean of admission and financial aid. Smith comes to Emory from William & Mary Law School, where he served in a similar

capacity, having led the school to LSAT and undergraduate GPA-related boosts in the *U.S. News and World Report* rankings.

Smith will be responsible for overseeing recruitment and admission; formulating admission standards and enrollment targets; ensuring compliance with the American Bar Association, university, federal and state

policies and regulations; and leading and inspiring as a member of the administrative team. He boasts skill in using ABA guidance to create and implement inclusive enrollment management strategies that optimize class size and scholarship percentages while foregrounding institutional goals surrounding the academic credentials of incoming students.

Joanna M. Shepherd, vice dean and Thomas Simmons Professor of Law, remarks, “We’re very excited that Dexter Smith will be joining the Emory Law team. His skills and experience will bolster our already excellent admissions department.”

Smith has an extensive history of service to the profession, including current memberships in the Coalition of Virginia Law Schools and the Southern Association of Pre-Law Advisors; and he presents widely on various admission-related topics, including

first-generation law students, diversity in law schools, admissions essentials; and navigating the law school admissions process starting in high school.

“I look forward to joining a great team with an emphasis on maintaining the excellence exemplified at an international institution housed within Atlanta,” Smith says. “This city is the professional, cultural, and social hub of the Southeast—a city which attracts the best and the brightest and presents opportunities on par with any other metropolitan area in the world.”

Smith holds a juris doctor, a master’s degree, and a bachelor’s degree from the University of Florida, where he was also the captain of the football team. He’s led admission and/or financial aid functions at Campbell University School of Law and Florida Coastal School of Law and was also assistant director of career services at the University of Florida.

HONORS

State bar honors EPIC

by A. Kenyatta Greer

The State Bar of Georgia has awarded the Emory Public Interest Committee (EPIC) the 2022 Law School Excellence in Access to Justice Award for demonstrating outstanding incentives in addressing the civil legal needs of the community. The committee was recognized for providing summer grants for students in public interest organizations and fostering a commitment to public interest work.

In their award letter, the committee wrote that EPIC “increased visibility for the need for greater access to justice across Georgia” and said they applaud the Emory law student contribution to the justice system through their work and activities.

Rita Sheffey, assistant dean for public service, said of her EPIC students, “I am privileged and honored to work every day with the EPIC leaders and the many other public interest students at Emory Law. Their energy, creativity, leadership, and commitment to serving others strengthen my optimism for a more just society.”

The Law School Excellence in Access to Justice Award was created by the State Bar of Georgia Access to Justice Committee and the State Bar of Georgia Young Lawyers Division. It is open to all law students currently enrolled in or graduating from an accredited Georgia law school and recognizes an individual law student or law student group or group activity. In the case of EPIC, the award specifically recognizes a law student-led group or activity that has demonstrated an effective mechanism in addressing the civil legal needs of the community or that has demonstrated a high level of participation and commitment of its members to provision of civil legal services to the poor in the community.

EPIC was formed in 1989 by students committed to making public interest jobs accessible to Emory students. EPIC has successfully undertaken a major fundraising effort that has provided summer grants for students who accept volunteer positions or clerkships in public interest organizations.

CLINICS

Barton Clinic contributes to landmark case

by Lisa Ashmore

A 16-year-old locks himself in a hotel storage closet. He refuses to come out when ordered to do so, and when police officers attempt to remove him, he comes out swinging. He tries to hit and bite them, and he also throws glass cleaner, which goes down one officer's throat. The resulting charges include aggravated assault on a peace officer. Even as a juvenile, it's a serious charge.

Emory Law Barton Juvenile Defender Clinic students have represented hundreds of minors since 2006, but this case led to a June 1, 2022, Georgia Supreme Court decision that Clinic Director **Randee Waldman** says is an important one for all young Georgians—the right to an insanity defense.

“It has been the practice in Georgia juvenile courts to not permit young people to raise an insanity or delusional compulsion defense,” Waldman said. “This decision changes that for all young people going forward.”

Four Emory Law Juvenile Defender Clinic students worked on the amicus brief Waldman filed in November 2020: **James Farnan 21L**, **Nancy Jin 22L**, **Michelle Montgomery 21L**, and **Raerani Reddy 21L**.

Previously, if a minor committed an offense during a mental health crisis but was later found competent for trial, they could still be found delinquent for the underlying act even if they could not distinguish between right and wrong at the time of the offense.

Waldman chose to file an amicus brief for *In the Interest of T.B., a Child* because of its compelling facts and a chance for students to gain appellate experience. They collaborated with Emory Medical School Department of Psychiatry fellow Sindhura Suryadevara for a section of the brief dealing with the prevalence of mental health disorders among young people. Dr. Sarah Y. Vinson, a forensic psychiatrist on the faculty of both Morehouse and Emory's medical schools, also joined the brief as principal consultant for Lorio Forensics.

“This is an issue I've had my eye on for a long time,” Waldman said.

T.B. had previously been diagnosed with Unspecified Schizophrenia Spectrum and Other Psychotic Disorder, and Substance Induced Psychotic Disorder, but a forensic psychologist found that following four months of treatment, he could understand trial and assist his attorney, making him competent to stand trial. His attorney filed a motion seeking to raise an insanity defense. When the juvenile court judge denied that motion, she sought appellate review and the appellate lawyer reached out to Waldman who filed an amicus brief with the Georgia Court of Appeals.

“I instantly offered to submit an amicus brief,” Waldman said. “Via that approach, you get to raise all of the policy implications at play.” The case was transferred to the Georgia Supreme Court because a constitutional challenge was raised by the defendant.

Waldman's brief sums up her argument this way: “If adults can raise an affirmative defense of insanity, it is capricious to disallow juveniles that same opportunity. Doing so robs those most vulnerable, psychologically impaired children from the most logical defense for their circumstances. It exposes them to punishment that is neither tailored to their person nor just in its administration. It is imperative for the Court to rectify this oversight and extend this dispositive safeguard to juveniles.”

It's unknown whether the Barton brief influenced the Supreme Court because it wasn't mentioned in the opinion written by Justice Verda M. Colvin.

“It's always hard to know what ultimately influenced the court, but I'd like to think that the broader context was helpful,” Waldman said. “Our brief covered two areas, the prevalence of mental illness in young people and a constitutional argument around fundamental fairness and due process. In the end, the court used a statutory construction analysis to find that the defense was permitted by the existing code, so it did not reach the constitutional argument.”

The brief did, however, influence the prosecutor's office. In the intervening years, an election resulted in a new district attorney in Chatham County, Georgia, where the case began. While the original prosecutor objected to the insanity issue on appeal, the new district attorney reversed course and “joined in seeking the right to raise these defenses,” Waldman said. In doing so, the D.A.'s office cited the Barton brief. The passage reads: “Given the social and psychological support regarding child psychology, brain development and mental illness, as so clearly laid out in the Barton Center's amicus brief, it seems only right and even more pressing, that the insanity defense be made available to youthful offenders as well as adults.”



ALUMNI

Alumni earn national awards

Fellowships awarded for human rights projects

by Lisa Ashmore

Two recent Emory Law graduates have been awarded national public interest fellowships based on proposals for two-year projects they designed to address as yet unmet legal needs. One focuses on criminal justice reform and human rights violations in New York City jails and the second will provide legal and social services for displaced Afghan immigrants in Georgia.

Aubree A. Aguinaga 22L and **Zuhra Aziz 16Ox 18C 21L** received two of the 84 Equal Justice Works Fellowships awarded this year, chosen from 385 applications submitted by law school graduates from around the country.

Equal Justice Works annually selects public interest lawyers who design unique projects in partnership with legal services organizations. The 2022 class includes graduates from 45 law schools—they will work at 76 legal services organizations across 20 states, Washington, DC, and Puerto Rico. Projects are funded by law firms, corporations, private foundations, and individual supporters. This year's 81 sponsors include 31 law firms from the Am Law 200, and 25 Fortune 500 corporations.

Aguinaga represents New York City pretrial detainees during disciplinary hearings and provides advocacy and education to meet the needs of low-income individuals who experience human rights issues at Rikers Island. She will partner with the Bronx Defenders to create educational training programs for lawyers on disciplinary

hearing rights, provide legal representation for clients in disciplinary hearings, and provide oversight by suing Rikers and the Department of Corrections to challenge human rights violations. She is sponsored by Paul Weiss, Rifkind, Wharton & Garrison.

“My Equal Justice Works Fellowship has afforded me the opportunity to serve members of the Bronx, the poorest congressional district and the borough with the largest Latinx population. I want to directly support Latinx communities by elevating the voices of the Bronx through advocacy in the plight of mass incarceration,” Aguinaga said.

In August 2021, nearly 80,000 Afghan nationals were evacuated to the United States after the rapid Taliban takeover. Aziz will work with the Georgia Asylum and Immigration Network to provide wraparound legal and social services to displaced Afghans in Georgia who do not qualify for support through the traditional resettlement process, with a special focus on women and girls. She is sponsored by State Farm.

“My heart aches for the people of Afghanistan, who have endured unimaginable turmoil for decades. As an Afghan American woman, I am honored to serve this community by assisting them in obtaining stability in the United States,” Aziz said.

In the past three decades, Equal Justice Works has awarded more than 2,300 postgraduate fellowships; on average, 85 percent of those fellows remain in public service positions.

SYMPOSIA

Emory to host 2024 conference

Emory University will host the 2024 Conference on Empirical Legal Studies. The announcement came at the 2022 conference, hosted this fall at the University of Virginia School of Law. Professors **Tonja Jacobi**, **Jonathan Nash**, and **Joanna Shepherd** will organize the event; they were elected as vice presidents of the Society for Empirical Legal Studies, which is based at Cornell University and which initiated the annual conferences.

In addition to Cornell and the University of Virginia, the Conference on Empirical Legal Studies has been hosted by

top institutions such as Duke University, New York University, Northwestern University, Stanford University, UC-Berkeley, the University of Michigan, the University of Texas, the University of Toronto, and Yale University.

Joined by Emory's Political Science Department, Quantitative Theory and Methods Department, and Center for Law and Social Science, Emory University School of Law will welcome the empirical legal community to Atlanta in the fall of 2024. The 2023 conference will be held at the University of Chicago.

PUBLIC INTEREST

Summers of service

by Andrew Faught and Jasmine Reese

This summer, four Emory Law students volunteered at public interest organizations across the United States, thanks to grants funded by the Emory Public Interest Committee. The Emory Public Interest Committee, or EPIC, was founded in 1989 by students with a commitment to making public interest jobs accessible to Emory Law students. Volunteering within these organizations allowed students to gain real-world experience while truly discerning their potential future careers. Each student committed to 400 volunteer hours over ten weeks.

Sonal Rastogi 24L

Growing up in India, Sonal Rastogi recalls the sight of impoverished children with polio-mangled limbs. The specter often was the end result of a country unable to fund essential health services.

When she later immigrated to the United States, Rastogi was confronted with a perplexing question: How can the American health care system, which spends more than the next 10 countries combined, have some of the worst health outcomes on the planet?

“It’s just crazy to think about,” Rastogi says. “I became interested in why health care spending did not correlate to improved health care outcomes.”

Through an EPIC grant, Rastogi got to see firsthand some of the inner workings as an intern for the health care bureau of the New York Attorney General’s Office. There, she did legal research on everything from nondiscrimination requirements of the Affordable Care Act to tobacco and opioid litigation.

She discovered that policies that have “dramatically shifted or reversed” over multiple presidential administrations have been part of the challenge in American health care.

“There aren’t necessarily concrete interpretations for how they can be applied,” Rastogi says. “There also exists a lag in how laws are applied in the real world.”

She plans to work in some form of health care law. The EPIC experience, Rastogi notes, allowed her to understand the “middle gray area” in which the law functions.

“It’s different to understand or learn something from a textbook or case book than it is seeing it practiced and understanding the complexities about how the law is applied and navigated,” she says. “I was very glad for this opportunity.”



Madison Dodge 23L

Madison Dodge enrolled at Emory Law with a personal imperative: “I came to law school wanting to be a public defender. I know it’s not going to be easy, but it’s what I’m passionate about.”

She traces her sensibilities to her teacher parents, who impressed upon Dodge the importance of empathy, and appreciating the circumstances affecting all aspects of the human experience.

Through a John Paul Stevens Fellowship, Dodge was able to put her sensibilities to work this summer as an intern for The Bronx Defenders, a public defender nonprofit that every year works on behalf of 27,000 low-income residents in criminal, civil, child welfare, and immigration cases.

Dodge did pre-plea investigation reports, interviewing clients to come up with information that could mitigate their culpability. In one case, a misdemeanor conviction could have resulted in a client being deported. She praised the organization’s “holistic” defense model, which considers each case on its unique merits.

“My work with The Bronx Defenders made me hopeful, in the sense that I was learning from and seeing an office where they’ve tried to implement a model to address not only the criminal legal issues that people face, but also other collateral issues—such as immigration consequences or losing housing, or family court proceedings and losing your children,” Dodge says.

She is guided to fight against “mass incarceration,” which Dodge says was her main impetus to enroll at Emory.

“EPIC provided me a space in a community with other students interested in the same work, or with attorneys or alumni in the public interest community,” she adds. “Almost more than anything, it’s been valuable to my education.”



“The main goal is to get the death penalty off the table, and instead get life without parole. A lot of it isn’t challenging the guilt, but humanizing the clients on death row.”

—Brianna Cruz 24L

Brianna Cruz 24L

Brianna Cruz decided she’d become a capital defense attorney in high school, after reading Bryan Stevenson’s “Just Mercy,” in which the legal scholar describes injustices contributing to death sentences.



This summer, Cruz took a step closer to her dream. Through an EPIC grant, she interned with South Carolina’s nonprofit Justice 360, which works to reform policies and practices in capital and juvenile life without parole proceedings.

The experience, she says, was pivotal: “It changed me.”

Cruz helped conduct research for lawyers challenging the constitutionality of the state’s newly adopted execution protocols. Justice 360 is representing a trio of convicted men, arguing that

legislation authorizing the electric chair or firing squad is “barbaric.” (South Carolina argues it no longer is able to procure drugs needed to carry out lethal injections.)

“It was difficult to watch them basically having to argue for a more humane way for their clients to die,” Cruz says. “But it was also empowering, because they’re such good attorneys and I learned so much from them. They were fighting for their clients.”

Cruz continues to do work for Justice 360, considering the role of intellectual disabilities in adjudicating death. It is unconstitutional to impose the death penalty on those with such disabilities, but poor legal representation has contributed to such executions being carried out.

She ultimately wants to practice in South Carolina, Florida or Georgia.

“The main goal is to get the death penalty off the table, and instead get life without parole,” Cruz says. “A lot of it isn’t challenging the guilt, but humanizing the clients on death row.”

Alex Passe 24L

Alex Passe enrolled at Emory Law for a paramount reason. It has one of the strongest public interest grant programs in the country.

Through a summer John Paul Stevens Fellowship, Passe made good on his point. It was through an internship at the EPA Region 1 in Atlanta that Passe learned the niceties of law beyond the classroom.

“You can’t be a lawyer without knowing the law, but you don’t learn how to be a lawyer in the classroom,” he says. “This was my first foray into the practice of law, and it was an incredibly enlightening experience for me.”



The internship allowed Passe to work on Clean Air Act violations, and he wrote a research paper on the topic. His law degree, Passe says, will build on the public health master’s degree he received at the University of Minnesota. He hopes to continue his work at the EPA.

“I see my three-year journey at Emory as an extension of my education in public health,” he says. “My goal, my mission, is to improve public health.”

Passe’s says his work is committed to marginalized communities, which bear a disproportionate burden when it comes to pollution and environmental risks.

“What was humbling about EPA work is seeing firsthand, and experiencing firsthand, how slowly change at that level works,” he says. “Deep down, there is a desire to be the hero who is going to have the biggest effect, to argue the Supreme Court case that totally changes the way the world works.”

“My goal, my mission, is to improve public health. What was humbling about EPA work is seeing firsthand, and experiencing firsthand, how slowly change at that level works.”

—Alex Passe 24L

CENTERS

Barth joins Emory Law

by John Bernau

The Center for the Study of Law and Religion is delighted to announce the appointment of **Whittney Barth** as executive director. In her new role, Barth will manage CSLR daily operations; recruit and lead staff, post-doctoral fellows, visiting scholars, and student fellows; create and



support research projects and programs; build relationships with other interdisciplinary units on campus; and organize events, including celebration of the Center's fortieth anniversary in the 2022–23 academic year. Barth will also serve as the inaugural Charlotte McDaniel Scholar.

CSLR Faculty Director and Woodruff Professor, **John Witte Jr.**, calls Barth's appointment "transformational." "Whittney brings to the job a brilliant mind, rich academic experience, a learned pen, a generous heart, superb organizational

strengths, and the refined legal skills needed to navigate bureaucratic complexities." Barth will work with Witte and a small governing board to strategize for the Center's future and then play a leading role in implementing that vision.

Barth joins CSLR after nearly three years as a litigator with a nationally recognized plaintiffs' firm, Sanford Heisler Sharp, where she worked primarily on employment discrimination matters. She is a graduate of the University of Chicago Law School and was executive comments editor of the *Chicago Journal of International Law*. Prior to law school, Barth served for nearly five years as the assistant director of the Pluralism Project at Harvard University. She received her master of divinity from Harvard Divinity School and her bachelor of arts magna cum laude from Miami University, where she earned a double major in comparative religion and American studies and a minor in political science.

Her research interests include, among other topics, the place and impact of religion in American legal history, the development of the ministerial exception within US employment law, and the role of religious actors in the development of international human rights law. She has authored and co-authored pieces that appear in the *Chicago Journal of International Law*, the *University of Illinois Law Review Online*, *Law360*, and *Bloomberg Law*. She has co-written book chapters in volumes published by Oxford University and Georgetown University presses.

We sat down with Barth to learn more about her path to Emory and plans for the future. (The excerpt below is from a longer interview which you can read here: cslr.law.emory.edu/news).

Welcome to Atlanta! Your career includes an impressive array of graduate training, university project management, and legal practice. What made CSLR the right place for the next phase of your career?

Thank you! I'm delighted to be here and grateful for the warm welcome I've received.

There were a few things that convinced me that CSLR was the right place for me. I think of my previous experiences as related yet distinct threads in my professional trajectory. I see CSLR as a place where I have an opportunity to intentionally weave those threads together to find creative approaches to my new role and to thinking about the Center's future.

The Center is committed to examining, and fostering a deeper understanding of, the many ways in which law and religion can and do shape our public and private lives. That focus resonated with my own enduring intellectual and civic interests. Further, since its inception in the 1980s, CSLR has fostered interdisciplinary conversations and being able to advance that aspect of the Center's mission into the future was particularly exciting to me.

Finally, with each conversation during the interview process, I became even more excited to be part of such an inviting and intellectually curious community of scholars and practitioners. I'm thrilled that I now have an opportunity to be a part of welcoming others into that space.

You're joining CSLR on the eve of its fortieth anniversary. From your perspective, why is the study of law and religion important today? What are some of the challenges we can expect to face in the next forty years?

I think the study of law and religion is important today in no small part for the reasons it was important two generations ago: both are formidable forces that have influence in and over people's lives, often in profound ways. Over the next forty years, I suspect we will encounter new challenges in the law and religion space that pertain to the regulation of technological advances and environmental crisis, both of which are quickly pushing us to new frontiers in our thinking about humanity and the rest of the world of which we are a part and are building. I also think we'll see some enduring challenges take new or different forms, challenges such as what are the limits of rights and what should the law require when the exercise of different rights come into conflict, competition, or conversation. I anticipate the complicated histories of law, religion, and race will also be sites for further examination.

CLINICS

PACT Act benefits Georgia veterans

Volunteer Clinic for Veterans moves to refile claims

by Lisa Ashmore

A 59-year-old Air Force officer—a nonsmoker with no family history of cancer—dies of esophageal cancer 17 years after he returns from Uzbekistan's Karshi-Khanabad (K2) Air Base. After 9/11, the former Soviet base was used by the United States for missions into Afghanistan to fight the Taliban and al-Qaeda. Despite K2's notorious burn pit and its Day-Glo "Skittles" ponds, the Veterans Administration denied the veteran's claim for disability benefits in 2016.

In 2020, the veteran's wife called Emory Law's Volunteer Clinic for Veterans, which refiled the claim. It included letters from his physicians and scientific studies to support the connection between his cancer and burn pit exposure, but it was again denied.

This summer, after The PACT Act* became law on Aug. 10, 2022, the clinic resubmitted the claim. Senior Staff Attorney **Carlissa Carson OBL** expects a different outcome—this time she believes the veteran's wife will receive spousal benefits based on her husband's illness and premature death. The VA has described the PACT Act as perhaps the largest health care and benefit expansion in its history.

"We are so happy the Act was finally signed into law," Carson said. "It gives servicemembers presumptive service-connection for a long list of conditions such as brain cancer, GI tract cancer, COPD, and other life-threatening illnesses." Servicemembers now don't have to prove those conditions were caused by burn pit exposure—the law presumes any condition on the list is connected to toxic exposure, which creates easier access to VA disability benefits.

More than three million US servicemembers were exposed to toxic burn pits while deployed to countries including Uzbekistan and Afghanistan.

Georgia ranks No. 9 in the country in veteran population; more than 700,000 veterans live here, and Fort Benning in Columbus is the fifth largest military base in the world. Carson says more than three million US servicemembers were exposed to toxic burn pits while deployed to countries including Uzbekistan and Afghanistan.

"A growing number of them have developed severe health consequences," she said. "The VA should expect tens of thousands of new claims."

Before the PACT Act passed, the VA denied about 70 percent of disability claims based on burn pit exposure, Carson said. Since its passage,



the VA has added more than 20 burn pit and toxic exposure presumptive conditions, which also expands benefits for Gulf War era and post-9/11 veterans.

"The PACT Act also opens the door for more claims by Vietnam War veterans," she said. "If you served in the Vietnam War and you have high blood pressure or MGUS, the VA now presumes those conditions were caused by your Agent Orange exposure." Also, specific events are now recognized to carry health liabilities. "If you helped with the cleanup of Enewetak Atoll or cleanup of the Air Force B-52 bomber carrying nuclear weapons off the coast of Palomares, Spain, the VA now presumes you were exposed to radiation," Carson added.

The clinic was founded in 2013 and currently more than 50 law students and over 10 volunteer attorneys and paralegals are at work on claims and legal help. Since Carson joined in January 2020, the clinic has secured more than \$4 million in backdated and future VA disability benefits and has assisted more than 100 veterans and/or their families. Volunteers work with low-income veterans on issues that include disability claims, discharge upgrades, and estate planning.

"The work we're doing has a direct positive benefit on veteran's lives," Carson said. She is a lieutenant colonel in the US Air Force (Air National Guard) and previously served in the US Army Reserve.

*The Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act

STUDENTS

2022: An exceptional new class

“This is the most highly credentialled class that we have admitted in at least a decade. Emory Law’s top-20 reputation among academics, lawyers, and judges no doubt rests in part on the strength of our student body, as well as the quality of our faculty and the accomplishments of our alumni.” — Dean Mary Anne Bobinski

33
states
plus District of Columbia

19
countries of citizenship
(including US)



The LLM program admitted its first student from the Democratic Republic of the Congo, **Eriq Tshhims Wa Tshimbombu 23L**, who went skydiving to celebrate.

236
JDs

33
JMs

22
LLMs

13
transfer students

3
SJDs

168
median JD LSAT score

3.8
median JD GPA

25
average age, JD

Some JDs are pivoting to second careers. They include:

- former military intelligence officer
- brain science researcher
- PGA tennis pro
- banker
- CPA
- first-class national chess player

The law school awarded four Robert W. Woodruff Fellowships this fall, to students with an array of post-law school ambitions. The fellowships are a university-level honor that enables Emory to recruit and reward students with exceptional character, scholastic abilities, and leadership qualities. It is the highest accolade an incoming student can receive.



Amaya Booker 25L earned a BA in political science at Hampton University. She plans to focus on civil rights and health advocacy and has spent more than 650 hours volunteering for medical, educational, and social organizations that advocate against inequity in health and justice.



Clisha D’Souza 25L earned her neuroscience and psychology degree at the University of Texas at Dallas. After graduation, she returned to Austin, where she unionized low-income renters, prevented pandemic evictions, and worked to increase the number of health insured in rural Texas. She wants to study zoning, land use, and tenant-landlord law “to strengthen tenant protections and build equitable cities in the American South.”



Madeline Muhlherr 25L holds a BA in philosophy from the University of Tulsa and minored in law, psychology, and Chinese. She’s interested in international law, and plans to study abroad, based on her two semesters doing so as an undergraduate. She’s from Houston and has worked as a legal clerk at a civil law firm there since she graduated.



Taylor Reilley 25L holds a BS in psychology from Florida State University. She double majored in English, with an emphasis on creative writing and earned a Certificate of Developmental Disabilities. She’s an active and longtime proponent of disability advocacy and inclusion and has worked with organizations including Special Olympics and Best Buddies.



First-year students are grouped into “houses” named for the city’s historic neighborhoods: Decatur, Druid Hills, Inman Park, Kirkwood, Midtown, Morningside, Old Fourth Ward, Sweet Auburn, and Virginia Highland.

GIVING BACK

New mentorship programs

by Jasmine Reese



AS EMORY LAW CONTINUES to be a gateway for professional success and service to society, it is ultimately fueled by alumni philanthropy and engagement. Here, students can flourish and develop into the world-class legal professionals of tomorrow, while making a difference today.

With diversity, intention, and collaboration at the forefront, mentorship programs form and direct the path for future alumni of Emory Law. There are various programs, servicing different needs.

The Bar Mentor program offers immense resources for students as they embark on the strenuous journey of bar study and preparation. This program focuses on pairing students with young alumni mentors who can advise them on strategies, offer support, provide study tips, answer frequently asked questions, or give encouragement. Alumni mentors are matched with students based on which bar exam the students are preparing to take, along with the study software each student is using. This program is the longest standing mentorship program at Emory Law.

When law school leadership led the strategic planning process and determined to prioritize increased alumni engagement, the Office of Advancement and Alumni Engagement

closely studied the Bar Mentor program and created the LLM Mentor program. The program started with a pilot group of 40 students, with the encompassing goal of matching every LLM student with a mentor. Mentors help students with their transition to the United States, help them to determine their practice areas if they remain in the US, and help students decide how to best use their LLM education.

The Real Estate Mentor program is groundbreaking, as it is the first mentor program in conjunction with a practice society. Here, students are encouraged to build connections with practitioners in real estate law. This program allows students and mentors to build their own schedules and develop relationships.

As both an alumnus and associate director of alumni engagement, **Ricardo Horne 21L** grasps how meaningful alumni/student mentoring relationships can be. “Emory Law alumni play a critical role in supporting our students and preparing them to be capable lawyers. As mentors, they provide invaluable advice and guidance.”

He also understands that alumni giving is critical to graduating students who, in turn, are inclined to give. Horne explained, “As donors, alumni help alleviate the financial burden of paying for law school, allowing students to

focus on course material. Their engagement directly contributes to the students’ ability to flourish in Gambrell Hall and beyond.”

The need for customizable mentorship opportunities grows constantly. A unique mentorship program that fits some of that need is the Black Law Students Association (BLSA) Alumni Flash Mentor program.

Formed by the BLSA Alumni Advisory Board, it is a short-term mentor program that pairs students with lawyers who are BLSA alumni to aid students with goals ranging from securing a summer position to working in big law to discerning what kind of law they are interested in practicing—and many concerns in between. Once those goals are met, the pair can choose to continue their relationship as mentor/mentee.

Affinity group mentorship through opportunities including the South Asian Law Students Mentor Program provides mentors who serve as speakers or panelists, providing guidance and networking opportunities.

The tradition of alumni mentorship is one that is integral to Emory Law. **Jennifer Crabb-Kyles 98OX 00C**, former managing senior director of the Office of Alumni Advancement and Engagement, conveyed how alumni engagement is in direct alignment to students thriving. “The mentor programs created are not only a call to action from students and alumni eager to connect with each other, but also in support of Emory’s Campaign-2036.” She added, “The core area of Student Flourishing calls for helping students realize their potential. One of the ways we do this at Emory Law is by connecting students to our incredible alumni who already serve humanity through the legal education gained at Emory Law.”

The future of Emory Law rests in the hands of dedicated alumni who are agents of action. There are several ways to get involved by sharing your talents, time, and your experience gained at Emory Law.

FACULTY

Bagley part of WIPO negotiations

Treaties headed to conferences

by A. Kenyatta Greer



Asa Griggs Candler Professor of Law **Margo Bagley** has been actively involved in negotiations for two proposed treaties that the World Intellectual Property Organization (WIPO) General Assemblies agreed to send to diplomatic conferences. Diplomatic conferences are the meetings through which multilateral treaties are adopted. Once convened, the conferences will consider a new Design Law Treaty and a treaty relating to genetic resources and

associated traditional knowledge utilization in the patent system.

Bagley, as Friend of the Chair in the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), has been involved in negotiations for both outcomes for the past eight years. She will also be heavily involved in the meetings building towards both treaties, in both cases serving as an expert advisor to the African Union.

The Design Law Treaty would “provide for a more streamlined, harmonized process for filing and protecting design rights around the world,” according to the United States Patent and Trademark Office. The Draft International Legal Instrument Relating to Intellectual Property, Genetic Resources and Traditional Knowledge Associated with Genetic Resources has the potential to “improve the quality, effectiveness and transparency of the patent system” in relation to the use of genetic resources and traditional knowledge associated with genetic resources claimed in patent applications.

“This outcome is a profoundly important step for both the international IP system and for indigenous peoples and local communities who steward genetic resources and create traditional knowledge. I am thrilled to have played a role in getting to this point and look forward to the culmination of this work in two new and inclusive IP treaties,” says Bagley.

WIPO is the global forum for intellectual property services, policy, information, and cooperation. It is a self-funding agency of the United Nations, with 193 member states.

GIVING BACK

New student support endowments

The following student support endowments were established in Fiscal Year 2022. (September 1, 2021 through August 31, 2022)

Atlanta Law School Foundation Scholarship Endowment Created in honor of the Atlanta Law School Foundation and **David H. Flint 71L** (deceased), it supports students who demonstrate financial need and who have served in the military, who are supporting families while in school, and/or who are pursuing law school as a pathway to a second career.

Class of 1997 Diversity Scholarship Endowment Established by an anonymous donor, this scholarship will provide support

for Emory Law students with a preference for underrepresented students. The donor seeks to encourage classmates to provide additional support to this fund as a tribute to the Class of 1997.

Greenberg Family Scholarship Endowment

Geoffrey W. Emery 86L Scholarship Endowment

George S. Bobinski and Mary F. Bobinski Scholarship Endowment Established by Dean **Mary Anne Bobinski** and Holly J. Harlow in honor of George S. Bobinski and Mary F. Bobinski and in recognition of their

profound commitment to the transformative power of education. This scholarship will support Emory Law students with demonstrated financial need.

The Linda and Christopher Patrick Ford Promise of Justice Award Endowment supports summer public interest internships for Emory Law students. The grant recognizes lawyers’ duty to uphold justice for all.

Yip Scholarship Endowment This scholarship will provide merit-based scholarship support to Emory Law students with demonstrated financial need.

GIVING BACK

Investing in student flourishing

by Jasmine Reese



EMORY LEADERSHIP has shared its vision for the university's 2036 campaign: to shape the future, providing access to transformative and experiential learning environments with world-renowned faculty. With an eye on Emory's bicentennial, the 2036 campaign is a movement.

At Emory Law, the goal is simple: to invest in people. This means growing our endowment, increasing long-term support for students and faculty through endowed scholarships and faculty positions.

Emory Law is building a more substantial endowment over the next four years. The law school is striving to double its overall endowment and triple the endowment funding for scholarships. These ambitious goals require creative solutions and will aid in growing faculty eminence and ensuring student success.

Emory Law consistently prepares students to meet the challenges of an evolving, complex, and global legal environment. This is strategically done by offering exceptional, innovative teaching that integrates theory, doctrine, practical training, and experiential learning, preparing our graduates to become respected professionals and leaders in a rapidly changing world.

The law school recruits a diverse and highly qualified student body by recognizing outstanding merit while expanding financial access, reducing student loan debt, and delivering an exceptional education through significant investments. Generous philanthropic support has allowed Emory Law to award millions of dollars in scholarships to students over decades.

Emory Law is deeply invested in providing the most financial opportunities possible for students—just one facet of a plan to develop supportive and collaborative student engagement, enabling students to thrive while in law school and succeed in their chosen careers.

Emory Law scholars navigate a rapidly changing legal environment driven by technological innovation, economic forces, regulation, and shifts in global business arrangements, among other factors. Financial aid allows them to focus on academics and ultimately choose career paths with intention rather than based on a need to repay loans. This provides students the opportunity to chart their course through their matriculation by joining student organizations and volunteering pro bono services through our many specialized centers and clinics, becoming

heavily engaged in issues of our time while being deeply committed to learning and practice.

Through financial philanthropy, donors directly aid students in distinguishing their paths, pursuing their passions, and advancing the rule of law, even while they earn their law degrees.

Associate Dean for Advancement and Alumni Engagement **Courtney Stombock** sat down with several individuals who were recipients of this support. These Emory Law alumni share how scholarships benefited them as students and as professionals.

NIA K. BROWN 13L

Airbnb's Southeast Public Policy Manager

I did see a great article about you and how you came to Spelman. And then you decided to go to law school. So, I'm really interested about what drove your decision to attend Emory Law when it came time to graduate?

Emory means a lot to me, and I was really grateful to get into Emory and have the opportunity to go there. My



interest was in civil rights and children. So, I chose Emory because of their Barton Policy and Legislative Advocacy Clinics—and the fact that it's one of the few clinics in

the country where you are required to lobby and to put that work towards your learning. Also because Emory has a great public interest program.

So, when you were admitted to Emory, were scholarships and financial aid part of your admission package?

I ended up getting half of my tuition covered. Because of that, and other financial means, I

only had to take out minimal loans, and my loans are now under 20k. I was able to buy a home and feel financially secure. It provided me with flexibility. The future that you want to have in law and how you want to use your law degree don't have to be influenced by debt. None of that is possible without financial support that permits you to avoid taking out a ton of loans. If you want to work in public service, or you want to work in public interest, you should be able to do so without that debt looming over.

EARL PORTER III 19L

*Former Associate, Alston & Bird
Founder, Project Something Outta Nothing (SON)
Atlanta, Georgia*

You were the beneficiary of the Henriksen scholarship and then the Latham scholarship. What did having scholarships to go to law school mean to you?

One cannot speak of Emory Law without mentioning philanthropy. I went to undergrad on



a ROTC scholarship, which lead to deployments and 10 years as an Army infantry officer. Coming from active duty to private school tuition (that's only knocked down by the GI Bill \$20,000), it would

not have been feasible to consider Emory without substantial scholarship. Having scholarships probably led to me envisioning myself as an investment more than the average person. However, even before the scholarship I had the chance encounter of interacting with double Eagle Judge **Robyn Nash 75C 78L**, who sat as the judge in my juvenile case. He mentored me, helping to set me on a path to have a stable home, finish ascertaining my Eagle scout, and eventually go off to college. It is serendipitous to carry the same torch forward giving back to each generation of Emory lawyers. A favorite military saying comes to mind: "In those that have gone before us, and in those that now go, there burns an eternal flame."

How have your experience at Emory and the scholarships that you received contributed to your success in your career so far?

The Emory community invested in me as a person. Not just as a student, but as a local community member. I've had the privilege of helping to conduct mock interviews, panel discussions, and alumni coffee engagements in the common areas to help the next wave of Emory lawyers see beyond the horizon. Everyone's general demeanor to pay it forward makes Emory Law more than just a school, and I've always found it easy to go back to the communities that invest so generously into me. It's really the people that I genuinely miss the most: the staff who strive to create the conditions for complex learning and the professors that help shape more capability into our minds. Emory's a constant beacon of light to reflect upon, and it feels nice to know there is always an open door. I feel agency with the school, and I've enjoyed the near familial relationships I've made with my scholarship donors and other alumni over the years.

ERIC SWIBEL 02C 08L

Partner and Co-Chair of the Chicago litigation and trial department at Latham & Watkins

What made you decide to go to law school at Emory?

I, like everybody, was looking at a number of different law schools, and hoping to find the



best one that I could get myself into was the reality. I had a great experience in undergrad at Emory. I met my future wife there. I loved being in Atlanta. And it just was a comfortable place.

You received a philanthropic scholarship as a student at Emory Law. How significant was that for you?

The scholarship [I received] was brand new at the time, and it was a merit-based scholarship. I was very fortunate because I was able to do law school without financial aid. It was very important to me and a huge confidence booster. Starting off at law school is a little

terrifying for everybody, I think. So having success, from an academic perspective, added a sort of wind at your back when you get told that you've just earned a scholarship.

NEAL WEINRICH 06L

Shareholder, Berman Fink Van Horn

What was the determining factor for you choosing Emory for law school?

I chose Emory because I received a scholarship. I had other scholarship offers but not



as incredible as the scholarship I received from Emory Law. I visited Emory Law and felt like it would be a good place for me. Ultimately, the incredible scholarship was the decid-

ing factor in where I went to law school. I'm tremendously happy with the experience I had at Emory and the career I've had so far. The practice I've built for myself in Atlanta from the experience and network I gained at Emory is proof of that. I still reconnect with my Emory classmates. We're now all in practice together, and it's always great to connect. The scholarship dictated a path that I went on with my career. The financial burden that other law school graduates have for some significant portion of their early law school or their early career as lawyers often steers them in a direction based on needing to repay loans. I didn't have that.

So, what are some of the things you've done over the course of your career to sort of pay that forward?

I've recently been involved with the EmoryLaw@Work program and helping fundraise from other Emory Law grads in our office. I have contributed to Emory Law financially. Although I'm not necessarily doing public service work, I take pro bono cases here and there and help other people that don't necessarily have access to outstanding legal services. I provide that for them. I give them what I have to offer as a lawyer, resources they wouldn't otherwise have access to.

CURRICULUM

Student success

New JD concentrations help enhance experience

by A. Kenyatta Greer



EMORY LAW HAS ADDED three new curricular concentrations to the JD program—civil litigation and dispute resolution, criminal litigation, and law and religion—on top of the existing health law concentration, transactional law certificate, and the innovative TI:GER certificate.

Emory Law students will generally apply for any of the concentrations offered during the spring semester of their first or second year. The program advisors may consider awarding the concentration to other students that have met the requirements on a case-by-case basis, and participation is limited.

“Concentrations will help students select classes to prepare them for practice in a particular area. Taking many focused classes will help students evaluate whether they do, in fact, want to litigate, for example,” says **Lesley Carroll**, associate dean for academic programs and students. “The students seem very excited about the concentrations. They will be able

to indicate they are pursuing a concentration when they apply for jobs, and they have more guidance in terms of course selection.”

The curriculum required of each concentration includes important concepts and skills classes plus an additional 11 to 18 required credits—depending upon the concentration—in various related categories.

For the civil litigation and dispute resolution concentration, core courses include Civil Procedure, Evidence, Legal Profession, and Trial Techniques. Students must take an additional 11 to 15 credits in other related categories.

To earn the criminal litigation concentration, students must take Criminal Law, Evidence, and Trial Techniques, plus an additional 12 to 18 credits that include Criminal Procedure: Investigations, among others, plus a capstone experience.

The law and religion concentration contains two possible tracks: (1) a practice track

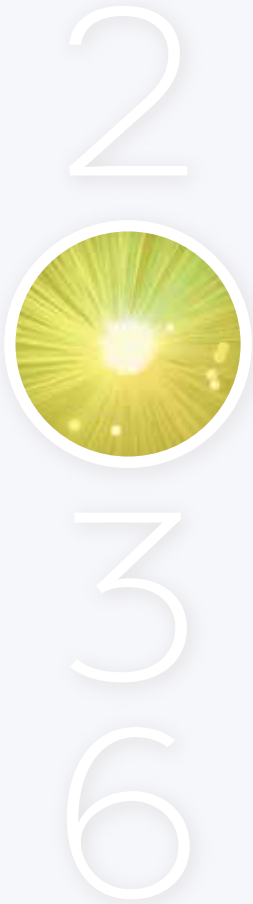
and (2) an academic track. The practice track emphasizes the skills and knowledge relevant to practicing law with a specialization in law and religion. The practice track prepares students to litigate cases that involve religious freedom questions, to represent and advise religious organizations, to practice religious arbitration or within religious legal systems, and to work in legal advocacy with or on behalf of religious communities. The academic track emphasizes the skills of academic research and writing. The academic track prepares students for teaching and scholarship in the legal academy and for PhD or SJD (doctor of juridical science) study in the areas of law, religion, theology, or associated fields.

To earn the law and religion concentration, students complete 11 to 15 credits in law and religion, including the two required courses, one religious legal systems course, one law and religion elective, and a capstone experience. A thesis option, in addition to the capstone, is also available and encouraged for students pursuing the academic track.

The health law concentration, offered starting fall of 2021, has 12 hours of required and elective health law courses and a capstone experience.

The programs are advised by faculty with interest and impact in the fields:

- **Health Law — Matthew Lawrence**, Associate Professor of Practice
- **Civil Litigation — Richard Freer**, Charles Howard Candler Professor of Law; and **Thomas C. Arthur**, Emory School of Law Distinguished Professor
- **Criminal Litigation — Kay Levine**, Professor of Law and Associate Dean of Research
- **Law and Religion — Whitney Barth**, Executive Director, Center for the Study of Law and Religion



THE FUTURE STARTS WITH YOU

“I know there are current students—and students to be—who are going to change the world. If there’s something that I can leave behind to help them do that, then I have a responsibility to do all that I can.

Growing up, I looked at Emory as a place that was attainable for those who worked hard and valued learning. I was honored to receive the Woodruff Scholarship, and I vividly remember that I chose to attend in large part because of Mr. Woodruff’s generosity. Giving for me is deeply personal. I grew up in a family that not only valued education, but believed in giving back. Service was the air we breathed.”

– Michael Ridgway Jones 85Ox 88C 04L

General Counsel, Riskconnect

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