



THE FAMILY LAWYER

Official publication of the
Atlanta Bar Association's
Family Law Section

May/June 2007
Editor: Eileen Thomas
eileen@ethomaslaw.com

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Quote of the Month

"A compromise is the art of dividing a cake in such a way that everyone believes he has the biggest piece."

Ludwig Erhard

LEGISLATIVE UPDATE AT THE MAY FAMILY LAW BREAKFAST

By Jon W. Hedgepeth, Hedgepeth & Heredia, LLC

The Hon. Stephanie Stuckey Benfield and newly elected Robin Shipp addressed the family law breakfast May 10th to give a recap of the most recent session of the Georgia Assembly.

Representative Benfield has been serving in the Georgia General Assembly for 9 years. She had her own law practice in Decatur, Stuckey and Manheimer, LLC, until the

birth of her son in 2002, when she took a break from the law to be a stay-at-home mom. She is now the proud mother of two, having had a daughter, Beverly, 18 months. She currently represents House District 85 which includes numerous DeKalb County neighborhoods. Representative Benfield has been repeatedly recognized for

her leadership in the community. She was named one of "40 under 40" promising Georgians by *Georgia Trend* magazine in 2002; recognized as one of "16 Attorneys to Watch" by the *Fulton County Daily Report* in 2003; presented with the Golden Shoe Award by Pedestrians Educating Drivers about Safety in 2001 for her work on traffic safety legislation; and

honored with the Outstanding Public Service in Child Advocacy Award in 2001 by the Georgia Younger Lawyers Association.

Representative Benfield says she enjoys being back before family law attorneys, since she is mostly a "full time mom" when the legislature is not in session, and she admits having become "a little **SEE UPDATE, page 2**

RECENT DECISIONS

By Anita H. Lynn, Anita H. Lynn, PC

In the case of *Mathis v. Mathis*, S06F0312 (03/26/2007), the parties divorced after a 14 year marriage. Husband came into the marriage with a home, subject to a mortgage. Wife paid off this debt from her non-marital assets. The parties sold this house and used the proceeds to purchase a new home valued at \$740,000.00, to which they had also added marital and additional non-marital funds. At the time of divorce, the parties owned other assets, including a \$1m Synovus account Wife had established before the marriage with a \$370,000.00 deposit, cars, a Stern Agee account, stock, an index fund, retirement plans, and a condominium. Following a bench trial, the judge divided the assets, in part, awarding Husband the marital home but ordering him to pay Wife one-half of the equity; Wife was awarded the Synovus account. The judge made no findings of fact. Husband appeals alleging that the trial court erred by not giving him a greater interest in the marital home, since he used premarital assets to pay for it. He also disagreed with the division of the Synovus account, alleging that it contained marital earnings, income taxes were paid on these earnings, and he actively managed the account. He also argued that the trial court failed to consider Wife's separate estate. The record reflects that there was conflicting evidence

concerning the property values, the amounts of the marital and pre-marital contributions made by each spouse, and Husband's allegations concerning his "active management" of the Synovus account. The trier of fact is to determine whether an asset is marital or non-marital and then exercise its discretion to divide the marital property equitably. The issues on appeal depend upon the factual determination made by the trial court as the fact finder. Neither party asked the court to make factual findings, so the Supreme Court could not conclude that the equitable division of marital property was improper as a matter of law or fact.

In *Dyals v. Dyals*, S07F0366 (04/24/07), the Husband contended that there was insufficient evidence to support the jury's determination that his gross monthly income was \$5,000.00. The record revealed that the jury relied on bank statements as well as the Husband's deposition testimony and his admissions at trial. Some evidence of record supported the jury's finding; accordingly, the verdict will not be disturbed. Husband alleged as his second enumeration of error that, using the former child support guidelines, the jury incorrectly calculated the appropriate level of

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rusty” in the courtroom. Representative Benfield gave a few brief comments on the past legislative session. “I have to say in my 9 years in office, and in my 4 years as an aide to Mary Margaret Oliver, this was the most bizarre session in my time under the gold dome.” She says that she is used to in-fighting among members of the same party, and that happened again this session even more so than she has ever seen.

Representative Benfield noted how the Republican Party was pretty much in lockstep their first term as the majority party two years ago for the first time in Georgia history, and this year, that came unglued. She said, “this year there were knock-down-drag-out fights with the speaker banning the Governor’s staff from the house floor, nasty language being used, and there was actually a fistfight between two lobbyists at a party, which I missed.”

Representative Benfield observed how absent Governor Perdue was during the session, with the exception of popping out for photo opportunities, including photos with the cast of Wild Hogs and a stuffed monkey belonging to Representative Benfield’s son’s class.

Representative Benfield also noted other accomplishments. They were able to hold off the divorce waiting time period bill again, the death penalty bill which would allow 9 or 10 jurors to vote in favor of the death penalty was defeated, the PeachCare changes were defeated, the push to incorporate Dunwoody was defeated, all of which Ms. Benefield was pleased with.

The Bar Standards bill, prompted a great deal of e-mails to Rep.

Stuckey. The genesis is that the aide to Rep. Earl Ehrhart earned her law degree on the internet and was unable to sit for the Georgia Bar, which requires a degree from an ABA accredited law school. She did not qualify. Representative Ehrhart started out with this bill to allow such people to sit for the bar, and the torch had been taken up by other Representatives including Rep. Bobby Franklin. Representative Benfield said that “every year they manage to defeat it in the judiciary committee, which is the perfect place to send that bill, because it is all attorneys who understand the issues and how important it is to protect the integrity of our Bar admissions process and also to understand the separation of power, as it should be the Supreme Court who should be governing Bar admissions standards and not the legislature”. Representative Benfield went on to say “Apparently the bill got reassigned to the Reapportionment Committee because Bobby Franklin is the Chair of the Committee. It still managed to get held in that Committee. It got tacked onto a bill dealing with architect standards, and it came very close to passing but did not at the last minute.” This issue probably will resurface next year.

Representative Benfield then introduced the newly elected Robin Shipp. Representative Shipp received her undergraduate degree at Shaw University, holds a Masters Degree in communications from Georgia College in Milledgeville, and she received her JD from Mercer University Law School. She won Nan Orrick’s seat. She serves on many local boards and has accomplished a great deal in her capac-

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The Following Attorneys have taken on Pro Bono Cases in April

- | | |
|----------------------|-----------------|
| Greg Golden | Shawna Woods |
| Brett Schroyer | Monica Hanrahan |
| Robert Luskin | Mauricia Allen |
| Joshua Stein | Andrea Knight |
| Ashley Witzigreuter | Cate Hart |
| Andrea Pawlak | Cindy Carter |
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| Susan Chiapetta | Mollie Neal |
| Anne Nees | Lisa Sowers |
| Damon Bivek | |

THANK YOU!!!

Please contact Dawn R. Smith at AVLFF if you can help next month.

WHAT'S COMING UP...

June 14, 2007...Family Law Breakfast - David Paul Pollan discussing "The Eligibility of Government Benefits - Divorce, Separation and Child Support Cases"

July 12, 2007...Family Law Breakfast, TBD

August 9, 2007...Family Law Breakfast, TBD

September, 2007...Family Law Breakfast, TBD

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support, resulting in an excessive award to Wife. However, the jury made a specific finding of special circumstances to justify an upward modification of child support from the applicable percentages; included in the enumerated six special circumstances were extraordinary medical costs for one of the children, who is disabled. Based upon these specific findings, the jury properly applied an upward modification from the presumed amount of child support. In his third enumeration of error, the Husband contended that it was inappropriate for his company's bank statements to go out with the jury, since they contained circles and highlights made by Wife's counsel, which constituted a continuing argument of counsel. The record revealed that the Wife's counsel had removed the objectionable pages from the exhibit and that Husband's counsel approved of the remaining pages before allowing them to go out with the jury. To the extent any error could have resulted from the marks or highlights that were on the remaining pages, Husband's counsel induced this error by approving the pages. Consequently, the Husband cannot complain of the results.

In the case of Rieffel v. Rieffel, *S07F0093 (04/24/07)*, Husband contended that the trial court's award of alimony and attorney fees to Wife was excessive. The parties had reached an agreement resolving all issues, with the exception of alimony, attorney fees, and funds to repair the marital residence; the parties stipulated that the trial court would resolve these three issues. The trial court accepted the amount of child support agreed upon by the parties and the agreed upon provision regarding ownership of the marital home and incorporated these provisions into the Final Judgment and Decree. The trial court then awarded the Wife monthly alimony for twelve years, \$4,000.00 in attorney's fees, and \$5,000.00 for repairs to the marital home. The Supreme Court found that the trial court properly considered the factors set forth in O.C.G.A. § 19-6-5(a) as well as the financial statements of both parties. The fact finder is given wide latitude in fixing the amount of alimony, based upon the evidence as disclosed by the record and all the facts and circumstances of the case. The Supreme Court concluded that the trial court did not abuse its discretion in awarding Wife twelve years of alimony on a 28 year marriage. In regard to the award of attorney fees, the record of the final hearing established that the trial court properly considered the financial position of both parties; the Supreme Court could not conclude that the trial court abused its discretion when it awarded fees to Wife. Husband further contended that the trial court failed to take into consideration the amount of equity in the marital home that was awarded to the Wife when the trial court equitably divided the marital property. However, at the final hearing in the divorce case, the parties had

agreed that, to settle an arrearage Husband owed to Wife under a separate maintenance consent order (pursuant to a proceeding filed by Wife prior to Husband filing for divorce), the Wife would be awarded the marital residence and all equity in the home including the Husband's portion of the marital residence; his share of the equity would make up for the arrearage that he had not paid. These terms were then set forth in a consent final order in the separate maintenance contempt action. Due to this agreement of the parties, it was clear from the Final Judgment and Decree that the award of Husband's interest in the marital home to Wife was not the result of the trial court's equitable division of property but the result of the agreement that the parties had entered into to settle Husband's arrearage under the separate maintenance order. Consequently, the trial court's equitable division of marital property was not an abuse of discretion. In Husband's final enumeration of error, he contended that the separate maintenance consent final order was null and void since the parties had attempted reconciliation and voluntarily cohabited on several occasions. Nevertheless, this order had been entered with the consent of counsel and was binding on the parties in the absence of fraud, accident, mistake, or collusion of counsel. In the absence of any showing of fraud or mistake, Husband cannot complain of the order he entered into by consent.

In the case of Jacob v. Koslow, *S07A0517 (05/14/07)*, the Supreme Court held that a trial court does not have jurisdiction to hold a party in contempt of a divorce Decree entered in another county, in the absence of a pending petition to modify that Decree. With this one exception, a contempt action must be filed in the court which rendered the order or judgment in question. In the case at bar, the parties were divorced in Fulton County. They both subsequently moved to Cherokee County, and Wife filed a petition in Cherokee County to have the Husband held in contempt of the Fulton County divorce Decree. The Supreme Court clarified previous law, reiterating that the trial court in Cherokee County would only have jurisdiction to hear a contempt action if it was presented *in addition to* a petition to modify the original Decree. When a trial court in another county acquires jurisdiction and venue to modify the Decree, it likewise possesses jurisdiction and venue to entertain a claim alleging contempt of the original Decree. However, without a pending modification action, it was never intended that jurisdiction be expanded in divorce cases to allow a party to be punished for contempt of an order or Decree rendered in another county.

In the case of Anderson v. Svard, *S07A0593 (05/14/07)*, the Supreme Court held that the trial court abused its discretion in awarding attorney fees to Wife pursuant to O.C.G.A. § 19-6-2, because there is no evidence in the record concerning the financial circumstances of the parties.

In the case of Scott v. Scott, *S07A0246 (05/14/07)*, the trial court entered a Final Judgment and Decree of Divorce, incorporating the Settlement Agreement entered into by the parties. Approximately three months later, the trial court entered an Income Deduction Order. The Husband did not object to the entry of the divorce Decree or the Income Deduction Order. Additionally, he did not appeal either order. Two years later, Husband filed a motion to set aside the divorce decree as to the child support, contending that

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the final Decree's provision was a non-amendable defect on the face of the record and pleading. He contended that the Decree failed to include a specific baseline dollar amount for child support; it only set forth a percentage of his income. The Husband also contended that the Decree included a provision violating the principle that the right to receive child support belongs to the child and cannot be waived by the custodial parent. The trial court granted the motion and set aside the Final Judgment with regard to the child support issue. As an initial matter, the Supreme Court pointed out that O.C.G.A. § 9-11-60(d)(3) as opposed to (d)(2) does not bar a movant's claims when negligence or fault on the part of the movant is present. Therefore, even if the Husband had been negligent for not attacking the divorce Decree by direct appeal, he nevertheless retained the right to seek a motion to set aside under this subsection based upon the existence of a non-amendable defect on the face of the record. Any prior opinions inconsistent with this holding are overruled. In regard to the issue at the heart of this appeal, the Supreme Court held that the parties had separately and by contract settled the child support issue, which was subsequently approved by the trial court and made a part of the divorce Decree; generally, the courts will enforce a contract made by the parties. The Husband failed to show that any part of the Settlement Agreement was void or otherwise contained any non-amendable defect. As such, he is bound by the terms of the Agreement. The Supreme Court also disagreed with the Husband's contention that there was no specific baseline dollar amount set forth for child support in the divorce Decree. The trial court had found that child support for two children was in the range of 23% to 28% of the Husband's gross income. In one paragraph of the Decree, it specifically states that, "Husband shall pay to Wife the sum of \$4,090.33 per month,..." This provision set forth a minimum payment for child support. In a subsequent paragraph of the Decree, finding that special circumstances existed, the Decree went on to set forth the payment of a percentage of Husband's gross income. The Supreme Court held that the trial court had set forth a minimum dollar amount, to be supplemented by Husband's future wage increases. As such, the divorce Decree did contain a baseline obligation for child support and no non-amendable defect exists. The Supreme Court further held that the language in the provision raised by the Husband in his appeal did not constitute a waiver by the custodial parent of child support. There was no waiver by Husband or Wife of potential child support for the benefit of the children. Therefore, the Husband failed to show a non-amendable defect on the face of the record. Both parties fully and knowingly agreed to this provision as part of their Settlement Agreement and asked the trial court to incorporate it into the divorce Decree; Husband cannot now attack those terms and complain of an error he induced.

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ity as a lawyer and as a Representative. She is currently associate General Counsel for Grady Hospital.

Representative Shipp began speaking about House Bill 369, also known as "the End of the 14-Year-old Election bill." The first issue is that it allows direct appeals in custody cases. She said that "it gets rid of the discretion of the Court, and the Court is required to lay a detailed foundation for the custody recipient. Representative Shipp added that "Initially what [was] discussed with the appeals process, it allows a new section 11 for direct appeal for custody, which includes refusing to change custody on a modification or some other vehicle or declining to hold a party in contempt. This gets rid of the discretion, the standard being only an abuse of that discretion is going to permit a litigant to take it to the Court of Appeals." It also effectively gets rid of the "any evidence" standard for upholding a custody ruling. Section 3, as Representative Shipp reads it, allows for direct appeals from divorce proceedings without the necessity for the petition to ask permission to appeal."

All of the previous sections have been deleted in O.C.G.A. § 19-9-1 and has been pushed to the end of that section. This requires an extensive parenting plan including all the varying elements to consider seeing if the person requesting custody has the necessary state of mind to develop such a comprehensive parenting plan. O.C.G.A. § 19-9-1.1 now contains an arbitration clause where the parties can agree to go to binding arbitration, which was a bone of contention in committee, as others wanted arbitration as mandatory. Now it is an option, but you still retain the option to go back to court for a ruling.

Representative Shipp explained "[O.C.G.A.] § 19-9-3 eliminates where there ever was any, a presumption in favor of any particular party. In reviewing this, I was not aware that there was a presumption. There was an *assumption* that there was a presumption, but I don't recall any presumption for either party." She added, "in determining what is in the best interest of the child, we now have factors in addition to the others previously listed which spells them out in total, such as who takes the kids to school and to the doctor, which has opened this area up for more appellate practice."

The Fourteen Year Old Election has been radically changed. Previously, the 14 year old could go with whichever parent he or she chose subject to a finding of unfitness. There was a lot of testimony about this in session, including a conference of Superior Court Judges. Their preference was to limit the 14 year old election. What it ended up being is that there is a presumption (rebuttable) that where the kid wants to go will be determinant. And the preference of children 11-14 years of age will not be controlling.

One important change is the allowance of attorney fees at every stage of custody litigation, even at temporary hearings, and that the refusal of a grant of fees is subject to appellate review.

The full text of HB 369 can be located at www.legis.state.ga.us.

Advanced Skills Workshop

August 24, 2007

Cost: TBD

Basic Interdisciplinary Collaborative Practice Training

September 28-29, 2007

Cost \$650.00

Location: Atlanta, GA

Contact: Betsy Geisler @ 770-441-2323 or bng@bngiesler.com

MESSAGE FROM THE OUTGOING CHAIR

Rather than recapping what we have done over the past year, I just want to say thank you to every member of the section for being a member of this section.

While I have spent the last 12 months berating and urging ya'll with each article to get involved and volunteer, we ended the year with a great party. I hope this becomes an annual event and next year we have a larger attendance.

The party was held at Zoo Atlanta on May 5. Our section partnered with the Georgia Hispanic Bar Association and the State Bar YLD's Family Law Committee for the first time. We had entertainment and a face painter for the kids (and adults). The band and food were great! We had prize give-aways which included dinners at fabulous restaurants. The best part of this is that the party did not cost any of the organizations a cent thanks to the event sponsors, John Marshall Law School, The Investigative Accounting Group LLC, Coles College of Business at Kennesaw State University, and RBC Centura.

I would be remiss in this short final message if I did not thank my board and most importantly a non-board member, Gary Graham who was in charge of community service for the section. Because of his hard work, we managed to assist in building a habitat house, plant flowers for Park Pride and trees for Trees Atlanta. The final bit of volunteer work was the Mock Trial presentation at Cook Elementary school in the city of Atlanta. Melody Richardson, Eileen Thomas, Janis Dickman, Sarah Grant, David Marple, Evin Somerstein and Gary did the honors. The kids loved their performance of *The State vs. Jack Robinson*, who cut down the beanstalk and killed Mr. Ogre.

As I depart and John Collar steps in as the new chair, don't forget to do more, give more, volunteer more. We have an amazing impact on people every day and it may as well be a positive one.

Thanks for my tenure, Lauren

MESSAGE FROM THE INCOMING CHAIR

In addressing the Membership for the first time through the Family Law Newsletter, it is important to first thank Lauren Alexander for her leadership of our Section this past year. Many times, it is only after a person leaves a position of leadership that we begin to fully understand their contributions. Under Lauren's leadership, we continued to be sound fiscally. Our Section put on a couple of great seminars, had great speakers at our monthly breakfast meetings, and participated heavily within our own community. Our Section is successful today in large part to Lauren so please take the time to thank her the next time you see her for her contributions and leadership of our Section.

In May, the majority of your new Board attended the swearing in of Ray Persons as the President of the Atlanta Bar Association. Ray's speech was truly inspiring. At the end of Ray's speech, every person in the room was proud to be a lawyer, and proud of our profession. I left the swearing in ceremony feeling like we really can make a difference as family lawyers.

The area of family law is one of the most difficult areas in which to practice because of the human element and emotions involved in representing a spouse or child. People who are otherwise reasonably normal and sane in life are insane and irrational in their thought and decision making process during a divorce. It is easy to become jaded in our practice. The process and people we deal with on a daily, weekly and monthly basis are difficult at best. We do not go home at the end of most days feeling "happy" because of the stress of our cases. It is important for us to remember that we do good work and our contributions matter in a difficult practice area.

In the upcoming year, we are going to continue to be fiscally responsible as a Section. Our Section will remain involved in putting on substantive seminars, especially with the passage of the new child support statute and House Bill 369, which overhauled custody. Our Section will remain involved in the Community and I plan to continue to call on Gary Graham, our new Board Member, to help with this endeavor. We are going to maintain, and perhaps even improve, our relationship with the Bench so we can learn and understand better ways to present issues.

In the upcoming year, I want our Section to focus on maintaining professional relationships with one another. We need to more consistently treat each other with dignity, respect and courtesy. We need to not be afraid to apologize to the other after we have "crossed the line" with our words or letters. Our clients will come and go but we will continue to have cases with one another. Our practice and Section can only improve if we treat each other as we want to be treated.

Respectfully,

John L. Collar, Jr.

Dean Richardson R. Lynn of John Marshall Addresses Family Law Section

By Jon W. Hedgepeth, Hedgepeth & Heredia, LLC

The new Dean of John Marshall Law School, Richardson R. Lynn, Esq., addressed the Family Law Section's April breakfast meeting at the Buckhead Club. While practicing law in Nashville, Tennessee, Dean Lynn taught as an adjunct Professor at the Vanderbilt University School of Law. He then joined the faculty of the Pepperdine University School of Law where he taught for more than twenty years, interrupted by a stint in Nashville as a Professor of Business Law and Ethics at Belmont University. Dean Lynn served as Pepperdine Law School's Associate Dean for Academics and six years as Dean of the law school. He is admitted to practice in Tennessee and Nebraska, several U.S. Circuit Courts of Appeal, and the U.S. Supreme Court. Dean Lynn has written four books, in addition to articles and essays. He frequently serves on American Bar Association site teams visiting schools seeking to gain or continue their accreditation and was a member of the Membership Review Committee of the American Association of Law Schools for three years.

Dean Lynn's speech revolved around the great importance of the apology in today's society. He gave several examples, beginning with the recent shooting death of an elderly lady by Atlanta Police Officers based on the issuance of a "no-knock" warrant based on allegedly false testimony. While Mayor Franklin and Chief Pennington promised a thorough investigation, "we never heard them apologize to her relatives or neighbors for the tragedy." The Dean lamented that this was a missed chance for them to be healers. "Apology," said the Dean, "is the easiest way to resolve conflict and minimize its consequences."

Citing various statistics, Dean Lynn said that in state criminal cases, sentences are 35% lower when the defendant expresses remorse and takes responsibility for his or her own action." Further, in federal criminal cases, subject to sentencing guidelines, when a defendant expresses remorse, the sentence is generally 2 to 3 levels lower than when no remorse is expressed. But an ineffective apology is often worse than no apology at all. Citing a study discussed in a 2003 Michigan Law Review article, participants were given a hypothetical set of facts and were then offered the "plaintiffs" varied responses, measuring the willingness of the "plaintiffs" to settle. Fifty three percent accepted the offer where no apology was offered, and seventy three percent accepted when a full apology was offered. But when a partial apology was offered—one expressing sympathy for the injury without accepting responsibility for it—only thirty five percent settled.

Georgia, like most states, has a variety of tools to encourage a public policy favoring alternative dispute resolution and more efficient resolutions of lawsuits. "I also think we need a public policy favoring apology," said the Dean. As lawyers, we are trained to advise clients not to make an admission against interest, as it will inevitably be used against the client in court. But Georgia has joined the trend among states to promote apology by enacting Code Sec. 24-3-27(a):

The General Assembly finds that conduct, statements or activity constituting voluntary offers of assistance or expressions of benevolence, regret, mistake, error, sympathy, or apology between or among parties or potential parties to a civil action should be encouraged and should not be considered an admission of liability."

"Now," said Dean Richardson, "lawyers can do the right thing by advising a client to apologize, perhaps heading off a lawsuit entirely or making it much easier to resolve." The statute is part of the "tort reform" effort aimed at minimizing med-mal lawsuits, but Dean Richardson sees this applying far more broadly than med-mal alone. The original act also contained the following language: "The General Assembly further finds that certain needed reforms affect not only health care liability claims but also other civil actions and accordingly provides such general reforms in this Act."

Jack of Benstalk Fame, Convicted by a Jury of 5th Graders

By Melody Z. Richardson, Pachman Richardson, LLC

On May 4, 2007, Jack Robinson, the boy who traded the family cow for a bag of beans, was tried for malice murder, having killed the giant ogre when he chopped down the beanstalk. Although well represented by Gary Graham, the jury who heard the case, voted to convict poor Jack by a very close margin. Sentencing was postponed, but Mr. Graham was heard to say that he planned to appeal.

The jury consisted of 5th graders at Cook Elementary School on Memorial Drive in Atlanta. After watching the troupe of Family Law section members perform the scripted mock trial in honor of Law Day, the children posed some interesting questions, including a query about why the giant ogre, described as 32 feet tall, was married to Mrs. Ogre, played by Janis Dickman. Poor Jack, played by Evin Somerstein, did not help his case much by admitting he stole the golden harp, played by Sarah "should try out for American Idol" Grant, among other items from the giant's castle. Eileen Thomas' performance as the court room Bailiff was quite convincing. David Marple called upon his past skills as a prosecutor and obviously convinced the jury of Jack's guilt. Judge Dooright presided, in a borrowed robe, which weighed heavily upon her shoulders.

While the children may not have fully grasped the concept of this year's Law Day theme, "Liberty Under Law: Empowering Youth, Assuring Democracy", they seemed to have a great time. The performers certainly had fun. The children agreed whole heartedly that would willingly serve on a real jury when called upon, particularly when they found out that it pays \$25.00 a day.

The Section would like to make this an annual event, and possibly even volunteer some members before the mock trial is performed to speak to the children in their classrooms about Law Day and its purpose—to educate the public, and children in particular, about the importance of our national dedication to the principles of government under law. Law Day is May 1st every year, so mark your calendars for a good time and let any board member know if you would like to join this fun project.