

5th Circuit Newsletter

ABA Law Student Division

Issue #4

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Fifth Circuit Governor

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Exec. Lt. Governor

Bolanle Akinrimisi, Florida Coastal SOL

Lt. Governors of Communication

Internal – Victoria Myers, Stetson University College of Law

External – Kyle Bedran, Florida Coastal SOL

Lt. Governor of ABA Representatives

Samantha Kargbo, Stetson University College of Law

Lt. Governor of Membership

Nathaniel Flinchbaugh, Nova SE University SOL

Lt. Governor of Non-Traditional Law Student Relations

Richard Bruner, Florida Coastal SOL

Lt. Governors of Regional Affairs and Relations

Alabama

– Kenneth Cantrell, University of Alabama SOL

Florida

– Paul Min Chung, St. Thomas University SOL

Georgia

– Tammy Holcomb, Atlanta's John Marshall Law School

Mississippi

– Ron Morris Jr., Mississippi College SOL

Puerto Rico

– Jessica Medina, Florida International University SOL

Tennessee

– Dan Kuninsky, Vanderbilt University Law School

Lt. Governor of Career Development

Abbigail Webb, University of Miami SOL

Lt. Governor of Diversity

Cassandra Spring, University of Miami SOL

Lt. Governor of Spring & Fall Meetings

Kamephis Perez, Florida International University SOL

Lt. Governor of Law Student Mental Health

Brittany Pribbenow, Stetson University College of Law

Lt. Governor of VITA

Michelle Reeves, Barry University SOL

Lt. Governor of Public Interest/Comm. Service

Faisal Akhter, Emory University SOL

Lt. Governor of SBAs

Brittany Pugh, University of Alabama SOL



How can you make an impact?

The ABA Center for Racial & Ethnic Diversity wants your feedback. To contribute, visit the [Diversity Summary Report](#) and respond with general comments on the substance of the report, ideas on the best way to disseminate the report, or other information that could be helpful in the addendum for the report.

Submit all entries by March 15th to Angie Shaw at shawa@staff.abanet.org.

Letter from the Governor

Dear 5th Circuit,

It's incredible to think that this will be my last letter to you as your 5th Circuit Governor, but like all good things, it too must come to an end. This month I'll be turning the reigns over to Ronald Morris of Mississippi College School of Law at the ABA Law Student Division Spring Board of Governors Meeting in New Orleans, Louisiana. I am sure he is just excited about taking over this venture as I was last year!

I want to thank everyone who came out to the Spring Circuit Meeting in Jackson, MS. It's always great to get such a dynamic group of law students and student leaders together to talk about what is facing us in our capacity as ABA Members. If you didn't get the opportunity to attend, you missed out on some dynamic panels and speakers! Don't worry, this fall you'll have the opportunity to attend the Annual Meeting in San Francisco, CA, August 5-10th, 2010 or the Fall Leadership Summit hosted by the 4th, 5th, and 6th Circuits, which I'm sure will be a wonderful ABA Law Student Division event!

Special thanks go to the Lieutenant Governors who have helped make this year a success. Their time, dedication, determination, ability to adapt and adjust, and senses of humor did not go unnoticed. I was pleased to present The Silver Key to Kyle Bedran, the Lt. Governor of External Communication, who has served as my right-hand in getting this newsletter out to you each month as well as his incredible support throughout my entire term. Additionally, I was pleased to recognize Bolanle Akinrimisi with The Silver Key for her hard work and dedication as the Executive Lieutenant Governor. Other notable Lieutenant Governors include Victoria Meyers, Samantha Kargbo, Brittany Pribbenow, Kam Perez, Ron Morris, Michelle Reeves, Brittany Pugh, and Tammy Holcomb. Thank you, each one of you, for working with me to help accomplish the goals I had as the 5th Circuit Governor.

Milton Berle once said, "If opportunity doesn't knock, build a door." I hope that you continue to utilize the resources available to you from the ABA, from the student leaders to the many benefits, contests, scholarships, and events available to build the doors you need to create and find your opportunities!

Yours truly,

Tiffany V. Colbert
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Spring ABA Leadership Summit Recap

The 2010 ABA Law Student Division February Meeting was held in Jackson, Mississippi. At the 2009 October Leadership Summit it was discussed that several of our fellow ABA LSD members were not making circuit meetings. To remedy the problem, the Governor and her Lt. Governors decided to take the next circuit meeting to them! It was a great success and it allowed Mississippi law students an opportunity to interact with other law students in the 5th circuit. To top it off, Ronald Morris, a native to Mississippi, was the candidate elected as the 2010-2011 Governor to represent the 5th circuit next year. This is a great accomplishment for the 5th Circuit ABA LSD because we are one of the most active ABA LSD circuits. We take heart pride in trying to include as many law students from our circuit as possible. Governor Tiffany Colbert and her Lt. board surely have shown they are willing to go the extra mile. For many of the law students it was their first time in the state of Mississippi.

Mississippi College was an excellent host. If you want to talk about nice and gracious professionals, Mississippi College definitely is the place. They were eager to show us the downtown scene as we had a chance to spend the first evening meeting other Mississippi College law students and the administration. Some law students had their first experience trying foods from fried green tomatoes to shrimp and grits.

The next day was filled with interesting discussions and panels for law students. This time, the Governor added a twist. She had a professional stylist on the panel to discuss what we should wear and what we should, as legal professionals, stay away from during interviews. There were panels to help graduating law students from their transition into a first year associates to the esteemed run off for Governor. This year's questions were tough for the many law students who were running for Governor. Questions ranged from, "How many states are within our circuit and how many schools?" to the infamous, "If you were a girl scout cookie, which would you be and most importantly why?" The candidates answered all questions enthusiastically. A run-off between the Silver Key winner Kyle Bedran and Ronald Morris ensued for another thirty minutes. Ronald Morris was the chosen candidate but Mr. Kyle Bedran took away the highest award given by the ABA LSD, the Silver Key award. He has the key to the ABA 5th Circuit. As the night winded down, all the members went to a live Blues Lounge where they talked and danced the night away with old and new friends. Some law students even had the chance to hang out with the actor and comedian, Don Curry.

While the February ABA LSD Circuit Meeting was short and sweet, many old friends and colleagues reunited. Even more importantly, many new friends were made. If you missed this meeting then you missed a great time and a new experience.

Victoria Myers
Lt. Governor of Internal Communications
ABA LSD Forum on the Entertainment and Sports Law Liaison

Student Comments

“The Spring Meeting this year was a great opportunity for students from across the region to meet and discuss how their individual SBA's have been functioning. With the region wide and group round-table discussions I was able to get definitive insight in how to continue to improve student life here at Mississippi College. Here at Mississippi College we were also proud to see Ronald Morris elected to Governor of the 5th Circuit for next year. This is another great moment at Mississippi College in our push to be more active in the ABA. Thanks to all who were in attendance.”

– Brandon Waltrip, SBA President, Mississippi College School of Law

"It was a great experience. I had never been to a meeting before, and this was a great one to introduce me to the ABA. It made me want to get involved, both with the ABA and with my school. I will definitely be in San Francisco!"

– Kitty Wood, 1L, Ole' Miss School of Law

“This year our 5th Circuit Meeting was held at Mississippi College School of Law in Jackson, MS. Mississippi was a new experience for most of our circuit’s attendees. We had interesting encounters with fried foods. The topics of our meetings included intelligent and meaningful discussions about the various programs in each law school. Lunch with experience turned out to be a great success in networking with various local attorneys. Kyle Bedran received the Silver Key, the Circuit’s highest honor. We would like to thank all of the attorneys, faculty, attendees, and all the Circuits’ law schools.”

– Ronald Morris, 2010-2011 5th Circuit Governor, Mississippi College School of Law

Photos from the Spring Circuit Meeting

Friday Evening Networking Mixer at Julep



Speaker Panels



Lunch with Experience



Awards



Mississippi College School of Law



Nova Southeastern University Law



Silver Key – Lt. Governor Kyle Bedran, Governor Tiffany Colbert,

Upcoming Events & Opportunities

ABA Law Student Mental Health Day

The ABA Law Student Division has designated **March 27** as the official day for law school across throughout the country to promote and celebrate Mental Health. Law schools are encouraged to use Mental Health Day as an opportunity to sponsor educational programs and events that teach law students about the importance of mental well-being for one's overall well-being. It is also important for law schools to take the steps to foster breaking the stigma associated with severe depression and anxiety amongst law students and lawyers. Law schools have the ability to be a catalyst for change in the legal profession. By promoting mental health in law students, we hope tomorrow's legal professionals will have the tools and ability to continue to practice a healthy "Lawyering Lifestyle."

Find more information here: [Mental Health Toolkit](#)

Other Events

Broward County Area Students:

Go to: <http://www.browardbar.org/calendar/index.php>

For information on upcoming Broward County Bar Association Happy Hours, Seminars, and other Networking Events

Jacksonville Area Students:

Go to: <http://www.jaxbar.org/calendar.php>

For information on upcoming Jacksonville Bar Association Happy Hours, Seminars, and other Networking Events

Miami-Dade County Area Students:

Go to: <http://dadecountybar.org/calendar/>

For information on upcoming Dade County Bar Association Happy Hours, Seminars, and other Networking Events

Orlando Area Students:

Go to: <http://www.orangecountybar.org/mc30/Calendar.asp?ID=4>

For information on upcoming Happy Hours, Seminars, and other Networking Events

Tampa Area Students:

Go to: <https://www.hillsbar.com/Calendar/Default.aspx>

For information on upcoming Hillsborough Bar Association Happy Hours, Seminars, and other Networking Events

Tallahassee Area Students:

Go to: <http://www.tallahasseebar.org/about-us-event-calendar/>

For information on upcoming

Happy Hours, Seminars, and other Networking Events

ABA Live Teleconferences and Audio Webcasts

Unpublished discounts to participate on ABA Teleconferences and Audio Webcasts are available to ABA Law Student Division members. For more information, [contact the ABA Center for CLE](#).

Public Contract Law Section

In the Wake of *Tecom*: Is it Possible to Recover the Cost of Third-Party Litigation Settlements?

March 9, 2010 (12:00 p.m. - 1:30 p.m. Eastern Time)

In its *Tecom* decision, the U.S. Court of Appeals for the Federal Circuit held that the costs of defending and settling third-party litigation alleging conduct that, if proven, would violate a contract clause, are unallowable unless the contractor obtains a determination from the contracting officer that the litigation had “very little likelihood of success.” This Teleconference/Webinar will examine the validity of the Court’s ruling that the costs resulting from breach of contract are *per se* unallowable and that costs can be unallowable even if they bear no relationship to any costs made unallowable in the Legal Costs Principle. The Webinar will also examine the Court’s conclusion that the *Tecom* ruling is compelled by the regulatory history of the FAR cost principles. The Teleconference/Webinar will discuss whether the Court’s decision undermines previously settled law that encouraged settlement of third-party litigation as being in the interest of both the government and contractors.

Litigation Section

“Conference Room” Advocacy: Best Practices for Representing Health Care Clients in Negotiations

March 9, 2010 (1:00 p.m. - 2:00 p.m. Eastern Time)

Join our expert faculty as they explore ways criminal and civil defense advocates can advance their clients’ interests in the “conference room” when meeting with prosecutors and regulators.

Attend this program to develop an appreciation of unique advocacy skill set, strategies, and tactics that will be successful in keeping clients out of trouble or minimizing their exposure.

Affordable Housing and Community Development & Tax Law Section

Combining Tax Credits: A Case Study

March 9, 2010 (2:00 p.m. - 3:30 p.m. Eastern Time)

Combining credits can provide significant subsidy to a project and also present unique issues. This panel will explore integrating existing funding sources into the tax credit financing, the pros and cons of leveraging historic rehab tax credit equity, and the economics of a “twinned” deal.

International Law

Lessons Learned and Opportunities Arising from the Financial Crisis

March 10, 2010 (10:00 a.m. - 11:00 a.m. Eastern Time)

This program will address how the financial crisis has affected the real estate and investment industry as well as development markets. Our expert faculty will discuss several questions, including:

- How have the real estate, investment, and development markets changed?
- How has the increased use of receivership affected the distressed properties market?
- What have been the changes in the type of cross-border investments being made?
- How has the financial crisis affected the way deals are structured?

- What are the prospects for the real estate markets in 2010?
- How will the government's calls for restrictions in the banking industry in the U.S., UK and France affect the real estate and investment markets?

Labor and Employment Law

Labor and Employment Issues in International Transactions and Thereafter: A Guide for U.S. March 10, 2010 (1:00 p.m. - 2:30 p.m. Eastern Time)

Join our expert faculty as they discuss the pre and post-acquisition legal and organizational issues for U.S. lawyers leading global projects, including:

- The transfer of undertakings regulations and acquired rights directive.
- Information and consultation obligations with local and European works councils.
- Practical issues in international employment due diligence and transaction management.
- Post-acquisition issues and transaction checklist.
- Cross-border employment.

Health Law & Young Lawyers Division

Anti-Kickback Law Basics

March 11, 2010 (12:00 Noon - 1:30 p.m. Eastern Time)

The reach of the federal Anti-Kickback Statute is broad, and the Statute is implicated by any arrangement or relationship that involves any federal health care program (such as Medicare or Medicaid). The repercussions for violation of the Statute include criminal and civil penalties as well as exclusion from participation in federal health care programs. For these reasons, it is imperative that practitioners in the healthcare arena have a basic grasp of the Statute, its safe harbors, and its practical application. This teleconference is intended to provide practitioners with a solid foundation and understanding of the federal Anti-Kickback Statute and will cover:

- History and purpose of the Anti-Kickback Statute
- How to apply the Anti-Kickback Statute
- Penalties, protections and safe harbors under the Anti-Kickback Statute
- Comparison of the Anti-Kickback Statute to other fraud & abuse laws, such as Stark and state Anti-Kickback laws
- Recent cases under the Anti-Kickback Statute
- Case studies and hypotheticals

CLE Now!

[Free CLE](#) is now accessible to ABA Law Student Division members. Programs are digital downloads that you can access at your convenience. [Visit the ABA Website](#) for a complete list of ABA CLE, including Live Teleconferences and Audio Web casts.

Writing Contests

Administrative Law and Regulatory Practice

[Gellhorn-Sargentich Law Student Essay Contest](#)

Award: \$500 cash prize and round-trip airfare and accommodation to attend the Section's Fall Conference; possible publication in *Administrative and Regulatory Law News*.

Entry deadline: March

Affordable Housing and Community Development Forum Committee

[Forum on Affordable Housing and Community Development Law Writing Competition](#)

Winner will receive airfare and lodging to attend the Forum Committee's Annual Conference where prize will be presented. Award: \$1,000 plus possible publication in the *Journal of Affordable Housing and Community Development Law*.

Postmark deadline: March

Commission on Domestic Violence

[Annual Law Student Writing Competition](#)

Award: 1st place receives \$750, 2nd place, \$500 and 3rd place, \$250

Entry deadline: March

Intellectual Property

[ABA-BNA Award for Excellence in the Study of Intellectual Property Law](#)

Deadline for entry: Ongoing--winners chosen by participating schools

Science & Technology Law

[Law Student Writing Contest](#)

Award: The winner will receive a trip to the ABA Annual Meeting and may have his or her submission published in *The SciTech Lawyer*.

Entry deadline: March

Tort Trial and Insurance Practice Section (TIPS)

[Law Student Writing Competition](#)

First Place Award: \$1,500, airfare and lodging to ABA Annual Meeting, possible publication in *Tort Trial & Insurance Law Journal*. *Second Place Award: \$500*.

All winners will be announced in the Section's magazine, *The Brief*.

Entry deadline: March

Real Property, Trust and Estate Law Section

[RPTE Section Student Writing Contest](#)

Award: First place winner will receive \$2,000 cash, one-year free Section membership, expense-paid trip to attend the Section's Fall Council Meeting.

Postmark entry deadline: June

Internships, Clerkships and Competitions

Children and the Law

Internship Opportunities

Internships with the ABA Center for Children and the Law are available during the school year and summer months offering the opportunity to work on significant research and projects that improve the lives of vulnerable children and youth. For more information, contact [Center Director, Howard Davidson](#). To receive Center updates and learn more about the Center's current projects, [visit the Center website](#).

COMING SOON: The ABA Center on Children and the Law Facebook page and online portal dedicated to informing current and prospective law students about hot issues in child welfare, research, career routes, internship placement opportunities, state resources, international opportunities, summer stipend information, post-graduate fellowships, workshops around the country, and a section routinely updated that spotlights child advocates (including judges and practitioners) in different arenas with interviews and insights on their experiences. For questions or to share items of interest with

prospective child advocates, contact [Sunny Stevenson](#), ABA Law Student Division Liaison to the Center on Children and the Law.

Division for Public Services

2009 - 2010 Clerkships

See the [September issue of *Student Lawyer* magazine](#) for the Division for Public Service article. To be considered for a clerkship, applicants must be members in good standing (dues paid in full for the current bar year) of the ABA Law Student Division. For information about the following Public Service Clerkships and how to apply, please call 202/662-1691 or email the [ABA Division for Public Services](#).

- **Ten-week Spring/Summer Clerkship:** Open by competition, reviewed on a rolling basis and offering students entering their second or third year at an ABA-approved law school the opportunity to design and complete a legal research and writing project in substantive areas of Division concern. [Tell me more](#)
- **Fall/Winter Clerkship:** Typically involves conducting project research and writing; developing information for directories and other databases; coordinating survey development, distribution and results; or editing manuscripts for publication. Applicants may be undergraduate or law school students depending on project need. [Tell me more](#)

Back of the Pantry

Grant Program

The ABA Law Student Division [Grant Program](#) provides financial and program support each year to student organizations of ABA-approved law schools to establish programs/activities which emphasize diversity, ethics, professionalism training and public interest/service activities.

Student Insurance

Need insurance? Insurance is available whether you are a 1st semester spring admit or have just taken the bar through ABA with United Healthcare. [Click Here to Learn More.](#)

I've Graduated...Now What?

In conjunction with the National Conference of Bar Examiners, the Comprehensive Guide to Bar Admission Requirements sets out the rules and practices of all U.S. jurisdictions for admission to the bar by examination and on motion. [Click Here to Download a Copy.](#)

A Special Thank You

“On behalf of the 5th Circuit members and Lt. Governors, we want to thank Mrs. Tiffany Colbert for her consistent hard work, unwavering dedication to the Circuit, and numerous hours sacrificed as Governor of the 5th Circuit. We all stand behind you as you pursue a broader forum to promote the Defense of Liberty and the Pursuit of Justice. Thank You!”