Richard Jones

For most of his life, people have told Richard Jones he’d make a good teacher or a good lawyer, the former because he knows lots of trivial facts and the latter because he’s perceived as cantankerous and loves a good debate.

Convinced other people wouldn’t want him teaching their children, the 16-year-old Richard Jones came to law school this fall, bringing with him a range of experience in heavy equipment operation and management, and a degree in history from ASU.

“Everybody wants to change the world, and I got disappointed and tired of trying to do that from behind the wheel of a forklift,” said Jones, 17, who’s interested in public-interest law. “It seems easier to do in the law.”

He is one of six brothers, including a lawyer in Las Vegas, who years ago brought Jones to one of his classes at the law school at BYU, where a professor called on him. “It was past people in a question about double billing, and I didn’t have a problem with it,” said Jones, the single father of a 16-year-old daughter.

So far, he’s enjoyed the more intellectual and serious atmosphere of law school, and he says he wants The Paper Chase experience, right down to the brilliant, demanding, intimidating Professor Kingsfield.

“Even the mortal terror of making sure I have all the answers, I want that feeling, because there’s no skating in a class like that.”

Joe Herkert

Despite the fact that an estimated 250 million Americans use cell phones, the FCC claims it isn’t ready to regulate how cell phone service providers use the private information of its users. And there’s virtually no regulation of Radio-Frequency Identification, which can be used to track a product, animal or person.

The gap between science and policy development also puts businesses and their investors at a disadvantage, depriving the certainty and predictability they need to plan and innovate, and posing a growing threat to the future of our economy and health, the researchers said.

The project calls for them to first establish specific problems in the pacing of technology, science and the law by developing case studies on the speed of technology development. They will then develop models that may enable policymakers, courts and regulators to respond more quickly.

A cluster of law students has begun working in five areas – genetic testing and human enhancement, brain scanning, surveillance technologies, nanotechnology and environmental advancements – and how these are regulated by agencies, legislatures and the courts.

LST, ASU COLLEGES TO COLLABORATE ON LAW, SCIENCE PROJECT

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A team of faculty members and students at ASU, including the Center for the Study of Law, Science, & Technology, has begun a research project to address the growing lag between emerging technologies and the policies and ethics that govern them, and to recommend solutions for improving the timeliness and flexibility of these regulatory processes.

The group received an $80,000 grant from the Joan and David Lincoln Center for Applied Ethics at ASU for the project, “Addressing the Growing Gap Between Rapidly Emerging Technologies and Legal, Ethical, and Policy Capabilities.” The project will be led by Gary Marchant, Lincoln Professor of Emerging Technologies, Law & Ethics and Executive Director of the College’s Center for the Study of Law, Science, & Technology, Brad Allenby, Lincoln Professor of Engineering and Ethics in the Ira A. Fulton School of Engineering, and Joe Herkert, Lincoln Associate Professor of Ethics and Technology in the School of Applied Arts and Sciences.

“This project fits perfectly with these three Lincoln professors, with the Center, and with the Lincoln family, which has always been involved in technology,” said Peter French, director of the Lincoln Center. “What we’re looking for here is to expose the problem, that various technologies in so many different areas have advanced at a rate not only outpacing the law but what ethics, as well, can track. And we need to look at how to keep pace.” Marchant said. The project will tackle an exciting intellectual issue: how to get the law and ethics to move more quickly.

“We see this as a big project for the next two to three years at the law school and the university,” he said. “Science and technology are moving faster than ever before, but the pace of rulemaking and policy-making is clearly slowing down.”

Marchant cited numerous examples of antiquated laws, unregulated new technologies in the areas of genetics and biotechnology, nanotechnology, new sciences and information and enhancement technologies, and agencies bogged down in public-hearing methods that haven’t kept up with the times.

For example, he said, adoption of a single regulation in the Occupational Safety and Health Administration took 35 years, and the Clean Water Act of 1972 doesn’t regulate runoff, which is among the sources of water pollution today.

A dramatic example of the law lagging far behind technology can be found at the Federal Communications Commission, he said.

HERE AND NOW: ‘RADICAL EVOLUTION’

It sounds like science fiction – superhero suits that give people superhuman powers and law students who never sleep. But author Joel Garreau says these examples of the ways human nature is being transformed are real and fast approaching.

Garreau will expound on his ideas at the seventh annual Hogan & Hartson Jurimetrics Lecture, at 4 p.m. on Thursday, Nov. 15 in the Great Hall.

The title of his lecture, which is free and open to the public, is “Radical Evolution. The law of unintended consequences.”

Garreau is a reporter and editor at The Washington Post, and author of Radical Evolution: The Promise and Peril of Enhancing Our Minds, Our Bodies – and What It Means to Be Human. Following the lecture, there will be a reception and book signing.

FACULTY NEWS

Evelyn Cruz, director of the College of Law’s Immigration Law & Policy Clinic, recently received the “Paz & Justicia Social” (Peace and Social Justice) award from the Arizona Salvadoran Community. She was recognized for her legal work in the areas of immigration and human rights.

The story, written by Racie Marsh and titled, “Vaccines on the Vine,” relates the details of a collaboration between the ASU Biodiesel Institute, where Cardineau also is a research professor, and the Controlled Environment Agriculture Center at the University of Arizona.

If we can marry our molecular biotechnology with their production technology, we can produce sufficient amount of tomatoes in a contained environment to be cost-effective and compete well with other production systems,” Cardineau said of the partnership.

ALUMS ON BEST LIST

Lisa Duran, a 1992 graduate of the College of Law, and Jon Pettibone, a 1976 alumnus, were named in The Best Lawyers in America 2008, published by Woodward/White, Inc.

Both attorneys work at Charles & Brady LLP, Duran in immigration law, and Pettibone in labor and employment law.

Carol Hunter, a 1992 graduate of the College of Law, was named one of the top 22 attorneys in Spokane, Wash., in the October issue of Spokane Coeur d’Alene Living magazine. In an article by editor Blythe Thimisen, Hunter gave this advice to those just starting out in the practice of law or those thinking of getting into the field.

“Especially for women, the practice of law is an equalizer. Your law degree will open many doors for you, even if you don’t practice in a traditional setting.”

Hunter also listed these as her favorite books: Snow Falling on Cedars, by David Guterson, The Sweet Hereafter by Russell Banks and, of the three, our favorite, The Loyals by Dr. Seuss.
NEW FACE IN IT
Say hello to Orion Eckstrom, who recently joined the help desk in the Information Technology Department and will soon become its “event” person, handling non-class events requiring AV or IT equipment.

FAMILIES AIDED BY LAW STUDENTS
A group of law students, their friends and family members recently painted the homes of two disadvantaged families during the Fourth Annual Rock & Roll Paint-a-Thon in Phoenix.

GOVERN LECTURE ON SATURDAY
Professor Kevin Gover will speak about “Environmental Regulation on Indian Reservations,” on Nov. 10 during a Saturday History Brunch Series sponsored by the Arizona Historical Society. The series is titled “Stories from the Gavel: Arizona Case Law.”

TEMPE TEEN COURT
Proceedings in a diversion program for teenagers, which is administered by Judge John R. Ore, a Justice of the Peace in Tempe, have been transferred to a job at ASU’s Student Services Center.

LEGAL PROFESSION NEEDS AFFIRMATIVE ACTION
No fewer than 10 occupations, from accountants to news reporters, outrank the law in terms of minority representation, and only 10 percent of attorneys are from underrepresented racial and ethnic groups, according to an affirmative-action advocate who spoke recently at the College of Law.

TSOSIE CLOSES DISPUTE CONFERENCE
Rebecca Tsoie, Willard H. Pedrick Distinguished Research Scholar and director of the Indian Legal Program, gave the closing address at the recent conference of the Association for Conflict Resolution. The association’s president described Tsoie’s talk, “Native Nations and the Spirit of Reconciliation: the Global Context of Indigenous Peace-making,” as the most moving and insightful talk invigorating the College of Trial Lawyers for a generation. The organization has ever had. The presentation discussed how traditional peacemaking systems have linked with work in the field of alternative dispute resolution and restorative justice.

LAW SCHOOL BIDS FAREWELL TO FRANKIE
About 40 faculty and staff members and students gave Frankie Gutierrez, the College of Law’s beloved custodian, a standing ova- tion during a going away party on his honor on Friday, Nov. 2.

JENCKES CUP CLOSER
The College’s Jenckes Cup closing argument team of Sarah Barrios and Liana Garcia will compete against the team from the University of Arizona to win the Jenckes Cup on Friday, Nov. 9. The competition will be at 5:30 p.m. in the Great Hall, and is open to the public.

The competition between the cross-state rivals is sponsored by the Arizona chapter of the American College of Trial Lawyers. The winners receive cash prizes and the right to keep the traveling Jenckes Cup at the school for the year.

For students, this is a great opportunity to watch an oral argument. For faculty and staff, this is the ideal time to reconnect with alumni who are members of the American College of Trial Lawyers.