



LEGAL BRIEFS



The Alumni Newsletter
for the Legal Studies Program
at the University of Delaware
Fall 2003

Gun Control Conference

On October 23, 2003, the University of Delaware Legal Studies Department sponsored a Gun Control Conference in 155 Purnell Hall that featured five guest experts on the question, "Should America strengthen its gun control laws?"

The panelists, professors from schools on the east coast, were each given nine minutes to present their responses to this question. Because they represented different scholarly disciplines, they provided an interesting variety of positions on America's gun control policies.

Philip Cook, a Professor of Economics from Duke University, noted the current widespread availability of firearms in the United States as a major source of the problem. "Criminals' demand for guns is elastic," said Cook, "and to decrease gun violence, we must make guns a liability for criminals, rather than the best, most cost-efficient weapon available."

Kristen Goss, a Visiting Assistant Professor of Government from Georgetown University, cited the lack of a visible gun control movement in this country as one of the main reasons reform is not taking place. According to Goss, "Until pro-controllers stop being intimidated by the more vocal pro-gun minority, there will not be an even playing field and necessary research on new gun control policies will not be funded."

Linda DeGutis, an Associate Professor of Emergency Medicine and Public Health at Yale

University, agreed that an extensive research effort is needed to determine the causes behind America's gun violence problem before effective harm reduction can take place.

Ohio State University Professor of History Saul Cornell did not attempt to provide a solution to the gun problem, speaking instead about the history of the Second Amendment. Cornell reminded the audience that late eighteenth century America was a different time, and in light of the very real threat of British invasion, bearing arms was less of a right than it was an obligation. Cornell then gave a brief summary of the regulations passed since the drafting of the Second Amendment in an effort to bring it up to date with modern society.

The last speaker of the night was James Jacobs, a Professor of Constitutional Law at New York University Law School. Jacobs proposed that we "smarten" our gun control laws rather than strengthen them. He pointed out that many current "strong" policies, such as sentence enhancement and the felon in possession law, have proven largely ineffective. Jacobs said that he believes an obvious first step in controlling guns and gun violence is to limit their availability, perhaps allowing the purchase of only one gun per person each month.

After the panelists had presented their arguments, the discussion was opened up to questions from University of Delaware Professors Eric Rise and Joe Daniel, as well as from the general audience.

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Faculty Profile: Joan Del Fattore

English Professor Joan Del Fattore came to the University of Delaware in 1979, immediately after completing a Ph.D. in English and an M.S. in Psychology at Pennsylvania State University. Involved with the Legal Studies Department for a number of years, she teaches courses that marry the two disciplines in complementary ways, often focusing upon her primary area of expertise, First Amendment issues in public schools.

It was while teaching a summer literature course for high school teachers in the mid-1980s that Del Fattore discovered the calling that would guide her research and work as an educator from that point on. During a routine reading of *Romeo and Juliet*, Del Fattore was astounded to discover that two teachers reading from their own high school textbooks were unable to follow along because more than 400 lines had been removed from the play without any indication that such an excision had been made.

Del Fattore was inspired to research how these changes were made, and what other works had been silently censored in this way. "After all," said Del Fattore, "if the publishers could do that to Shakespeare, they could do it to anybody."

In 1992, Professor Del Fattore published her findings in her book, *What Johnny Shouldn't Read: Textbook Censorship in America* (Yale University Press). The book enjoyed tremendous success and won numerous prestigious awards, including the Outstanding Book of the Year Award from the American Educational Research Association. Del Fattore's next book, due out in Spring 2004 from Yale University Press, will be called *The Fourth R: Conflicts Over Religion in America's Public Schools*.

Professor Del Fattore enjoys teaching about freedom of speech and freedom of religion because "they are both so inherently interesting" while at the same time they present many complex questions to students who may not have studied the law before taking her class. She says that the fact that most students find the material stimulating is a major reason for her own enjoyment of those courses.

Del Fattore's love of challenging and engaging her students through the study of tough First Amendment issues crosses over into her writing as well. "It's fun to write books about topics I care about," says Del Fattore, "so that I feel like grabbing people by the front of the shirt and saying, 'Look at this! What do you think about this? I mean, it really matters.'"

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Alumna Profile: Krista Milchovich

Krista Milchovich graduated from the University of Delaware in 1993 with a double major in Psychology and Criminal Justice. She was also one of the first students at the University to receive a minor in Legal Studies, a program developed by Professor Valerie Hans. Krista says that it was the lessons she learned in the classes for this minor that sparked her interest in the law.

After graduating from the University of Delaware, Krista enrolled in Widener School of Law. Soon after Widener, she established her own practice in Newark., right near her old campus. She deals mostly with real estate, wills, and corporate law.

Although she did not think that she would end up working in Newark, she loves it. She finds that having a practice on Delaware Avenue is very convenient, and that being so close to Main Street provides a great escape from the office at times.

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Young Alumna Profile: Georgi Daugherty

Georgi Daugherty graduated from the University of Delaware in 2002 with a double major in Economics and German. Although she wanted to go to grad school in business, she wasn't sure enough about her math skills to pursue a degree in finance or economics. She decided instead on law school, applied to the University of Pennsylvania, and enrolled there in fall 2002.

Georgi enjoys learning about civil and criminal procedure and developing a closer understanding of the complexity and practicality of the law. After graduation from Penn, she hopes to practice corporate law since she enjoys analyzing "white collar crime," and knows that it will be a good way to pay off those loans that fund her education.

Over the summer, Georgi worked as a clerk for the family court. While working, she answered an ad from a man who needed research assistance. He was so impressed with Georgi's work that he asked her to assist him in writing his contract because he was not fully skilled in the English language.

Georgi learned a great deal about the ins and outs of intellectual property and learned the importance of having a lawyer for representation. She also came to understand that, because so many facets of the law are beyond the common citizen, it is almost impossible for someone to represent themselves in a legal case.

So far, she has found that the skills she developed in technical writing at Delaware have been very important in her career as a law school student. For any students hoping to go to law school or become lawyers, Georgi suggests that they become a paralegal for a year and talk to other law school students and lawyers.

She enjoys law school, but she wants other students to be warned about the physical, emotional, and academic rigors that it entails. Although she has learned some very practical life lessons in law school, Georgi is excited about finishing her education at Penn and getting out into the world to practice law.

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Krista Milchovich *(continued from p. 2)*

Krista has been lucky enough to help some local merchants start businesses on Main Street. She enjoys watching the progress of the merchants and seeing the final product of a store develop.

Having a practice so close to the University also provides students with a great place to intern. Krista says that it is really fun to teach students about the law and that all of the interns have a real interest in what they are learning. She finds their eagerness to learn refreshing.

Once the interns leave the firm, Krista keeps in touch with many of them and likes to watch their progress. In fact, the Delaware Bar Association recently certified one of her former interns on the 15th of December.

Krista is very happy for now, and she hopes to stay in a place where she can have her own practice. She doesn't want to join a large firm because she enjoys practicing low stress law and providing regular services for the community.

Ten years after graduating with a minor in Legal Studies, Krista is both successful and happy.

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Alumni! Please write and let us know what you have been up to!

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