PROFESSOR HOWARD BLUMBERG WINS JARDINES CASE BEFORE U.S. SUPREME COURT
by Professor Lauren Gilbert

Last October, Adjunct Professor Howard Blumberg, who directs our Appellate Advocacy Clinic and supervises our Moot Court Team while working as an Assistant Public Defender in the Appellate Division of the Miami Public Defenders Office, argued the case of Florida v. Jardines before the U.S. Supreme Court. The case raised the issue of whether using a drug-sniffing dog on a homeowner’s porch to investigate the contents of the home is a “search” within the meaning of the Fourth Amendment. On March 26, 2013, in a decision delivered by Justice Scalia in which Justices Thomas, Ginsburg, Sotomayor, and Kagan joined, the U.S. Supreme Court ruled in favor of Professor Blumberg’s client, Mr. Jardines. The Court found that at the “very core” of the Fourth Amendment is “the right of a man to retreat into his own home and there be free from unreasonable governmental intrusion”. The area immediately surrounding the home—the curtilage—is part of the home for Fourth Amendment purposes and the front porch is the classic example of an area to which the activity of home life extends. Although a police officer not armed with a warrant may approach the home in hopes of speaking to its occupants, because that is no more than any private citizen might do, the scope of this implied license is limited not only to a particular area but to a specific purpose, and there is no customary invitation to enter the curtilage for purposes of conducting a search. The Court, ruling that the investigation of Mr. Jardines’ front porch with a drug-sniffing dog was indeed a search, found it unnecessary to decide whether the officers also violated Mr. Jardines’ reasonable expectation of privacy under Katz v. United States. Justice Kagan filed a concurring opinion, in which Justices Ginsburg and Sotomayor joined, concluding that the officers also invaded Mr. Jardines’ reasonable expectation of privacy by “nosing into intimacies” through use of a “super-sensitive instrument” (Frankie, the drug-sniffing dog) in order to detect things inside that the officers could not have perceived unassisted. Justice Alito filed a dissenting opinion in which Justices Roberts, Kennedy and Breyer joined arguing that the decision was not supported by the common law of trespass. Let us all congratulate Professor Blumberg for this impressive culmination of his years of service to the Office of the Public Defender. As our Moot Court team and appellate advocacy students know, we are fortunate to have him as a member of our community.

2013-2014 ST. THOMAS LAW MOOT COURT EXECUTIVE BOARD
The St. Thomas Law Moot Court Executive Board would like to announce the names of the newly elected executive board members. President - Magali Sanders, Vice President - Houson LaFrance, Vice President of Membership - Yasmany Barroso, Vice President of Membership- Nick Chotos, Treasurer - Hermis Sanchez, Secretary - Katie Couglin, Alumni Chair - Dustin Tebbets-Fiore, and Competition Chair - Joseph Zanetti.
GUIDANCE FOR SUMMER AND FALL 2013 REGISTRATION

Registration for the Summer and Fall 2013 terms will begin next week. Here are some guidelines you should keep in mind when you begin to register for classes. Except for students in one of the joint degree programs or students in their last semester, all students are required to take at least 12 J.D. credits (and can take no more than 9 credits in the summer and 18 credits in the fall). Students in the joint degree programs can take no more than a total of 12 credits in the summer and 21 credits in the fall (including both J.D. classes and Master classes).

Except for students admitted into one of the joint degree programs, all Fall 2012 entrants are required to take Appellate Advocacy, Constitutional Law I, Criminal Law, and Professional Responsibility in the Fall 2013 term (unless they take one or more of those courses in the summer term). Students in one of the joint degree programs must take both Appellate Advocacy and Constitutional Law I in the Fall 2013 (unless they take one of these courses in the summer). Joint degree students should be aware that Professional Responsibility and Criminal Law are offered only in the summer and fall terms. A joint degree student who does not take Professional Responsibility or Criminal Law in the summer or fall term following his or her first year will have to do so in the summer or fall term following his or her second year. These classes are not offered in the spring term.

Students can register online by logging into “My Bobcat” and going to “Web Advisor.” Students must register during their assigned time; otherwise, they must wait until the open registration session that follows the designated registration times.

Any student with an outstanding balance of $1,000 or more is blocked from registration and cannot register until he or she reduces his or her balance below $1,000. Students with outstanding balances should be working now with the Business Office to make sure they will be cleared for Registration.

Some classes will reach capacity during the regular registration session. No overrides or exceptions are provided during the regular registration session. Students needing to take a particular class should attempt to register for another section of the class (even if the time is less convenient). Any student registering for an “Independent Research Project” to satisfy the senior writing requirement must use an “add” form, have the professor sign off on the form, and add the one credit of independent research. Remember that schedules can be modified or changed anytime up until the end of the Drop/Add period.

PROFESSOR VASTINE RECOGNIZED FOR EXCELLENCE IN TEACHING BY NATIONAL ORGANIZATION

Last week, we noted that Professor Michael Vastine was slated to receive an award for excellence in teaching. We have learned more details and are pleased to announce that Professor Vastine has been selected as the recipient of the 2013 Elmer Fried Excellence in Teaching Award by the American Immigration Lawyers Association (AILA). The AILA Executive Committee will be presenting the Award to Professor Vastine at a special ceremony during its Annual Conference on Immigration Law in San Francisco. The ceremony will take place Thursday, June 26th, 8:00-9:30pm at the Hilton San Francisco Union Square.