Reflecting on 125 Years

THE COLLEGE BEGINS TO CELEBRATE ITS ANNIVERSARY

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Remembering Professor Fairman
Fighting human trafficking in Ohio
Athletes as clients
Exposure

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Do you want to share your thoughts on a topic covered in All Rise? Send a letter to the editor by emailing Barbara Peck at peck.5@osu.edu, or mail a letter to the address above. Letters may be edited. Diverse viewpoints are presented in this publication, and they do not necessarily reflect the official policies of the law school.
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Alumni Notes
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Remember the person who gave you your start?

Be that person.

Hire a Moritz grad.

Whether you are looking to hire or want to pass along a job opening in your office, turn to the Career Services Office at The Ohio State University Moritz College of Law. Our staff is able to assist with your hiring needs and can set up interviews with our students on campus, via Skype, and by other means. Learn more at moritzlaw.osu.edu/careerservices or contact the office directly at (614) 247-7805.
Employment statistics for the class of 2014

The employment statistics for the class of 2014, the class for which the most recent data is available, placed Moritz among the top 16 law schools nationally and fourth among public law schools. Overall, 91.9 percent of graduates are employed in a full-time position. More importantly, 89 percent of graduates found positions in long-term, full-time, bar required or J.D. advantage jobs, as of the universal reporting deadline. This figure was the 16th highest among all ABA-approved law schools.

“The long-term, full-time bar required or J.D. advantage jobs are our focus,” Dean Alan C. Michaels said. “Our expanded externship opportunities and experiential learning courses, as well as the substantial support our students receive from the career services office, make Moritz students extremely competitive in the job market.”

Moritz graduates obtain positions in a broad array of job sectors, including traditional law firm practice, government and public interest, academia, and business. Last year, 45.6 percent of graduates found work in law firms while 26.5 percent were employed by businesses and 16.7 percent work in the government. Approximately 73 percent of the positions were in Ohio.

Law schools report employment information to the National Association of Law Placement and the American Bar Association as of a set date in March each year. For the class of 2014, Moritz was able to report employment information on 99.5 percent of the class. Read the full report at moritzlaw.osu.edu/careers. – Barbara Peck

Bar exam changes urged in article by Merritt

Professor Deborah Jones Merritt, the John Deaver Drinko-Baker & Hostetler Chair in Law, wrote an opinion editorial in The New York Times urging the National Conference of Bar Examiners (NCBE) to make changes to the bar exam. While the passage rates for Moritz graduates held steady at over 90 percent on the July 2015 exam, nationally the passage rate was significantly down. In her op-ed, Merritt offered three reasons for the decline and calls on the American Bar Association and NCBE to create a commission to overhaul the exam. She also called out law schools for accepting students with LSAT scores that are indicative of a low chance of passing the bar. – BP
Chamallas cited extensively in lead paint case

Judge Jack B. Weinstein of the United States District Court for the Eastern District of New York relied heavily on the research of Professor Martha Chamallas in deciding a case involving a young child who was injured by lead paint in an apartment building, G.M.M. v. Kipsom, 2015 U.S. Dist. Lexis 99715 (E.D.N.Y., July 29, 2015). In the case, the defendant landlord attempted to argue that damages should be reduced because the plaintiff was Hispanic, and, therefore, had a reduced likelihood of obtaining higher education and less future earning potential.

Chamallas has written several articles and a book (The Measure of Injury: Race, Gender, and Tort Law (2010), with Jennifer B. Wriggins) advocating that courts abandon the use of tables that make predictions of future earnings based on race, ethnicity, and gender and instead look at the plaintiff’s individual circumstances. For example, in the recent case decided by Judge Weinstein, the plaintiff’s father held a bachelor’s degree and his mother a master’s degree, both strong indicators that he would also go to college even if, on average, Hispanics are less likely to earn a post-graduate degree.

“Economic data that is minority-specific saddles those who do not conform to the data with adverse generalizations about their group, ‘the very kind of stereotyping that anti-discrimination laws were meant to prohibit,’” Judge Weinstein wrote, citing Chamallas’ article Civil Rights in Ordinary Tort Cases: Race, Gender, and the Calculation of Economic Loss, 38 Loy. L.A. L. Rev. 1435, 1439 (2005).

In her scholarship, Chamallas argues that the use of race or ethnic-specific tables to predict future earnings of young children in lead paint cases is particularly problematic because it often greatly undervalues the children’s potential and makes it “cheaper to injure poor minority children, providing less incentive for defendants to take measures to clean up toxic hazards in the neighborhoods most affected by lead paint.”

Chamallas’ work was also extensively cited in McMillan v. City of New York, which involved an African American man who was paralyzed during the 2003 Staten Island ferry crash. It was the first case to hold that the use of race to determine tort damages violates the equal protection and due process guarantees of the U.S. Constitution. – BP

Professor Thomason awarded Fulbright Scholar Grant

Professor Lee Thomason was awarded a prestigious Fulbright Scholar Grant. His award will allow him to teach and further research “innovation and angel investor decision criteria,” in Austria.

Thomason, an assistant clinical professor of law at Moritz who teaches in the College’s Entrepreneurial Business Law Clinic, will be at the Entrepreneurial School at the Management Center Innsbruck (MCI) for the spring 2016 semester.

During his time abroad, Thomason plans to explore investment decision-making through angel and early-stage investors, and will teach a class on transactions and intellectual property. Prior research on investors in Silicon Valley and other regions across the United States has shown they will fund startups in spite of uncertainties and unproven business models. Entrepreneurs in the European Union often try to replicate Silicon Valley investment practices. Thomason will examine the choices of investors in Austria who evaluate startup businesses seeking initial capital.

Thomason’s research will help define whether Austria and other European Union countries have more conservative investment criteria than early-stage investors in the United States, as well as provide insight into the larger context of what drives the decisions to invest in risky startup ventures. – Kelsey Givens
Kaminski testifies at U.S. House of Representatives


Kaminski’s work focuses on privacy, speech, online civil liberties, intellectual property law, and the legal issues raised by AI and robotics. She has participated in the U.S. Department of Commerce’s efforts, through the National Telecommunications Infrastructure Agency, to establish and recommend best practices in regards to drone use, and recently participated in the “Drones as Disruption: Who Regulates What?” symposium at the College. In her House testimony, she spoke about the impact of drones on privacy.

“For drones to be publicly accepted and fulfill their economic potential, citizens must be able to trust that their surveillance powers will not be abused,” she stated. “In the best scenarios, drones will reduce risks to human actors and enable important information gathering at a relatively low cost. But it is precisely these beneficial aspects of drones—that they enable low-cost, low-risk information gathering through a variety of technologies—that raise the specter of substantial privacy harms.” – Elisabeth Weinstein

Foley earns fellowship

Professor Edward B. Foley, the Charles W. Ebersold and Florence Whitcomb Ebersold Chair in Constitutional Law and Director of Election Law @ Moritz, was awarded a fellowship from the Stanford University Center on Democracy, Development and the Rule of Law for winter 2016. As a fellow, Foley will be working on a project about ethics of electoral competition.

“One of the questions I am exploring is ‘what is fair play between political candidates and parties,’” Foley said. “We cannot rely on the government to be an adequate umpire when it comes to campaign advertising. In fact, because of the First Amendment, the government cannot be an umpire in these situations.”

In addition to campaign advertising, Foley will also explore moral issues that arise in counting votes, changing voting rules, gerrymandering, ballot manipulation, and violating unenforced campaign finance rules. As part of the fellowship, Foley will give a lecture on his work on the project. He also plans on using the research to write a book on electoral morality. – BP
Three new faculty join Moritz


AMNA AKBAR
Growing up in an immigrant community, Assistant Professor Amna Akbar said she’s seen what it’s like when there are too few lawyers to represent those in need of legal services. Inspired by the experience, she decided to pursue a career in law—to help ensure legal representation was afforded to everyone, including those who may otherwise not have access to it.

“I wanted to enter law as a profession because I grew up in a community where there were not a lot of lawyers, but a lot of legal needs that went unmet. It seemed important to ensure that lawyers were addressing the realities of marginalized communities, and that the law reflected those experiences,” Akbar explained.

While her initial drive was simply to help clients in need, she realized early in her career that she could also contribute by studying the relationship between inequality and the law in order to help further the understanding of how that relationship can help, or hurt, certain sections of today’s society.

“I’ve always been inclined toward thinking deeply, systematically, and structurally. In my academic work, I want to understand why the social realities before us exist as they do, and, in nitty gritty terms, what role law plays in creating the good and the bad, equality and inequality. In my clinical work, I try to think critically and constructively about the role lawyers can play to achieve more justice for those regularly excluded from the law’s protections,” she said. “I’m really excited about digging in deeper in Columbus and continuing to learn about what public interest work is already being done here and to think about what gaps there may be and what kind of community groups we can work with and support in order to help effectuate their visions.”

Akbar brings with her a wide-range of experience from clerking for a federal judge in New York City to working with immigrant women with Queens Legal Services (New York) where she worked with the Asian Battered Women’s Project. She also taught in law clinics at New York University and the City University of New York.

Akbar was a visiting assistant professor at Moritz for two years before joining the tenure track in 2014. As a permanent faculty member, Akbar said she is looking forward to continuing to challenge her students to think about what their roles should be in the legal community after graduation, as well pushing her own thought and research on the topics of criminal justice and inequality. Currently, she teaches Criminal Law, Law and Social Movements, and the Civil Advocacy Clinic. Her articles have been published recently in the UCLA Law Review and the U.C. Irvine Law Review, and she authored a chapter for the 2013 book, Gender, National Security and Counter-Terrorism: Human Rights Perspectives, entitled “Muslim Fundamentalism” and Human Rights in an Age of Terror and Empire.

MARGOT KAMINSKI
When Assistant Professor Margot Kaminski first began researching privacy, surveillance, technology and law, she was one of only a handful of people examining these legal gray areas with a fine tooth comb. Lately, she has felt less alone in her passion for the subject.

“The shift in American public awareness of privacy as a real subject matter in the last two years was really interesting to me,” Kaminski said. “Part of that is due to the Edward Snowden disclosures, and some of it is due to increased media coverage, because the media itself has been a target of a lot of surveillance.

To go from feeling like you’re only talking to a few people who are interested in these issues, to suddenly realizing that they are at the core of some really big legal questions that now everybody in the country is paying attention to, that trajectory is what makes law and tech particularly exciting to me.”


After law school, Kaminski clerked for Judge Andrew J. Kleinfield of the United States Court of Appeals for the Ninth Circuit, followed by her most recent position as executive director of the Yale Information Society Project at Yale University—an intellectual center addressing the implications of the Internet and new information technologies for law and society.

She plans to take advantage of the fact that Moritz is part of a large research university, and hopes to collaborate with faculty and researchers working in similar fields in different disciplines. Currently, she is fascinated by the way the law intersects with both drones and robotics, and her articles have been published recently in the Idaho Law Review, the Southern California Law Review, the Washington Law Review, and more.
Class of 2015 completes almost 11,000 pro bono hours

The Ohio State University Moritz College of Law graduating class of 2015 did more than attend courses and bury their heads in law books during their three years at Moritz. They were also out in the community, providing almost 11,000 hours of pro bono services to local, state, and federal agencies; building their legal skills while offering much needed assistance to government and nonprofit organizations that they might not otherwise be able to obtain or afford.

More than a quarter of the class completed at least 50 hours of pro bono work over the course of their academic career. Many completed significantly more than that, with the top student performing 740 hours of pro bono work during her time in law school. In total the class of 2015 completed 10,965 pro bono hours at 47 different groups and agencies at the local, state, and federal levels including institutions such as the Legal Aid Society of Columbus, United States Attorney's Office for the Southern District of Ohio, Supreme Court of Ohio, Disability Rights Ohio, NAACP, Chicago Legal Assistance Foundation, D.C. Superior Court, and U.S. Securities and Exchange Commission.

“Students engage in pro bono work for many reasons. Some hope to hone their skills in a real world setting and make contacts with potential employers. Some want to maintain connections to groups they are passionate about helping such as elementary schools, immigrants, or indigent people in the community. Still others want to try out a practice area such as prosecution, defense, or work in a court setting. Pro bono work helps students discover what they love to do in the law as well as make connections with people who can mentor and help them as they make future career decisions,” said Cybele Smith, director of public service and public interest programs at Moritz.

The five students with the most volunteer hours in the class of 2015 were Maria Bruno, Justin VanHouten, Michelle Eiler, Christopher Ballard, and David Stouffer, who completed 740 hours, 643 hours, 610 hours, 607 hours, and 575 hours of pro bono work respectively. – KG

“Law enforcement’s use of drones has received a lot of attention because people fear a surveillance state,” Kaminski said. “The much more difficult puzzle is what to do about drones operated by hobbyists, civilians, or newsgathering organizations. There, you have, on the one hand, the privacy interests of the people who are being filmed, and on the other hand, the newsgathering interests of people who are doing the filming. As a legal puzzle, it means that you end up with privacy laws on one side and First Amendment jurisprudence on the other.”

SARA SAMPSON

The library at Moritz is the largest law library in the state of Ohio and houses one of the largest law school library collections in the United States, making it an invaluable resource for students, professors, researchers, attorneys, judges, officials, and citizens of Ohio. Last year, the College welcomed back Sara Sampson ’97 as the new library director. In her position, she serves as assistant dean for information services, director of the law library, and a senior lecturer at Moritz.

After graduating from law school, Sampson clerked for the Ohio Fourth District Court of Appeals for nearly six years. “I really love the law, love to teach, and love research. I answered a job ad for a weekend reference librarian at Capital University Law School, did that for a year, and realized it was a perfect fit for me,” Sampson explained. She enrolled in a library science graduate program at Kent State University and then worked as a reference librarian at the Moritz Law Library for three years, before moving on to work as the head of reference at the Georgetown University Law Center (2006-2011), and then deputy director of the law library at the University of North Carolina at Chapel Hill.

When she accepted her position at the University of North Carolina at Chapel Hill, she told her supervisors that she had no intention of leaving—unless Ohio State were to ever come calling. When Bruce Johnson retired from his position as the law library director, after almost 20 years of leadership, she knew she had to apply for the job.

At Moritz, Sampson teaches Legal Analysis and Writing (LAW) I, and works on legal research projects. She’s particularly interested in studying the ways technological advances are changing law school and legal practice. She has co-authored books, papers and journal articles on legal research, including Ohio Legal Research, a book that offers a concise introduction to researching Ohio law; a chapter in Law Librarianship in the Twenty-First Century, a text for library and information science courses on law librarianship; and an AALL Spectrum paper entitled “The Promise and Perils of Massive Open Online Courses: MOOCs and the Role of Law Librarians.”

“Ohio State has a great law library and information services. I hope to keep that standard as we move into a new world,” Sampson said, adding that she is excited about the work to upgrade the technology used in Moritz’s classrooms. – EW & KG
Professor Walker consults on federal government report

Over the last year, Professor Christopher Walker has served as the academic consultant for the Administrative Conference of the United States—a federal agency that conducts research and makes recommendations on how to improve the federal administrative state—on a project exploring the role of federal agencies in the legislative process. With the help of a number of Moritz students working in Washington, D.C., last summer, Walker conducted a series of interviews and surveys with various officials at eight executive departments and two independent agencies, to better understand when and how agencies respond to congressional requests for legislative drafting assistance. In the fall, Walker released the final report for this project, entitled Technical Assistance by Federal Agencies in the Legislative Process, which presents the findings from the study and proposes recommendations for the conference’s consideration.

As detailed in the report, federal agencies play a substantial role in the legislative process, yet little is publicly known about their role. Aside from drafting substantive legislation for congressional consideration, agencies also receive countless requests from congressional staffers to review and provide technical assistance on proposed legislation drafted in Congress. These congressional requests are often made in confidence, and agencies provide detailed feedback on the vast majority of legislation that gets introduced in Congress and virtually all that ultimately gets enacted into law. Agencies respond to nearly every such request they receive, and their expertise in the relevant subject matters plays a critical role in the legislative process. Yet as the ultimate executors of the law they help draft, agencies’ roles in the legislative process have the potential to raise separation of powers concerns between the legislative and executive branches of the federal government.

In the report, Walker recommended a series of best practices to improve the process of agency technical assistance in legislative drafting. Among his recommendations, Walker identified ways to improve the Congress-agency relationship by seeking out additional opportunities to provide technical drafting assistance and other agency educational efforts on the Hill. He also proposed a number of best practices to improve the quality of agency technical drafting assistance, including improved intra-agency coordination to leverage the relevant agency experts, better integration of appropriations legislative activities in the technical drafting assistance process, and best practices to maintain the distinct roles of, and strong working relationships between an agency’s legislative affairs personnel and its legislative counsel. The conference will vote on these recommendations, with the approved recommendations being published in the Federal Register. –BP

Stulberg wins 2015 Ohio Mediation Association Better World Award

Professor Joseph B. Stulberg, the Michael E. Moritz Chair in Alternative Dispute Resolution, was named the 2015 winner of the Ohio Mediation Association’s (OMA) Better World Award. He was presented with the accolade before OMA’s annual meeting.

The Better World Award recognizes those in the mediation community who have made outstanding contributions to the field of alternative dispute resolution. The honor is bestowed upon a single person each year who was nominated for their work and dedication to advancing the field.

“I am deeply humbled and honored to receive this award. It’s a wonderful recognition from, frankly, the people who matter most—my colleagues who work every day in this area to make a better world. Without trying to get political, I do believe each person can make a difference...So I accept this award recognizing that I might have made a small contribution, but only in combination with many others,” Stulberg said of the award. – KG
Solomon takes new position

**On July 1, Robert L. Solomon ’88,** formerly assistant dean at the Moritz College of Law, left the College to take on a new position as assistant vice provost at The Ohio State University’s Office of Diversity and Inclusion. Solomon’s responsibilities include oversight of the ODI Scholars Program, the Young Scholars Program, and the Bell National Resource Center on the African-American Male. Solomon joins Sharon Davies, vice provost for diversity and inclusion and Gregory H. Williams Chair in Civil Rights and Civil Liberties, in the Office of Diversity and Inclusion.

Solomon returned to the College in 1995, after working as an assistant United States attorney for the U.S. Department of Justice. A former litigator, Solomon taught Evidence, Trial Advocacy, and Appellate Advocacy and has been involved in the moot court program and Black Law Student Association. He has also been a friend and mentor to countless Moritz students, staff, faculty, and alumni.

“In his two decades as a part of our community, he has changed countless lives and left an indelible imprint on the College,” Dean Alan C. Michaels said of Solomon’s tenure. “We would be a lesser institution without his efforts, and we will miss him as a colleague and as a friend.” – EW

States joins Moritz as assistant dean

**Michael J. States** joined the Moritz College of Law in August as assistant dean for admissions and financial aid. Previously, States served as assistant dean at the University of North Carolina School of Law for just over a decade.

States is an 18-year veteran of law school admissions and is a recognized leader in the field. He serves as a member of the Law School Admissions Council Board of Directors, is a member of American Bar Association site evaluation team, and is also a member of the American Association of Law School’s Executive Committee of the Section for Pre-Legal Education and Admission to Law School. In addition, States is active with the Council for Legal Education Opportunity (CLEO). He received his J.D. from the Saint Louis University School of Law and his B.A. from the University of Kansas.

“I am thrilled to welcome Michael J. States to the Moritz community,” said Dean Alan C. Michaels. “Michael is a recognized leader in his field and has developed an outstanding record at the schools he has previously served and his addition is great for Ohio State.” – EW

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### 2015 BY THE NUMBERS

- **29** corporations have now become partners with us in the Moritz Corporate Fellowship program, which fosters one-year postgraduate fellowships in general counsel departments.
- 1.7 million: the number of hits on moritzlaw.osu.edu during the year.
- **91%** The rate at which Ohio State graduates passed the July Ohio bar on the first attempt.
- **145** upper-level courses taught.
- **6,987** exams, papers, and assignments graded.
- **400+** times this year, members of our faculty were quoted in the national media.
Moritz students gain valuable experience through D.C. Summer Program

From the Federal Communications Commission to the U.S. Department of Justice to the White House and beyond, 17 Moritz College of Law students participated in a variety of externships in the nation’s capital this summer as part of the Washington, D.C., Summer Program.


“Our students this summer were placed in an array of prestigious internships that gave them legally substantive work and, in that way, enabled them to learn-by-doing. Multiple years in a row now Moritz students have been placed at the White House, Justice Department, Homeland Security Department, and the Federal Communications Commission (FCC), which is chaired by Ohio State alumnus Tom Wheeler,” said Professor Dakota S. Rudesill, co-director of the Washington, D.C., Summer Program. Professor Chris Walker is also a co-director of the program.

The summer internship course features two components—a classroom portion and the externship. The two elements work together to provide students with a well-rounded experience, giving them the tools and knowledge they need to succeed both in their externships and beyond.

Each year approximately 20 students take advantage of the College’s summer program as a way to gain real experience in the nation’s capital before graduation. Overall, Rudesill said, the goal is to provide an opportunity for students to get hands on experience in a competitive environment, which will benefit them in whichever career they choose after law school.

“We want them to learn about ethics, and about the varieties of work one can do as a lawyer in D.C., from federal agencies to Capitol Hill and beyond. But more importantly, we want them to learn transferrable principles and practice skills: knowledge and competencies that they can take to any legal market and any practice setting. Washington, D.C., is a particularly exciting stage, but one finds the same varieties of lawyering in any sizable legal market, from litigation to legislation to media law,” he said. – KG

Goyal, Snow take home moot court awards

2Ls Shalini Goyal and Kyla Snow took second place in the Thomas Tang Moot Court Competition National competition in New Orleans. Goyal was named Best Oralist. In the final round, the team argued before a panel of jurists from the federal circuit, U.S. Second Circuit, Hawaii Supreme Court, and Army Court of Criminal Appeals. At the regional competition earlier in the fall, they took second place, won the Best Brief Award, and Goyal was named Best Oralist. The competition focused on a criminal and immigration law case that was presented in Supreme Court style. The team was coached by Professor Katrina Lee. 2Ls Brandon Smith and Shane Wiegerig also competed in the regional competition. The competition is sponsored by the National Asian Pacific American Bar Association. – KG
“Public health experts in [the United States and Great Britain] believe that even if e-cigarettes prove to be a less harmful alternative for current smokers, they could nonetheless cause significant public health harms if used by large numbers of youths or nonsmokers.”

– Professor Micah Berman wrote in a letter to the editor that was published in The New York Times, in response to an editorial regarding conflicting approaches to e-cigarettes in the U.S. and Great Britain.

“Typically, the penalty for violating a city ordinance is more akin to a traffic violation... State-level penalties can be much more significant.”

– Professor Ruth Colker, in The New York Times, on the next fight for gay rights—bias in jobs and housing.

“The Republican nomination is certainly up for grabs. All the usual rules don’t apply.”

– Professor Dan Tokaji, quoted in a Cincinnati Enquirer article on the start of election season.

“The more extreme and specific a sound bite is, the more likely it is to be wrong.”

– Professor Douglas Berman said in a Washington Post article, entitled “A bipartisan failure in talking about prisons and the war on drugs.”

“The discussion over the trade negotiating authority is not a question of which is better: the executive branch or the legislative branch. It’s a question of whose input we’re getting on decisions that reach far beyond trade—into questions on the price of generic drugs or whether websites will have to monitor users online.”

– Professor Margot E. Kaminski wrote in an op-ed for The New York Times on why the Trans-Pacific Partnership talks should not be kept secret.

“To have an expert tell you it’s reasonable or not does seem problematic. To release them publicly seems to counter the usual desire to keep grand jurors away from outside information.”

– Professor Ric Simmons, in a Huffington Post article discussing the release of reports by outside experts in the shooting death of Tamir Rice in Cleveland.

“Public health experts in [the United States and Great Britain] believe that even if e-cigarettes prove to be a less harmful alternative for current smokers, they could nonetheless cause significant public health harms if used by large numbers of youths or nonsmokers.”

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“You can see by the weather why I came here.”

U.S. Supreme Court Justice Elena Kagan stood at the podium at the Barrister Club on Tuesday, Sept. 29, surveying the crowd of alumni, faculty, and staff members in the room, and, with her signature wry sense of humor, broke the ice with a joke about the cool, gray, and rainy weather that had persisted, stubbornly, all day.

She had come to campus at the invitation of her longtime friend, Dean Alan C. Michaels, to share highlights from her life and career as the 112th justice (and the fourth woman) on the Court. During her two-day visit, she also spoke with a small group of students at the Barrister Club, met with faculty, and was the keynote speaker at the Program on Law and Leadership’s annual speaker series (a standing-room only luncheon for 400 featuring a conversation between Justice Kagan and Dean Michaels).

At the events, Justice Kagan recounted the story of how she and Dean Michaels first met in 1987, when she worked as a clerk for U.S. Supreme Court Justice Thurgood Marshall, and he as a clerk for Justice Harry A. Blackmun.

Reflecting on her clerkship with the late Justice Marshall, who she referred to as “the greatest lawyer of the 20th century and one of the greatest lawyers of all time,” Kagan recalled the iconic justice as being a master storyteller.

“When I clerked for him,” she said, “he was looking back over the course of his life and reflecting on it, and that meant that we were treated to a kind of master class in a significant part of American history. He was funny. He was kind of earthy. Stories that should have made you cry did make you cry, but also made you laugh.”

Humor comes naturally to Kagan, too. She is known to work pop culture references into her judicial opinions (she referenced Tommy Tutone’s “867-5309/Jenny” in an opinion for the 2013 case American Trucking Association v. City of Los Angeles, for instance).

And, when a law student asked if Kagan had seen the episode of comedian John Oliver’s “Last Week Tonight,” on which he argued that cameras should be allowed inside the Supreme Court (and created a video featuring an all-canine Supreme Court to accompany audio from an actual oral argument for viewers to watch in the meantime), Kagan laughed and wondered aloud why she was portrayed as a bull terrier in the segment, when Justice Samuel Alito was a fuzzy Portuguese water dog. Then she pivoted to discuss the more serious issue of cameras in the courtroom.

“I can make arguments on both sides, and, in the end, come down on the side of caution. There is a little bit of fear that the very fact of cameras in the courtroom will change what happens during that part of the process, and in ways that are not for the good,” Kagan explained.

“Congressional hearings did not become better and more substantive when they
put cameras in the room. That just did not happen.”

She also discussed her experiences serving as the first female dean of Harvard Law School, the first female solicitor general, and the fourth woman on the Supreme Court.

“I thought it was fluke-y that I served in these ‘first’ roles because I really came along at a time when most of the work in getting women into those first roles had already been done,” she said, “And I’m reminded of this every day on the Court.”

When pioneering justices Sandra Day O’Connor and Ruth Bader Ginsburg graduated from law school, they struggled to land jobs and clerkships because those roles just did not exist for women.

“These two remarkable women created these remarkable legal careers out of nothing—out of maneuvering around and finding places that they could show their talents, but in none of the typical ways that their male colleagues did,” Kagan said.

By the time Justice Sonia Sotomayor and Kagan were sworn onto the Court, however, everything had changed.

“It’s not like all of the problems have been solved, but so much of the work had been done, and I really feel that I stand on the shoulders of people like Justice O’Connor and Justice Ginsburg, and my life was so, so much easier because of what they did,” she said.

Candidly, Kagan also revealed that she used to advise college students to go to law school for the right reasons—that is, until she realized that she herself “went to law school for all the wrong reasons... because I couldn’t think of anything else to do and I wanted to keep my options open.”

As an undergraduate at Princeton University, she majored in history and originally planned to go on for a Ph.D. in the subject matter, but while writing her senior thesis, she realized that a life spent in the archives would not adequately fulfill her.

“I did go to law school not knowing quite what would come of it, but I loved law school from the first day,” she said. “I thought it was just so intellectually challenging and stimulating—there’s a large amount of law that is figuring out really difficult puzzles and I liked it. But, it did not seem at all like an academic exercise. It mattered in the end, getting in the right answer.”

“That’s why I love my job now,” she continued. “On the one hand, it’s an intellectual feast,” in the words of Judge [Robert] Bork. And, on the other hand, it’s much more. It matters in people’s lives. To have a job that combines those two things is to have an incredible job.”

She added that she approaches writing Supreme Court opinions in much the same way she approached writing her law school papers.

“I think of writing as being sticky or unsticky. The sticky writing is the kind of writing that you want—it’s the kind of writing that stays with people. It’s finding turns of phrase and ways of explaining things that people grab onto and don’t let go. And that’s what I try to think about when I write opinions.”

Like all legal careers, Kagan said hers has been marked by ups, downs, and nerve-wracking moments. Early in her tenure as solicitor general, she argued for the government in the Court’s Citizens United campaign finance decision, and moments after beginning her opening argument, Justice Antonin Scalia interrupted her with a stern, “No, no, no, no.” But she powered on and was better, and stronger, because of it.

“When you have scary moments, they are always made a little less scary by working hard. I think that’s true for most scary moments,” she said. “If you’re scared of something, work hard at it.”

“When you have scary moments, they are always made a little less scary by working hard. I think that’s true for most scary moments,” she said. “If you’re scared of something, work hard at it.”

–U.S. Supreme Court Justice Elena Kagan

3L Mandi Grandjean said that the most valuable piece of advice she took away from Kagan’s visit to Moritz was that “great leadership is really more about being able to listen well than it is about being able to speak. Whether at Harvard or the Supreme Court of the United States, Justice Kagan has been able to unite many groups of people by listening to what they have to say, rather than just talking at them. I found this to be crucial advice for anyone in general, but particularly for aspiring attorneys who must, one day, be able to listen well to whomever they are representing.”

2L Brooks Boron, who attended the luncheon for Kagan, said the justice is “one of the best legal minds of our generation but was still genuinely interested in the lives of us law students.” He brought his copy of the Supreme Court’s decision in Obergefell v. Hodges and, upon meeting the justice in person, asked her to sign it.

“After signing my copy of the Obergefell decision, Justice Kagan offered me a piece of advice to always continue through adversity, and encouraged me to continue on my path of public service,” Boron said. “I won’t forget the laugh we shared when I told her I hoped to be nominating her future colleagues and she looked at me and sternly said, ‘I have no doubt you will, just make ’em good.’”

Kagan signs student 2L Brooks Boron’s copy of the Court’s Obergefell decision.
Moritz leads University’s Ohio Scholarship Challenge

BY ELIZABETH WEINSTEIN

The perfect match

The new Ohio Scholarship Challenge doubles the impact of scholarship gifts of more than $100,000 through a University match on the payout. This unique opportunity is only available for endowed scholarships established through June 30, 2016.

In Goldfarb’s case, it was a call several years ago from Timberly Ross, Associate Director of Development, inviting him to become involved with his alma mater as a donor. The timing, he said, was perfect. Goldfarb’s three daughters had completed their college educations, and he and his wife, Gail, were becoming more involved with philanthropic pursuits in the areas of education, health, and hunger.

He started with the President’s Club, which recognizes personal contributions from individuals who support academics, health sciences, and the arts at The Ohio State University with cumulative annual giving of at least $3,000 each calendar year. Then, this past year, he decided to take part in the Ohio Scholarship Challenge.

Launched in February 2013, the Ohio Scholarship Challenge is a university-wide fundraising initiative that seeks to raise $100 million in general scholarship dollars for Ohio State students by June 30, 2016. It began with a focus on undergraduate scholarships and then, in the past year, expanded to include graduate and professional programs, like the College of Law.

“President Drake has made clear that financial aid and scholarships to reduce student debt are key parts of his strategic vision, with an overall goal of increasing scholarship support by at least $100 million by 2020,” explained Michael C. Eicher, senior vice president for advancement at The Ohio State University. “The expansion of the Ohio Scholarship Challenge to include graduate and professional programs meshes perfectly with that initiative. As we embark on the final year of the But for Ohio State campaign, fundraising for scholarships is a top priority for me and the advancement team.”

Ohio Scholarship Challenge gifts are endowed scholarship funds that last for as long as the University is in existence. To qualify for the challenge, a scholarship must be a new endowed fund of $50,000 or more, and once the fund is established, it must reach $100,000 in five years. The University will match the payout on endowed gifts of $100,000 or more in perpetuity.
Currently, 14 Ohio State law graduates have taken advantage of the match, a number that far exceeds any other university college or department.

It was the matching element of the challenge, which doubles the impact of a gift, which really caught Goldfarb's attention.

“My wife and I, we view scholarships as being the best way of helping the pursuit of educational philanthropy,” he said. “We wanted to do something that would really be meaningful to us and to students over the course of their lives.”

Goldfarb also persuaded his law firm—Hahn Loeser—to contribute to the challenge by establishing a joint fund with him.

“What’s really important is if other individuals and other law firms can do the same thing. We can provide that opportunity to a lot more students,” he said, “and the more students we can provide that opportunity to, the better law students we will get, the more competitive the law school can stay, and the better it is for alumni and the future of the law school. It’s critical to have a great law school in this state. Ohio State is a great law school.”

For W. Craig Bashein ’86, managing partner of Cleveland law firm Bashein & Bashein, Ohio State was always an important part of his life. His father founded the firm where he now works—the family business—and frequently brought the young Bashein with him on trips to see Ohio State track and field meets and football games.

“I was attracted to the campus. I loved it. And I just felt like it was the right fit for me—I wanted to be part of it,” he said. Bashein went on to attend Ohio State for college and then law school.

“My father had a practice that was oriented toward trial work and I think I gravitated to that quickly. After I took my 1L core curriculum, I picked subjects I felt would assist me in preparation for trial, like Civil Procedure II, Federal Courts, and Evidence,” he said.

How The Match Works

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フルタイッション奖学金  半額タイッション奖学金 推奨
“The quality of the faculty was incredible, and the students were high quality, but it was an atmosphere that was friendly and cordial. We were supportive of each other and that made a huge difference.”

Over the years, he has remained in close contact with the College, and he currently serves as a member on the National Council, which offers constructive advice on plans and programs of the Moritz College, recognizes the accomplishments of graduates through awards, and serves as an ambassador for the College.

A law degree from Ohio State, Bashein explained, is “a tremendous advantage for students, and because of the appreciation that I had, I’ve attempted to stay involved with the College, both from the standpoint of support as an alumnus, and also by giving opportunities to other students who graduated after me.”

He regularly hires Moritz graduates as clerks and interns, for example, and when he learned about the Ohio Scholarship Challenge, he jumped on board for the opportunity to help students who might not otherwise be able to afford the tuition to attend law school at Ohio State.

“It’s such a great cause, and I’m blessed to be fortunate to be in a position to help. I’ve had a lot of success in my law practice and I want to be able to help pass that along to others,” Bashein said.

“I think the goal for all alumni should be that the university and, in particular, the Moritz College of Law, continue to attract world-class candidates—specifically through the use of scholarships. Believe me, the donors of these scholarships get out of it far more than the recipients. It’s rewarding to help the school for which we are all so grateful.”

For more information on the Ohio Scholarship Challenge, visit osu.edu/giving/but-for-ohio-state/campaign-priorities/ohio-scholarship-challenge.html.

“My wife and I, we view scholarships as being the best way of helping the pursuit of educational philanthropy. We wanted to do something that would really be meaningful to us and to students over the course of their lives.” – Steven Goldfarb ’85
The most common planned gift is a bequest in your will or living trust. Other planned gifts include:

- A charitable gift annuity
- A charitable remainder trust
- A charitable lead trust
- An endowment fund
- Retirement plan assets
- Life insurance policies
- A remainder interest in your home

A misconception is that gift planning is only for the “wealthy.” The truth is, even people of modest means can make a difference through gift planning! The alumni pictured above have taken the step to make this type of donation. Call Timberly Ross at (614) 292-5049 to learn how you can support our mission while ensuring your family’s financial security.
When Trisch Snyder Chapman ’10, an associate attorney in the Columbus office of BakerHostetler, began her first year at the Moritz College of Law in 2007, she was, like so many of her peers, understandably nervous.

As a first generation college student—she graduated from Ohio University in 2006 with a degree in communications and Spanish—Chapman, who grew up in Fremont, Ohio, hadn’t had much exposure to the legal profession prior to setting foot in Drinko Hall. Making connections with lawyers outside the halls of her school building seemed, at first, like a daunting task. That is, until she signed up to participate in a mentoring program that had launched two years earlier—Mentoring and More @ Moritz.

Now supported by the BakerHostetler Endowment for Professional Development, Mentoring and More @ Moritz was started by then-Dean Nancy Hardin Rogers, and Pam Lombardi, former director of Alumni Affairs and assistant dean for Career Services, in 2005, as a way to bridge the theory and practice of law by pairing groups of three-to-five students with at least two professional mentors, based on areas of student interest and mentors’ background and practice areas. Throughout the academic year, the mentoring groups are invited to luncheons at the Barrister Club, where they listen to prominent speakers talk about pressing issues and current trends in the law, and then discuss them with students, faculty, and guests. Recently, the program’s structure has changed slightly, so mentors and their students attend a couple of on-campus events together, but spend more time participating in off-campus activities so that students can gain exposure to the actual practice of law.

Classrooms, books, journals, clinics,
and close relationships with professors are all integral parts of a Moritz legal education, but for the things that cannot be learned in a classroom, professional mentors are an invaluable resource.

“I didn’t have any family members who were lawyers and I didn’t really know any lawyers, so for me, Mentoring and More was an introduction to the profession,” Chapman said.

The program celebrated its 10th anniversary this year and marked the occasion with an Aug. 25 luncheon in the Barrister Club. Present at the event were some of Mentoring and More’s first mentors—many of whom are still active in the program.

“The objective of Mentoring and More was, and continues to be, to instill in participating law students a deep sense of the ethical and professional obligations embraced by members of the bar, by providing opportunities for them to engage with practicing lawyers who exhibit those ideas,” said Dean Alan C. Michaels in an address to luncheon guests. “Our mentors do a great job in helping our students learn about the expectations they will face and how to meet those expectations—and how to create opportunities for themselves.”

The idea for the program was born out of a concern that, in the early 2000s, the College was at risk of becoming a commuter law school where students didn’t stay on campus much after classes. At a faculty retreat, the faculty expressed a goal of creating a stronger sense of community that nurtured students in ways that a classroom alone cannot. At around the same time, a national conference of chief justices asked to meet with all of the law deans nationally, because they were concerned about an emerging lack of professionalism they were noticing in lawyers in their courtrooms. The chief justices asked if there was anything that legal educators could do to address this issue. Mentoring and More was proposed as a solution for both issues.

Early on in the program, lunches were organized around controversial topics so that students would have the opportunity to witness their mentors engaged in constructive, civil debates and discussions with one another, and learn by example.

To date, 1,400 students have completed the Mentoring and More program and 166 students signed up to participate this year.

“One of the best ways to learn about and shape your own character as you enter the profession is to be exposed to some of the very best in the profession, and to see from their example how much they are committed to the excellence of the profession,” Rogers said.

The program, she added, has been equally rewarding for the mentors. “They could see the value they were imparting, and so many of them stayed, remarkably so, for a full 10 years,” she explained.

“That’s a huge commitment of volunteer time. Often, people move on from one volunteer activity to another after a couple of years, and the fact they have stayed with us shows they can tell it has made a difference.”

One such mentor, who helped found Mentoring and More and continues to participate, is Judge Norah McCann King ’75.

“I was aware, primarily, of the ethical obligation every lawyer has to give back to the profession, and to the education of young lawyers,” King, a federal magistrate judge for the United States District Court for the Southern District of Ohio, said of her initial involvement. “But, it ended up being so much more than that, too. To see this program grow and develop, and to be reminded of the enthusiastic idealism of young lawyers, is really gratifying. For me and other older lawyers, it serves to rekindle the idealism that we started out with.”

When students ask King for advice, she always tells them that as they enter the legal profession, they do so with “a capital account of goodwill, integrity...and competence,” she said, and they should “never, ever do anything to squander that, because a lawyer’s work truly is his or her bond. No matter how big his or her professional community is, it will never be so big that you’re completely anonymous. That reputation for integrity is priceless, and once lost, I’m not sure it can ever be regained.”

Chapman, who is now serving as a mentor in the program, offers similar advice to her mentees. “Your reputation is your most valuable asset. Guard it, and treat your peers—your fellow law students—well,” she tells them. After all, classmates often become colleagues, bosses, judges, and clients down the road.

Chapman said she views Mentoring and More as “an awesome opportunity to make the practice more approachable for anyone else who, like me, had no idea what I was getting into in my early law school years.”

“I feel so fortunate to have a great group of law students each year who are interested and engaged in the program,” she added. “I really see myself standing in their shoes eight years ago, and it’s good to be able to give back in that way.”

For more information on Mentoring and More @ Moritz, visit moritzlaw.osu.edu/programs/mentoring.
“He was the best teacher I ever had.” That was the overarching sentiment that rang throughout the Moritz community when word spread that Associate Dean Christopher M. Fairman died suddenly of cardiac arrest on July 22, at age 54.

The news was a shock. The Class of 2015 was buckled down in the library preparing for the upcoming bar exam, orientation plans were in full swing, and late-season vacations were underway. In general, faculty come and go throughout the summer, with some writing articles and books in the building and others conducting research outside of the confines of the law school or teaching in our Oxford and Washington, D.C. programs. But, associate deans hold full-year appointments, so Fairman was in Drinko Hall in the summer of 2015. Aside from a trip to Texas for his daughter’s wedding, he spent virtually every day of the summer in his office working on administrative matters for the College. On July 21, he boarded a bus with university officials for President Drake’s Road Scholars Tour of the state. Twenty-four hours later, a call came in to the dean’s suite from a hospital in Cleveland.

A teacher first

What do you remember about your high school American History class? Although more than 25 years has passed, most of the students in Mr. Fairman’s Advanced Placement history and economics classes at McCallum High School, in Austin, Texas, have vivid memories of a passionate, energetic teacher who inspired his students.

“You have many teachers and mentors in your life but no one shined quite like he did in enthusiasm, inspiration and humor,” said Erin Fonte, who had Fairman as a teacher in 1988. “He taught us all to think deeper, reach further, and see history as a living thing—he even made us reenact the Yalta negotiations, and used songs from 1800s campaign songs and punk rock to teach us.”

Although he was born in Kansas, Fairman was raised in Texas and studied at the University of Texas as an undergraduate. Upon graduation, he worked as a high school teacher for nine years. His innovation and masterful engagement earned him several teaching awards. His most updated curriculum vitae listed his numerous teaching honors prominently on page two of the 24-page document.

“He bounced around the classroom, asked tough questions, grinned often, and made us think,” Ben Thompson, a former student, said. “Students adored him. His enthusiasm inspired me to become a teacher. He undoubtedly inspired many others.”

Fairman’s talents in the classroom were not just noticed by his students. On a Facebook group page created by his former students hours after his death, teachers and administrators also left comments and praised his skill and innovation.

“Outstanding, creative, caring, and a team player all describe Chris,” Penny Miller, the principal at McCallum during Fairman’s tenure, said. “After observing his teaching, I always left wishing I could stay longer.”

Fairman left McCallum to attend law
“Words are ideas. If the government can control the words we say, it can also control what we think.” – Professor Chris Fairman
school at the University of Texas. Some of his former students were his classmates in law school, but the nine-year gap between undergraduate and law school did not seem to hamper Fairman’s efforts. He was on law review, was recognized in several moot court competitions, and graduated with honors.

He clerked for the Honorable J. Woodfin Jones, Texas Court of Appeals for the Third District and the Honorable Fortunato P. Benavides, United States Court of Appeals for the Fifth Circuit; both judges spoke at his memorial service in Texas.

“Chris was my law clerk at the Third District Court of Appeals of Texas in the mid-1990s,” Judge Jones said. “I have had many outstanding law clerks and staff attorneys, but none better than Chris. I was so proud that he got to fulfill his dream of becoming a law professor. He was a special person, and I will miss him.”

Fairman headed to Weil, Gotshal & Manges LLP in Dallas and worked in litigation before joining the faculty at Ohio State in 2000.

“From his first interview as a faculty candidate, his intellectual intensity, unassuming nature, sense of humor, and humanness came shining through,” said Louis Jacobs, professor emeritus. “Chris made no enemies because he empathized with all and thought life was too short to waste time and energy on mean-spiritedness.”

Fairman taught Civil Procedure, Civil Procedure II, and Alternative Dispute Resolution Ethics.

“He was the first professor I had on my first day of law school, and I am so glad,” Brooke Burns ’05 said. “I will never forget the passion he had for teaching and making the material accessible for first-years.”

Fairman’s teaching talents were quickly recognized at Ohio State. He won the Morgan Shipman Outstanding Professor of the Year award in 2003 while still an assistant professor. The award is selected by the graduating class, making 2003 the first year Fairman could win as most of the graduating classes before would not have had him as a professor. He won the Alumni Award for Distinguished Teaching, the University’s highest teaching honor, a year later in 2004. Ohio Magazine also awarded him the Excellence in Education Award in 2004.

“Professor Fairman’s talent for engaging students was unmatched—his ability to make civil procedure something to look forward to being but one example,” Brad Cromes ’10 said. “His good-natured iconoclasm is irreplaceable. I’ll remember him for PowerPoint, Neuticles, “F&%kl,” seersucker,Dick & Jane, and a passion for his work that made law school a bit more human.”

In the classroom, Fairman’s trademark was his over-the-top PowerPoint presentations that brought the law to life and drove home the key points. For each class, Fairman created dozens of slides, often complete with animation and sound.

Fairman also coached the national moot court team and served as an advisor to the Latino Law Students Association.

“Dean Fairman was a terrific person,” said Jim Saywell ’14. “As a professor, moot court coach, and mentor, he had a positive impact on everyone he met. I’ll be forever grateful to him for improving my legal writing, speaking, and thinking—and, more so, for being such a warm mentor and friend.”

A scholar

As a scholar, Fairman helped define and shape two areas: civil procedure and taboo language. Specifically, his work on “heightened pleading,” which both identified and criticized requirements by the courts and Congress that force certain types of plaintiffs to say more in their pleadings than other litigants in order to stay in court, has been highly influential.

“Fairness. Justice. Standing up for what the law requires—that is what Chris’ scholarship was about,” said Dean Alan C. Michaels. “Chris’s research reviewed a movement where courts were putting up barriers that the federal rules were designed to tear down. Chris was among the first to document, and then raise the alarm about, the counter movement against the rules.”

Fairman’s 2002 article Heightened Pleading appeared in the Texas Law Review and was listed as one of the “Classic Civil Procedure Articles,” compiled by the Civil Procedure Listserv in 2010. In 2003, Fairman published The Myth of Notice Pleading in the Arizona Law Review.

“Through his scholarship, Chris Fairman made significant contributions in multiple spheres. He did path-breaking work in civil procedure with his articles on pleading standards, a topic that has been at the center of changes in litigation in the past decade. He incisively analyzed ethical issues in the practice of collaborative law and worked to develop the law in that area by participating in a drafting committee of the Uniform Law Commission,” said Professor Ellen E. Deason. “And of course his scholarship on word taboos garnered attention from scholars, as well as others, from around the world. It is rare for one professor to be so accomplished in so many fields.”

In addition, his pioneering scholarship around word taboo includes numerous
articles, essays, and a book. His book *F**uck: Word Taboo and Protecting our First Amendment Liberties* (Sourcebooks, 2009) examined the law surrounding the word and revealed both inconsistencies in its treatment, and tensions with other identifiable legal rights that the law simply doesn’t answer. Fairman was adamant that our government should keep out of the censorship business:

“Words are ideas. If the government can control the words we say, it can also control what we think,” he wrote.

“I appreciate very much his fascination and interest in the First Amendment and what an enabling and challenging provision it is, especially at a place like a university,” said Ohio State University President Michael V. Drake at Fairman’s memorial service in Columbus. “His legacy is about teaching, words, communication, and being able to define ourselves.”

His first article on the subject—by the same name as his book—was published in 2007 in the Cardozo Law Review, and it remains among the top 20 most frequently downloaded articles of all time from the SSRN, a multi-disciplinary online repository of scholarly research. Fairman also explained the notion of taboo language in several national media pieces, including an opinion editorial in the *Washington Post*.

“I feel so privileged to have been his research assistant, and to have worked on his trademark law review article, ‘Fuck,’” said Joe Bahgat ’07. “He was an innovator and a pioneer, and he was living proof that lawyers can be brilliant, and still have personality, charisma, and style.”

Throughout his career, Fairman embraced community service, serving as a member of the Supreme Court of Ohio Commission on the Rules of Practice and Procedure; the Civil Justice Resource Group; the Chrome Foundation; and the University’s Academy of Teaching, to name a few.

### A colleague

To the faculty and staff at Ohio State, Fairman was a colleague and a friend.

“When I began my teaching career a dozen years ago, Chris showed me the ropes, sharing his unmatched wisdom and skills with me,” Professor Daniel Tokaji said. “That’s just how he was—devoted teacher, generous colleague, and kind man.”

Many of the Moritz faculty admired Fairman for his ability to connect with students and creatively communicate tough legal subjects.

“It is so moving to hear the words of former students who are expressing themselves at this time, who remember, all these years later, how he helped them in the classroom,” Professor Joshua Dressler said. “It is a reminder to all of us of the power of a great teacher. He or she can help us understand the world, and inspire us in our lives.”

The role of associate dean for faculty was a perfect match for Fairman. His calm demeanor, likeability, and humor earned him credibility and respect from senior faculty, while his experience and openness where invaluable to junior faculty managing teaching and writing responsibilities early in their academic careers.

“Chris was a wonderful colleague and an especially valued source of support and wisdom as associate dean, a role in which he was entirely selfless, thinking solely of how to help others and Moritz as a whole,” Professor Edward B. Foley said. “He was exceptionally generous in spirit as well as in time and insight, and brought to every conversation grace and good humor.”

Fairman was also part of the Alternative Dispute Resolution faculty at Moritz.

### A father

Chris Fairman’s daughter, Mallory Fairman McKeel, has an incredible array of funny, loving, remarkable memories of her father to cherish. The holidays were filled with extreme decorations, traditions, and fun. Easter egg hunts, complete with money in the eggs, continued with Mallory into her 20s.

“My father was always young at heart and made life so enjoyable,” she said.

As a teacher, Fairman was not about to let his daughter’s education slide. He worked tirelessly with her on her writing and studies. She earned a full scholarship to Ohio State’s highly ranked nursing program and began her career as an oncology nurse at The Ohio State University Wexner Medical Center. When Mallory decided it was time to move back to Texas, her dad was supportive.

“Even through the distance and change, he came for each holiday,” she said. “He made the trek from Columbus to Austin by car so his our dog Hooch could be part of the celebration. My father would do anything for his little girl.”

In June of 2015, Mallory married Joe McKeel in Texas.

“There are so many touching memories from my wedding—his seeing me in my dress for the first time, walking me down the aisle, his speech, and the father-daughter dance, just to name a few,” Mallory said. “The words of wisdom from my father to keep me from crying were ‘clinch your butt cheeks!’”

Fairman is also survived by his mother Valentina, step-father, former wife, and three brothers. Services were held in Austin in July and Columbus in September.

“As we transition to living a life without my father, his legacy lives in all of us—his family, his students, his friends and colleagues,” Mallory said. “In addition, it lives with my unborn child, due in March.”

—

Fairman and his daughter Mallory on her wedding day in June 2015.
A legacy of “value hats” for new heads

BY NANCY H. ROGERS

A set of beliefs about how scholars best contribute to improving dispute resolution permeates Professor Chris Fairman’s writings on the shortcomings of applying existing legal ethics rules to the new process of collaborative law. As with so much of what we admire and will dearly miss in Fairman’s teaching, service and life at Moritz, his pronouncement and application of this set of scholarly values serves as a legacy that can guide future dispute resolution scholars.

Scholars should endeavor to provide a simple yet precise explanation of even a complex subject. Though an expert in the complexities of both professional responsibility and collaborative law, Fairman described the complicated concepts so that readers could grasp them quickly writing:

“In collaborative law, lawyers encourage the parties to engage in joint problem solving as opposed to a traditional adversarial role. The heart of collaborative law is a written participation agreement where the parties agree not to go to court for resolution of the dispute during the collaborative process. If a party seeks judicial intervention, the agreement requires that counsel for all parties must withdraw from further representation.”

He thus set the stage, first, for the reader to appreciate what setting aside adversarial instincts for a time might contribute for some disputants, especially divorcing couples. Second, lawyer readers now anticipate that there will be challenges in applying existing legal ethics rules, created for an adversarial system, to a process in which lawyers will focus on problem-solving rather than on besting the other and will resign as counsel if that approach does not result in settlement.

A dispute resolution scholar’s duty, like that of a practicing attorney, is to serve the public and particularly those with disputes. Fairman had no patience for “infighting” among dispute resolution scholars about their favorite processes, explaining:

“The great challenge for the ADR movement as a whole is to begin to embrace the differences that provide such a spectrum of choice for legal consumers. Only then can collaborative practitioners, as well as all lawyers, fulfill their commitment to the profession and their clients through a truly informed process.”

Because he believed that scholars should serve, Fairman understood the importance of humility—such that one remains open to learning from opposing views rather than reacting defensively to criticism. In responding to a critique of his first collaborative law and ethics article, Fairman acknowledged, “It remains a humbling experience to have your work dissected in this fashion.” But he added, “I thank Professor Lande for giving me this opportunity and, in the process, helping me to refine my thoughts on the intersection of collaborative law and legal ethics.”

A scholar’s point should be communicated memorably: He wrote, “While I risk becoming an ethical milliner, why should we put old ethical hats on the new heads embracing the collaborative paradigm?” Who could read that question and the reference in the article title to “Old Hats on New Heads” and not recall that Fairman urged a codification of new ethical rules related to collaborative law?

These scholarly value—“value hats” we might call them—are a piece of Fairman’s legacy. They fit “new” dispute resolution “heads.”

This article originally ran in Volume 14, Issue 1 of the Mayhew-Hite Report on Dispute Resolution and the Courts, created by the Program on Dispute Resolution and the Ohio State Journal on Dispute Resolution. Citations have been omitted for space. Author Nancy Rogers is a professor emeritus at Moritz, and served as dean from 2001-2008.
“Bail is the place where you really see the difference that wealth makes, and where it’s rigged against the poor.”

–Stephen B. Bright, president and senior counsel at the Southern Center for Human Rights, during the 2015 David H. Bodiker Lecture on Criminal Justice

“I have a whole stack of buckeyes in my office and every morning before going off to court, I stick a buckeye in my pocket.”

–Supreme Court litigator Carter G. Phillips speaking at the Barrister Club

“We often forget that the whole concept of innocent until proven guilty has to start with us, or it doesn’t exist.”

–Erin Moriarty ’77 speaking about the importance of objectivity in the news media while on a panel for Wrongful Conviction Day

“Thurgood Marshall had this vision that the country is so big, and has the foundation for greatness, yet it doesn’t always exercise that foundation.”

–Journalist and author Wil Haygood discussing his book

“The Ohio State University was one of the first in the state to have same sex partner benefits. They are a leader.”

–Karla Rothan, executive director of Stonewall Columbus, speaking on a panel entitled “After Marriage: Experts Discuss LGBT Civil Rights”

“Money works especially well in the shadows. Lobbyists, like mushrooms, thrive in the low light.”

–Rick Hasen in his lecture entitled “Campaign Finance: Balancing Political Inequality with Free Speech”
A year ago, Congress passed the Achieving a Better Life Experience Act (the ABLE Act), which enacted Section 529A of the Internal Revenue Code, allowing states to create savings programs for individuals with disabilities. Modeled on section 529 college savings programs, these programs would permit eligible individuals with disabilities to open tax preferred savings accounts for coverage of their disability-related expenses. In a working paper, Professor of Law Stephanie R. Hoffer explores the impacts of the ABLE Act—positive and negative—and argues that individuals should be afforded access to government-coordinated habilitative care without regard to income or wealth. In October 2015, Hoffer testified before the U.S. Department of Treasury about the ABLE Act’s implementing regulations.

“Because disability-related services can be difficult to find and coordinate privately, people who have more money may have just as much need for government programs as people who have less.”

–Stephanie R. Hoffer, professor of law
What has changed in the field of disability law since the ABLE Act (i.e. what has its impact been so far)?

Thirty-four states have passed enabling legislation and many are in the process of establishing ABLE programs. Here in Ohio, after appearing in front of House and Senate legislative committees, I am now part of a team working with the Ohio Treasurer to implement the new law. Ohio expects to make ABLE accounts available to the public early next year.

What are the limitations of the act?

First, let me say that the ABLE Act is a huge improvement over the prior law. It is an incomplete solution though. Because annual and aggregate contribution limits apply, ABLE accounts only help families that have disposable income to save. Consider a family of modest means that owns a house and little else. They may have no money to contribute to the account during life, and when they die, sales proceeds from the house will exceed ABLE’s annual contribution limit. They are forced to look elsewhere, like disinheritance or complicated trust planning, to protect their child. The ABLE Act is great for people who come from upper middle class families, or for people who can earn a modest income independently, but those people are only a subset of individuals with disabilities who need access to Medicaid.

Why do people with significant special needs, and their families, need to turn to Medicaid for coverage, rather than other insurance providers?

Private insurance typically does not cover the full range of services that an individual with a severe disability needs to remain in the community. In addition, even if private insurance coverage were adequate, many people with severe disabilities would be unable to get it. Many have difficulty finding and maintaining a full-time job so employer-provided insurance often is not an option. Medicaid may be the only realistic choice.

Can you explain what means testing is, and how it impacts families across all class lines?

Means testing is the application of income and asset limitations to the provision of public benefits. Politicians use it to limit access to public benefits to those who cannot privately purchase necessities like housing, food, and health care. For instance, prior to a recent shift in Ohio law, individual Medicaid claimants could not have more than roughly $600 of income each month and or more than $1,500 in savings. The problem with means testing in the disability context is that the assumption about private purchasing fails. Because disability-related services can be difficult to find and coordinate privately, people who have more money may have just as much need for government programs as people who have less.

In your paper, you argue that individuals with special needs should be afforded access to government-coordinated habilitative care through Medicaid without regard to income or wealth. Can you explain how that would work?

Currently, individuals with disabilities either qualify for all of Medicaid or none of it. One part of my paper proposes separating Medicaid coverage into two portions: general medical services usually covered by private health insurance, and disability-related services that are not usually covered by private health insurance. Individuals with qualifying disabilities would have access to that second group of services under my proposal regardless of their income or assets. In my opinion, this is an equitable solution because most of us benefit from a society and infrastructure based on assumptions about typical ability. These assumptions create conveniences for most of us, but they impose costs on individuals with disabilities. Broadening access to disability-related services would help individuals with disabilities deal with some of those costs.

Realistically speaking, though, I recognize the political difficulty of my proposal. Everyone asks me, “What if Bill Gates has a child with a disability?” There are very few people in that situation, and I don’t think that the specter of Bill Gates should drive disability policymaking for the rest of us. But if legislators are genuinely concerned about being overly helpful to the truly wealthy, or more realistically, if they are worried about the optics or the cost of the proposal, they could allow individuals with disabilities to buy in to Medicaid in the same way that someone might purchase private insurance. This already happens in some states, but the programs are limited. Opening them up to anyone with a qualifying disability could help a lot of people.

Anything else you’d like to add?

People don’t realize this is a civil rights issue, but it is. While I was testifying in front of the IRS about proposed regulations under the ABLE Act, I met Sara Wolff, an assistant in a law office who also happens to have Down Syndrome. Sara testified before federal House and Senate committees in favor of the ABLE Act. She described the way in which her two employers had to coordinate her wages and hours to make sure that she didn’t lose access to services that help her remain employed. She spoke with poise and thoughtfulness about the indignities and costs that the law imposes on her, and I couldn’t help feeling frustrated on her behalf. I have a four-year-old son with Down Syndrome, and I hope that when he is old enough to work, the law will recognize his potential. As a society, we should get out of the business of holding people back and get into the business of helping them achieve. I hope that my work will push the law in that direction.
“One of our goals in this second edition is to help lawyers, administrators, researchers, and other professionals involved in the oversight of human subject research to become conversant with the relevant ethical and regulatory issues so that they will have the knowledge and skills necessary to critically assess any future regulatory changes.”

– EFTHIMIOS PARASIDIS, co-author of The Ethics and Regulation of Research with Human Subjects
MANIPULATIVE MARKETING AND THE FIRST AMENDMENT
By Micah Berman

The conventional wisdom is that the The United States Supreme Court’s review of commercial speech restrictions has gradually become more stringent over time, edging further and further in the direction of strict scrutiny. What this narrative misses, according to Micah Berman, assistant professor of public health and law, is that the Court’s review has become more rigorous over time only for a certain type of commercial speech regulation: laws that restrict non-misleading, informational advertising. A majority of the Court sees this type of regulation as unwarranted—even offensive—governmental paternalism. However, the Court has been, and remains, far more willing to uphold regulations on commercial speech where the governmental purpose is not to keep information from consumers, but to protect consumers from manipulation.

The commercial speech doctrine is fundamentally based on the premise that advertising communicates information to consumers, allowing them to make more informed choices. Berman contends that increasingly, however, common advertising techniques do not rely on communicating information; instead, they use emotional and non-conscious marketing techniques to take advantage of consumers’ cognitive limitations and biases. This article argues that such non-informational marketing practices are entitled to limited, if any, protection under the First Amendment, particularly when the products or activities being promoted are harmful to public health.

APPLYING SECTION 2 TO THE NEW VOTE DENIAL
By Daniel P. Tokaji

In this detailed and thorough article, Daniel P. Tokaji, the Charles W. Ebersold and Florence Whitcomb Ebersold Professor of Constitutional Law, charts the past and present role of Section 2 of the Voting Rights Act in “vote denial” cases—claims challenging voter ID requirements, restrictions on early and absentee voting, registration restrictions, and the like—and draws on this elucidation to propose an optimal test for adjudicating such claims going forward. The Supreme Court’s decision in Shelby County striking down a different section of the Voting Rights Act has led to a recent spate of litigation under Section 2. The article describes a narrow path that must be navigated between a statutory remedy that requires proof of intentional discrimination (and hence adds nothing to constitutional protections) and one that goes too far in restricting states beyond constitutional mandates (and hence would be seen by the Supreme Court as an unconstitutional meaning for Section 2).

The article urges that this narrow path can be widened somewhat by understanding that Section 2 enforces not only the 14th Amendment prohibition on racial discrimination, but also “the constitutional right to electoral participation.” With this strengthening of the constitutional basis for statutory action in place, Tokaji proposes a revised test that requires plaintiffs to show that the challenged rule causes a disproportionate burden on a protected class tied to social and historical conditions, but then allows defendants to show “by clear and convincing evidence that the burden on voting is outweighed by the state interest” the regulation protects.
Everything in Texas is big, including the legal market. Over 200 Moritz alumni have been lured to country’s second largest state, where they have settled across the area’s major metropolitan areas. *All Rise* caught up with 10 graduates, all of whom seem to have added a bit of Texas swagger to their Buckeye credentials.

BY KELSEY GIVENS

**Elizabeth Wiseman ’13**  
Attorney-Advisor, Federal Labor Relations Authority, Office of the General Counsel  
Dallas

**On the job:** my office is responsible for investigating unfair labor practice charges and for overseeing representational matters in the federal sector. I conduct investigations, recommend disposition on the actions to my regional director, facilitate settlement when it’s appropriate, and occasionally represent the general counsel in the prosecution of unfair labor practices. I also conduct representation elections and write post-hearing decisions and orders, sometimes regarding complex representation issues. With so many federal agencies out there, the most interesting part of my job is learning what everyone does for a living!

**How I got this job:** I found out the FLRA was hiring on Moritz’s Career Services website and then applied through USAjobs.gov without specifying a desired location—I was willing to take any location, as long as it was this job. Even though I had no connections to Dallas whatsoever, my resume stood out to my regional director because I had been a Peggy Browning Fellow while I was in law school and my resume and cover letter demonstrated how passionate I am about labor law.

**What’s one fun fact people may not know about the state or the area where you live?:** While Dallas summers last well into October, we actually have “winter” for about 2 weeks in February, during which a dusting of snow causes the entire city to shut down and no one goes to work.
Mike Lennane ’06  
Senior Corporate Employment Counsel, iHeartMedia, Inc. (formerly Clear Channel)  
San Antonio

How I got this job: I started my career at Cox Smith Matthews, San Antonio’s largest law firm, in its labor & employment practice group (the firm has since merged with Detroit-based Dykema Gossett). My practice was largely devoted to management-side employment discrimination, wage and hour, and non-compete litigation. I slowly came to the realization that I did not want to spend my career litigating, and after six years in private practice I jumped at an in-house opportunity at iHeartMedia. I’ve been with iHeart for three years.

How I use my J.D.: Litigation avoidance makes up a large part of my practice, and my certificate in alternative dispute resolution from Moritz has proven invaluable in helping me tamp down conflicts before they result in full blown litigation.

Texas is a great place to be a lawyer because…: the state is in growth mode, and that provides plenty of opportunity for involvement in all types of sophisticated and interesting legal work. Oh, and wearing cowboy boots to court is encouraged.

On the job, I: lead a team of compliance professionals who advise our retail banking businesses and assist them in complying with anti-money laundering and sanctions laws and regulations, such as the USA PATRIOT Act and the Bank Secrecy Act. We do this by establishing policies, processes, procedures, monitoring, training, and building compliant technology. It is a hot area for compliance, so my job is a daily challenge.

How I use my J.D.: My legal training and experience help me every day. A lawyer advises on the law. A compliance officer takes those requirements and puts them into action. A compliance officer is a hands on problem solver.

Texas is a great place to be a lawyer because…: the weather is great and so is the BBQ. By the way, the fact that we have no state or city income tax is pretty great, too.

Judy Gruenbaum ’89  
Compliance Managing Director and Senior Vice President, JPMorgan Chase  
North Richland

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Paul Gaige ’07  
Account Supervisor, Hill+Knowlton Strategies  
Dallas

On the job, I: run a competitive intelligence team for a major H+K client. This involves both market research (looking at competing pricing, offers, promotions, etc.) as well as research into competing companies, regulatory issues, rival executives, or other important industry stories. H+K then can provide strategic advice for internal use, or work with the media team to publicly position our client compared to its competitors.

How I use my J.D.: Many avenues of research directly deal with litigation issues. Additionally, a law school education helps with understanding legislation, regulatory filings, or financial reporting.

Texas is a great place to be a lawyer because…: There is a tremendous amount of economic growth in both Dallas and Texas. Not only has this lead to opportunities for legal work, but it also means there’s a large influx of young professionals to the area.
On the job, I: assist clients in identifying, prioritizing, and achieving their objectives with respect to their business ventures.

How I got this job: Of course, the great education I received at Ohio State, and then networking with friends I made while working as a summer associate for another firm.

Texas is a great place to be a lawyer because...: the Texas economy has been growing and, despite the downturn in commodity prices, continues to grow. Also, Austin is great place to live.

What’s one fun fact people may not know about the state or the area where you live?: Nearly six Ohios can fit in Texas.
William Collins ’08  
Founding Partner,  
Collins & Arno, PC  
Plano

Vera Callahan Neinast ’80  
Senior Counsel, Akin Gump Strauss Hauer & Feld LLP  
Austin

Josh Rosenberg ’95  
Vice President and Global Head of Sales, Inventus  
Austin

**On the job, I:** help people get a fresh start utilizing the U.S. Bankruptcy Code.

**How I got this job:** I'm brave. I started my own practice right out of law school and built it bigger year by year. We are now one of the largest bankruptcy filers in the area.

**Texas is a great place to be a lawyer because...:** Your dollar goes a lot farther here. Low cost of living and no state income taxes.

**What's one fun fact people may not know about the state or the area where you live?:** We have about 100 Mexican food restaurants within a five mile radius of where I live and practice.

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**On the job, I:** provide regulatory counsel and advice to oil and gas producers, midstream companies, marketers, pipelines, and end users. I also prepare contracts such as gathering agreements, natural gas processing agreements, transportation service agreements, pipeline precedent agreements, and gas sales agreements.

**How I got this job:** After we moved to Texas from D.C., where I was a shareholder in another firm, a former colleague heard that I was in town and called me.

**Texas is a great place to be a lawyer because...:** There are so many oil and gas companies here that need assistance with transactional and regulatory matters.

**What’s one fun fact people may not know about the state or the area where you live?:** Austin considers itself the “live music capital of the world.” It is growing rapidly, because everyone who comes here for the music festivals (South by Southwest in March and Austin City Limits in October) wants to stay!

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**On the job, I:** drive the company to achieve our revenue and earnings targets.

**How I got this job:** After practicing as a litigator, I went back to school and earned an MBA. Since then I shifted careers to focus on sales and general management. Most recently I was the general manager of a software business in the e-discovery space called LAW PreDiscovery at LexisNexis. Inventus was my biggest client and they asked me to run their sales team.

**Texas is a great place to be a lawyer because...:** It’s massive, the growth is incredible and who doesn’t love wearing a suit when it’s over 100 degrees four months of the year.

**What’s one fun fact people may not know about the state or the area where you live?:** Austin is a lot like a southern version of Columbus—similar size, great growth, state capitals, large universities. If you like tech startups, Formula 1, live music and smoked brisket, Austin is the place to be. If you like great college football, go with Columbus!
Reflecting on 125 Years

The College begins to celebrate its anniversary

BY BARBARA PECK
In 2016, The Ohio State University Moritz College of Law celebrates 125 years of educating future lawyers, shaping legal scholarship, and serving the community. A week exploring the University Archives revealed a narrative of fast growth, steadfast commitment by alumni, innovation in the classroom, and groundbreaking legal research and scholarship.

In reality, Moritz is fairly young for a major land grant university law school in the Midwest. Classes were first held in 1891. Our friends in Cincinnati founded their law school in 1833. That School Up North – 1859. Throughout the 1880s, intense state politics and lobbying by Ohio University and Miami University delayed the founding of Ohio’s flagship university, making Ohio State the last of the Big Ten universities to be founded. As an aside, the same political battle is also the reason why the The in the university’s name is famously capitalized (an act of the legislature in 1878).

Pre-1891

The law school was officially founded in 1891, however, its history begins earlier.

1891

Under the leadership of the first dean, the Honorable Marshall J. Williams, a Supreme Court of Ohio justice, classes are first held on Oct. 1, 1891 in the Franklin County Courthouse. The first class is comprised of 33 students, including one woman.

1890

Two apprentice lawyers—F.P. Jackson and C.W. Voorhees—organize a study group on real estate law. They form the Law Students Club with 18 other apprentice clerks, and the group quickly grew to 40. With a $6 per student charge, they hire a lawyer to teach real estate law.

JUNE 22, 1885

The University trustees pass a resolution directing the president to appoint a committee to secure the teaching services of local judges or lawyers, free of charge. Peter M. Clark, the only African-American member to serve on the board until 1969, offered the resolution. It took until 1891 for classes to start.

1891-1903

The early years—struggle then momentum.

125 Most Influential People and Ideas

To celebrate our 125th anniversary, we are launching the 125 Most Influential People and Ideas project, which will take a published form as well as live in our online archives. A sneak peek at 10 of the stories on the list appears in the pages that follow. Past accounts and articles can only tell us so much. We are asking all students, alumni, faculty, administrators, and friends to submit nominations for inclusion on this list of influencers. Please tell us about your classmates, professors, and classes, along with other ways that this law school, in your opinion, has changed the world. Send us your stories and photos via email to Barbara Peck at peck.5@osu.edu.

JOHN JAY ADAMS

Adams served as the College’s fourth permanent dean (1909-1926), taking the helm just as the new college settled into its first permanent home in Page Hall. Under Adams’s leadership, Ohio State was one of the first law schools in the country to add elective courses to the curriculum after the first year. This novel idea becomes part of Ohio State Law’s brand identity. In fact, a 1957 ABA report proclaims: “No other law school in the country offers a superior bank of electives.”
The early years—struggle then momentum.

1891
The nucleus of the law library is started by a gift from Mrs. Noble, widow of the Honorable Henry C. Noble.

1892
11 students graduate in the class of 1892.

1893
The law department is struggling financially and there is discussion of closing. Ohio State Board Chairman Rutherford B. Hayes, 19th president of the U.S., pledges $300 of his own funds to keep it afloat. There is debate on whether this gift was ever received.

1894
Classes are moved to Hayes Hall on campus. They later move to Orton Hall.

Emerson McMillin donates $3,000 for the law library.

1895
At least two years of college are now required for admission. From 1891-1895, only a high school diploma was necessary.

1896
The law department becomes the College of Law.

1895
The law school program is expanded to three years. This is very controversial because many schools—including the University of Cincinnati, University of Michigan, and “eastern schools”—remain at two years for quite some time. There is great concern this move will hurt enrollment.

1901
Ohio State becomes a charter member of the American Association of Law Schools.

JOHN W. BRICKER ‘20
Bricker served as Ohio attorney general, Ohio’s 54th governor, and a two-term U.S senator. As governor, he attained national fame for transforming a $40 million deficit to a $75 million surplus in six years, while increasing budgets for education and welfare. He was also the Republican nominee for vice president in 1944. After his career in politics, he co-founded the Bricker & Eckler law firm in Columbus. He also served as president of The Ohio State University Board of Trustees.
1903
Classes are moved to the newly built Page Hall, named for Henry Folsom Page, a Circleville lawyer, who donated the funds to build the now iconic structure. This gift is considered the start of The Ohio State University endowment. Over the years, approximately 2,500 alumni studied in Page Hall.

1905
The Arts-Law program is established with the College of Arts, Philosophy and Science. It is a six-year program that combines a B.A. and law degree. It stays in existence until 1960.

1904
Moot court participation for credit is introduced.

1910
The J.D. program is established. It is for students who have a non-professional baccalaureate degree. The first four J.D. students graduate in 1912.

1911
The Arts-Law program is established with the College of Arts, Philosophy and Science. It is a six-year program that combines a B.A. and law degree. It stays in existence until 1960.

1914
Elective courses are added to the second and third year curriculum. This is a novel idea and a trend Ohio State leads for the next 50 years.

1915
An Order of the Coif chapter is started. Ohio State is the 15th school to join.

1917
World War I takes a toll on enrollment. In the fall of 1917, only two students apply for admission. Operations are suspended until the fall of 1918 for lack of students.

1919
The College expands its offerings for the benefit of returning veterans.

1923
The College receives American Bar Association approval.

1926
A Commerce-Law program is started with the College of Commerce and Journalism.

DONALD C. POWER ’26

Power was president (1950-1961) and then chairman and CEO (1961-1970) of General Telephone and Electronics (GTE) Corporation. Power was “the first major architect” of the company guiding it through multiple major acquisitions, greatly expanding GTE’s reach, research, and development to become one of the largest companies in America. Today, GTE’s successor is Verizon.
1928

Herschel W. Arant becomes dean, serving until 1939. He founds the League of Ohio Law Schools (1934) and serves as president of AALS in 1938. He later leaves Ohio State to sit on the United States Court of Appeals for the Sixth Circuit (appointed by Franklin Roosevelt).

1932

The faculty approves student self-governance of the Honor Code, which is one of the first in the country.

1935

The Ohio State Law Journal is founded. There were three previous attempts to start a journal (1911, 1919, 1929). It was founded by the newly formed SBA.

1939

Professor Norman Lattin publishes Cases and Materials on the Law of Corporations. He published two more corporate law case books in the 1950s. The Lattin on Corporations series is later printed.

1935

The first clinic begins. It is founded by Julius Schlezinger '35 and is quickly taken over by Professor Harris. The Legal Aid Clinic is a joint effort with the Columbus Barrister’s Club, Columbus Family Bureau, and SBA.

1934

The Student Bar Association is founded.

1931


1938

The first intraschool, student-sponsored moot court competition is held.

1941

Professor Alonzo Tuttle leaves the College a $5,000 gift “for costs not cared for by the university budget.” This is considered the start of the college’s endowment.

WILLIAM K. THOMAS '35

As a law student, Thomas helped found the Student Bar Association, serving as its first president, and was also among the founders of the Ohio State Law Journal. He went on to serve for more than 40 years as a state and federal judge. While he presided over several high-profile trials, his legacy perhaps is better found in the diligent pre-trial proceedings he conducted. Long before the advent of Federal Rule of Civil Procedure 16, Thomas developed pretrial procedures that became a national model. His approach was put to the test when the civil lawsuit stemming from the Kent State shootings landed in his courtroom. Thomas was able to oversee a joint settlement that avoided what was sure to be years of trials and appeals in the case.
46 THE OHIO STATE UNIVERSITY

CONTINUING LEGAL EDUCATION

Ohio State Law was a founder of the idea of continuing legal education for practicing lawyers. The college developed key relationships with the bar after World War II and throughout the following decade. By the early 1960s, thousands of lawyers had received training and the program was described as “novel, with no rival in the state or nationally.”
JOAN KRAUSKOPF ’58

As a student at Ohio State Law, Krauskopf noticed a lack of communication between the College and its students and alumni. As a solution, she founded the Buckeye Barrister newspaper, the predecessor to all of the College’s publications, and was the first woman to serve as editor-in-chief of the Ohio State Law Journal. After graduation, Krauskopf worked tirelessly in Colorado and Missouri, advocating for the Equal Rights Amendment. She also taught law classes part-time at Ohio State and the University of Missouri, and published dozens of articles about issues in torts, domestic relations, and elder law. Eventually she became one of the first women in the country to be offered a full-time, tenured track law faculty position. Krauskopf eventually joined the Ohio State law faculty in 1987. After four decades in law teaching, she inspired generations of female lawyers and was recognized as an “outstanding professor” by college alumni at her retirement in 1997.
In his 50 years as a law professor, Professor Larry Herman drafted his fair share of legal scholarship. His articles on the death penalty, post-conviction remedies, and search warrants have been well-read and cited. Written at a turbulent time in criminal procedure jurisprudence, his work on self-incrimination and police interrogation were particularly influential. The U.S. Supreme Court cited his work in its 1965 decision in *Miranda v. Arizona*, which drastically changed police interrogation techniques. “For years, the police have insisted that productive interrogation can take place only in private and that an interrogee will not confess if he is aware of the presence of third persons. In practice, privacy has become secrecy, and the details of the interrogation are almost always in doubt,” Herman wrote, arguing for change in 1964.
1983
OSLJ organizes the symposium: State Prisoner Use of Federal Habeas Corpus Procedures.

1985
Professor John Quigley leads a group of 19 Ohio lawyers, including five alumni, on a tour of Russia.

1985
OSLJ enters the digital age with the purchase of Wang word processor.

1985
The law library provides faculty and students with training in Lexis computer research system

1986
OSLJ symposium: The Tension Between the Free Exercise Clause and the Establishment Clause of the First Amendment.

1986
BLSA organizes Civil Rights and Affirmative Action: The Present Struggle for the Future, which was attended by lawyers and officials from across the country.

1987

1984
The Oxford Summer program begins. Professor Howard Fink is instrumental in starting the program.

1985
The Ohio State Journal on Dispute Resolution is founded.

1986
Professor Nancy K. Rhoden publishes Trimesters and Technology: Revamping Roe v. Wade (95 Yale L.J. 639).

ERIN MORIARTY ’77
The nine-time Emmy-winning television reporter has used her legal background to expose corruption, challenge convictions, and explore unsolved crimes. Her tenacious storytelling style brings tough questions about DNA testing, physical evidence, and confessions into American living rooms. Her ability to stick with a story long after a conviction and the media spotlight has faded has kept scrutiny on several questionable cases and makes her a much needed voice in today’s sensational media world. As a correspondent for CBS “48 Hours,” Moriarty sticks with true investigation and journalism techniques, brings rigor and tenacity to her reporting, and leaves the unsolicited commentary to the talking heads.
1990
Ohio State hosts the National Institute for Dispute Resolution Conference. More than 140 judges, mediation program administrators attend. It is moderated by the Hon. Thomas Moyer ’64.

1995
Legislation is added as a first-year required course.

1996
The College stops using adjunct professors to teach first-year legal writing and instead uses full-time, permanent faculty. This is considered a bold move.

1998
The Justice for Children Clinic is founded. Professor Kate Federle joins the faculty.

1999

2001
Michael E. Moritz ’61 donates $30 million to the College. At the time, it was the largest gift received by the university. The College is renamed The Michael E. Moritz College of Law in his honor.

1992
The new addition to the building is dedicated.

1995
The Legislation Clinic is founded.

1999

YVETTE MCGEE BROWN ’85

Brown is a woman of action and of firsts. Today, she is a litigation partner at Jones Day, where she is the firmwide partner-in-charge of diversity, inclusion, and advancement. Prior to joining Jones Day, she served as the 153rd justice on the Supreme Court of Ohio—the first African-American woman on that court—and she served as a judge on the Franklin County Common Pleas Court for nearly a decade. As a judge in the domestic relations and juvenile division, McGee Brown created the Family Drug Court and SMART Program, a truancy and educational neglect intervention program. In addition, she’s had a notable career in corporate boardrooms, serving as a director for M/I Homes, Motorist Insurance, Glimcher Realty Trust, and Fifth Third Bank of Central Ohio. Like her mentor Robert Duncan ’52, McGee Brown is dedicated to community service and counseling the next generation of lawyers.
LEGISLATION COURSE IN THE FIRST YEAR

Moritz introduced Legislation as a required first-year course in 1995, becoming one of the first law schools in the country to do so. The change arose from widespread faculty sentiment that lawyers devote substantial effort to understanding, applying, interpreting, litigating, and counseling about statutes, regulations, and agency judgments. In the subsequent decades, more than 20 of the top 100 law schools, including Harvard, NYU, and Michigan, have followed Moritz’s lead.
In Our Own Backyard

Inside the fight to end human trafficking in Ohio

BY ELIZABETH WEINSTEIN
Early one evening in the fall of 2013, Nikki Trautman Baszynski ’13 parked her car in front of her apartment building, just east of downtown Columbus, and greeted a construction crew as they worked on the street near her place. When they asked how her day had been, she paused, sighed, and answered that it was as good as it could be, given the uniquely challenging nature of her job.

“What do you do?” one man asked.

“I’m a lawyer and I represent juvenile human trafficking victims,” she replied.

Clearly impressed, he asked Trautman Baszynski how many languages she spoke.

“I thought it was such an odd question,” Trautman Baszynski, who currently works as an assistant state public defender at the Office of the Ohio Public Defender, recalled of the interaction. “And then it occurred to me that he thought human trafficking was an international crime, and that I must speak all of these languages in order to do what I do. That was illustrative of the reaction from a lot of people—like, ‘What? That happens here?’”

Human trafficking is a global issue—one that happens as far away as Asia and as close to home as the tree-lined streets of suburban Columbus. And her mission that year was not only to help young victims of trafficking get the help they need, but also to educate the community at large about this seemingly invisible human rights crisis.

After graduating from The Ohio State University’s Moritz College of Law in 2013, Trautman Baszynski was hired on as the College’s first Greif Fellow in Juvenile Human Trafficking—a fellowship program, funded for four years and now in its third year, that hires a recent graduate to work solely on the issue of human trafficking for a year—that was established with grant funding from the Greif Packaging Charitable Trust.

Working under the supervision of Professor Kimberly Jordan, director of the College’s Justice for Children Project, Greif fellows provide legal representation and advice to child victims of human sex and labor trafficking in Ohio. So far, they have taken on almost 50 cases, with more referrals coming in all the time.

When Trautman Baszynski started in the role, Ohio had the unfortunate reputation for being a national leader in the number of victims affected by human trafficking, which according to the Polaris Project, a Washington, D.C.-based anti-trafficking organization, is defined as “a form of modern slavery where people profit from the control and exploitation of others.”

In the last few years, however, Ohio leaders, legislators, politicians, support service providers, educators, law enforcement officials, and judges—many with ties to the College—have all come together in a forceful and concerted effort to end both labor and sex trafficking in the Buckeye State. And, slowly but surely, the tide is turning.

“What we used to look at as a victimless crime, we now recognize that there are victims—the women themselves, who are being forced to sell themselves for someone else’s profit,” Jordan explained.

Uncovering an epidemic

For Jordan, serving the legal needs of children is a way of life, and she spends her days, even in the summer, running back and forth between her office and the local courts, handling cases that are oftentimes, literally, matters of life and death.

“The great thing about the Greif Fellowship is that it is a perfect example of the public and the private coming together to face a community issue,” she said on a late summer afternoon, on a lunch break between court dates. “I really applaud the Greif Packaging Charitable Trust for stepping up in this way and getting involved in an issue that is messy.”

Messy is an understated description of the mix of legal, ethical, psychological, familial, societal, and cultural mechanisms at play in cases involving human trafficking victims—particularly victims under 18 years old.

And it was a topic that Jordan had only a cursory awareness of when Dean Alan C. Michaels first approached her in the spring of 2013, with the
The Legal Definition of the Crime of Human Trafficking

**ACT:** recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain or attempt to do any of the above

**MEANS:** Compel (will was overcome by force, fear, duress, intimidation, or fraud)

**PURPOSE:** Sexual activity for hire, obscenity, OR involuntary servitude

Notable exceptions:

1. No need to prove compulsion if:
   a. if the victim is under 16
   b. the victim is 18, but trafficker is person of authority (parent, teacher, etc).
   c. victim is developmentally disabled
2. person who engages in sexual activity with any person, or solicited sexual activity with any person, whether or not for hire, without more, doesn't constitute crime of HT.

news that the charitable foundation of a Delaware, Ohio-based industrial packaging products company was interested in working with the College to combat juvenile trafficking in Ohio.

Dean Michaels asked Jordan if she thought there was a need for such a partnership in Central Ohio.

"To be honest, at the time, I had no idea," she said, "and so I contacted some people around town who were involved with the issue of human trafficking and started to learn more about it myself. And I came back to Dean Michaels and said, ‘Yes, I do think this is a need and I think we could do something really great here.’"

The hard work begins

When Trautman Baszynski stepped into her role as the inaugural Greif fellow, there was much work to be done. She worked with Jordan to learn more about the issue in Central Ohio and beyond, and to identify partner agencies, what work was already being done by these agencies, and to determine what gaps existed in terms of service provisions for human trafficking’s youngest victims. One question initially asked was, “Will there be any clients to represent, and where will they come from?”

As it turned out, finding clients ultimately wasn’t an issue. There were plenty of victims in need of legal assistance and after the first few months of building relationships with partner agencies, organizations, and courts, a steady stream of calls flowed into Trautman Baszynski’s office.

"Initially, the majority of our clients were referred to us by law enforcement. We have a very active human trafficking task force within the Columbus Police Department that works with federal agents, and they do a really good job of trying to locate and offer assistance, rather than prosecution—especially to young victims,” Jordan explained. “They contact us when they come into contact with a young person and we are able to provide representation in the juvenile court context.”

Other referral streams include federal agencies working to identify victims of labor trafficking, community partners, and organizations like the Salvation Army in Central Ohio, which manages the Central Ohio Rescue and Restore Coalition, a network of nearly 100 social service and advocacy organizations working together to raise awareness and strengthen Central Ohio’s response to human trafficking.

According to a July 2015 report by Ohio’s Human Trafficking Task Force, between July 2013 and April 2015, the Ohio Network of Children’s Advocacy Centers identified 135 cases of minor and young adult victims of trafficking. The majority of victims were females between the ages of 13-18, while twenty victims were under the age of 13. In fact, in Ohio, the Ohio Attorney General’s office cites the most common age for children to become victims of trafficking as 13 years old.

Many of the children who find their way to the Greif fellow’s office are victims of sex trafficking (although increasingly, they are seeing more cases of labor trafficking), and unfortunately, Jordan said, “they are still being charged in juvenile court. That’s just a matter of how the system is set up. Victims are being charged because that’s how they get help.” Common charges include obvious ones, like prostitution and solicitation, as well as less obvious examples, such as loitering, theft of basic necessities, or truancy.

“In our society, we shouldn’t have to charge children with crimes in order to get them the appropriate services they need,” she added, “and that is a huge gap in our system.”

But, to put things in perspective, Jordan explained that several years ago, Ohio was “the lowest of the low in terms of rankings by the Polaris Project.” However, as the state has increased penalties for traffickers and expanded opportuni-
ties to serve victims, Ohio’s rankings have gone up. “There’s a lot of work to be done, obviously, but I think that Ohio is among the leaders of really looking at this issue and starting to address it,” she explained.

**A national push for change**

The Trafficking Victims Protection Act of 2000 was the first comprehensive federal law to tackle human trafficking on a national scale. According to the Polaris Project’s website, the law is the “cornerstone of federal human trafficking legislation, and it established several methods of prosecuting traffickers, preventing human trafficking, and protecting victims and survivors of trafficking.”

According to the National Human Trafficking Resource Center, as defined by U.S. law, victims of human trafficking can be divided into three populations: children under the age of 18 induced into commercial sex; adults induced into commercial sex through force, fraud, or coercion; and children and adults induced to perform labor or services through force, fraud, or coercion.

At the state level, change has come at a slower pace, with individual states adopting different laws on their own timelines. Over the last five years, the Ohio Legislature has led the way, though, by passing two key pieces of legislation.

In 2010, a new law, SB 235, made human trafficking a second-degree felony in Ohio and increased penalties for kidnapping for the purpose of involuntary servitude and compelling prostitution of minors. In addition, SB 235 gave law enforcement and prosecutors the ability to target individuals involved in sex and labor trafficking. Then, in 2012, the Human Trafficking Commission helped pass HB 262, known as Ohio’s Safe Harbor Law. The law increased the penalties for traffickers and improved care for victims by allowing juvenile victims of human trafficking who have been charged with crimes to have their charges diverted.

Today, the Greif Fellowship serves an integral part in the implementation of the Safe Harbor Law in Central Ohio. “Individually what we are doing is we are helping clients obtain safe harbor under Ohio law, which allows them to not be adjudicated on the underlying offense,” Jordan explained. “Their complaint is put in abeyance, so it is set off to the side while they receive supportive services and perhaps placement to get the treatment they might need in order to address their victimization.”

Elizabeth Ranade Janis has served as Ohio’s anti-human trafficking coordinator since 2013. She coordinates the work of the Ohio Human Trafficking Task Force, which was created through an executive order by Governor John Kasich in 2012, and, she explained, “is basically a mandate to the state agencies to respond in a coordinated, comprehensive way to trafficking.” The task force consists of the Governor’s Office of Health Transformation, Department of Job and Family Services, Department of Agriculture, Department of Mental Health and Addiction Services, Department of Education, Department of Medicaid, Department of Youth Services, Department of Public Safety, Department of Health, and the Ohio Board of Cosmetology.

“At the national level, there is a major push to change state laws,” Ranade Janis said. “Concurrent with the recognition that trafficking is actually a reality happening in every state—in urban and rural settings, and across all kinds of demographics—there is this push now to say that we need better state laws, because victim services are primarily provided at the state and local level.”

Michelle Hannan, the director of professional and community services for the Salvation Army of Central Ohio, agreed with Ranade Janis. Since 2007, Hannan has served as coalition manager for the Central Ohio Rescue and Restore Coalition and has seen what she described as “a complete revolution” in terms of the treatment of human trafficking victims in the region.

“As a community and across the state, we have been working really hard to raise awareness about human trafficking. We still have a long way to go, because I think a lot of people still don’t know what the problem is, but we’ve moved forward quite a bit,” she said. “And with people actually understanding what human trafficking is, and with systems being trained to identify human trafficking, we have greater numbers of victims being identified all the time... So that’s put the burden on us to make sure that we have a greater number of resources available as we go. We’ve been building the bridge as we walk across it.”

By way of comparison, she explained that in 2008, the coalition had identified three individuals who had been trafficked that year, and they were adult males and foreign nationals who were trafficked in labor. The following year, around 16 victims were identified. Today, the coalition identifies between 150 and 200 victims each year.

“I still feel that’s kind of a drop in the bucket in terms of those who are out there,” she said, “but it’s truly moving forward.”
Unraveling layers of trauma

To understand our culture’s reluctance to recognize human trafficking as a crime that is happening in our own backyards, one need only tune into modern pop culture, or listen to the ways teenagers (and even adults) casually talk to one another.

“We’ve adopted slang that has diminished the significance of what is occurring,” Trautman Baszynski said. “People talk about pimp and hoe parties, or say ‘that’s pimped out,’ and we use those words in a way that has really trivialized what we are actually talking about—human trafficking.”

Despite the pop culture references, the realities of human trafficking—and real-life situations with pimps and the victims they exploit—are anything but glamorous.

The greatest challenge that Hannan faces in her line of work is helping people understand that “victims really are compelled into this situation,” she said. “I think we as a culture have been conditioned to see the sex industry in a particular way, and to see people who are involved in the sex industry as being there completely by choice. We like to think that there is very little harm associated with prostitution or other aspects of the sex industry. We don’t really want to think about it, but when we do, we think, ‘Eh, they’re consenting adults.’”

Unfortunately, she explained, many adults who are involved in the sex industry first engaged with it as minors, and “there’s no way that a minor can give consent to be sexually exploited.”

A trafficking situation, she added, is not unlike a domestic violence or kidnapping situation. The question most often asked of women in abusive relationships is, “Why doesn’t she just leave?” And when a young child is kidnapped and found years later, people often ask, “Why didn’t they just escape when they had a chance?” The answer: it’s so much more complicated than that.

Though every case is different, the one thing most human trafficking victims have in common is a vulnerability that makes them susceptible targets. Runaways, children in foster care, children who have been abused or neglected, LGBT (lesbian, gay, bisexual, and transgender) youth who have been kicked out of their homes—in other words, “children whose parents are, for whatever reason, not able to provide the level of supervision and support that they need,” Professor Jordan explained, “they go looking for that in other places. And, unfortunately, plenty of people are ready and willing to prey on those children.”

A significant majority of the children who end up in these situations have already been victimized by someone in their lives. “We don’t see children engaging in this kind of behavior, or getting hooked up with folks who are going to cause them harm, who haven’t already been victimized by someone in their immediate family,” Jordan added. “And so we are dealing with layers upon layers of trauma.”

Understanding these layers of trauma from both a psychological and a legal perspective is uniquely challenging, because the bonds that form between children and their traffickers are complex, and, by design, sometimes seemingly impossible to break.
There is a term for this—trauma bonding—and it is a primary method used by traffickers to control their victims. “A trauma bond is deliberately created by traffickers using many of the same techniques we would see in domestic violence situations or in prisoner of war situations, where the trafficker controls the victim’s entire focus,” Hannan explained. “Traffickers offer a mix of rewards and indulgences, which are very minor, and of course have nothing at all to do with any kind of healthy relationship, but are really used to cement the emotional bonds with their victims.” If the trafficker is not a relative of the victim, they often spend a significant time wooing and grooming them—earning their trust—before things turn bad.

On its website, the Polaris Project shares stories from survivors throughout the country, and one of those stories, of 17-year-old “Sarah,” (names were changed to protect survivors’ identities) a Caucasian girl from rural Ohio, is illustrative of just how easy it is for traffickers to prey on vulnerable children, and for children to unwittingly become ensconced in a dark underworld:

“Sarah ran away from home a few times because her mom and stepfather drank a lot and did not pay attention to her. A few months ago Sarah was walking to the store alone and a 30-year-old male drove up beside her and told her how pretty she was and asked why she looked so sad. Sarah told him that she was angry with her mom and just needed to take a walk. He asked if he could take her to get her nails done down the street to cheer her up, and she agreed. He paid right away while giving compliments and telling her he wanted to meet again the next day.

For the next two months he picked Sarah up and took her to eat, to get her nails done and continued to act like a loving boyfriend. They both began calling each other boyfriend and girlfriend. They spent a lot of time together and he asked Sarah to move in with him, but after another month of living together he told her he couldn’t make the rent payment and needed help. He asked her to go on dates with older men and engage in commercial sex. Sarah felt uncomfortable but agreed because she would do anything not to return home, and wanted to make him happy. Her boyfriend praised her and told her he didn’t mind that Sarah helped them get money for rent this way.”

“Sarah” happens to be white, but Jordan noted that the “issue of disproportionate minority contact happens throughout the juvenile justice system,” and human trafficking is no exception. Ranade Janis added that a major gap right now in the work happening around human trafficking nationally is in tracking demographic breakdowns: there just isn’t enough data out there yet to give a clear picture of how race, gender, sexual orientation, and other factors are represented in human trafficking scenarios. However, in Ohio, according to Ranade Janis, there has been a huge leap forward in the systematic collection of data, and other states are calling Ohio to find out how they are doing it.

A 2009 report by the Bureau of Justice Statistics tracked characteristics of suspected human trafficking incidents from 2007-2008 and found that “[Blacks] represented the largest category (36 percent), followed by Hispanics (31 percent). Whites and Asians accounted for 13 percent and 16 percent of human trafficking suspects, respectively. Asians constituted the largest category of labor trafficking suspects (37 percent), while blacks accounted for the largest percentage of sex trafficking suspects (44 percent).” In other words, human trafficking spans all demographics, but likely takes the hardest toll on minority victims.

Paving a path from victim to survivor

Before coming to law school at Ohio State, Trautman Baszynski worked as a teacher in the Bronx as part of the Teach for America program, and while there, she gained experience—quickly—in working with children who faced overwhelming difficulties in life. Focusing on what she could do help those children, instead of the sadness that arose when she learned about those difficulties, was a lesson that guided her throughout her work as a Greif fellow.

“In this job, you are taking in a lot of really tragic and heartbreaking information. You can’t sustain that unless you figure out ways to deal with it effectively,” she said. “You have to keep in mind what your job is and that the best way to serve this kid who you really feel for is by being the best lawyer that you can be.”

Emily Dunlap ‘14 picked up where Trautman Baszynski left off when she was hired as the second Greif fellow in 2014.

“At one point someone described this job as a lot of putting out fires. You’re dealing with minors who are almost constantly in crisis situations,” Dunlap said. “Whether they are in the custody of Children’s Services, or trying to live in an apart-
Human Trafficking

ment on their own, or are still living with family, you frequently get calls or texts from clients saying, ‘I can’t enroll in school and I don’t know what to do,’ or ‘I’m getting evicted from my apartment and I don’t know what to do.’ A lot of the job is handling whatever crisis is happening at that particular moment.”

It’s never as simple as just stepping in and “rescuing” a child from a trafficking situation, she explained, because the hard work of recovery continues for years after that initial moment of bringing a child to physical safety.

“We need to understand that someone who has been through what most of these kids have been through is not going to trust immediately, is not going to be quick to jump into an unfamiliar, strange environment, and, sometimes it takes them a while to even step away from the life that they are living, because it’s comfortable, it’s normal, and there are positive things about it. Leaving that can be extremely difficult,” she said.

Dunlap worked to make sure that service providers and the courts are addressing human trafficking cases from a trauma-informed perspective—a relatively new approach that has yielded numerous success stories.

“I think anytime that you, instead of sanctioning someone in need, provide services and assistance, you do the whole community a world of good. Instead of filling our juvenile halls, or departments of youth services, or our prisons, you instead give someone who is fully capable of being a productive citizen the tools they need to do so, it’s far more effective,” she said.

“We’ve seen kids who have gone from completely out of control lives to being successful. We’ve got a kid who lived a terrible life around the age of 15, who now is looking forward to applying to college. She’s brilliant and she’s going to do so well. And being in court so much, she is looking forward to one day becoming an attorney, and I know she’s going to do a wonderful job. I always let her speak in court because she is a better advocate than I am sometimes for what her needs are. These kids do amazing things.”

With all of the good that Safe Harbor has brought about, the law still has some limitations. Young trafficking victims are, by nature, runaway risks, Dunlap said. “You’ve got kids who are programmed to run from things that are uncomfortable or frightening to them…and you’ve got years of trauma that need to be addressed, which can be painful for anyone to go through.” Safe Harbor laws typically allow victims a period of up to nine months to prove to the court that they have made acceptable changes in their lives.

“Safe Harbor is a great tool for the kids who are identified to allow them time to begin to address the issues. We’ve utilized it in a number of cases and have been successful,” Jordan said. “In the cases where kids are not successful, what we’ve really found is that the trauma is so severe that they need longer than what Safe Harbor allows for. They need longer than nine months, or the court needs to recognize that we’ve got to set the success bar a little lower.”

Dunlap will continues to address these and other issues related to human trafficking in her new job as a staff attorney with a Toledo, Ohio-based
Human Trafficking

nonprofit organization, Advocating Opportunity, which provides wraparound legal services to all victims of human trafficking. And she recently passed the torch to 2015-16 Greif fellow Victoria “Tory” Bader ’15.

“We are going to have to push the court forward,” Bader said. “We’re getting to a point where they are going to have to make a lot of decisions about how things have been going and how we are going to move forward, especially with the trauma-based approach to diversion.”

Shelter, treatment, and hope

When people find out where Terri Foltz ’91 works, they often ask her if human trafficking is a “real” problem, or if it is an issue that has been overly sensationalized by the media.

“I can say unequivocally that this is a real problem and it is growing worse because of the money involved,” Foltz said, emphatically. She is the managing director of Gracehaven, a faith-based, nonprofit organization that serves minors in Central Ohio who have been sexually exploited.

A trafficker, she explained, can rake in as much as $350,000 to $450,000 a year by exploiting just one child. “If you look at traffickers who are really good at both keeping their girls on the street and forcing them to get close to $1,000 a day, it becomes apparent how much money is involved.”

A 2014 report from the International Labour Organization found that forced labor—both commercial sexual and economic exploitation—generates $150 billion in (illegal) profits a year.

Foltz noted that the Internet has helped facilitate more transactions, as well as keep those interactions out of the public eye. There are, of course, still girls and women (and some men) working on street corners, but by and large, traffickers are now using online classifieds, to place ads for their victims’ “services.” Traffickers will frequently give their victims pre-paid credit cards, have them book hotel rooms for a block of hours, and then send men one after another into their hotel room for around $800 per visit.

Founded in 2008, Gracehaven raises awareness, provides training to anyone who might encounter trafficking victims, and offers outreach and case management to those who have been trafficked.

Current Greif Fellow in Juvenile Human Trafficking Victoria “Tory” Bader ’15 (left) is pictured with past fellows Emily Dunlap ’14 and Nikki Trautman Basynski ’13, in front of the Franklin County Courthouse in Columbus. Greif fellows spend one year working solely on the issue of human trafficking.
In August, Gracehaven opened up a residential program about an hour outside of Columbus, with space for eight girls, ages 12-17. Foltz and her team at Gracehaven work closely with Moritz and the Greif fellow, providing follow-up care and support services for kids referred to Gracehaven by children’s services agencies and the courts.

“We have found that the trauma of being trafficked is almost like no other trauma that you deal with in youth populations, and we think the best possible care is really specific,” she said. All eight beds were filled almost immediately after the facility opened, and there is currently a wait list.

“In Ohio, we have only three residences licensed with the purpose of providing specific programming only for trafficked youth,” Foltz said. “One of them hasn’t opened yet. Another is in Northern Ohio, and, at any one time, they have space for maybe eight or nine youths. By opening our organization’s residence, we almost doubled the available beds in a place where that’s all that we do.”

Foltz worked as a litigator at Barrett Easterday Cunningham & Eselgroth LLP, a firm in Dublin, Ohio, for most of her post-law school career, focusing on alternative dispute resolution and civil litigation. She also spent a few years living in the Philippines, where she worked with an orphanage to bring children there off of the streets and “first became aware of “the horrendous toll that trafficking can take on youth,” she said. At the time, though, she, like much of America, thought of trafficking as predominantly an international problem.

She and her husband adopted two sons from Asia, and then, upon returning to the U.S. 11 years ago, adopted a five-year-old girl from the Westerville area who, at the time, was in foster care.

“She’s 16 now and she’s doing fantastic, but when she first came to us and as we began to understand the whole situation, what we found was that she was a product of her birth mother being trafficked for drugs,” Foltz said of her daughter. A year ago, when Foltz was contemplating taking her current position at Gracehaven, her daughter told her, “Mom, I think this is something you have to do.”

Every day in her current job, Foltz works to correct what she dubs the “Pretty Woman Myth,” after the 1990 film that starred Julia Roberts as a hooker with a heart of gold, and Richard Gere as the john with whom she fell madly in love. Foltz has yet to meet a youth or adult, turning tricks, who does not have a trafficker, she said. In fact, the people she works with “have the least choice in their lives,” she explained. However, she takes pride in knowing that places like Gracehaven are part of the solution to this problem.

“The great part of being in this spot is that we don’t just have to be heartbroken—we can actually mend hearts and put them on a path to wholeness. I am heartbroken but I don’t want to stay that way,” she said.

“I don’t want to sugarcoat it. There are no one-day miracles. For any person to come out of a trafficking situation, it’s a long road. It’s a hard road. But with help, they can come into a very different place... I like what I do. It feels odd to say that. It’s a horrible thing, but I feel better doing something about it than just reading about it.”

Suspect human trafficking?
Here’s what to do:
CALL 911 or 888-373-7888 –or–Text HELP to #233733

Terri Foltz ’91 is the managing director of Gracehaven, a faith-based, nonprofit organization that serves minors in Central Ohio who have been sexually exploited.
“If people really want to address this issue, they can’t start when the child is 14 or 15 and found in the hands of a trafficker. We’ve got to pay attention to these kids from the time that they are two, three, and four years old, and in contact with the system for various things going on in their lives… If you want to help, be a foster parent. Be a mentor. Get involved with your community agencies that work with young kids, rather than waiting until they are in the throws of this terrible crisis.” – Professor Kim Jordan

For Additional Information

National Human Trafficking Resource Center
traffickingresourcecenter.org

Polaris Project
polarisproject.org

Greif Fellowship in Juvenile Human Trafficking
moritzlaw.osu.edu/justice-for-children/greif-fellowship-in-juvenile-human-trafficking

Ohio Human Trafficking Task Force
publicsafety.ohio.gov/ht

Central Ohio Rescue and Restore Coalition
centralohiorescueandrestore.org

Map of Ohio service providers and coalitions
publicsafety.ohio.gov/ht/coalitions.html

Gracehaven
gracehaven.me

Ohio Human Trafficking Commission
ohioattorneygeneral.gov/humantrafficking.aspx

The Salvation Army International
salvationarmy.org/ihq/antitrafficking

The Photography of Richard Ross

Many of the photos that appear in this article are the work of photographer Richard Ross. In 2015, Moritz hosted an exhibition of Ross’s works about life in America’s juvenile detention centers. For eight years, Ross, an art professor at the University of California at Santa Barbara, has documented juveniles in facilities that treat, confine, punish, assist, and, occasionally, harm them, in his traveling exhibition and accompanying book, Juvenile in Justice. His follow-up project, Girls in Justice, focuses on girls in the system and tells the stories of how they got there, including more than a few instances of human trafficking.

To learn more about Richard Ross and his photography visit richardross.net.
The glitz. The glamour. The excitement. Brushing elbows with the athletic elite and sharing in a fast-paced, extravagant lifestyle—all while negotiating multi-million dollar contracts.

Perhaps that’s how sports law is portrayed on television and in the movies. But those in the industry today say there is so much more to a career working with athletes than simply reading over their contracts and sharing in their success.

The ultimate agent

“We’re involved in all aspects of their career—contracts, endorsements, and marketing—whatever they need. There is no typical day,” said nationally renowned sports agent and founder of NC Sports Neil Cornrich ’83. “I work with, objectively and quantifiably, the best and brightest in the world at what they do. There are so few positions, and they’re so good—the best in the world. I think it’s difficult for most people to understand.”

Breaking into the industry is challenging. Building trust with the players, creating a name for yourself, and succeeding in a market teeming with a multitude of variables out of both the player and agent’s control, like career-ending injuries, can make it difficult to start a business from the ground up.

Cornrich considers himself lucky. When he decided to become a sports agent, he was able to support himself by working at his father, Sidney Cornrich ’51’s firm in Cleveland as he built his practice. Friendships he started while in law school also helped, particularly that of Larry Romanoff, current director of external affairs for Ohio State.

“Larry’s insights had a profound effect on my understanding of student-athletes and played an integral role in the genesis of my career,” he said. It also helped Cornrich land a top pick from The Ohio State University football program, who went on to have an immensely successful career in the NFL, as his first client.

“I was lucky that Kirk Lowdermilk chose me to represent him. Fortunately things went well from the beginning contractually and he had the right things going for him; he was a tough, bright, durable player—in the sense that he could survive this brutal game—and having a player like that teaches you a lot about the game. He was then nice
enough to start recommending me to other players like Jeff Uhlenhake, who was a team captain and All-America at Ohio State. Jeff was the first rookie to start at center in Miami Dolphin history and is currently working for the Ohio State football program as a strength and conditioning coach. One led to another, from Jeff to Joe Staysniak and, that same year, Jeff Davidson, who were both team captains and Academic All-Big Ten,” Cornrich explained.

Although he didn’t picture himself becoming an agent when he first entered law school, Cornrich said he became fascinated by contract work in his first-year course on the subject, taught by Professor Jerome Reichman, as well as classes on federal income taxation and legal problems of financial information with Professor Morgan Shipman. That appreciation for contract execution—which is a large part of what Cornrich does as an agent—as well as an independent project he completed with Professor Stan Laughlin ’60, which allowed him to study lawyers’ roles within sports, started him on the path to where he is today.

He now represents a number of highly successful professional-level and college-level coaches, general managers, and players for whom I work are trying to improve their teams, and that can include their own personal representation. I understand the need to keep improving my own work and earn the respect of my clients on a daily basis. It’s nice that I’ve had good results in the past, but what’s important is continually getting good results for my current clients.”

And that philosophy has proven successful for both Cornrich and his clients. His impressive career was recognized by Sports Illustrated as one of the “15 Most Influential Sports Agents,” in 2013.

“It’s obviously flattering, but I just feel very fortunate and humbled and lucky,” he said.

Every day Neil Cornrich ’83 comes into his office he walks past a colorful display of clients’ jerseys.

“We have a display area of jerseys, and it’s mainly current players’ jerseys, but there is one jersey I’ve kept up even though he’s retired as a player, and that’s Mike Vrabel. He wrote on it years ago ‘Behind every good agent are a bunch of great players.’ I look at that every day and it’s so true,” Cornrich said.
Creating opportunity

When David Lisko ’11 entered law school, pursuing a career in sports was the farthest thing from his mind.

A once successful football and lacrosse player for Ohio State, a torn ACL his junior year derailed his hopes of turning pro after graduation. Realizing he needed to rethink his future career plans, the political science major decided to apply to law school, something he says seemed like a natural fit for his background and interests, and to leave the world of sports behind.

“I was kind of done with sports. I thought it had run its course and I wanted to go in a totally different direction. I was really involved with politics while in law school, I didn’t even watch sports that much – I was really just done with it,” he said.

But, during his second semester at Moritz, Lisko was introduced to Columbus Blue Jackets Senior Vice President and General Counsel Greg Kirstein through the mock interview program, which reignited his interest in athletics.

“I took the meeting very seriously. I studied and spent a lot of time preparing for it and we had a tremendous conversation, which led to a job offer to work for the Blue Jackets my second year in law school,” he said.

But, during his second semester at Moritz, Lisko was introduced to Columbus Blue Jackets Senior Vice President and General Counsel Greg Kirstein through the mock interview program, which reignited his interest in athletics.

“I took the meeting very seriously. I studied and spent a lot of time preparing for it and we had a tremendous conversation, which led to a job offer to work for the Blue Jackets my second year in law school,” he said.

Kirstein began mentoring the aspiring attorney, and eventually introduced him to John Higgins, the general counsel for the Tampa Bay Rays, who in turn introduced Lisko to the sports scene in Florida. That mentorship and those introductions helped Lisko get his foot in the door at Holland & Knight, where he started as an associate, and later a certified NFL agent.

“It's hard when you're starting out; there are a lot of roadblocks in your way. A lot of agents who become certified never sign a single player to an NFL roster. Things kind of snowball once you get your foot in the door, but right out of the gate, it's hard to maneuver—you have to register in different states, which is expensive, you have to scout players and work with the universities,” he said.

As an agent, he said it’s his responsibility not only to read through his clients’ contracts, but also to promote them to the right teams.

“We do everything from research on prospective teams to creating highlight reels and beyond. It's my job to present my clients in the best possible light to the teams,” he said.

As his clientele base has grown, Lisko said he’s realized his clients need more than just an agent. They need someone who can represent them in a variety of other legal matters over the course of their career.

Although he has only been out of law school a few years, Lisko said already sees how rewarding a career in sports can be. He now shares that passion with others through Sports Business and Leadership Association, Inc., a nonprofit organization he helped form to educate legal professionals on trending sports-related business issues and concerns.

“I wanted to become an agent to help guys like me—bubble people who could succeed with the right help,” he said.

Developing a niche

A certified players’ agent is oftentimes much more than just an athlete’s representative, said NHLPA Player Representative and immigration attorney Kenneth J. Robinson ’98.

“A lawyer is sometimes a social worker, sometimes a priest, sometimes a psychologist. And while you don’t learn how to do that in law school, you do gain the tools to analyze those issues and the various pros and cons to try to determine what the best course is,” he said. “Some players like to talk to their agents or advisors after every game. It may be 10 p.m. where they are and 1 a.m. where you are and you’re just sitting there talking about hockey, their struggles, calls that were made, and helping them debrief. Other players don’t need that. Players use their agents differently, some much more heavily, and that’s great; we want them to be our friends and to tell us about their troubles so we can try and resolve them and be there for them.”

Trust between the agent and athlete is paramount to a successful relationship, Robinson explained. That skill of listening carefully to his clients and working to build strong relationships with them is what actually led him down the path to becoming an NHL agent.
When asked if he ever imagined himself working with professional athletes when he was just starting out, he smiled as he said, “Absolutely not.”

When Robinson entered law school he was interested in pursuing international law. Through an opportunity to work with the European Court of Human Rights in Strasbourg, France, however, he quickly discovered a new area of practice that seemed to better fit his interests—immigration law.

“I was always very entrepreneurial and immigrants are the most entrepreneurial of people—they have to be. So when I got back to law school I applied for, and received, a Foreign Language and Area Studies (FLAS) Fellowship that sent me back to Europe to study business.”

After graduation, Robinson went to work for a small firm before joining Vorys, Sater, Seymour and Pease’s corporate law department, where his practice focused on employment-based immigration. Not long after that he met his current business partner, Donald C. Slowik, and they formed the firm of Slowik & Robinson, LLC, which focuses on immigration law.

Robinson said it was through that work that he slowly began representing players and other employees of the NHL as they turned to him for help with the immigration issues they faced moving to the U.S.

The more he worked with those clients, the more and more they came back to him for other legal work, until one day a player simply asked him, “Have you thought about becoming an agent?”

“I knew nothing about the sport of hockey. I liked it and I had been to some games, but I had never studied the sport, I had never studied the business model, and I knew nothing about their collective bargaining agreement, other than the fact they had one,” he said. “I literally purchased Hockey for Dummies. I took a summer and read everything I could get my hands on regarding how to represent professional athletes, about the sport of hockey, their development structure from youth to the professional ranks, and about the NCAA’s regulations and eligibility requirements. Through that I realized very quickly there was no way I could do this on my own. I joined with Edge Sports Management, a hockey-specific agency out of New York.”

The arrangement provided Robinson with the opportunity to learn about the business environment, the relationship between general managers and coaches, and typical problems and issues that arise for professional athletes, he said.

He also found a strong connection between the legal work he had been doing and the work he was being asked to do for his new set of clientele, giving him confidence in his abilities to represent them.

“A lawyer is sometimes a social worker, sometimes a priest, sometimes a psychologist. And while you don’t learn how to do that in law school, you do gain the tools you use to analyze those issues and the various pros and cons to try to determine what the best course is.”

- Kenneth J. Robinson ’98

Seventy percent of the NHL is populated by foreign-born athletes. There is really a nexus between my legal work and my hockey work. When representing players on immigration issues, I advocate for my client before the government—explaining why they are aliens of extraordinary ability, why they’ve risen to the very top of their field and merit a green card based upon their talents. To do that, I have to be able to analyze their career statistics, I have to essentially create comparables with other athletes and demonstrate why they are better, which is exactly the kind of work you do as an agent when you’re talking to a general manager during contract negotiations. In fact, I think its excellent training,” he said.

And, he isn’t just representing players at the top of their game. Robinson’s practice spans from junior hockey team members attempting to carve a path to professional level to players considering retirement.

“The first local kid I worked with, Jack Roslovic, went through the development ranks here and played for the U.S. National Training Development Team in Ann Arbor, Michigan. He was just drafted this past June, and not only is he Central Ohio’s first draft pick ever born and raised here, but he was also the 25th overall pick and went to the Winnipeg Jets,” he said. “I’m now also working with players considering retirement, who may be looking for one last contract, or if that doesn’t work out, looking to begin the transition to a regular life for he and his family. What we try to do before that point is put together a pretty aggressive savings schedule, working with financial advisors, to put money away for them, and make sure there is enough to take care of them after hockey. That’s hard to do with 20-somethings who are running around with millions of dollars and believe that it’s going to last forever. It takes trust between the player and the agent to really understand and believe the agent when the agent says this isn’t going to last forever.”
Dollars and sense

Protecting athletes from misguided investments and ensuring they are well taken care of after the game is just part of the practice of Jeff Kominsky ’08, an associate at Lewis Brisbois Bisgaard & Smith LLP in Fort Lauderdale, Florida. Kominsky serves as counsel to current athletes, retired athletes, and team executives on a variety of issues, including contract disputes.

“My practice includes commercial litigation. For example, I try to help an athlete understand why his or her investment opportunity went south, which is a hot issue in the sports law community right now,” he explained. “Sometimes an athlete just makes a bad investment; but sometimes an athlete simply relies too much on others who fraudulently portray themselves as loyal. An athlete needs to be educated and informed on all the issues, regardless of who is giving them that advice.”

Kominsky caters his practice to sports clients in other ways too, including the defense of breaches of contract, medical malpractice claims, and other legal matters that may require the assistance of outside counsel by a sports executive or team.

One of the hardest aspects of his job is building enough trust to effectively help his clients with their legal needs, especially if they have been burned by bad or misguided investments on the advice of others in the past.

“I’m working with athletes or executives that get approached frequently, sometimes multiple times a day, and it’s really tough to establish that relationship. The toughest challenge is demonstrating to that athlete that they can trust some people but not others. For any person that’s tough to demonstrate in the blink of an eye. Sometimes it takes time to develop that trust and that bond between athlete and attorney,” he said.

Part of what has helped him build his client base and get to where he is in his career today, he said, is sheer perseverance and networking with the right people.

“When I was a 3L, I applied to a myriad of sports jobs, including a position as associate general counsel of the Cleveland Cavaliers. I was turned down.

Without fear, I reached out to the Cavaliers’ general counsel, Jason Hillman. I said, ‘Hey Jason, you already turned me down for a job. Can you at least come speak at Ohio State for a sports law forum that I’m organizing?’ Jason agreed and spoke on a panel at the Barrister Club. Afterward, he told me that he appreciated my persistence and recommended that I travel to a Sports Lawyers Association conference in San Francisco. At that conference, he personally introduced me to every general counsel we could find throughout the three-day event. That was how I started to generate a national network of in-house counsel,” Kominsky said.

The compliance expert

And then there are those attorneys, like Carly Grimshaw ’10, who are tasked with guiding young student-athletes through complicated NCAA rules and regulations as they compete with the hopes of one day making it to the professional level.

Walking into The Ohio State University Athletic Compliance office, the plain walls and matching cubicles disguise the highly important work going on. The employees there are responsible for keeping the university’s 36 varsity teams—one of the largest, and most successful, college athletic departments in the nation—compliant with NCAA, Big Ten, and university rules and regulations.

“We have a compliance pyramid, and the base of the pyramid is education. We try to provide a comprehensive education program based on all of the compliance rules. The second tier of the pyramid is monitoring. We monitor adherence to NCAA, Big Ten and institutional rules and we are responsible for monitoring adherence by coaches, staff, student-athletes, and boosters. And then the very top tier of the pyramid is enforcement. That’s the smallest portion of our job, because if we’ve done a really good job educating, hopefully we don’t have to do a lot of enforcement. But if we have to then we enforce the rules and prescribe penalties for violations,” Grimshaw explained.

And Grimshaw understands how complicated competing under multiple division regulations can be for a student-athlete. She herself was a student-athlete for Ohio State at one time. Grimshaw spent four years competing on the varsity women’s synchronized swimming team. She said she worked closely with the university compliance office during that time, especially as she was flying back and forth from England while competing for a spot in

Jeff Kominsky ’08 (second from left)
the 2004 Olympic Games.

“I think I understand the competitive need, while balancing out compliance issues. I understand the desire to kind of push into the gray and to push that boundary while staying within the confines of the rules. So I want to make sure that I’m allowing my coaches to be competitive while not breaking any NCAA rules. A lot of times here we say, ‘You may not be able to do it exactly this way, but what’s your desired outcome? Let’s try to find a way you can get there permissibly.’ And we try to get creative,” she said.

Working in compliance is much like working in a traditional firm setting, said Grimshaw. Every day she uses the legal research and writing skills she learned in law school to help student-athletes, coaches, and staff navigate the complex rules and regulations governing their respective sports.

“A lot of the time I’m pretty much answering questions from the time I get in until the time I leave. They’re interruptive questions—a coach will email or call me and say ‘Hey this is what I want to do, can I do this?’ Sometimes it’s very straightforward, straight out of the book, and sometimes it’s not and you have to do a little bit of research. It’s very similar to legal research. We have bylaws with case precedent attached to those bylaws. We look at the case precedent and try to use it to our advantage; which sometimes means arguing against it,” she said.

And, much like the law, those bylaws are constantly changing. One of the largest recent changes to the NCAA rules structure involves giving the top five power conferences, including the Big Ten, more autonomy over their own legislation.

“We’re in a unique situation trying to feel out how this is going to go and looking down the road at what legislation can be changed and what cannot be changed. But, legislatively, it’s a very different path we’re going down than it has been before,” Grimshaw explained.

Mixing sports and law

Whether these lawyers are connecting clients with potential employers, helping them navigate the complex world of college athletics, or helping them right misguided investment opportunities, they all have one thing in common—the love of athletics.

“It’s great to talk about sports at work. However, sports law is a misnomer. Most often, sports law is just the combination of legal issues and sports facts. To say that you want to learn or study ‘sports law’ is not saying much. You first have to learn a certain area of law, get really good at it, and then demonstrate your legal abilities so you can obtain work with sports-related clients,” Kominsky said. At
“The pro bono work that I’ve done on behalf of Amanda Berry and Gina DeJesus is the proudest accomplishment of my career,” Heather Kimmel ’06 said. “In the course of that kind of work, I’ve spent a lot of time with these women, and they’re like family now. I’m standing in their living room after they’ve escaped saying, ‘You don’t know me, but trust me.’ Just the same way everyone else was telling them, ‘You don’t know me, but trust me.’ To build up credibility with them and to see how everything turned out was really amazing.”

Berry, DeJesus, and a third woman, Michelle Knight, were kidnapped and held captive by a man named Ariel Castro in his Cleveland area home in the early 2000s, where he subjected the women to over a decade of abuse. On May 6, 2013, they were finally able to escape the nightmare, but with that freedom came a whole new set of issues to deal with as the women recovered from the ordeal, Kimmel said.

“For the first couple of months after they escaped it was really a 24-hour-a-day operation to get the media to stay off of their front porches and to just try to create an existence for them. It was almost like coming back from the dead after 10 years,” Kimmel explained.

“Of course everyone was very happy they were home and that they were back, and that’s great, and that’s fantastic, but now what? Amanda had a daughter and her daughter didn’t have a birth certificate. We talked to social security and some other government agencies about getting programs in place to help them with other things. We helped them buy houses, we were able to walk them through the criminal process before Ariel Castro was sentenced, and we protected them from overzealous prosecutors and interviewers.”

Kimmel was brought in to represent the women by James R. Wooley, a partner with Jones Day, where Kimmel was practicing in the areas of corporate criminal defense and government.
investigations at the time.

“Jim is a former federal prosecutor, and still has a lot of contacts in the FBI. When Amanda, Gina, and Michelle escaped from the house, they were just being completely mobbed by reporters and people wanting to buy their story and all the things that usually go along with that type of situation. The FBI told the women they needed a lawyer, and they needed someone who won’t take advantage of them and they gave them a name. They called Jim, and he said of course,” Kimmel explained.

“Jim came to my office and said to me, ‘You need to be the one who works with me on this.’ And of course I said yes.”

Having grown up in a working class household herself, Kimmel said she could relate on a certain level to the women, a fact she and Wooley hoped would help them build a strong level of trust with the victims, allowing them to better help them as they recovered from their harrowing ordeal.

“The living rooms these women had grown up in, they could have been the living rooms of my friends growing up. We had a common background in terms of being very working class,” she said.

And, Wooley knew Kimmel was the right lawyer for the job after years of watching her build a successful practice for herself. The two first met when Kimmel was interning for the City of Cleveland’s legal department one summer in law school. He was a partner at BakerHostetler at the time, serving as a special master on a project the city’s legal department had undertaken, looking at a serologist’s testimony in a number of cases after it was learned he had given false information under oath that unjustly put a man behind bars for over a decade.

“I found his career to be completely fascinating. And I thought, ‘I want to work with that guy.’ And that’s when I really started looking at BakerHostetler. I interned there the following summer and received an offer,” Kimmel said.

Kimmel later moved on to pursue a clerkship in the U.S. District Court for the Northern District of Ohio, during which time Wooley left BakerHostetler to join the Cleveland office of Jones Day. When Kimmel began contemplating jumping back into firm practice, she turned to Wooley again for advice on her next career step and later joined him at Jones Day.

Little did the two know at the time, it was a move that would set them up to offer greatly needed pro bono legal services to two women who truly needed their counsel. (Michelle Knight was offered the same services but decided to go in a different direction.)

Kimmel said that throughout that case, Jones Day fully supported their efforts to help Berry, and DeJesus. “Jones Day was so amazing. They told Jim, ‘Of course, go help these women, whatever you need to do, we will clear the way to make that happen.’ For a firm whose clients are not...
individuals, they’re huge corporations, to just jump in like that was really incredible,” she said.

Together, the two provided more than just legal counsel for the women. They helped connect them with resources, set them up with trust funds created through generous donations from the community, and offered the women a safe place to bounce ideas off of or ask for help completing tasks, like buying a car for the first time, as they attempted to get their lives back on track.

“It was a combination of legal work, sort of quasi-social work, and just general advice. There are some things you just can’t have experience with any other way. For example, buying a car. If you’ve never done that before, and no one in your family has done that before, you need someone to walk you through that process so you can make some good decisions. It was just things like that, they had someone that they could call up and say, ‘Hang on, let me get an opinion on this. What do I do?’” she said.

Kimmel said she is still in touch with Berry and DeJesus today. “We talk frequently,” she said. “I’m proud of the fact that we approached this case with complete integrity. We said from the very beginning we were never going to take a penny, and we were never going to make a penny on any of this. That kept us really grounded in the work and we just always stuck to that principle—even in the face of crazy things happening. I’m just really proud that was the way we were able to handle the work,” she said.

Around the same time Kimmel signed on to help represent the women, she had also reached a point in her work where she began analyzing what she really wanted to do with the rest of her career. She said she began thinking of ways she could use her skills and expertise to help others in the community.

“Shortly before they escaped from the house, I was really looking around at what my career was going to look like and what I needed to do for my own personal satisfaction. And I was really driven by the idea of using my career to help people,” she said.

She stumbled across an opening at the United Church of Christ (UCC), a liberal Christian denomination on the cutting edge of social justice issues, for an associate general counsel.

Kimmel said she thought long and hard about what leaving Jones Day could mean for her career, but ultimately decided to pursue the new opportunity.

“I had been a member of the UCC for a while when I saw they were looking for an associate general counsel. This was never something I thought I’d be interested in,” she said.

“But I looked at the job description and I thought, ‘How many lawyers can say that they have an opportunity to work for an organization that they can completely support?’ And I thought about it, I prayed about it, and I think I submitted my application on the last day before it closed.”

Today, Kimmel said she couldn’t be happier with her decision to go in-house at the church. Describing herself as a “generalist of the old-fashioned sort,” she helps counsel the corporations that make up the denomination in the national setting and the church’s 38 conferences, or middle judicatory bodies, across the U.S.

“I handle everything from litigation management to corporate matters to governance matters and some employment matters, and even some intellectual property issues,” she said. “The really great part of it is the work self-generates. I really like helping people with the day-to-day business issues they have and bringing some legal sophistication to that work.”

Kimmel jokes that she simply moved from one kind of white collar work to another. The transition from working at a large firm to the church wasn’t so much difficult as it was a challenge, which she said she has thoroughly enjoyed.

“I was very well prepared for it because I think through both my clerkship and the work I did at Jones Day, I know where to get the answers. And I think that’s key. You can issue spot, like any good lawyer should be able to do, and then you need to know where to get the answers. It wasn’t that it was difficult, it was just different. And I loved it,” she said.

That hard work and dedication to the church’s mission haven’t gone unnoticed by others in the organization. Kimmel was recently promoted to general counsel of the UCC, a position she stepped into on Dec. 1.
Daniel R. Sharpe ’75 was named to the 2016 Upstate New York Super Lawyers list in the field of employee benefits. He was also listed in The Best Lawyers in America 2016. Sharpe is of counsel to Bond, Schoeneck & King PLLC’s Buffalo, New York office where his practice focuses on employee benefits and executive compensation.

Dennis P. Withrell ’77 was included in The Best Lawyers in America 2016. He is a partner at Shumaker, Loop & Kendrick, LLP where he represents health care providers and practitioners, provider networks, and other healthcare-related enterprises.

Regina M. Joseph ’79, a partner at Shumaker, Loop & Kendrick, LLP, was named in The Best Lawyers in America 2016. She represents both public and private companies in a variety of debt and equity offerings, ongoing compliance matters, and mergers and acquisitions.

Ronald S. Kopp ’79 has been elected the Ohio State Bar Association’s (OSBA) president-elect. His term will begin on July 1, 2016. Kopp is a partner at Roetzel & Andress where his practice largely focuses on business litigation.

Timothy C. McCarthy ’79 was recognized in The Best Lawyers in America 2016. He is a partner at Shumaker, Loop & Kendrick, LLP where his practice focuses on representing employers in a wide variety of private and public sector labor relations and employment matters.

Luis M. Alcalde ’80, of counsel in the Kegler Brown Hill + Ritter Columbus office, received the Hispanic National Bar Association’s (HNBA) 2015 Region X President Award. The award recognizes those “change agents of diversity in the community” of Kentucky, Ohio, and Tennessee. Alcalde’s practice at Kegler Brown Hill + Ritter focuses on global business, corporate investigations and litigation. Born in Cuba and a native Spanish speaker, Alcalde regularly drafts and interprets Spanish language legal documents and contributes his skill and experience in client negotiations, documents, and transactions of a cross-border nature.

Ralph Bauer ’82 was named vice president and general counsel for International Launch Services (ILS). In his new position, Bauer will oversee the ILS legal, contracts, and export control departments. He joined the company in October 2007.

William Wahoff ’82 joined the Columbus office of Steptoe & Johnson PLLC. As a member of the firm’s labor and employment law team his practice focuses on representing employers in matters such as OSHA defense, workers’ compensation, wrongful discharge, FMLA, ADA, FLSA, discrimination, retaliation, whistleblower, litigation, and labor negotiations.

Scott Fowler ’84 was awarded the Mahoning County Bar Association’s 2015 Distinguished Service Award for his dedicated service to the Mahoning County Bar Association Lawyers Assistance Committee and Mahoning County Mental Health and Recovery Board. Fowler is a partner at Comstock, Springer & Wilson Co. where his practice focuses on automobile liability and premises liability, medical malpractice, general and civil litigation, municipal liability, and civil rights litigation.

Susan T. Stead ’84 has joined Bailey Cavalieri LLC as of counsel in the firm’s insurance regulatory practice area.

Peter Igel ’86 was selected by his peers for inclusion in The Best Lawyers in America 2016. A partner at Tucker Ellis LLP, his practice focuses on tax law.

David J. Coyle ’87 was named in The Best Lawyers in America 2016. He is a partner at Shumaker, Loop & Kendrick, LLP where he has extensive experience in commercial litigation, bankruptcy, commercial foreclosures, replevin actions, condemnation proceedings, and business torts.

Adrian D. Thompson ’86 was named chief diversity officer for Taft Stettinus & Hollister LLP. As the firm’s first chief diversity officer he helps drive the firm’s commitment to and strategy regarding diversity and inclusion across its offices and in the communities it serves. A partner at the firm, Thompson’s practice focuses on providing counsel for private sector clients on issues including equal employment opportunity litigation, wage-hour problems, employment of the disabled, federal housing, and other labor matters.

Paul Nick ’90, executive director of the Ohio Ethics Commission, was unanimously elected as president-elect of the Council on Governmental Ethics Laws (COGEL). COGEL is an international organization of ethics, campaign finance, lobbying, and Freedom of Information Act regulators.
Putting fun on the calendar

Kent Wellington ’91 works to make life better for women living with breast cancer

BY ELIZABETH WEINSTEIN

The walls in Kent Wellington ’91’s corner office at Graydon Head & Ritchey LLP’s downtown Cincinnati law firm are literally covered in memories. From floor to ceiling, and corner to corner, nary an inch of space isn’t filled with family photographs, articles, paintings, drawings, and memorabilia from the events he coordinates during his off-hours.

The walls burst with color and energy—much like its occupant, whose buoyant enthusiasm belies the tragedy that inspired all of the decorations, as well as fueled his deep passion for philanthropy.

During his senior year at Kenyon College, in 1988, Wellington, an English and economics major, drove from Gambier, Ohio to Columbus with a few friends (including his future law school classmate Theodore “Ted” Adams ’91) to celebrate New Year’s Eve on The Ohio State University’s campus. Around midnight, they snuck into a party at a bar on High Street, and, just like in the movies, he saw his future.

Her name was Karen, and she was an Ohio State junior, majoring in journalism and advertising, who had just gotten off of work at Max & Erma’s, a local restaurant.

“I always joked that it was the smell of hamburgers that attracted me to her,” Wellington, who chairs his firm’s litigation group, said, with a laugh.

They hit it off immediately and continued to date when he enrolled at the Moritz College of Law the following year. Eventually, they married and had two children, Angeline and Robby, who are both currently undergraduate students at the...
University of Cincinnati. But the family’s life changed forever in 1997, when Karen was first diagnosed with breast cancer. And again, in the summer of 2007, when, after a decade spent battling the disease, she died from it, at age 40.

Near Wellington’s desk is a stack of printed cards featuring a peaceful image of a lake, with trees in the distance and a sketch of a sailboat. The prints are of an unfinished oil painting, entitled “Vacation,” that was created by Karen in 2007, shortly before her death. Karen was a self-taught painter, and her works are on display in her husband’s office.

Vacations took on a special significance for the Wellington family after Karen’s diagnosis. “Periodically, my wife would say, ‘I’m looking at the calendar and there’s no fun on the calendar. I’ve got chemotherapy, radiation, and tests,’ or ‘we have to go to the hospital for more scans.’ That was always a cue to me to get a vacation on the calendar,” Wellington said.

Getaways can be just as important as other treatments when it comes to a patient’s overall wellbeing, Wellington explained, because they “really change the dynamic, so that now when you are getting chemotherapy, you are thinking about that upcoming trip to Seattle or Georgia, or that dream vacation to Hawaii...Karen’s dream was always to give away vacations to other people if she beat cancer. So we picked up the torch.”

With the help of friends and family, he established the Karen Wellington Foundation for LIVING with Breast Cancer in 2007, to carry on his wife’s dream and legacy. The foundation has a fun-only mission and sends women and their families on special vacations, spa days, dinners out, concerts, and other activities to take their minds off of illness for a while.

It began as a fund through the Greater Cincinnati Foundation to see if it would, as Wellington said, “get legs.” Instead, it grew wings and expanded into the multi-state vacation-gifting organization that it is today. In its first year, the fund sent four or five families on vacation; in 2014, it gave away 50 special vacations, 20 spa days, and other fun-only activities for women living with breast cancer, their friends, and families.

The foundation asks vacation home owners to donate a week a year of their vacation homes and matches them with worthy recipients, and has recently opened chapters in Dayton (2013), Atlanta (2014—started by Kirk Somers ’91 and his wife, Elizabeth), Cleveland (2015), and San Diego (2015). A Chicago chapter will open in 2016, as well.

“We are filling a gap,” he said. “There are so many vacation homes that go unused throughout the year, and there are so many families living with cancer that are just living day to day, and the furthest thing from their mind is a vacation.

“When you are diagnosed with breast cancer, your life just kind of comes to a stop. You may lose your hair, or body parts, and you don’t feel well. Everyone else is going to parties and soccer games,” Wellington added. “What we try to do is we tell women, ‘We see you. We are here with you. We know that what you want more than anything else is normalcy.’ And a vacation with your family—that is normalcy.”

The foundation gives vacations to people from all economic backgrounds, and at any phase of their treatment (as long as their doctors clear the trip, first).

“We also try not to be a foundation that’s only for the sickest,” he said. “We don’t want to be viewed as the grim reaper. We will say, ‘You’re getting a vacation because you’re still very much alive and may outlive all of us.’”

Tragedy, however, does come with the territory. Last year, Wellington said, nine of the 50 vacations the foundation granted turned out to be last vacations, which, he explained, can be among the most meaningful for families of cancer patients.

“If you go to a visitation and you look at all of the pictures that are there, I think you will find that a lot of those pictures are from vacations, because that’s when people let their guard down,” he said. “When you have a chronic disease like cancer, or die of cancer, those last images can haunt you. On the other hand, if your kids can have that final image of mom laughing on the beach, or in the mountains, that’s really important.”

Wellington’s law firm, Graydon Head & Ritchey LLP, has been especially supportive of his work with the foundation.

“Our firm continues to be very committed to the community and we have a lot of client connections to Karen’s foundation,” he said. “I’ve done a lot of work with hospitals and physicians so it’s been interesting. At times they’ve been our clients, and other times I’ve been theirs.”

For more information on the Karen Wellington Foundation for LIVING with Breast Cancer, visit karenwellingtonfoundation.org.

Kent Wellington ’91 holds a painting by his late wife, Karen Wellington. Behind him are just some of the family photographs, articles, paintings, drawings, and memorabilia that line his office walls.
Daniel Karon '91 has launched Karon LLC, a consumer-fraud and antitrust class-action litigation firm in Cleveland. He has taught class-action law as an adjunct professor at Cleveland State University’s Cleveland-Marshall College of Law and lectured on the topic at many schools around the country including Ohio State, Columbia, Vanderbilt, Notre Dame, and Tulane. Karon serves on Loyola University Chicago School of Law’s Institute for Consumer Antitrust Studies’ U.S. Advisory Board. He also chairs the ABA’s National Institute on Class Actions and is a member of the Ohio Association for Justice’s Board of Trustees.

John C. Norling ’91 was elected managing partner of the Phoenix, Arizona based firm of Jennings, Strouss & Salmon, PLC. He is a corporate transactional lawyer with a particular emphasis in the representation of automobile dealerships.

Jon Allison ’93 has been named executive vice president for external affairs for CareSource, a leading nonprofit managed care company based in Dayton, Ohio. He comes to the position from Carpenter, Lipps & Leland LLP where he was a partner.

Barbara Harris Combs ’93 wrote an article for Bio on the history of the Selma to Montgomery Voting Rights March to celebrate the event’s 50th anniversary this year. In 2014 she published a book, From Selma to Montgomery: The Long March to Freedom (Routledge Press), detailing the events leading up to the passage of the Voting Rights Act of 1965. She is an associate professor of sociology and criminal justice at Clark Atlanta University.

Joseph Koncelik ’93 was listed in The Best Lawyers in America 2016. He practices in Tucker Ellis LLP’s Cleveland office where his practice focuses on environmental law.

M. Scott Aubry ’95 was named in The Best Lawyers in America 2016. He is a partner at Shumaker, Loop & Kendrick, LLP where his practice focuses on mergers and acquisitions, domestic and international trade matters, and general corporate and regulatory matters.

Christopher S. Habel ’95 was named member-in-charge of the Frost Brown Todd Cincinnati office. His practice there focuses on environmental, construction, and DOT hazardous materials transportation law.

Catherine Heigel ’95 was named director of the South Carolina Department of Health and Environmental Control. Prior to taking the position she served as general counsel and corporate strategy officer for Elliott Davis Decosimo, LLC.

Adam Brandt ’96 was selected as a “Best Lawyer” in the area of corporate law for The Best Lawyers in America 2016. Brandt, a partner in the Vorys, Sater, Seymour and Pease LLP Columbus office and chair of the corporate group, focuses his practice on representing public and private companies in mergers and acquisitions, securities, offerings, tender offers, periodic reporting and disclosure, corporate governance, and general corporate matters.

Timothy J. Lambrecht ’96 has been named to the 2015 New York Super Lawyers – Upstate Edition list for environmental litigation. An attorney at Wladis Law Firm, P.C., his practice focuses on complex civil litigation, environmental law, and municipal law matters.

Sara Sampson ’97, assistant dean for information services and director of the Law Library at the Moritz College of Law, has co-authored a new edition of Ohio Legal Research with Carolyn Broering-Jacobs ’94 and Katherine L. Hall (who spent many years working in the Moritz Law Library). The book provides a concise introduction to primary authorities and research tools for readers new to legal research or new to researching Ohio law. The updated second edition incorporates recent changes to the major electronic research platforms, while maintaining a process focus that will help the reader no matter which platform is available.

Jennifer Roddy Spector ’97 was appointed an administrative law judge with the Social Security Administration in March 2015. Before taking her current position, Spector was a supervisory attorney in the Philadelphia Regional Office of the National Labor Relations Board.

Mark Wagoner ’97 was recognized in The Best Lawyers in America 2016. He is a partner at Shumaker, Decosimo, LLC.
WELCOME BACK!

Throughout the school year, alumni often come back to Drinko Hall to mentor students, serve on panels, and provide insight into the practice of law. Here is a sampling of some of the College’s recent visitors.

1. Women in Business Leadership featuring Christie Hill ’86 (middle) and Beth Spain ’02 (right)
2. Wrongful Convictions featuring Erin Moriarty ’77 and others
3. PILF in Practice featuring Kristen Henry ’07, Brad Britton ’90, and C. Raphael Davis-Williams ’10
4. Career Services Offices’ “Oh the Legal Places You’ll Go” panel, featuring Jason Job ’05, Tiffany Lipscomb-Jackson ’08, Greg Williams ’10, Heidi Yurkiw ’99, Dan Boda ’74, Alison McKay ’11
5. Program on Law and Leadership Conversation Series featuring Brian Sandoval ’89
6. Lawrence Negotiation Competition alumni and practicing attorney judges.
On brand lawyering

Stacia Jones ’00 leads with style

BY ELIZABETH WEINSTEIN

Inside Abercrombie & Fitch’s corporate headquarters, oversized posters of their recent marketing campaigns hang in hallways and meeting rooms. Outside, employees fly by on scooters and skateboards, commuting between buildings on the company’s sprawling, wooded campus in suburban New Albany, Ohio, which resembles a cross between an East Coast prep school and the coolest summer camp you never went to as a child.

On a warm and sunny October afternoon, Stacia Jones ’00, the company’s senior director and legal counsel, emerged from a meeting in the fashion giant’s distribution center dressed in flip-flops, jeans torn strategically at the knees, a white tank top, a flannel shirt tied around her waist, and a biker jacket. At Abercrombie & Fitch, everyone from the interns to key members of the legal team dress with casual, comfortable, and effortless style—just like Abercrombie itself.

“I love the clothes. I love dressing in ripped jeans. One of my family members, when she sees me, always asks, ‘Did you go to work today? You’re an attorney—where is your suit?’” she said with a laugh. “I respond, ‘Yeah, I’m an attorney—a good one—and I wear ripped-up jeans! I wear flip-flops and I enjoy it.”

Jones joined Abercrombie & Fitch’s legal team in 2008, after working as an associate at the Columbus office of Vorys, Sater, Seymour and Pease LLP for eight years. At Vorys, she was a member of the employment law group; she represented a number of large companies (including Abercrombie & Fitch, as outside counsel) in a variety of industries, and advised employers on labor and employment matters.

“I worked very aggressively and very hard from the first day I walked into Vorys. I was one of those people who, the more work that I had, the better I felt,” Jones said. On a typical day, she billed 10 or more different matters, and one partner told her “that he liked working with me as a young associate because I wasn’t afraid to do some of the things other associates were afraid to do, like being in front of clients and taking depositions.”

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Loop & Kendrick, LLP where he practices business litigation, including franchise and distribution, antitrust, RICO, and securities disputes.

Hanz Wasserburger ’97 is an assistant attorney general for the Texas Attorney General in Austin. His work involves litigation against pharmaceutical companies in relation to the Texas Medicaid program. One of his team’s biggest cases to date resulted in a $158 million settlement with Johnson & Johnson in 2012 over the antipsychotic drug Risperdal. Wasserburger is also a screenwriter and film producer. He has had a number of scripts air on TV and expects two more to debut this year. He also wrote and co-produced an independent film, “Second Impression.”

Robert Cosmo Barona ’98 has joined McDonald Hopkins LLC’s intellectual property department as senior counsel. His practice focuses on the creation and management of patents, trade secrets, and other intellectual assets.

Stuart Casillas ’99 has joined the board of governors for the University Foundation, California State University, Chico. He is a partner in Kirkland & Ellis LLP’s corporate group in the firm’s San Francisco office.

Chad McGuade ’99, a wealth management advisor with Northwestern Mutual, was awarded membership to the company’s 2015 forum group, which recognizes individuals for an outstanding year of helping clients plan for and achieve financial security. This is the fifth time that McGuade has received this honor. Only 5 percent of Northwestern Mutual’s more than 6,000 financial representatives are invited to attend each year.

Cassandra G. Mott ’99, a partner in Thompson & Knight LLP’s finance practice group, was elected to the Association for Corporate Growth (ACG) global board of directors. She will serve a one-year term of office, which began on Sept. 1, 2015. The ACG is an international association of middle market private equity professionals, investment bankers, lenders, and corporate leaders.

David H. Thomas ’99 has joined the Taft Stettinius & Hollister LLP Columbus Office as a member of the firm’s corporate compliance and white collar criminal defense practice. A partner in the firm, his practice focuses on complex criminal cases and white collar criminal defense.

Scott Stitt ’01 was listed in The Best Lawyers in America 2016. Counsel at Tucker Ellis LLP’s Columbus office, his national litigation practice focuses on ERISA and related employment and business disputes.
Then, one of her mentors at Vorys left the firm for a job at Abercrombie & Fitch and invited Jones to follow her there. “I really enjoyed being in a law firm and never thought I would leave. I enjoyed Vorys and all of my clients,” Jones said, “but when the opportunity was presented for me to come in-house with Abercrombie, I didn’t feel like I could pass it up.”

For Jones, who was voted best-dressed as a student at Columbus Alternative High School, Abercrombie & Fitch was a perfect cultural fit. “At Vorys, I might have lost some of my coolness,” she said jokingly. “I wore pantyhose and suits every day. But certainly, when I came here, I got all of my swag and coolness back.”

Initially, Jones was hired as a senior manager and legal counsel at Abercrombie & Fitch, and she focused on domestic employment-related legal matters. Today she manages all legal matters relating to labor and employment for the entire globe, including Europe, Asia, the Middle East, and the U.S. She handles everything from legal issues of health and safety to maintenance and construction. And she travels a lot.

“This year I’ve been to Paris four or five times. I’ve been to Germany and Italy. I’m going to Asia, and to cities all around the U.S.,” she said. “We have almost 1,000 stores and more than 50,000 associates around the world, and they all fall into my area of responsibility.”

A typical day for Jones begins bright and early, as she joins phone conferences with colleagues in Asia and Europe, and it ends late, with more phone conferences (with people in California, and sometimes, again, Asia). In between, she handles the diverse array of issues that arise in the stores, home office, and distribution centers.

“We’re at a point where I am watching our trajectory as a company going upward. I really feel that we have great things in our future that are coming down the pike. And I’m glad that I am here to be a part of it,” she said.

In general, Jones said she finds the practice of law highly rewarding. “Anyone who goes to law school—they are setting themselves up for an opportunity to have a lot of success and happiness,” she said, offering the following advice to current law students:

“When law students get out and start working, relationships are so important. To me, that means not focusing on impersonal forms of communication like email, but actually going to offices, making phone calls, and being present. And being confident in their presentation —make sure that they build strong relationships and get people to trust them and have confidence in their abilities. When you make mistakes, which will happen, you will be in a place, because of your relationships and the confidence you garnered, where partners and clients will continue to trust and work with you.”

Oh, and sometimes business suits are overrated.

Emily E. Root '03 has joined the Porter Wright health law group as of counsel in the firm’s Columbus office. Her practice focuses on counseling and representing hospitals and health systems, joint ventures such as ambulatory surgery centers, physicians, and insurers with regard to regulatory compliance and litigation risks.

Carlos Garritano '04 has joined Tucker Ellis LLP as a partner in the firm’s intellectual property and brand protection group. His practice focuses on intellectual property consultation and strategy.

Steven Shandor '04 has been chosen to manage the new Day Ketterer office in Youngstown. He is chair of the firm’s banking practice group, where his practice focuses on commercial banking and litigation work.

Andre Porter '05 was appointed chairman of the Public Utilities Commission of Ohio by Governor John Kasich. Prior to the appointment he served as director of the Ohio Department of Commerce.

Tyler J. Wilcox '05 was promoted to president of Peoples Insurance Agency. As president, he is responsible for providing leadership, and directing the activities of the organization which include sales management and partnership with Peoples Bank’s full array of financial services.

Ryan S. Lovitz '06 was named partner in Quarles & Brady LLP’s Milwaukee office. He practices in the firm’s business law practice group where he represents public companies in connection with securities law compliance, corporate governance matters, and offerings.

William A. Sperlazza '06 was promoted to senior attorney at Columbus City Attorney Richard C. Pfeiffer, Jr.’s Office. In 2015, he received the Mayor’s Award of Excellence for his work in combating crime and problem properties/businesses in the city of Columbus. Also, he was awarded the Northland Community Council President’s Award for his dedication and service to the Northland Community.

Miranda Fields Stephani '06 has joined Levi Strauss & Co. as senior counsel for commercial transactions at the company’s San Francisco, California headquarters. Prior to joining Levi’s, Miranda was at L Brands, Inc., in Columbus.

Zac Bolitho '07 was recently named “Professor of the Year” by the Campbell University School of Law student body. As an assistant professor, Bolitho teaches courses in criminal procedure,
OHIO STATE NIGHT AT HUNTINGTON PARK

Over the summer, Moritz alumni, faculty, staff, and students gathered at Huntington Park to watch the Columbus Clippers take on the Louisville Bats as part of a special Ohio State night at the stadium. Dean Alan C. Michaels threw out the first pitch as everyone watched and cheered from the stands.
INSPIRING LEADERS IN GOVERNMENT

The Ohio Women’s Bar Association Government Subcommittee joined with student organizations at Moritz to host the Inspiring Leaders in Government luncheon at the Barrister Club this fall. The event was organized by Yukiko Kuwata Lee ’06 and Elyse Akhbari ’13, and featured keynote addresses by Hon. Evelyn Stratton ’79 and Maria Armstrong ’87. It was emceed by NBC4’s Colleen Marshall, an attorney, and included many networking opportunities for students.
and trial advocacy.

Samir Dahman ’09 was named partner-in-charge of Kohrman Jackson & Krantz LLP’s Columbus office. His practice consists of commercial litigation, business law, estate planning, and employment law across Ohio, Michigan, and internationally.

Michael Stinziano ’07 was elected to Columbus City Counsel in November. He is currently completing his fifth year in the Ohio General Assembly and serves as the ranking member of the House Judiciary Committee. Since first being elected to the General Assembly in 2010, Stinziano has received numerous honors and awards, including the “Legislator of The Year” award from the Central Ohio Association for Justice in 2014.

Milton C. Sutton ’07 has joined the Frost Brown Todd government services practice group in Columbus as a senior associate. His practice focuses on information technology, negotiations, public contracts, and public records issues.

Brian Hoffman ’09 has taken a leave of absence from Muchicki & Bittner, LLP in Columbus to become the lead attorney on a pro bono project at the family detention center in Dilley, Texas. The center can house up to 2,400 women and children who are seeking asylum in the United States. Hoffman leads weekly teams of volunteers who provide pro bono legal services to the detainees.

Andrew J. Pullekins ’09 has joined Buckingham, Doolittle & Burroughs as an associate in the firm’s Akron office. His practice focuses on representing businesses and individuals in cases involving business disputes, shareholder derivative claims, contract disputes, and litigation regarding wills and trusts. Pullekins has also been named a “Rising Star” for 2015 by Ohio Super Lawyers.

Henry Schuck ’09, co-founder and CEO of DiscoverOrg, was named a finalist for the Oregon Entrepreneurs Network’s Tom Holce Entrepreneurship Award in the growth stage category. The awards celebrate entrepreneurs and highlight their impact on Oregon’s economy across four categories—launch stage, development stage, growth stage, and entrepreneurial achievement. Out of more than 60 nominees, only 16 entrepreneurs were named finalists.

Captain John Kalis ’12 was named chief of cyber operations for the 67th Cyberspace Wing, Joint Base San Antonio, Lackland, Texas. The 67th Cyberspace Wing is comprised of three worldwide groups totaling 2,300 personnel. The wing readies and employs airmen to conduct network defense, attack, and exploitation as well as full spectrum network operations and systems security assessments for the Air Force, joint task force, and combatant commanders.

Catherine Sturik ’14 has joined Kastner Westman & Wilkins, LLC’s workers’ compensation practice as an associate. Her practice focuses on representing employers in workers’ compensation matters and employment litigation.

Kathryn Wallrabenstein ’14 has joined the Taft Stettinius & Hollister LLP Columbus office as an associate in the firm’s corporate compliance and white collar criminal defense practice. Her practice focuses on representing individuals and entities in state and federal prosecutions, as well as individuals and entities that are under investigation by a government or regulatory agency.

Kevin Hidas ’15 and wife Brooke Roman were married on Sept. 6, 2015, at The Ohio State University Browning Amphitheater in Columbus.

Christopher A. LaRocco ’15 has joined Vorys, Sater, Seymour and Pease LLP as an associate in the firm’s litigation group in Columbus.

Mikaela R. Patton ’15 joined Keating Muething & Klekamp’s labor and employment group as an associate in Cincinnati. Her practice is concentrated in the area of labor and employment law.

Carrie Benedict ’10 joined KeyBank as senior counsel in May. She focuses her practice on securities, M&A, and corporate governance matters.

Jonathan W. Thomas ’11 recently joined Kenyon & Kenyon LLP’s New York City office as an intellectual property associate. His practice focuses on counseling, enforcement, prosecution, and litigation matters related to trademarks.

Elizabeth “Liza” Kessler ’93, partner-in-charge of the Columbus office of Jones Day, was part of a team representing Abercrombie & Fitch Stores, Inc., in a recent nationwide class action lawsuit—Boundas v. Abercrombie & Fitch Stores, Inc., Case No. 10-cv-4866 (N.D. Ill.)—and the fashion retailer obtained a favorable summary judgment in September. The suit arose from promotional gift cards the store issued to customers.

Do you have a Big Case or Big Deal to share? Send information to peck.5@osu.edu

BIG CASE, BIG DEAL
Alumni Event

ROCK AND ROLL HALL OF FAME EVENT

Alumni in Cleveland gathered for an event at the Rock and Roll Hall of Fame this summer where they enjoyed great food, drinks, and conversation with fellow Buckeyes.
Keith McNamara ’53 passed away peacefully on Oct. 26. He was 87. He practiced law in central Ohio for more than 60 years at McNamara and McNamara Law Offices. He also served in the Ohio House of Representatives from 1960-1972. An active member of the Ohio Republican Party, McNamara helped manage the Ohio presidential campaigns of former Presidents Richard Nixon, Gerald Ford, and George H.W. Bush. He was appointed by President Bush to the Board of Directors of the State Justice Institute in 1990 and served there continuously until 2010. McNamara also served on the Ohio Board of Bar Examiners for many years and was chairman from 1994 to 1995. He was a member of the Franklin County Board of Elections from 1993 to 2003 and served as chairman and vice-chairman of the Ohio Liquor Control Commission, from 2003-2007 and 2007-2009 respectively. McNamara is survived by Mary Lou, his wife of 32 years; sister, Jean Raab; his children, Robert (Irene), Jeanie, Bruce (Daria Walsh), and Betsy (Anna-Beth Winograd); step-children; and grandchildren and step-grandchildren.
Ben Hale Jr. ’70 died on May 28 following a long battle with cancer. He was 70. After graduating law school, Hale went on to join attorneys Harrison Smith, Jr. ’50 and Jim Tobin in what is now known as Smith and Hale, LLC, where he specialized in the area of real estate development and played a significant role in many major developments throughout Central Ohio. In 2014, Hale received life time achievement awards from NAIOP (the Central Ohio Chapter of the Commercial Real Estate Development Association) and the New Albany Chamber of Commerce. He was inducted into the Marshall University Business Hall of Fame and honored by both Gahanna and Dublin for his role in the development of their cities. He served on the Franklin County Board of Developmental Disabilities for over twenty years, serving as president twice. He received the Ray Ferguson Award from the Ohio Association of County Boards as the outstanding advocate for those with mental and physical disabilities in the State of Ohio. Hale was also a founding member and first chairman of Creative Housing, Inc., a non-profit corporation established to provide community housing alternatives for individuals who have mental retardation and developmental disabilities. Hale was an avid golfer, pheasant hunter, fisherman, reader, antique collector, and devoted grandfather. Hale is survived by his wife, Jan; daughters, Susan, Elizabeth, and Sarah (Aaron) Underhill; and three grandchildren.

Howard Calhoun ’50

Howard Calhoun ’50 of Akron, Ohio, passed away on July 5 following complications from Parkinson disease. He was 88. Calhoun attended The Ohio State University for both his undergraduate and juris doctorate studies. There he earned a Varsity “O” as a member of the fencing team. In 1950 he returned to Akron where he established a successful law practice that flourished for more than 60 years. He was an honorary member of Ohio State’s School of Natural Resources, and in 2007 was awarded an Honorary Doctorate of Humane Letters from the University of Akron where he served on the board of trustees. Throughout his life Calhoun gave much of his time and energy to countless state and local boards and other organizations, including Summit County Family and Children’s Services and Cedar Development. An avid hunter and fisherman, he actively participated in Ducks Unlimited, the National Rifle Association, and the U.S. Sportsmen’s Alliance. He also served Ohio’s Department of Natural Resources through his work with the Ohio Wildlife Council for 47 years, 19 of which he served as chair. In 2010, the state of Ohio recognized Calhoun with the Cardinal Award, Ohio’s top honor for those who have made a significant contribution to preserving and protecting the state’s natural resources. Calhoun is survived by his loving wife of nearly 62 years, Marjorie. He also leaves behind son, Michael; daughter, Jill Van Nuis; and six grandchildren.
Why I give...

Brenda K. Bowers ’90

Brenda K. Bowers ’90 grew up on a farm in northwest Ohio and was the first member of her family to graduate from college. Still, from a young age, practicing law was “one of those things that I just always wanted to do,” Bowers said.

As an attorney at Vorys, Sater, Seymour and Pease LLP, she spends her days working primarily in the areas of bankruptcy, receiverships, collections, and real estate. “My joke is that I am the attorney that nobody wants to talk to,” she said with a laugh, “if you are speaking with me, it usually means that somebody owes you a significant amount of money, or you owe a significant amount of money.”

Bowers worked at a small firm in Columbus (now Strip, Hoppers, Leithart, McGrath & Terlecky Co., LPA) for 12 years before switching gears to clerk for the Hon. Donald E. Calhoun, Jr., of the United States Bankruptcy Court for the Southern District of Ohio. She joined Vorys in 2003.

“I think every bankruptcy attorney just falls into that practice area,” she explained. “I find it to be very interesting because I’m a problem solver. I’m either trying to help a debtor company reorganize, or representing a creditor—helping the creditor work with the debtor company to collect a debt owed.”

Bowers said she was able to pay most of her law school tuition by working part-time and over the summer, and has given to the College annually for over 25 years because, as the cost of education rises, she wants others to have the same opportunities she did.

“If there are students who don’t have the ability to afford a law school education, I think that giving back is important to help give them that starting point,” she said, adding that being an alumna has served her well over the years.

“You never know. My classmates are now corporate counsel, a source of referrals, judges, and magistrates. You’re always a member of the Ohio State law community,” she said. “The law school experience is a tie that we all have.”

“You’re always a member of the Ohio State law community. The law school experience is a tie that we all have.”

HOMETOWN: Elida, Ohio

CURRENT JOB: Of Counsel at Vorys, Sater, Seymour and Pease LLP, Columbus

PROFESSIONAL AFFILIATIONS: American Bar Association, the American Bankruptcy Institute, International Women’s Insolvency and Restructuring Confederation (IWIRC), the Ohio State Bar Association, the Columbus Bar Association, and Central Ohio IWIRC Network.

COMMUNITY INVOLVEMENT: Bowers put her budgeting and credit expertise to work as a Care Volunteer—providing instruction to high school students related to financial decisions, budgets, and credit issues.

WHAT YOU WON’T FIND ON HER RESUME: She has a passion for athletics. She played softball in high school and college, at Ohio Northern University, and even had the opportunity to play the sport for a short time in Europe. A couple of knee surgeries later, she no longer plays, but remains an eager fan.

PASSIONS: Bowers has been a season ticket holder for the Ohio State women’s basketball games since her law school days. Attending basketball games, she said, was a great “diversion” from her studies.
TO GIVE
There are dozens of ways to give back to The Ohio State University Moritz College of Law. For more information, visit giveto.osu.edu/moritz.

Or send your gift directly to the College at 55 W. 12th Ave., Columbus, OH, 43210.

THE LAW ANNUAL FUND
Scholarships, clinics, student activities, career services, and faculty scholarships are just a few areas that benefit from this current-use fund. It allows the College to be nimble in meeting needs and to create new opportunities.

LEADERSHIP SCHOLARSHIPS
A component of our Program on Law and Leadership, these scholarships attract talented students from diverse backgrounds who have demonstrated leadership abilities.
Going once, going twice... sold at the Ohio Union!

Silent and live auctions, unlimited laughter, and loads of fun are in store for this year’s Public Interest Law Foundation Annual Auction on March 3, 2016 at the Ohio Union.

Have something to donate for this year’s auction?

Contact Emily Gerlach (gerlach.77@osu.edu) for more information on how to support students working in public interest summer jobs.

Want to make a cash gift to PILF? Contribute to giveto.osu.edu/moritz, fund No. 309379.