A Supreme Argument

Moritz Law Clinics: Practical and Academic

Benjamin Takes Seat on West Virginia Supreme Court

First Daughters to Future Lawyers
Imagine having an opportunity, as a law student, to work on a case that was argued—and won—before the U.S. Supreme Court. That amazing opportunity was afforded students in the Moritz Law Clinical Program. A number of those who researched, drafted, and participated in class sessions on strategy for *Cutter v. Wilkinson* traveled to Washington, D.C., in March and listened as their professor, David Goldberger, responded to the justices’ penetrating questions. On May 31, the Court upheld Section 3 of the Religious Land Use and Institutionalized Persons Act (RLUIPA) in the *Cutter* case, which the Sixth Circuit had held was invalid in the case as a violation of the U.S. Constitution’s Establishment Clause.

It is no surprise that students gravitate toward the clinics. More than 60 percent of our students take a clinical course before they graduate. In this issue, you will learn more about the college’s outstanding Clinical Program and about Professor Goldberger, a celebrated First Amendment scholar who guided the clinics for almost 20 years. The issue also gives you a chance to get better acquainted with our new clinical director, Gregory Travailo. Professor Travailo, whose outstanding scholarship and teaching has focused on commercial law, is also an experienced administrator who has twice served as an associate dean.

Outside the Clinical Program, the college added a number of innovative learning opportunities this year.

The first issue of a fourth law review, *I/S: A Journal of Information Law and Policy*, is headed for publication. Students interested in legal and policy issues arising from advances in information technology are working with two nationally known scholars in the field, Professors Peter Shane and Peter Swire, to produce the journal. A novel approach for our journals, *I/S* is a partnership with the faculty and students at Carnegie Mellon University’s H.J. Heinz III School of Public Policy and Management, which, like Moritz Law, has outstanding faculty in the information technology arena. If you are interested in a subscription to either the hard copy or online version, please visit the journal’s web page at http://www.is-journal.org/.

This time next year, expect the inaugural issue of the college’s fifth law review, the *Ohio State Journal of Entrepreneurial Law*. In addition, five Distinguished Practitioners in Residence will teach one-credit courses in advanced business law topics over the course of the academic year. And in winter 2006, the college will begin its semester-long comparative law program at Oxford University.

In August, the Barrister Club will open across the street from the college as part of the South Campus Gateway Project, permitting us to launch a program we call “Mentoring and More @ Moritz,” which pairs three law students with two lawyers or judges. The lawyers and students will attend several sessions of a 10-part series of luncheon programs, modeled on “inns of court” programs, to explore issues facing the legal profession.

For the first time next fall, a portion of our students will live in the new apartments across the street from Drinko Hall. They join a development that includes restaurants, shopping, and entertainment, all within two blocks of the law school.

In these and other ways, Moritz Law is building a learning environment that is second to none. The innovations that are the focus of this issue are made possible by many of you who care about those who follow you at the college. We hope that all alumni will return to see the changes, catch up with old friends, and tell current students about their experiences in the profession. As you make your plans during the coming year, check our web site (www.moritzlaw.ohio-state.edu) for events that you might enjoy attending.

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Students Aid Professor in U.S. Supreme Court Argument

When Moritz College of Law Professor David Goldberger appeared before the U.S. Supreme Court on March 21 to present oral arguments defending the constitutionality of a federal statute in the case, Cutter v. Wilkinson, he was not alone. In the audience sat at least 20 students who had worked on the case at various times during the preceding years and who had an intense interest in it.

The case involved prison inmates who sued the state of Ohio claiming they were denied access to religious literature, ceremonial items, and group worship in violation of the Religious Land Use and Institutionalized Persons Act. The statute, which was enacted by Congress, requires states to accommodate prisoners’ religious beliefs unless the prison officials can show that there is compelling reason not to accommodate the request.

The case was in the Supreme Court because the Sixth Circuit previously invalidated the statute as a violation of the U.S. Constitution’s Establishment Clause. The Supreme Court was reviewing the lower court’s decision because other circuit courts had found the statute to be constitutional.

“This case is likely to define the power of government to accommodate religious exercise in the face of state laws and regulations that impose burdens on us,” Goldberger said prior to the March argument. “The case may also define the power of Congress to enact laws encouraging or requiring state officials to accommodate religion.”

It also provided an opportunity for Moritz Law students to gain real-world experience. “We had a huge litigation team,” recalls Goldberger. For more than five years, various students assisted with the case, providing research, editing briefs, and helping prepare for the final appeal.

“It was complex to set up a team like this,” admits the professor. “Students’ class schedules and their other responsibilities make it difficult for them to allocate large, uninterrupted blocks of time to preparing Supreme Court briefs, but the students who worked on the case were incredibly flexible and generous with their time.”

“i feel very lucky to be involved in something so important to the school and to the law in general,” says Anne Juterbock, a third-year law student who served as a research assistant for Goldberger.

“I never thought I would set foot in a courtroom and now I am considering litigation as a career.”

She gained from watching a seasoned lawyer prepare for such a high-profile argument. “I learned from Professor Goldberger that you have to do what is best for the client,” she stresses. “You can’t let the politics of the situation get in the way.”

Jennifer Urban ’01, who had been Professor Goldberger’s research assistant before graduating, joined the team last year after finishing a clerkship with Judge Peggy Bryant of the Ohio 10th District Court of Appeals. “It was exciting to see it move into reality,” she says of the case that has helped shape her legal career.

Third-year student Matthew McNeil began helping with the case when it was pending before the Sixth Circuit. He researched cases and helped prepare Professor Goldberger for that court appearance. His work turned into a student note, “The First Amendment Out on Highway 61: Bob Dylan, RLUIPA, and the Problem with Emerging Postmodern Religion Clauses Jurisprudence,” which was published in the Ohio State Law Journal in autumn 2004 (65 Ohio St. L.J. 1021).

McNeil challenged the Sixth Circuit’s analysis of the Establishment Clause. His note came from focusing on the reasoning he felt Supreme Court justices might follow in the case, although it became apparent during the March 21 argument that some of the positions might have changed. However, he found the experience of thinking through the case and writing his conclusions important.

“I learned that my insights are valid and I should pursue them,” he notes.

Goldberger has taught in the Clinical Program at Ohio State since 1980. His students have worked on other important cases including McIntyre v. Ohio Elections Commission, which also reached the U.S. Supreme Court.

Former Moritz Law professor Douglas Cole, now Solicitor for the State of Ohio, represented the state.

Court Upholds RLUIPA

On May 31, the U.S. Supreme Court upheld Section 3 of the Religious Land Use and Institutionalized Persons Act (RLUIPA) in Cutter v. Wilkinson, the case in which Professor David Goldberger represents current and former prison inmates seeking accommodation under the statute of their rights to exercise their religions. The Sixth Circuit had held the RLUIPA statute was invalid as a violation of the U.S. Constitution’s Establishment Clause.
The Clinical Program at Moritz Law provides an approach to clinical education that is distinctive among American law schools. Since 1935, the faculty at the college has recognized that problem solving, factual investigation, counseling, negotiation, and litigation skills are best learned by combining the actual practice of law, in which students take responsibility for their own cases, with an intensive academic experience in the classroom. The pairing of regular and clinical faculty in a “team” approach to clinical education, while resource intensive, has led to exceptional results.

The American Bar Association recognizes that clinical programs are an essential component of legal education. Our graduates realize that, too. When polled about the value of these practical classes, more than two-thirds of Moritz Law alumni recommended that all law students take at least one clinical course. Likewise, employers value the practical training clinic graduates bring with them to the practice of law.

Moritz Law students may begin taking clinical courses in their second year. In the Mediation Clinic, they serve as court-appointed mediators in pending cases, helping parties resolve cases ranging from back pay demanded by immigrant workers to child care disputes between divorcing parents. Another option for second-year students is the Legislation Clinic, in which they work with leaders of the Ohio General Assembly and other key legislative players, assisting them with research, analysis, and monitoring of the lawmaking process.

Third-year students who meet the Supreme Court of Ohio’s internship requirements may enroll in courses that permit them to represent clients under the supervision of Moritz Law faculty, all licensed attorneys. Students may choose from among four litigation clinics: civil, criminal prosecution, criminal defense, and justice for children. In recent years, students in these clinics have represented clients in both federal and state cases. Two of the cases in the Civil Clinic have gone to the U.S. Supreme Court, and clinic students have been crucial in preparing briefs and arguments. Another case involved a five-day jury trial in federal court, tried almost entirely by Moritz Law students. In the Criminal Defense and Prosecution Clinics, students regularly appear in local courts in misdemeanor cases, learning how to prepare witnesses, negotiate plea bargains, and try criminal cases. Students in the Justice for Children Practicum not only represent minors in the local juvenile court, but have also filed state Supreme Court amicus curiae briefs addressing groundbreaking issues affecting children.

Skills Courses

The richness of the college’s live-client courses is matched by dynamic skills classes designed to teach lawyering techniques. Second- or third-year students may enroll in basic trial advocacy classes, which teach students how to try a case before a jury and how to apply the substantive law and theory learned in other courses. Specialty courses such as Jury Selection and Trial Advocacy and Social Science help further refine skills. Students can also focus on the stages of litigation prior to trial with classes such as Pretrial Litigation, Deposition Practice, Legal Negotiation and Settlement, and Motion Practice. During winter and spring breaks, one-credit mini-courses are offered on a variety of litigation and alternative dispute resolution topics. These are taught by distinguished practitioners.

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Clinical Program Courses

Civil Law Practicum
Law students represent clients in pending civil cases, learning how to competently and professionally represent clients in civil matters through both live-client representation and extensive simulations. In addition to class meetings, students prepare each case, present it in court, or work to obtain a satisfactory out-of-court resolution.

Criminal Defense Practicum
Students represent adult defendants in misdemeanor cases pending in central Ohio courts. Outside the classroom, students prepare each case and present it in court or obtain satisfactory out-of-court resolution.

Justice for Children Practicum
Ensuring that children and their rights are taken seriously, this practicum provides students with the opportunity to represent children in a variety of legal proceedings. The cases may include abuse and neglect, delinquency, status offense, custody, and termination of parental rights cases pending in various courts. Class meetings examine relevant legal doctrines and the ethical and strategic issues raised in representing clients in such proceedings.

Legislation Clinic
A front-row view of the legislative process in the Buckeye State is available as students work directly with legislative leaders and their staffs on matters pending or anticipated to arise before the Ohio House or Senate. The classroom component focuses on the Ohio legislative process and on state constitutional law as it affects the relation between Ohio courts and the legislature.

Clinical placements (as well as class sessions) include research and analysis of current and potential legislative issues, the challenges of information sharing in a partisan context, and negotiation among multiple parties in a legislative setting.

Prosecution Practicum
Students take responsibility for prosecuting a wide range of criminal cases, from theft and drunk driving to drug possession and domestic violence. Students handle their own cases, interviewing victims and other witnesses, negotiating plea bargains with defense attorneys, and conducting hearings and jury trials. In classroom work, students learn basic litigation skills through intensive simulations and also discuss prosecutorial discretion, ethics, sentencing policy, and other aspects of the criminal justice system.

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Clinical Program Faculty

Susan A. Choe ’96, Adjunct Faculty and Project Director for the Student Housing Legal Clinic
Amy Cohe, Assistant Clinical Professor of Law and Research Associate for Comparative Dispute Resolution Project
Sarah Rudolph Cole, Squire, Sanders and Dempsey Designated Professor of Law
Elizabeth Ilgen Cooke ’94, Associate Clinical Professor of Law
Terri L. Enns ’96, Associate Clinical Professor of Law
Katherine Hunt Federle, Professor of Law and Director of the Justice for Children Project
David Goldberger, Isadore and Ida Topper Professor of Law
Carole Hinchcliff, Associate Director of the Moritz Law Library and Associate Clinical Professor of Law, Mediation Clinic
Steven F. Huefner, Associate Professor of Law and Director of the Legislation Clinic
Robert Krivoshey ’78, Clinical Professor of Law and Director of the Trial Advocacy Program
Angela Marie Lloyd, Assistant Clinical Professor of Law
Nancy H. Rogers, Dean and Michael E. Moritz Chair in Alternative Dispute Resolution
Ric Simmons, Assistant Professor of Law
Barbara Rook Snyder, Executive Vice President, Provost, and Joanne Wharton Murphy/Classes of 1965 and 1973 Professor of Law
Joseph B. Stulberg, Associate Dean for Academic Affairs and Professor of Law
Gregory M. Travallo, Lawrence D. Stanley Professor of Law and Director of the Clinical Program
Charles E. Wilson, Associate Professor of law
More than 25 years ago, Professor David Goldberger asked the Supreme Court of the United States to take an action that would ultimately compel the Village of Skokie (Illinois) to permit a group of Nazis to hold a public assembly in front of the village hall. Skokie, a town that contained a substantial number of Jewish residents, had adamantly refused to allow that public assembly. Goldberger faced a lot of criticism for accepting the case, particularly since he is Jewish.

“There were some segments of the Jewish community who were really angry,” he says. “One Holocaust survivor wrote in her book that I should have been drawn and quartered for what I did.”

Goldberger spoke at many synagogues to explain why he took the case. He was working full-time for the American Civil Liberties Union at the time and had taken the case when no one else would. “It was the right thing to do,” he explains. “It raised an important First Amendment right.”

Goldberger and others who helped him were successful in National Socialist Party v. Skokie, a case that has been studied by students as an example of First Amendment freedom of expression. Students at Moritz Law have been able to learn directly from Goldberger since 1980, when he joined the law school’s faculty.

In 1987, Goldberger took over the position of director of the Clinical Program in addition to his full-time teaching. He stepped down as director at the end of 2004, hoping to spend more time teaching, researching, writing, and litigating clinic cases.

“Over time, any administrator needs to pass the reins to someone like incoming director Greg Travalio, who brings fresh ideas and perspectives,” he says. “It will be good for the program.”

During his tenure as program director, Ohio State students have worked on three cases that have reached the U.S. Supreme Court: McIntyre v. Ohio Elections Commission, Capitol Square Review and Advisory Board v. Pinette, and Cutter v. Wilkinson, which was argued in March 2005. The most recent case addressed the constitutionality of a federal statute protecting prison inmates’ religious exercise and was decided in May (see page 2).

“This case is an important case because it should clarify the power of state and federal government to accommodate the religious exercise of prisoners without violating the Establishment Clause,” Goldberger said prior to the argument. “The case may also define the degree to which Congress may condition its appropriations to state government based on state agreement to comply with the congressional funding policies.”

Goldberger received both his undergraduate and law school education at the University of Chicago. Prior to teaching at Ohio State, he worked for legal services for two years and for the American Civil Liberties Union for 11 years, rising to legal director in the Chicago office. His most visible cases for the ACLU involved freedom of speech issues.

While he worked for the ACLU, he began to teach courses as an adjunct professor at Chicago-Kent College of Law. He came to Ohio State to teach courses in the clinic and in constitutional law and the First Amendment.

Teaching was a chance for Goldberger to combine his love of litigation with the opportunity to inspire future lawyers. “The clinic is a particularly exciting place to teach and it’s exciting to work with students doing their first cases,” he says. “Students sometimes gain self-confidence from being able to see that being an effective lawyer—above anything else—takes good judgment and self-discipline, qualities not as easily acquired in the traditional classroom setting.”

Professor Goldberger is married with two children and two stepchildren, who are all grown. He lives in Worthington with his wife, Abbie Harding, a retired high school science teacher.

(Editor’s note: This article first appeared in Clinic News, the newsletter of the Clinical Program.)
More about the Clinical Program is available at www.moritzlaw.osu.edu/centersandclinics/clinical_program.html.

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**Mediation Clinic**
Litigation may not always be the answer in a dispute. In the Mediation Clinic, students learn about alternative methods to settling problems. Students learn the law and theory of mediation and how to mediate disputes in classroom work and then gain practical experience by serving as a mediator in Small Claims Court cases pending in the City of Columbus Municipal Courts or in multi-party disputes in a variety of extra-judicial settings.

**Trial Practice**
Basic trial techniques are discussed in the classroom. Students participate in simulated trial problems and proceedings conducted under the supervision of a seasoned trial practice instructor. They learn to present opening arguments, conduct direct and cross-examination, introduce exhibits, and deliver persuasive closing arguments.

**Legal Negotiation and Settlement**
Through participation in simulated negotiations, assigned readings, and class discussion, negotiation theory and technique are taught. Students focus on skills routinely employed by practicing lawyers during the process of settling cases.

**Pretrial Litigation**
Students learn the law, theory, and practice of the important proceedings that occur prior to the trial of civil cases. They develop, draft, and respond to interrogatories, requests for documents, and pretrial motions. In addition, they learn to conduct and defend depositions.

More information about the Clinical Program is available at www.moritzlaw.osu.edu/centersandclinics/clinical_program.html.
April 2004 marked the 70th anniversary of the establishment of clinical education at the College of Law of The Ohio State University, now the Moritz College of Law. In April 1934, the law school established its Legal Clinic—the fifth law school in the country to incorporate a clinical program into its regular curriculum. The Clinical Program was established with the assistance of the Student Bar Association, the Columbus Family Bureau, and the Columbus Barristers’ Club. Members of the Barristers’ Club supervised the work of the students.

In March 1935, Professor Silas A. Harris became the first director of the clinic, and the outreach of the Clinical Program expanded substantially. Cases began to be referred to the clinic from local attorneys, judges, and social service agencies. The Columbus Bar Association and the Columbus Legal Aid Committee assisted with matters that went to litigation. The clinic proved to be such a valuable addition to the curriculum that in 1937 participation in the Legal Clinic was required for graduation from the college.

By 1941 the Legal Clinic had become firmly established in the curriculum and the Columbus legal community. The Ohio State University Bulletin for the year 1941 described the Legal Clinic as:

[Providing] practical experience in handling actual cases for Legal Aid clients under the supervision of the director of the clinic; preparing reports on each case; cooperating with public defenders, organized charities, the Family and Children’s Bureau and members of the bar; drafting legal papers; negotiating with parties and assisting in the trial of cases.

In addition, the Legal Clinic at Ohio State did its part in the war effort from 1940 until 1945. In cooperation with the Red Cross, students assisted
the servicemen and women, who were fighting in World War II, and their families.

In 1954 the Legal Aid and Defender Society of Columbus was established and the clinic began sending law students to its downtown office to assist attorneys working for the society. The clinic continued to handle cases involving university students and employees from its office at the College of Law. It is believed that during this period the clinic was supervised by Ms. Margaret Daeler under the overall direction of Professor Bob Wills.

From 1964 to 1968, the clinic was directed by Professor Gerald Messerman. During his tenure, the clinic focused on criminal appeals and habeas corpus matters, a change from its previous emphasis on domestic relations. During this period, the Supreme Court of Ohio had not yet adopted a student practice rule, so students were not permitted to directly represent clients in court. Following Messerman, Professor Bruce Jacob became the clinic director, hiring the present dean of the college, Nancy H. Rogers, as a clinic attorney. Later in his career, Jacob became the dean of Stetson University College of Law in Florida.

In the early 1970s, while Jacob was the director, clinical “courses” were introduced for the first time into the curriculum: the Civil Law Practicum, the Criminal Law Practicum, and the Juvenile Law Practicum. These courses were in response to a 1974 report that suggested that the clinics should have a more academic focus. As a result, the college adopted a unique approach to clinical practice in law schools: clinic courses were co-taught by a tenure-track member of the law faculty, who was primarily (but not exclusively) responsible for a classroom component of the clinical experience, and a staff attorney, an experienced lawyer who was primarily (but again not exclusively) responsible for supervising students in their handling of live-client caseloads. The classroom component functioned both as a forum for students to discuss the legal, tactical, strategic, and ethical components of their cases, and as a laboratory for students to learn skills through simulations and exercises. The students, through their collaboration with the staff continued on page 10
In Gregory M. Travalio’s free time, he may be seen riding his motorcycle, which he claims is his “pride and joy.” But unfortunately, this commercial law professor has limited spare time to spend on his bike these days, with teaching a full load of classes and taking over as the new director for the Clinical Program at Moritz Law. Travalio began heading the clinic in January 2005 after David Goldberger returned to the faculty from the position.

“Professor Goldberger has been a fantastic director, but after so many years leading the clinic, he really wanted to step down,” Travalio says. “He just felt he reached the end of the line and he was looking for someone else to pick up where he had left off.”

Because of his commitment to the clinics over the past years, and since he is not new to administration (he has served as associate dean on two occasions at Moritz Law), Travalio felt he could contribute as director. “I love the combination of theory and practice that you get by working in the clinics,” he says. “You can represent real people and you have a sense of contribution and the satisfaction of being part of the practicing profession.”

Travalio has implemented a number of new ideas to improve the Clinical Program, including publishing a newsletter that goes to students, alumni, and others in academia; redesigning and updating the clinic web sites; encouraging clinic faculty to become more involved in regional and national organizations; and advancing clinical scholarship. Additionally, the software used in the clinics and frequently used in law offices, Amicus, helps with file management and provides students the opportunity to use it.

Travalio came to Ohio State to teach law 27 years ago. But being a lawyer or teaching law was never something he had particular plans to do. “I’m not one of those people who knew they wanted to be a lawyer growing up,” he claims. “I didn’t know any lawyers, but I did like lawyer TV shows, particularly one in the 1960s called ‘The Defenders.’”

During college at the University of Pittsburgh, Travalio joined the Army ROTC. Later, while on active duty in the demilitarized zone in Korea, he could receive three days off to take graduate school exams—incentive for signing up to take both the LSAT and the GRE. After doing “relatively well” on both tests, Travalio held off on applying to schools for a while. Following military service, he took a job as a junior executive for an insurance company but soon realized this was not something he enjoyed doing.

At that time, Travalio was considering a career as a history professor, but felt that there were limited jobs in the field. “I didn’t want to go to graduate school and not come out with a job,” he admits. “So I applied to law schools. Law school was a way of escaping from a job I didn’t like.”

But once he began law school at the University of Pittsburgh, he realized it was something he enjoyed. A professor strongly encouraged him to consider teaching. So after practicing a few years in Philadelphia, he enrolled at Columbia University, where he also taught legal research and legal methods. With an L.L.M. degree from Columbia under his belt, he arrived at Ohio State as an assistant professor in 1978. “Ohio State had the best reputation of any school I received an offer from,” he says.

In 1982, Travalio joined the Army Reserve as a Judge Advocate General (JAG) officer. His current duty station is the Pentagon and he presently serves as the reserve executive officer to the Judge Advocate General of the Army.

Travalio and his wife, Barbara, have two children in college, Elisa and Sarah. Sarah is a student at Ohio State and would like to become a park ranger or zoo curator, and Elisa is enrolled in the pre-med program at the University of Arizona. Besides riding his bike, Travalio runs 15 to 20 miles a week. He hikes with his wife, plays golf occasionally with professors Doug Berman, Ed Lee, and former professor Doug Cole, and finds time to ride his motorcycle.
attorney on client representation, also had the opportunity for one-on-one instruction by an experienced lawyer. This arrangement has proved so successful that it remains the fundamental structure of many of the clinics at Moritz Law to this day.

In the mid 1970s, Professor Chuck Thompson became the director of the Clinical Program. He was a very strong proponent of clinical education and a real “character” as well. Except for court appearances, Thompson could always be found in blue jeans and motorcycle boots. He was an “up-front” sort of guy who rarely minced words, but who also cared deeply about his students and training them to be effective and ethical lawyers. Unfortunately, Thompson died of a heart attack in the early 1980s at the young age of 40.

In 1978, James Meeks, then dean of the College of Law, appointed a special committee to study the clinic. The committee was charged to answer such questions as whether the clinic accounted for an inordinate portion of the college budget; whether clinic courses were felt to be worthwhile by alumni and students; why students chose to elect or not elect clinical courses; an analysis of the theoretical basis for clinical education; and whether the clinic should be integrated into other programs at the college. This committee presented its report to the faculty in May 1979.

The results of the report confirmed the place of the clinic in the College of Law and the popularity and value of the Clinical Program. The report concluded that the clinic did not represent an inordinate amount of the college’s budget; in fact, the report strongly recommended the expansion in the number of clinical courses and their integration into a broader and enlarged skills curriculum, including trial advocacy, pretrial litigation, and other courses. It recommended additional clinical courses in such areas as commercial law and criminal prosecution. The study fully endorsed the utilization of tenure-track faculty as clinical teachers as “a source of strength” in the clinic, which it said should be “continued and enhanced.” It suggested greater efforts to inform students of the benefits and availability of clinical programs and concluded that, “clinical courses would be enhanced if they stood, not apart from the rest of the curriculum, but were made to be the culmination of a comprehensive and coordinated program dealing with practice and advocacy skills.”

In sum, the college’s first comprehensive look at the Clinical Program resulted in a ringing endorsement of its structure, function, and goals. Since the study, the college has acted on the recommendations and greatly expanded its clinical offerings as well as the other practice skills segments of the curriculum.

The story of this expansion is Part II, to be published in a future edition of the Law Record.
This spring, the Legislation Clinic at Moritz Law completed its fifth year. In that short time, more than 100 law students have spent a semester contributing their training and their energy to serving the citizens of Ohio by researching and analyzing legislative matters facing the Ohio General Assembly. At the same time, participating students have acquired a deep appreciation of the complexity of the legislative process and of the contributions that dedicated individuals can make.

One frequent observation is how much term limits are affecting the legislative process. The Legislation Clinic opened its doors in fall 2000, the same fall that Ohio’s legislative term limits first precluded Ohio legislators from seeking reelection. In every semester since, clinic students have commented upon a variety of ways in which term limits are altering legislative life. Among others, these include: the changing makeup of legislative leadership; relationships among legislators; the sources of legislator motivation; the work of lobbying; how members use the legislature’s professional staff; and the nature of political campaigns.

For instance, in its five years, the clinic has already served and worked with three different leaders of both the Ohio House and the Ohio Senate. During the clinic’s first semester, students watched the Ohio General Assembly prepare for the departure of House Speaker Jo Ann Davidson, who was forced out by term limits after 20 years in the House and six years as Speaker. In January 2001, Larry Householder, after only four years in the legislature, rose to the post Davidson had held. Two years later, Senate President Richard Finan was term-limited out of office, after 28 years in the legislature and six years presiding over the Senate, to be replaced by Doug White. In turn, term limits forced out both Speaker Householder and President White this past January, after four years and two years in their respective positions. House Speaker Jon Husted and Senate President Bill Harris, who have now assumed these roles after only four years in their respective chambers, will have to step aside after serving four more years as leaders. Meanwhile, the minority caucuses of the Ohio General Assembly have also experienced comparable degrees of change in their leadership.

Clinic students have been fortunate to hear from a number of these legislative leaders as guest speakers, in addition to observing them at work. Students have seen that these rapid personnel changes can produce both challenges as well as opportunities for the legislature. Inevitably, legislators are thrust into leadership without either the understanding of the views, concerns, and personalities of their colleagues, or the experience of managing conflict (which, after all, is the essence of legislative deliberation) that their pre-term-limits predecessors had. Although on occasion this relative inexperience can lead legislators to try something new or to take greater risks, it also can make the leaders less efficient and effective in directing their colleagues. And the leaders now are almost always forced to step aside after only a few years, often before they have fully flourished in their leadership roles.

Complicating the challenge facing legislative leaders is the fact that many individual members of the legislature now have less incentive to cooperate. With an eight-year outside limit on the time that any legislator can spend in either the Ohio House or the Ohio Senate, it no longer makes sense for legislators to “wait their turn.” Instead, from the outset the pressure is on for each representative to make a name quickly. Often this means bucking the agenda set by the leadership and pursuing legislative goals independently. Again, the results of this dynamic may or may not be positive. If a legislature is controlled by an “entrenched” political machine operating at the behest of a narrow set of interests, then we might applaud the efforts of thoughtful and creative legislators to work independently of the leadership to improve government service in the public interest. But when the leaders are genuinely striving to mediate legislative disagreements, build stable coalitions, and reach meaningful compromises, then the widespread
freelancing of individual term-limited legislators may result in legislative fragmentation and chaos.

In addition, this freelancing is often ineffective. Legislators themselves have repeatedly shared with clinic students their sense of how their own legislative abilities grow with time. The best ideas of new legislators are worth little if the legislator does not have the practical ability to see them enacted. But because of the number of hurdles standing in the way, the overwhelming majority of measures introduced in the General Assembly are never enacted into law. Typically, a legislator’s ability to overcome these hurdles improves both with an understanding of one’s colleagues and with experience dealing with the array of interest groups that monitor and seek to influence the legislative agenda. Neither of these political assets can be acquired without effort—or time.

Further compounding the leadership challenge is the potential for term limits to increase the friction between the two houses of the legislature. Despite the fact that both the Ohio House and the Ohio Senate are controlled by Republican members, in the past few years the two chambers sometimes have had difficulty coordinating their legislative agendas. How much term limits are to blame is hard to say, and perhaps Speaker Husted and President Harris will be able to improve the relationship between the chambers. But clinic guest speakers (who have included many lobbyists and other outside observers of the legislature, as well as a number of members of the General Assembly) have repeatedly ascribed this dynamic at least partly to term limits. It is not difficult to imagine that the rapid turnover caused by term limits makes the chambers as institutions more competitive because many members of the House quickly set their sights on a Senate seat and begin planning to move up when they reach their eight-year limit in the House (and in fact a few term-limited Senators have chosen to run for a seat in the House). Members thus may feel less incentive to cooperate with members in the other chamber, against whom they may soon be competing for a seat, or with whom they need not build any long-term relationships.

Another reality under term limits is that turnover in the composition and leadership of legislative committees also now occurs frequently. As a result, committee chairs are generally less expert in the particular issues facing their committees than were their predecessors before term limits. The legislature’s professional staff can (and do) provide background understanding and information in the substantive areas assigned to each committee, but this assistance cannot fully make up the difference. Moreover, the time that the professional staff spend in this service may preclude them from working on other matters that otherwise might have been of greater service to the legislature. Clinic students have frequently commented on the amount of background work they see the staff doing.

Meanwhile, the number of lawyers in the legislature has dropped substantially, increasing the burden on the professional staff to identify and resolve technical issues that lawyer-legislators are uniquely well-positioned to address. Anecdotal reports, confirmed by several clinic guests, suggest that attorneys are now less willing to step out of their legal careers to run for a legislative seat, knowing that they will likely have to restart their law practice in eight years. Prior to term limits, attorneys were more willing to give up their law practice knowing that if they were elected to the legislature, they had a realistic hope of continuing in office for a number of years, so long as their constituents valued their service.

Finally, preliminary evidence suggests that legislative term limits are neither drawing a new breed of politician to elected office, nor enhancing the diversity among our elected representatives. In part, this is because campaign costs continue to skyrocket, and the overwhelming favorites even for seats opened by term limits remain those candidates who can successfully raise funds. Thus, there is little reason to expect term-limited legislators to be less dependent on or beholden to the interest groups that bankroll the ever-increasing costs of political campaigns.

Nevertheless, clinic students are continually impressed by the sincerity and dedication that Ohio’s state legislators bring to their responsibilities. The students also are tremendously appreciative of the opportunity they have to acquire an inside perspective on the legislative process. For many, including a number of students who come into the clinic disposed to favor term limits, this inside perspective leaves them fairly skeptical that term limits on balance are adding value to the process. At the same time, clinic students typically acquire the sense of the rest of the legislative community that term limits are here to stay, at least for the short term, for despite their costs the public is not yet clamoring for their elimination.
At a law school like the Moritz College of Law, quality scholarly research is a fact, and public service, in the land-grant tradition, is a given. Any week of the year will find some Moritz Law professors in another location, speaking at symposia, lecturing to a class, or providing pro bono legal services. Their work, both inside and outside the classroom, garners public recognition and awards. Some of their recent activity is noted below.

Articles

Sharon L. Davies

Christopher M. Fairman
*An Invitation to the Rulemakers’ Strike Rule 9(b)*, 38 U.C. Davis L. Rev. 281 (2004)

Larry T. Garvin
Small Business and the False Dichotomies of Contract Law, 40 Wake Forest L. Rev. (March 2005)


Deborah J. Merritt

Peter Swire


Allan J. Samansky
*Deductibility of Contributions to Religious Institutions*, 24 Virginia Tax Rev. 65 (2004), reprinted in *Monthly Digest of Tax Articles*

Book Chapters

John B. Quigley

Gregory M. Travalio
“Products Liability,” (with Frank Ray, Bill Strubbe and Harry Sigmier) in *Ohio Jury Instructions*

Lectures

Mary Beth Beazley
Presenter, *More Than Requiring Multiple Drafts: Course Structure and the Writing Process*, Legal Writing Institute Summer Conference, Seattle, July 2004

Speaker, *Six Degrees of Legal Writing*, Columbus Bar Association, Columbus, December 2004

Douglas A. Berman
Presenter, faculty workshop, University of North Carolina, Chapel Hill, School of Law, January 14, 2005

Presenter, Wisconsin Association of Public Defense Lawyers, Milwaukee, February 3, 2005

Panelist, Federal Sentencing, Supreme Court Fellows Program, Washington, D.C., February 17, 2005

Presenter, Association of Federal Defense Attorneys, Los Angeles, February 25, 2005

Presenter, faculty workshop, Loyola Law School, Los Angeles, February 28, 2005

James E. Meeks
*Advanced Torts* (with George C. Christie, Ellen Smith-Pryor, and Joseph Sanders), West Group, 2004

John B. Quigley
*The Case for Palestine*, Duke University Press, 2005

Books

James E. Meeks
*Teacher’s Manual for Administrative Law: the American Public Law System*, West Group, 2005
Martha Chamallas  
Speaker, Civil Lawsuits and Civil Rights, Symposium on Access to Justice, Los Angeles, October 1, 2004  
Speaker, Tort Reform and Damages, Symposium on Sophisticated New Tort Theories, Suffolk University Law School, Boston, October 29, 2004  
Presenter, Gender Bias in Tort Damages, National Association of Forensic Economists, Eastern Economics Conference, New York City, March 5, 2005  
 Daniel C.K. Chow  
Speaker, Protection of Intellectual Property Rights, Dean’s Lecture Series, Ohio Northern College of Law, Ada, Ohio, November 18, 2004  
Ellen E. Deason  
Moderator, Avoiding Ethical Pitfalls, Ohio State Journal on Dispute Resolution Symposium, The Collision of Two Ideals: Legal Ethics and the World of Alternative Dispute Resolution, Moritz College of Law, Columbus, January 20, 2005  
Presenter, A Comparative Perspective on International Dispute Resolution, International Law Colloquium Series, Wittenberg University, Springfield, Ohio, February 9, 2005  
Symposium Panelist, Reflections on Judging: A Discussion Following the Release of the Blackmun Papers, University of Missouri-Columbia School of Law, Columbia, February 25, 2005  
Joshua Dressler  
Keynote Speaker, International Conference on Comparative Criminal Relations, Tarrytown, New York, (sponsored by the Ford Foundation and the Council on Foreign Relations), February 10 to 13, 2005  
Speaker, African Americans and the Criminal Law, Black History Month, Moritz College of Law, Columbus, February 24, 2005  
Christopher M. Fairman  
Presenter, Professionalism and the Public Interest Lawyer, The Legal Aid Society of Columbus, December 15, 2004  
Panelist, Ethical Issues When Dealing with Difficult Opposing Counsel, Joint Meeting of Employment Law, Professionalism, and New Lawyers Committees, Columbus Bar Association, Columbus, January 12, 2005  
Panelist, An Eye Toward the Future: Potential and Ideal Ethical Regulations to Govern Alternative Dispute Resolution, The Collision of Two Ideals: Legal Ethics and the World of Alternative Dispute Resolution, Ohio State Journal on Dispute Resolution, Moritz College of Law, Columbus, January 20, 2005  
Larry T. Garvin  
Speaker, Small Business and the False Dichotomies of Contract Law, University of Cincinnati Law School, Cincinnati, January 24, 2005  
Deborah J. Merritt  
Luncheon Speaker, Ohio’s Rights and Responsibilities Under the New Federalism, Orientation for Newly Elected Members of the Ohio General Assembly, Columbus, November 17, 2004  
Speaker, From Single Females to Security Moms: Women and the 2004 Election, Columbus, December 8, 2004  
Speaker, Designs that Promote Public Service, Columbus Metropolitan Club, Columbus, December 15, 2004  
Mary Ellen O’Connell  
Presenter, Security Council Authorizations to Use Force: Past Practice and Future Needs, the Security Council and the Use of Force, Theory, and Reality—A Need for Change? Universität Leiden (jointly sponsored by the University of Leiden and the government of The Netherlands), September 17-18, 2004  
John B. Quigley  
Speaker, International Court of Justice Advisory Opinion on Israel Wall, Palestine Research Center, Washington, D.C., September 24, 2004  
Speaker, Remedies under the Vienna Convention on Consular Relations, International Law Association, New York City, October 15, 2004  
Speaker, International Law in the U.S. Court System, Department of Political Science, Wittenberg University, Springfield, Ohio, December 1, 2004  
Speaker, International Court of Justice Advisory Opinion on Israel Wall, William Mitchell Law School, St. Paul, Minnesota, January 27, 2005  
Speaker, Legal Issues in the Israeli-Palestinian Negotiations, William Mitchell Law School, St. Paul, Minnesota, January 28, 2005  
Nancy H. Rogers  
Panelist, Preparing to Teach Law, Association of American Law Schools Hiring Conference, Washington, D.C., November 3, 2004  
Peter M. Shane  
Panelist, The Legacy of Election 2000: If the System Fails Again? Moritz College of Law, Columbus, October 21, 2004  
Presenter, Helping Teachers Prepare Students for On-Line Democratic Deliberation, SITE 2005 – Society for Information Technology and Teacher Education International Conference, Phoenix, Arizona, March 4, 2005  
Ric Simmons  
CLE Presenter, New Developments in Evidence, Franklin County Prosecutor’s Office, October 22, 2004
Peter Swire


Speaker, *Security and Obscurity*, Cyberlaw and Economics Workshop of the University of Michigan, Ann Arbor, January 2005

Speaker, *Sharing of Medical Records Pursuant to an Authorization*, testimony before the National Committee on Vital Health Statistics, Washington, D.C., January 2005

Gregory M. Travalio
Presenter, *Update of Recent Ohio Supreme Court Cases on Business and Commercial Law*, Franklin Inns of Court, Columbus, January 2005

Appointments
Mary Beth Beazley
American Bar Association/Association of American Law Schools site visit team, Baylor Law School, February 2005

Martha Chamallas

Sharon L. Davies
Elected chair, Criminal Justice Section of the Association of American Law Schools (AALS), January 2005

Appointed by the President of the AALS to chair the committee that will plan a three-day workshop for criminal law and procedure professors, June 2006

Larry T. Garvin
Elected chair, Section on Commercial and Related Consumer Law, Association of American Law Schools, 2005

Nancy H. Rogers
Chair, American Bar Association’s New Dean’s Workshop (she previously served on the faculty for the workshop)

Awards and Recognition
Christopher M. Fairman
2004 Excellence in Education Award, *Ohio Magazine*

Deborah J. Merritt
Moderator, dedication of the new facility of the Charles W. Braun Center, American Bar Association site visit team, Baylor Law School, February 2005

Testified as an expert witness on maritime and international law in London, UK, in an international maritime arbitration between Islamic Republic of Iran Shipping Lines and Caspian Shipping Company, November 2004

Distinguished Service Award, Council on Legal Education Opportunity, November 2004

Legal Consultation, Testimony, or Public Service
Douglas A. Berman
Spoke to U.S. Attorneys in Dayton, Ohio, regarding federal sentencing, December 16, 2004

Testified before the U.S. Sentencing Commission, February 15, 2005

Ellen E. Deason
Scientific Advisor, National Conference of Commissioners on Uniform State Law Committee on Genetics

John B. Quigley
Testified as an expert witness on maritime and international law in London, UK, in an international maritime arbitration between Islamic Republic of Iran Shipping Lines and Caspian Shipping Company, November 2004

Wrote a brief (January 2005) in the U.S. Supreme Court as counsel for the European Union and the Council of Europe, which are participating as *amicus curiae* in *Medellin v. Dretke*, pending in the U.S. Supreme Court, Case No. 04-5928, on interpretation of the Vienna Convention on Consular Relations provisions on foreigners prosecuted for crime in the United States. The case involves a Mexican national on death row in Texas (co-authored with S. Adele Shank ‘86).

Nancy H. Rogers
Moderator, dedication of the new facility for the Supreme Court of Ohio. Chief Justice William H. Rehnquist of the U.S. Supreme Court, Ohio Governor Bob Taft, Supreme Court of Ohio Chief Justice Thomas Moyer ’64, and others spoke at the dedication, Columbus, Ohio, May 15, 2004

Testified before the Ohio Senate Judiciary Committee on House Bill 303, which would adopt the Uniform Mediation Act in Ohio, January 2005. Dean Rogers served as the reporter for the drafting of the Act, which was endorsed by the National Conference of Commissioners of Uniform State Laws and the American Bar Association House of Delegates. It has been enacted in Illinois, New Jersey, and Nebraska and was signed by Ohio Governor Bob Taft in January 2005. Dean Rogers is one of Ohio’s five commissioners, appointed by Governor Taft, of the National Conference of Commissioners of Uniform State Laws

Things to Watch For
Martha Chamallas
*Civil Rights in Ordinary Tort Cases: Race, Gender and the Calculation of Economic Loss*, Loyola L. Rev. (Los Angeles) (forthcoming 2005)


Sharon L. Davies

Larry T. Garvin
Center Changes Name to Better Reflect Cross-Campus Interactions

The name of the Center for Law, Policy, and Social Science at Moritz Law has been changed to the Center for Interdisciplinary Law and Policy Studies to better reflect the center’s increasingly robust interactions with departments in the humanities, engineering, and computer science. The change was approved by the university Board of Trustees on February 5, 2005.

The name change embraces emerging Moritz Law projects on criminal sentencing policy, election law, and special education that are intensifying law and social science connections, according to Peter Shane, director of the center and the Joseph S. Platt/Porter Wright Morris and Arthur Professor of Law.

He notes that given Ohio State’s strengths in the social sciences—including political science, psychology, sociology, city and regional planning, and communications—the center expects partnerships between law and social science to continue to flourish in the years ahead.

The center began more than 10 years ago as the Center for Socio-Legal Studies. It promotes interdisciplinary research, teaching, and public outreach designed to shed light on the nature and operation of law and legal institutions, as well as the impacts of law on society and culture.

Peter M. Shane


Grants

Ellen E. Deason and Christopher M. Fairman, in conjunction with the Federal Judicial Center, have been awarded a $15,000 seed grant from the William and Flora Hewlett Foundation to develop a research agenda on the future of court-connected alternative dispute resolution. This grant supplements another $15,000 grant received earlier this year from the JAMS Foundation, a nonprofit corporation that provides financial assistance for conflict resolution initiatives with national impact.

Douglas Berman

Chicago Lawyer, “Incarceration Nation: An ABA Report Questions the Value of Locking Up Millions.” Berman said that there seems to be an inability for politicians to realize that downward departures in drug sentences are needed in some cases. November 1, 2004

Houston Chronicle, “Texas bucks trend on death sentences; the rate declines across nation, but it holds steady here.” Berman discussed having the option to a life sentence without parole. November 15, 2004

Legal Times, “Going Topless,” Berman said that the “topless guideline” approach—which would require minimums but not set maximums—was attacked by nearly everyone. November 22, 2004


Corporate Legal Times, “Blind Justice.” Berman said that it’s not obvious that if the court applies Blakely to the federal system it means the organizational guidelines are completely toast. December 1, 2004

The Los Angeles Times, “The Supreme Court Beginner: Fisher won two cases before the high court this year at the unheard of age of 33.” Discussing the Blakely decision, Berman said that it’s the most liberal decision he’d read from the Rehnquist court. December 5, 2004


Pittsburgh Post-Gazette, “Sentencing Guideline Ruling Delayed.” Berman said that the best explanation for the delay is that the justices are struggling with the severity issue. December 20, 2004

The Washington Post, “President Cautious in Issuing Pardons; Bush Wasting Opportunity, Critics Say.” Berman said that the President continues to view his role as chief executive as one in which he should not temper the justice handed out by the justice system with mercy. December 28, 2004 (Story also appeared in The Frontrunner and The Commercial Appeal.)

Charleston (W.Va.) Daily Mail, “Our Views: Wise and Bush are acting wisely; Executives should only rarely overcall juries that heard evidence.” Berman said that Bush’s low number of clemency orders is a stingy view of things, especially given how much larger the size of the system. December 29, 2004

Milwaukee Journal Sentinel, “Ruling’s Impact Not Clear Yet.” Berman said that he expects many defendants will seek re-sentencing, though it is not clear whether judges will comply. January 12, 2005

ABC World News Tonight with Peter Jennings, “Sentencing Guidelines Ruling.” Berman said that the Supreme Court’s decision was going to affect the thousands of defendants who are sentenced every month in the Federal system. January 12, 2005

Media
All Things Considered (National Public Radio), “U.S. Supreme Court Invalidates Federal Sentencing System.” Berman said that we get, in the federal system, a remedy that is as pro-judge as any possible remedy one could imagine. January 12, 2005

NBC Nightly News. “U.S. Supreme Court Changes Sentencing Guidelines for Federal Crimes.” Berman said that the decision marks a dramatic change in the way sentencing in the federal courts goes forward because now judges have almost unconstrained authority to sentence. January 12, 2005

The NewsHour with Jim Lehrer, “Sentencing Guidelines.” Berman said that the federal sentencing guidelines applied in a binding way are unconstitutional. They have to be advisory. He noted there is a gap between completely advisory and completely binding. January 12, 2005

Chicago Tribune, “Supreme Court Gives Federal Judges Sentencing Discretion.” Berman said that the decision could give “hundreds of thousands of defendants” an argument that the case reaches back to sentences already determined. January 13, 2005 (Story also appeared in The Seattle Times.)

The Los Angeles Times, “How Judges Will Use Discretion Is the Big Question.” Berman said that inconsistencies in sentencing probably will increase after the decision. January 13, 2005

The Christian Science Monitor, “Court Orders Changes in Sentencing.” Berman said that the need to provide clarity for the lower courts took a back seat to the justices’ strong beliefs about their own view of the case. January 13, 2005

Pittsburgh Post-Gazette, “Sentencing Guidelines Tossed Out.” Berman said that this is going to be applied in diverse and dramatically different ways in the lower courts. January 13, 2005

USA Today, “Sentencing ruling’s impact uncertain; Judges put the ball in Congress’ court.” Berman said that we know that judges are getting more power, not less; what this means for individual cases in the system is uncertain. January 13, 2005

Orlando Sentinel, “High Court Shakes Up Sentencing Guidelines; Thousands of Cases Could Be Headed For Appeal After the Supreme Court Ruling.” Berman said, “[The decision] creates more questions than it answers... There’s going to be lots and lots of litigation.” January 13, 2005 (Story also appeared in Newsday, Kansas City Star, the Record, Bergen County, N.J., the Herald, Everett, Wash., Great Falls Tribune, Montana, Charleston Gazette, W.Va., and the Inland Valley Daily Bulletin, Ontario, Calif.)

The Boston Globe, “High Court Overturns Sentencing Guidelines But Ruling Will Allow Advisory Use By Judges.” Berman said that there are hundreds of thousands of inmates who can walk into court with a non-frivolous assertion that this changes their universe. January 13, 2005 (Story also appeared in the New York Sun and Seattle Post-Intelligencer.)

Knight Ridder, “Supreme Court Says Judges Not Bound By Sentencing Guidelines.” Berman said that his biggest concern was that the new guidelines would produce the kind of judge-by-judge, circuit-by-circuit variation that they were intended to reduce. January 13, 2005 (Story also appeared in the Wisconsin State Journal and Indianapolis Star.)

Portland Press Herald, “High Court Gives Judge More Sway.” Berman said that judges might be inclined to follow the guidelines because it’s the path of least resistance. January 13, 2005

The Plain Dealer, “High Court Ruling on Federal Sentencing May Affect Ohio Cases.” Berman said that the opinion raises more questions than it answers, but it answers the most important question: the federal guidelines system no longer works. January 13, 2005

CNN/Money, “Martha may seek early release.” Berman said that given that Martha Stewart has served most of her sentence, re-opening that part of the question may not be worth her lawyers’ time and energy. January 13, 2005

The Daily Record (Baltimore, Md.), “Flexibility May Not Shorten Sentences.” Berman said that the decisions in Booker and Fanfan sidestepped the Sixth Amendment issues raised in those cases. January 13, 2005

Morning Edition (National Public Radio), “Professor Douglas Berman talks about how federal sentencing rules may change after Supreme Court’s recent ruling.” Interview with Berman regarding the Booker and Fanfan decisions. January 13, 2005

Milwaukee Journal Sentinel, “Ruling’s Impact Not Clear Yet; Fate of Defendant in Case that was Decided Uncertain.” Berman said that the Booker and Fanfan ruling is so confused, mixed up, and uncertain that he does not have an idea as to how the sentencing commission and Congress will respond. January 13, 2005

Ventura County Star, “Federal Sentencing Guidelines Unconstitutional, Justices Rule.” Berman said that this creates more questions than it answers. January 13, 2005 (Story also appeared in the News & Record, Greensboro, N.C., and The Columbian, Clark County, Wash.)

The Legal Intelligencer, “Federal Sentencing Guidelines Ordered Relegated to Advisory Role by High Court.” Berman said that there will be lots of litigation over what the Booker and Fanfan decision means for ongoing cases. January 13, 2005

Legal Times, “Sentence Fragment.” Berman said that there is likely to be litigation over what this means for ongoing cases. Appellate courts have enormous sentencing powers in the days ahead. January 17, 2005 (Story also appeared in The Recorder, Texas Lawyer, and the New Jersey Law Journal.)

National Law Journal, “Appeals Courts Hold Key to Sentencing.” Berman said that a key question was whether Congress and the Department of Justice would wait to see how it all played out. January 17, 2005

The New York Times, “Judges’ New Leeway in Choosing Sentences May Result in Little Change.” Berman said that voluntary guidelines might work because in the 1970s, with the focus on rehabilitation, the pervasive philosophy was to view every case individually. January 18, 2005


Fulton County Daily Report, “Justices Turned Back Sentencing Clock by 20 Years.” Berman said, “We are likely to have lots and lots of litigation over what the Booker and Fanfan decision means for on-going cases.” January 19, 2005

The Day, “Impact of Ross Execution Concerns Some.” Berman said that it is not uncommon for the first execution to be someone who has requested that penalty. January 20, 2005
James J. Brudney
Business First, “Title Business Begins Fight to Slay $43M Jury Award.” Brudney said that the interesting question is not how to compare the award to Ohio awards, but to similar situations in other states. February 28, 2005

The Plain Dealer, “Labor’s Neutrality Pact Comes Under Attack.” Brudney said that unions’ pursuit of neutrality agreements can be seen in the fact that less than one-fifth of those newly organized workers joined unions after voting in a traditional NLRA-supervised election. January 27, 2005 (Story also ran on the Newhouse News Service.)

Ruth Colker
Christian Science Monitor, “In Ohio, the electoral mayhem that didn’t happen.” Colker said that if similar standards were used to count this year’s provisional ballots as were used in prior elections, close to 90 percent of the ballots would be valid. November 4, 2004

The Plain Dealer, “Heights Officials, colleges take ‘sue me’ stance on marriage law.” Colker said that given the vagueness of the language of Issue 1, it is hard for anyone to know what it really means. The best reading is that it bans gay marriage and nothing else. December 2, 2004

Chronicle of Higher Education, “Choosing Their Flock.” Colker predicted that the Ohio State policy exempting “sincerely held religious belief” could lead to future lawsuits if nonreligious groups are denied recognition because they practice some form of discrimination. January 28, 2005

Sharon L. Davies
Pittsburgh Post-Gazette, “Court Widens Drug Searches; Justices Say Dog May Be Used; Even If Traffic Stop Isn’t for Drugs.” Davies said that there is nothing to prevent people from taking canine units through the aisles of a parking lot until the dogs get the alert. January 25, 2005

Joshua Dressler
The Columbus Dispatch, “5 Bank Jobs Part of Probe; Man suspected in officer’s killing could be tied to other robberies.” Dressler said that cellphone companies can give police access to the phone numbers a person is calling and receiving calls from. January 11, 2005

The Columbus Dispatch, “ Experts Clash Over McCoy’s Mental State.” Dressler said that in the case of the alleged central Ohio highway shooter, jurors will be put in the usual, difficult, and unrealistic position of deciding which expert they believe. The burden of proof is on the defense to prove insanity. January 15, 2005

Akron Beacon Journal, “Priest Abuse Case Not Closed; Prosecutor’s Office Re-Examining Agreement.” Dressler said that the U.S. Supreme Court has ruled that agreements between prosecutors and defendants become invalid only if one side or the other fails to live up to the terms. January 29, 2005

Christopher Fairman
United Press International, “Analysis: Ohio—what could have been.” Fairman said that there is no specific Ohio statute that addresses a contest in a presidential election. Presumably, the generally applicable election contest procedure (for statewide offices) would apply. November 3, 2004

The Columbus Dispatch, “Resnick Unlikely to Lose Seat after DUI Arrest, Experts Say,” Fairman said that the Supreme Court of Ohio has recognized that showing remorse and getting treatment for an alcohol problem could be mitigating factors in a possible discipline case. January 3, 2005

Katherine Hunt Federle
The Plain Dealer, “Fetus’ death triggers charge of murder under Ohio law.” Federle said that under Ohio statute, it is murder if you purposely cause the death of another or purposely cause the unlawful termination of another’s pregnancy. February 9, 2005

Edward B. (Ned) Foley
The Los Angeles Times, “Late Ruling Allows GOP to Challenge Ohio Voters.” Foley said that it is quite striking that the reasoning of both district court judges who ruled on whether challengers could be present in polling places is the same and they echo one another. November 2, 2004

NBC Nightly News with Tom Brokaw, Foley said that the margin of litigation is the difference between the number of provisional ballots that will have been cast, compared to the margin of victory for one of the candidates. November 3, 2004

National Public Radio, in an interview with Robert Siegel, Foley said that provisional ballots are largely a new thing this year as a result of the Help America Vote Act that Congress enacted. November 3, 2004
The Abrams Report (MSNBC), Foley said that election controversies should be resolved with litigation before the election. November 3, 2004

The New York Times, “In making his decision on Ohio, Kerry did the math.” Foley discussed the Help America Vote Act’s effect on provisional ballots. November 4, 2004

Charleston (W.Va.) Gazette, “Measure allows voters to ensure provisional ballots were counted.” Foley said more than 100,000 people were expected to cast provisional ballots. November 6, 2004


The Los Angeles Times, “Ohio is set to reckon with outstanding ballots.” Foley said that he has not seen any election practices that indicate “that the result is in doubt.” November 9, 2004

The Columbus Dispatch, “Doubting the Vote; Kerry Fans Pin Hopes on Oddities.” Foley said that the election technically isn’t over in Ohio, where results won’t be official until early December. November 10, 2004

The Columbus Dispatch, “Ohio Vote Still Under Scrutiny.” Foley said that the election process should be scrutinized and legitimate problems addressed, but unfounded speculation about the election being stolen is counterproductive. November 12, 2004

The Los Angeles Times, “Looking for Voter Reform, Groups Keep Eyes on Ohio.” Foley said that a provisional ballot, as Congress envisioned when enacting the Help America Vote Act, was supposed to function as a kind of voter’s insurance policy. November 13, 2004

Business Week, “Crisis Averted—This Time; But voters still face confusion at the ballot box. And now there’s no excuse.” Foley said that the Help America Vote Act did not give enough guidance. November 15, 2004

The Columbus Dispatch, “Coalition to Contest Election Results.” Foley said that it is unhelpful to dispute the result when there isn’t evidence to support that dispute. The focus should be on fixing the process in the future. November 20, 2004

The Columbus Dispatch, “Sanctity of the ballot at center of vote debate: London schools want to know if twice-voting pair backed tax.” Foley said that the school should not be able to find out how the couple who voted twice voted for the school levy. November 24, 2004

San Francisco Chronicle, “Skepticism spawns broad effort to push voting reform.” Foley said that the challenge to overall results is unlikely to succeed—or even possibly proceed—because the suit doesn’t provide hard numbers and the Supreme Court of Ohio has set a high bar. November 28, 2004

Scripps Howard News Service, “Skepticism spawns broad effort to push voting reform.” Foley said that organizations that challenge election results are going to have to bring evidence to overturn the results because the courts are not going to allow for “a fishing expedition.” November 29, 2004

Philadelphia Daily News, “Half of State’s Provisional Ballots Trashed.” Foley said that if citizens of Pennsylvania tried to exercise their civic function, went to vote, and relatively few were counted, that’s a cause for concern. December 5, 2004 (Story also appeared in The Evening Sun, Hanover, Pa.)

Akron Beacon Journal, “Election Day Criticisms May Yield Changes.” Foley said that a two-hour wait to vote can operate as a kind of poll tax for people who have to vote before work. December 11, 2004

The Columbus Dispatch, “GOP Strongholds Saw Increase in Voting Machines.” Foley said that discrepancies in the number of voting machines in each district should be addressed even though it would not have changed the outcome of the election. December 12, 2004

The Columbus Dispatch, “Panel Approves Campaign-Finance Bill; House Vote Expected Today on Proposal to Limit Some Spending.” Foley said that it is very possible to write a disclosure law and meet constitutional muster. December 15, 2004

The Washington Post, “Several Factors Contributed to ‘Lost’ Voters in Ohio.” Foley said that there isn’t much to prove fraud, but there have been very significant problems in running elections in Ohio this year that demand reform. December 15, 2004 (Story also appeared in The Frontrunner.)

The New York Times, “Voting Problems in Ohio Spur Call for Overhaul.” Foley said that he thought the problems weren’t sufficient to cast doubt on the results, but that there were more problems than usual in Ohio. December 24, 2004

The Columbus Dispatch, “Blackwell defends his ballot directives.” Foley said that the goal in each state should be resolving questions about voter eligibility before an election to reduce the number of provisional ballots cast. February 24, 2005

The Plain Dealer, “Panel is told Ohio’s provisional ballots need clear rules.” Foley said that the Help America Vote Act says all eligible voters should be given a provisional ballot on Election Day, though being eligible and being registered are two different things. February 24, 2005

David Goldberger

The Columbus Dispatch, “Concerns Mount After Nativity Allowed on Municipal Grounds.” Goldberger said that if municipal property has been designated for public expression, it must be open to all. December 18, 2004

New York Sun, “Satan Worshiper, Witch Testing Religious Liberty.” Regarding Ohio’s potential attack on whether Congress can attach conditions to money given to the states in a case about religious liberties, Goldberger said, “It would radically limit the power of Congress.” December 24, 2004

Morning Edition (National Public Radio), “Supreme Court Examines Religion and Prison.” Goldberger was interviewed in a report about the U.S. Supreme Court’s hearing a case that challenges a five-year-old law that requires prisons to accommodate prisoners’ religious practices. March 21, 2005

Christian Science Monitor, “Before high court: law that allows for religious rights; the justices will consider to what extent certain prisoners can practice religion.” In a story about the U.S. Supreme Court arguments in Cutter v. Wilkinson, Goldberger said that a 2000 federal law—the Religious Land Use and Institutionalized Persons Act—is aimed at helping religious individuals overcome government-imposed burdens so they may be left alone to practice their faith better. March 21, 2005

Cleveland Plain Dealer, “Unusual jailhouse religion getting courthouse scrutiny; Justices hear arguments on safety of paraphernalia.” In a story about the U.S. Supreme Court’s hearing arguments in Cutter v. Wilkinson, Goldberger said that the lawsuit is an attack on a statute that applies to Jews, Muslims, and other mainstream religions. March 21, 2005
Akron Beacon Journal, “High court hears case on protecting inmates’ religious freedom.” In an Associated Press story about the Cutter v. Wilkinson argument before the U.S. Supreme Court, Goldberger said that prisons tend to accommodate mainstream religions but not the ones practiced by those involved in the case: a Wiccan, a Satanist, a racial separatist who is an ordained minister of the Christian Identity Church, and others. March 21, 2005

Star-Ledger (Newark, N.J.), “High court to weigh prisoners’ religious rights; 2000 law also prohibits communities from zoning out houses of worship.” In a story about the U.S. Supreme Court schedule to hear arguments in Cutter v. Wilkinson, Goldberger said that the case has the potential to be a blockbuster. March 21, 2005

Toledo Blade, “Justices cool to Ohio claims in innate case; State says religion-in-prison law is a violation of First Amendment.” In a report about the March 21 arguments before the U.S. Supreme Court in Cutter v. Wilkinson, Goldberger said that it is important to assure that religious groups of all sorts are accommodated. March 22, 2005

Steven Huefner

Boston Globe, “In the wee hours, Kerry team held tight to Ohio possibilities.” Huefner said that the president was going to be ahead after the provisional ballots were counted. November 4, 2004

Newsday, “Ohio’s uncounted votes would add up for Kerry,” Huefner said that it’s a relief that the margin was not closer. November 4, 2004

The Frontrunner, “Challenges to Ohio Votes To Proceed on Two Tracks.” Huefner said that courts are reluctant to overturn the results of an election, absent a strong showing that something happened that affected the outcome. December 6, 2004

The Plain Dealer, “High Court Upholds Ohio Rule About One-Subject Legislation.” Huefner said that if Justice Stratton’s dissent had carried the majority, a barrier to legal challenges for logrolling would have been created. December 23, 2004

Alan Michaels
The New York Times, “In Conte’s ‘20/20’ Talk, Legal Experts See a Risk.” In a story about Victor Conte Jr.’s remarks on the ABC program “20/20” about widespread doping in elite sports, Michaels said he wondered whether Conte had received payment from ABC or was seeking a book deal. December 11, 2004

Dale Oesterle
CEI C:Spin, “Internet Lessons for the SEC.” Oesterle said that stock trading markets are no different from any other service markets: the more competition the better, the less government intervention the better. January 6, 2005

John a. powell
Crain’s Cleveland Business, “Regionalism’s impact on blacks to get look; President’s council obtains $450,000 grant for planned study,” powell said that blacks in cities such as Cleveland have significant impact when they vote or act in a bloc. December 6, 2004

Oakland Tribune, “Problems but no chaos is reported at the polls.” powell said that everybody is fighting for every vote. November 3, 2004 (Story also appeared in The Daily Review, Hayward, Calif.)

Pittsburgh Post-Gazette, “Blacks Want Say on Merger; Consolidation in Other Cities Has Diluted Their Political Power.” powell asked, “How do you [consolidate political districts] so people have an effective voice but remain part of the larger structure?” November 14, 2004

John B. Quigley
The Recorder, “Case tests whether software makers infringed rights.” A brief written by Quigley was quoted: “The right to consular access is a right protected under customary constitutional law and must therefore be observed.” December 13, 2004 (Story also appeared in the Legal Intelligence and the Fulton County Daily Report.)

Allan Samansky
MSNBC, “Tangled Case of Knotton Nears Ruling.” Samansky said, concerning a case that involves an alleged revocation of a prior

Allan Samansky

Peter Shane
Pittsburgh Post-Gazette, “Jules Lobel: Attorney is Challenging Military’s ‘Stop-Loss’ Policy.” Shane said that the case involves the attempted re-enlistment of a soldier who had been discharged. November 3, 2004

Harvard Magazine, “Technology Scholar.” Shane article discussed Shane’s interests and achievements in the intersection of government and technology. November 1, 2004 (Shane is a Harvard College alumnus.)

Financial Times (London), “Re-run of 2000 could sound death knell for electoral college.” Shane proposed to drop the two votes every state gets just for the two senators they have. November 2, 2004

Marc Spindelman
Ohio News Network, “Issue One Supporters Celebrate, Opponents Wonder What’s Next.” Spindelman said that the strongest argument against the ban may be in equality and that Issue One violates the rights of unmarried couples, both same sex and cross sex. November 3, 2004

Chicago Tribune, “Schiavo’s lifeline removed; Congress tries to intervene in brain-damaged woman’s case.” In a story about the attempts by leaders of Congress to intervene in the case of Terri Schiavo, Spindelman said that the message sent by the action is chilling. March 19, 2005

Kansas City Star, “Cost of Schiavo’s care may exceed $1 million.” Spindelman said that the human elements remain the toughest part of the saga of Terri Schiavo.” March 23, 2005

Peter Swire
GovExec.com, “Postal Service Privacy Chief Focused on Maintaining Public Trust.” Swire said that the government should view creating privacy protections as the “flip side” of speeding up information sharing. November 2, 2004

The Plain Dealer, “A nation divided into 70 groups.” Swire said that instead of being Americans, we’re sliced into 70 demographic groups for purposes of campaign advertising. November 9, 2004
National Journal’s Technology Daily, “Civil Liberties: Nonprofits resist rule to check names against watch-lists.” Swire said the White House needs to be a leader on privacy-related matters. November 10, 2004

National Journal’s Technology Daily, “Executive Branch: Ashcroft Critics Want Successor Who Will Provide Balance.” Swire hopes the resignation of Ashcroft “will lead to a fuller review of the Patriot Act next year.” November 10, 2004

The Columbus Dispatch, “Ohio Citizen Corps; Terror or Natural Disaster. Volunteers Just Try to Help.” Swire said that the trick is to have sensible vigilance without fear-mongering. November 13, 2004

Washington Technology, “New Software Lets Agencies Share Info, Protect Identities.” Swire said that the technique used by the software is not a complete solution to maintain anonymity. November 22, 2004

WNS-TV (Columbus), “Revisiting the OSU-MBNA Deal.” Swire said that The Ohio State University should have a system for students to “opt-out” of marketing in order to protect their financial privacy. November 29, 2004 (Story also appeared in The Columbus Dispatch.)

Dayton Daily News, “E-mail spam bill passed; Gov. Taft likely to sign it into law.” Swire said that instead of relying only on federal prosecutors and the Federal Trade Commission, there can now be suits against spammers by Ohio officials. December 4, 2004

Wired News, “Reform Bill Weak on Privacy.” Swire said that there is going to be someone in the White House working on privacy and civil liberties. December 7, 2004

Kansas City Star, “High-tech gadgets pull back curtains on previously private.” Swire said that people often are unaware of the ways things such as e-mail can cost them their privacy. December 8, 2004

Wired News, “What Price Privacy?” Swire said that the level of auditing and scrutiny should be much greater for the key agencies. December 9, 2004

GCN, “To share is human.” Swire said that every encryption technique is subject to constant challenge. Something that works today is likely to be broken in the future. December 13, 2004

Talk of the Nation (National Public Radio), “Role of Chief Privacy Officers in Federal Agencies.” Swire said that the basic theme for the chief privacy officers was how to get the information flow that makes sense and how to build in protections so people don’t steal. December 13, 2004

The Washington Post, “ID Theft Scam Hits D.C. Area Residents.” Regarding the sale of the financial and personal details of thousands of Washington area residents to fraud artists, Swire said this is not some theoretical debate about privacy principles. This is fraud. February 21, 2005

World News Tonight with Peter Jennings, “Battling Yahoo! Father Sues for Access to Son’s Email Account.” Swire said that he’d never seen a case where a father was suing for access to his deceased son’s e-mail. December 22, 2004

eWeek.com, “Groups Debate Use of Dead Persons’ Digital Information.” In the case of a father who sued for access to his deceased son’s e-mail, Swire said that people might decide what they want family members to see or keep secret sometimes for family harmony reasons. December 24, 2004

The Columbus Dispatch, “Digital information often left in limbo after death.” In the case of a father who sued for access to his deceased son’s e-mail, Swire said that people might decide what they want family members to see or keep secret for family harmony reasons. He noted that Yahoo!’s policies are stricter than those for medical records. December 27, 2004 (Story also appeared in the Telegraph Herald, Dubuque, Iowa, the Indianapolis Star, and the Taiwan News.)

ABC Primetime Live, “No Place to Hide.” Swire said that the Constitution says that an individual, private papers, and homes are safe, unless an independent judge says it’s okay for the government to go in. January 20, 2005

Austin American-Statesman, “You have less privacy—and more of it too.” Swire said that the increase in surveillance is also a consequence of our wealth. A wealthy and digitized society keeps more records. January 23, 2005

Atlanta Journal-Constitution, “Private Lives: Room for One.” Swire said that an increase in physical privacy comes with greater wealth. February 6, 2005

All Things Considered (National Public Radio), “ChoicePoint now says its security breach will affect more than 140,000 people in all states.” Swire said that there are no laws that govern with whom ChoicePoint shares data. ChoicePoint essentially has practices by which it has promised to abide. February 21, 2005

The Osgood File (CBS News), “Identify Theft from ChoicePoint database.” Swire said that if thousands of people’s records can get stolen this way by an organized crime ring, then it shows the vulnerabilities we all face. February 22, 2005

Baltimore Sun, “For many, privacy is a hot commodity.” Swire said that an increase in physical privacy comes with greater wealth. February 27, 2005

BizReport, “ID Theft Scam Hits D.C. Area Residents.” In a story about the ChoicePoint case where personal information was stolen, Swire noted that this is fraud affecting lots of people. February 22, 2005

St. Paul Pioneer Press, “Is privacy a casualty in war on terror?” In a story about daily incursions into an individual’s privacy and the advocates of the anti-terrorism partnership between for-profit businesses and the federal government, Swire called the new alliance “the security-industrial complex.” March 16, 2005

Federal Computer Week, “Dempsey and Louie: On a tightrope; Pair sought common ground between security, privacy.” In a story about the Markle Foundation Task Force on National Security, which produced a report that was influential in intelligence reform legislation, Swire said that task force member Jim Dempsey was well respected. March 23, 2005

Daniel Tokaji
National Law Journal, “Close vote to turn on ‘Bush v. Gore’?; Specter of high court ruling haunts polls 4 years later.” Tokaji said that no one knows for sure whether what happened four years ago affects what the Supreme Court does now. November 1, 2004 (Story also appeared in the Fulton County Daily Reporter.)
The Miami Herald, “Professor: Ohio must have 4-point victory margin to declare winner on election night.” Tokaji noted that he would expect a recount if it is less than one percentage point. November 1, 2004

WWK (Chillicothe, Ohio), “Close Vote in Ohio Could Drag Out Election.” Tokaji noted that Ohioans can’t be confident of the winner unless one of the candidates takes the state by a margin of four percentage points. November 1, 2004

The Frontrunner, “Blueprints for Ohio Strategies Were Laid Out Months Ago.” Tokaji said that he would expect the candidates to ask for a recount if the difference is one percent or so. November 2, 2004

The Columbus Dispatch, “Lawsuits unabated during voting.” Tokaji said that Ohio has a responsibility to treat all voters equally. November 3, 2004

The Columbus Dispatch, “Cliffhanger— Presidential race could hinge on Ohio’s provisional ballots.” Tokaji said that provisional ballots appear to be the hanging chad of 2004. November 3, 2004

Cincinnati Enquirer, “Dreary day goes smoothly at polls.” Tokaji said, “The underlying problem here is with Ohio law, and whatever happens here tonight, the General Assembly is going to have to take a close look at it.” November 3, 2004

The Columbus Dispatch, “Bush tops in votes, but Kerry has hope. Presidential race could hinge on Ohio’s provisional ballots.” Tokaji said that provisional ballots are the “hanging chad” of the 2004 presidential election. November 3, 2004

The Baltimore Sun, “Americans cast votes, but legal issues linger.” Tokaji said that last-minute legal skirmishes might have dampened the challenger effort. November 3, 2004

The Los Angeles Times, “This Time, Ohio Takes On Role of Florida.” Tokaji noted that there are very few standards governing the counting of provisional ballots. November 3, 2004


The New York Times, “In making his decision on Ohio, Kerry did the math.” Tokaji noted that even if there were 250,000 provisional votes, it would not be enough to bridge the gap. November 4, 2004

Knight Ridder/Tribune News Service, “Nation’s election system shows cracks, but doesn’t break.” Tokaji said, “This election will give a real boost to states to go to early voting. People will demand it.” November 4, 2004

Daily News (New York), “Chads of ‘04 Could’ve Spelled Trouble.” Tokaji said that there will be big disputes and very likely litigation over provisional ballots. November 4, 2004

Dayton Daily News, “Blackwell ‘never worried’ about Ohio vote, he says.” Tokaji noted that had the vote been within 60,000 there would have been a serious problem. November 8, 2004

The Columbus Dispatch, “Provisional Ballots: Experts Expect Election Will Stand.” Tokaji said, “We’re getting a free pass on this election because the outcome wasn’t closer.” November 11, 2004

The Columbus Dispatch, “Jury Pools Get Bigger with Influx of Voters.” Tokaji said that bigger jury pools can only be a good thing. It will help promote the ideal that citizens will be judged by a jury of their peers. November 30, 2004

All Things Considered (National Public Radio), “Activists continue protesting Ohio’s presidential election result.” Tokaji said, “There is evidence of serious, serious problems in this election. I don’t think there’s evidence to show that those serious problems altered the results.” December 6, 2004

The Plain Dealer, “Ohio Presidential Vote Recount Set to Begin.” Tokaji said that the objective of revealing problems is laudable, but a recount isn’t going to reveal those problems. December 13, 2004

The Columbus Dispatch, “Discrimination Suit; Punch Cards Ruled Legal.” Tokaji said that he expects the decision that punch cards are legal to be appealed. December 15, 2004

Akron Beacon Journal, “Expert: Allegations identify some problems but won’t change result.” Tokaji said that the problems—such as long lines on Election Day and the disqualification of 92,000 punch card ballots because the voter’s intent could not be determined—should be fixed. December 23, 2004

Kansas City Star, “Kerry conceded too soon, Jackson asserts.” Tokaji said that the Jackson-led election challenge raised significant concerns but did not offer proof that Kerry actually won the state. December 23, 2004

Canton Repository, “Election problems didn’t change results, expert says.” Tokaji said that he agreed there were serious problems with these elections, but that it did not mean that John Kerry really won. December 23, 2004

The Boston Globe, “Jackson says Kerry conceded too soon.” Tokaji said that the Jackson-led election challenge raised significant concerns but did not offer proof that Kerry actually won the state. December 24, 2004

Chicago Tribune, “Jackson says Kerry gave up too quickly; Group plans rally January 3 in Ohio.” Tokaji said that assertions that Kerry won “rest more on wishful thinking than evidence.” December 24, 2004 (Story also appeared in the Akron Beacon Journal and the Charleston [W.Va.] Gazette.)

Cincinnati Enquirer, “Recount Expense Criticized.” Tokaji said that Ohio lawmakers must speed up completing recounts or risk Ohio voters being completely disenfranchised in a close election, December 24, 2004 (Story also appeared in the Bucyrus Telegraph Forum and the Newark Advocate.)

The Columbus Dispatch, “ACLU Appeals Judge’s Ruling in Punch Card Ballots Case.” Tokaji said that he hopes the appeal becomes moot because punch cards have been replaced. January 11, 2005

The Columbus Dispatch, “Vote Still Out on Paper Ballots.” Tabulators can be programmed to alert voters when they cast too many votes. Tokaji said that having Ohio adopt such a system would address the concerns raised in a lawsuit by the ACLU that argued punch cards are unconstitutional. January 14, 2005

The Plain Dealer, “Recount Calendar.” Tokaji said that if a recount wasn’t finished before Ohio’s electors were chosen, it would result in the disenfranchisement of Ohio’s voters entirely. January 22, 2005

Charles E. Wilson
Dayton Daily News, “Selection of judges political, personal; Carter set tone for panels to rate the candidates.” Wilson said that U.S. senators, with relatively few opportunities for patronage, are nearly unfettered in offering a well-qualified candidate who is a close friend. December 12, 2004
Woodside Courtroom Dedicated

The Frank C. Woodside III Courtroom was dedicated in a simple ceremony at Drinko Hall on April 15, 2005.

The courtroom, which recently underwent a $400,000 renovation, incorporates state-of-the-art technology to provide a cutting-edge learning environment for students. A highlight of the room is the Digital Evidence Presentation System (DEPS). DEPS acts as a control station for the entire courtroom and allows evidence to be projected on high-resolution, flat-panel display monitors for universal viewing.

Other enhancements include: sound/voice reinforcement system, computer display system, projector, plasma screen display system and video recording system, new furniture and carpeting, and structural and other physical improvements.

“The Frank C. Woodside III Courtroom is already paying immense education benefits in the training of the next generation of lawyers,” says Gregory M. Travailio, Lawrence D. Stanley Professor of Law and director of the Clinical Program.

Woodside, a 1969 graduate of Moritz Law and physician, is a trial lawyer with Dinsmore & Shohl LLP of Cincinnati. His career has focused on representing manufacturing concerns in class action and mass tort litigations involving pharmaceutical products, medical devices, chemicals, and consumer products.

Donor Societies Unveiled

The Moritz College of Law now has a new way to honor those who include the college in their philanthropy: annual donor recognition societies. These societies will showcase donors of all levels through the Moritz Law web site, the annual “Honor Roll of Donors,” and on the alumni recognition wall donor lists. Each donor will be afforded courtesies and privileges, which range from special breakfast receptions with the dean at the Barrister Club to complimentary editions of the latest scholarly journals. These societies offer formal recognition to those who do so much for the college.

For more information about the donor recognition societies, please contact Jeff Hilperts at (614) 292-5049 or hilperts.1@osu.edu.

Moritz College of Law Annual Donor Recognition Levels and Privileges

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- Special bulletin twice annually from Dean Rogers with updates and progress reports
- Special recognition in the Honor Roll of Donors
- Name prominently displayed on the donor lists on the alumni recognition wall located in Drinko Hall

Benefactor
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- Reception with Dean Rogers at the Barrister Club
- Special bulletin twice annually from Dean Rogers with updates and progress reports
- Special recognition in the Honor Roll of Donors
- Name displayed on the donor lists on the alumni recognition wall located in Drinko Hall

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$2,500–$4,999
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- Special bulletin twice annually from Dean Rogers with updates and progress reports
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$1,000–$2,499
- Special bulletin twice annually from Dean Rogers with updates and progress reports
- Special recognition in the Honor Roll of Donors
- Name displayed on the donor lists on the alumni recognition wall located in Drinko Hall

All gifts may count toward new or existing recognition by the Presidents Club. For more information, please contact the Presidents Club by phone at (614) 292-9550, by e-mail at presidentsclub@osu.edu, or online at www.presidentsclub.osu.edu.


The Moritz College of Law has received word of the deaths of these graduates. We express our sympathy to relatives and loved ones.

James R. Tritschler ’36, of Columbus, died December 28, 2004. He was 91. He practiced law in Columbus and Newark, Ohio, before moving to Cleveland to serve on the staff of the U.S. Solicitor of the U.S. Department of Labor. He joined the law firm of McAfee, Grossman, Hanning and Newcomber in 1941 and later became a partner. The firm merged with Squire, Sanders & Dempsey L.L.P., where he served as a senior partner. In 1977, he returned to Columbus upon the opening of the Squire, Sanders & Dempsey L.L.P. office there. He retired from active practice in 1979. He is survived by his wife, Elizabeth (Kirwin) Tritschler; daughters, Ann (Thomas) Fellrath, Monroe, Mich., Catherine (Spencer) Hall, San Francisco, Calif.; son, Gerald (Margaret) Tritschler, Garrett Park, Md.; 11 grandchildren; and one great-grandson. Also survived by sister, Jane (James) Redifer, Fort Saint Lucie, Fla.

Stanton G. Darling ’48, Columbus, died February 6, 2005. He was 84. He was one of the first Columbus attorneys to move from downtown to the suburbs when he opened an office in Clintonville in the mid-1950s. He also was one of the first attorneys in Ohio to do the legal work required to implement the new real estate concept of condominium ownership. He is survived by his wife, Kay, whom he married March 21, 1942; his son, Stanton G. Darling II and his wife, Julie; a daughter, Kaye Michele Darling; three grandchildren; and two sisters, Freda Linder of Aurora, Col., and Joycelyn Miller, Loudonville.

Roy E. Gabbert Sr. ’52 died January 9, 2004, at the age of 78. He was a solo practitioner attorney in West Union, Ohio, for 52 years. A veteran of World War II, he served in the Pacific Theater. He is survived by his wife, Betty M. Gabbert; daughter, Gay Ann Gabbert; son, Roy E. Gabbert Jr. ’89 and wife, Amy, all of West Union.

Kent F. Ozmun ’55, Grove City, died February 4, 2005, at the age of 75. A U.S. Army veteran, he retired in 1999 after practicing law in Grove City for 34 years. He is survived by his wife of 44 years, Mary Lou; children, Janelle Russell of Columbus and Richard (Lori) Ozmun of Athens; grandchildren, Jackie and Jimmy Russell and Claire and Evan Kent Ozmun; sister, Lucille (Geoffrey) Clay of Cinayhoga Falls; several nieces, nephews, and other family members; and many dear and caring friends.

Joan D. Buckley ’58, of Las Vegas, Nevada, died February 21, 2005. One of the first women attorneys to practice law in Nevada, she worked in the city attorney’s office, was Deputy District Attorney, a URESA hearing master, and an arbitrator. She worked for Stewart Title and Hughes Tool and Mining as an attorney before entering private practice. She is survived by a daughter, Melanie VanBurch; two sons, Shawn Buckley and Barry Buckley; a brother, Edward Miketo and his wife, Marge, of Cleveland; four grandchildren; and a daughter-in-law, Brenda Buckley.

Peter Jordan Gee ’62 died January 13, 2005, at the age of 69. Until his retirement, Peter practiced law in Columbus, specializing in labor relations. Survivors include four sons and their families, Peter Michael (Janet) Gee of Norfolk, Va.; Stephen Gee of Belgrade, Serbia, and Montenegro; Geoffrey K. (Kimerer LaMothe) Gee of Arlington, Va.; Eric (Andrea Westcott) Gee of Richmond, Va.; seven grandchildren; former spouses, Suzanne Evenson of Inverness, Fla., and Karen Gee of Stow, and her daughters, Terri Huston of Kirkland, Wash., and Jamie Adeaway of Stow; and longtime friend, Joyce Baker of Columbus.

Charles (Chuck) Kettlewell ’71 died February 21, 2005, in Columbus at the age of 63. After four years in the U.S. Navy, he maintained reserve status with the Judge Advocate General’s Corp until the early 1990s, retiring with the rank of captain. He was recognized nationally for his contributions to the field of legal ethics and taught the subject at the Moritz College of Law as an adjunct professor since 1977. He was co-founder and first president of the Association of Professional Responsibility Lawyers (APRL). He was a partner of Kettlewell & Kettlewell LLC with his son, Charles J. (Chad) Kettlewell. He is survived by his wife, Marilyn; daughter and son-in-law, Colleen K. and Robert Schriner; son and daughter-in-law, Charles J. and Susan Kettlewell; two grandsons, Nicholas and Curtis Schriner; two brothers, Robert E. Kettlewell of Gnadenhutten, and Albert W. Kettlewell of Oxford; four sisters, Alice Egy of Bloomington, Edna Giammarco of Steubenville, Edith Orkis of Pataskala, and Ruth Frieffenhagen of Wellington; mother-in-law, Clara B. Basnett of Worthington; and brother-in-law, R. Brett Basnett of Dallas.

Gary E. Wright ’78 died December 16, 2004, as a result of a traffic accident near West Jefferson. He was 52. A former minor league baseball player with the Kansas City Royals organization, he practiced law with the Fairborn firm of Martin, McCarty, Wright, and Roach, Co. LPA. He was a member of the Fairborn schools board of education from 1983 to 1994, serving as president in 1992. He was recognized throughout the state for his 20-plus years as an official and referee during area and state boys basketball tournaments. He is survived by his parents, Tom and Jeanne Wright, Fairborn; a special friend, Janet Turber; sisters, Karen, Jan, and Barbara; four nieces and four nephews.
Moritz Law Grad Unseats Incumbent for West Virginia Supreme Court of Appeals

by Sandhya Bathija '06

When Brent Benjamin '84 took the bench for the first time as a justice on West Virginia's Supreme Court of Appeals in January, he realized that 20 years earlier he had been sworn in as an attorney in the same court where he now presides.

In November 2004, Benjamin did what many of his supporters thought would be impossible. He won the judicial seat from Democratic incumbent Warren McGraw, a man whom Benjamin supporters believed to have more name recognition than any other state politician in West Virginia. And he did it as an attorney with no political or governmental experience.

“I reached a conclusion as a lawyer that the (West Virginia) Supreme Court had become unpredictable, unbalanced, and unfair,” Benjamin explains. “It’s not just a conclusion that I drew; it’s something that others in our state complained about. The court was becoming extremely activist, with little hesitation to make law from the bench. But we had to do more than use words to criticize; someone had to step forward.”

So in March 2003, Benjamin, then a principal attorney for Robinson and McElwee in Charleston, West Virginia, decided to put 20 years of practicing law behind him to seek the office of justice. What followed was an election that may stand out in West Virginia and U.S. history as one of the most expensive Supreme Court races. Election night, when his name was announced as the winner, he says he was excited, but felt, at the same time, almost numb.

“I felt very humble,” he recalls. “There are so many emotions running through you at that time, and then I realized I had to give a speech. I looked at my campaign manager and thought ‘now what do we do?’ It had been a long time since a Republican had been in this situation in West Virginia.”

That’s because Benjamin is the first Republican to be elected to the West Virginia Supreme Court of Appeals since 1972, and it had been 100 years since a Republican challenger defeated an incumbent Democrat Supreme Court justice. Registered voters in the state number about 60 percent Democrat and less than 30 percent Republican.

How did he do it? Benjamin states: “We were able to articulate issues that became the main issues of the election. We also focused on my opponent’s record as a justice, and when the public saw what it really was, I think it shocked them.”

The 2004 judicial election was one of the largest votes for any contested race in West Virginia history, taking the front-page news away even from the presidential and gubernatorial races. A Charleston newspaper declared Benjamin’s defeat of McGraw as the top news story of 2004.

Benjamin has wanted to be an attorney since he was an undergraduate playing varsity lacrosse at Ohio State. He majored in political science and, after graduating, worked for a year and a half before applying to law school. “Ohio State is in my blood,” he says. “I didn’t think of going anywhere else for law school.”

He benefited from the use of the Socratic Method in his law school classes. “It definitely helped me in practice,” he stresses. “The really gifted educators learn how to use this method so well that you realize you know things that you never even thought you knew.”

Immediately out of law school, Benjamin joined the Charleston firm of Robinson and McElwee, and watched the firm grow from 15 attorneys to more than 40 today. He focused mostly on mass and complex tort litigation and products liability in his practice, but occasionally took cases that involved child molestation and sexual assault. (The latter was a subject that would become a topic of discussion during his Supreme Court run due to his opponent’s voting record on the issue.)

And while his career began to take off, so did his family. He had married Janice, who literally was the girl next door to his childhood home in Columbus, after college graduation. They now have five children, Paul, 21, Mary, 19, Laura, 17, Amanda, 13 and Evan, 11.

With the election behind him, the new justice looks forward to his new responsibilities. He is one of five justices on the bench, the only Republican, and the only new justice elected in November 2004. But since taking office, Benjamin says there has been a good working relationship on the court. He feels he could not have asked for a more professional environment. And while all the justices do not always agree, and should not always agree, they have respectful disagreements, he said.

Justices are elected to 12-year terms to the West Virginia Supreme Court of Appeals, and Benjamin says he cannot see past doing what he was elected to do during these 12 years. “I’m hopeful that the people who elected me will see that the problems are now over,” he says.
1940s
John W. Hardwick ’40 was inducted into the Hall of Fame of the Barnesville, Ohio, Area Education Foundation in 2004 for his career as a lawyer, community leader, and public servant. He retired as the contract review attorney in the General Counsel’s office of the Federal Communications Commission, a position he held from 1959 to 1979. He was the Ohio Attorney General’s Chief Counsel to the Ohio Bureau of Unemployment from 1951 to 1958, served as mayor of Barnesville in 1948 and 1949, and attained the rank of Captain in the U.S. Army Air Corps during World War II.

The Franklin County Forum recently named its annual award presented to the outstanding member of the year in honor of Webster S. Lyman ’49. Lyman was the first recipient of the award, now called the “The Web Lyman Award,” in 2000. He retired as an attorney in 2003 and resides in Hilliard.

1950s
Lloyd Fisher Jr. ’50, an attorney at Porter Wright Morris & Arthur LLP, is listed in The Best Lawyers in America 2005–2006 edition in the area of trusts and estates. He is also included among Ohio Super Lawyers.* He practices primarily in the areas of estate planning, estate and trust administration, and charitable organizations.


Hon. Robert M. Duncan ’52 received the 2005 Democracy in Action Award presented by the League of Women Voters of Metropolitan Columbus. The award is given in recognition of outstanding participation in civic affairs.

William E. Arthur ’53, of counsel at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition and among Ohio Super Lawyers.* He has served as chair of the executive committee and the directing partners committee, as president partner of Porter Wright, and as chair of the business and tax department. He is also an officer and/or director of a number of local corporations and is actively involved as general counsel for a number of startup enterprises and major organizations.

Sam Porter ’53, a partner at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the areas of utility, regulatory, litigation, and dispute resolution matters. He has appeared before various regulatory agencies and state and federal courts, including the U.S. Supreme Court.


Wayman C. Lawrence III ’59, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition for his work in the area of trusts and estates. In addition to his trust, estate planning, probate, and charitable organization practice, he represents clients in business matters, serving as outside general counsel and a member of boards of directors.

1960s
Robert Kiger ’60, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of real estate law. He is also included among Ohio Super Lawyers.* He has spent much of his career representing banks, insurance companies, developers, and landlords in the acquisition, financing, and disposition of commercial property.

*The Ohio Super Lawyers list is published by Law & Politics and the publishers of Cincinnati Magazine.
companies, and other lenders in making new loans and in foreclosures and workouts of existing loans.

John C. McDonald '61, a partner at Schottenstein Legal Services LPA, Columbus, was appointed for the fourth consecutive year as a member of the National Trial Competition Committee. McDonald focuses his practice on complex litigation, patent litigation, commercial litigation, and arbitration and construction law. In addition, McDonald is listed in The Best Lawyers in America 2005–2006 edition and in the 2005 edition of Chambers USA's America's Leading Lawyers for Business in the field of litigation.

Robert N. Wistner '61, Dublin, is an Ohio State Bar Association certified specialist in Family Relations Law. Also, he is currently a member of the Ohio Supreme Court Advisory Committee on Children, Families, and the Courts and is the executive director of the Collaborative Family Law Council of Central Ohio.

Donald A. Davies '62 is included in the 2005–2006 edition of Best Lawyers in America. He is associated with Bailey Cavalieri, Columbus.

Benjamin L. Zox '62, a partner at Schottenstein Legal Services LPA Columbus, is included in The Best Lawyers in America 2005–2006 edition. He is chair of the board of the firm, where he practices real estate law.

E. James Hopple '63, a partner at Schottenstein Legal Services LPA Columbus, is included in The Best Lawyers in America 2005–2006 edition. He practices in the areas of bankruptcy and corporate law.

Patrick J. Smith '65, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition and among Ohio Super Lawyers.* He is local counsel for two major operating railroads in Ohio and specializes in transportation law relative to the railroad industry.


George W. Hairston '68, a partner at Baker & Hostetler LLP, Columbus, is included in the 2005 listing of Ohio Super Lawyers.*

John R. Marquis '68 has been included in the Best Lawyers in America 2005–2006 edition. He is a partner at Warner Norcross & Judd LLP, Holland, Mich.

David M. Seeler '68, who recently retired from Baker & Hostetler LLP, Columbus, is included in the 2005 listing of Ohio Super Lawyers.

Sally Ward Bloomfield '69, a partner at Bricker & Eckler LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition.

Jeff McNealey '69, a partner at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of environmental law. He is also included in the 2005 listing of Ohio Super Lawyers.* He has creatively solved precedent-setting environmental permitting and enforcement cases in air and water issues and more recently structured several environmental “Brownfield” projects as part of his real estate development practice.

Jack R. Pigman '69, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of bankruptcy law. He is included among Ohio Super Lawyers.* He has spent most of his career representing banks, savings and loan associations, insurance companies, and other financial institutions.

Thomas J. Riley '69, an attorney at Hahn Loeser & Parks LLP, is included among the 2005 listing of Ohio Super Lawyers.*

John B. Rohyans '69, the chair of the real estate department at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of real estate. He is also included among Ohio Super Lawyers.* He currently sits on Porter Wright’s directing partners committee and is a member of the Bexley, Ohio, City Council.

Mike Taylor '69, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of health care law.

Frank Woodside III '69 has been named to the Cincinnati Business Courier’s “Who’s Who in Health Care.” He is chair of Dinsmore & Shohl LLP’s products liability practice group and has served as primary trial counsel in medical malpractice, products liability, and mass tort cases, with more than 80 cases tried to verdict or judgment.

1970s

John E. (Jack) Brady '70, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of real estate law. He is also included among Ohio Super Lawyers.* He has extensive experience representing corporations in commercial real estate transactions.
S. Ronald Cook Jr. ’70, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of banking law. He is also included among Ohio Super Lawyers.* He leads the firm’s financial institutions and commercial law group.


Charles C. Warner ’70, a partner at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of labor and employment law. He is also included among Ohio Super Lawyers.* A seasoned attorney, he represents employers in connection with discrimination charges, express and implied employment contract issues, employment practices, and related tort and benefit claims.

Harry D. Cornett ’71, a partner at Tucker Ellis & West, Cleveland, is included among Ohio Super Lawyers. Within that listing, he is ranked in the Top 100 among all Ohio lawyers and in the Top 50 among all Cleveland/Akron lawyers. At Tucker Ellis & West, he is the co-chair of the firm’s trial group. He also teaches ethics and professional responsibility at both Cleveland-Marshall and Case Western Reserve University law schools.

James S. Oliphant ’71, manager of the Litigation Department at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of personal injury litigation. He is also included among Ohio Super Lawyers.* He concentrates his practice on civil litigation.

Stephen J. Smith ’71, chair of the public law department and partner at Schottenstein Legal Services LPA, Columbus, was recently elected the 6th circuit regional vice president of the International Municipal Lawyers Association for 2005–2006. He was also recently reappointed to the Franklin County Veterans Memorial board of trustees and is vice chair of finance for the Buckeye Ranch Foundation Board.

Barry H. Wolinetz ’71, a partner at Baker & Hostetler LLP, Columbus, is listed among the 2005 Ohio Super Lawyers.*

John P. Beavers ’72, a partner at Bricker & Eckler LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition.

Clair M. Carlin ’72, Poland, Ohio, was elected president of the Mahoning County Bar Association and is listed among the 2005 Ohio Super Lawyers.*

Margaret S. Henry ’72, a Superior Court Judge in Los Angeles, Calif., has been appointed Supervising Judge of the Los Angeles County Dependency Court.

Richard C. Pfeiffer ’72 has received the humanitarian award presented by Dynamic Leadership Inc. The organization recognizes excellence in the pursuit of equality and human rights. He currently serves as Columbus (Ohio) City Attorney, has served in the Ohio Senate, and was the first judge in the Environmental Division of the Franklin County (Ohio) Municipal Court.

Barry R. Robinson ’72, an attorney at Baker & Hostetler LLP, Columbus, is listed among the 2005 Ohio Super Lawyers.*

Thomas W. Carton Jr. ’73 has been appointed assistant director of the Ohio Department of Development by Governor Bob Taft. He resides in Dublin.

Nick V. Cavalieri ’73 is included in the 2005–2006 edition of The Best Lawyers in America. He is associated with Bailey Cavalieri, Columbus.

John A. Cumming ’73 has been appointed chief assistant prosecuting attorney of the Civil Division of the Montgomery County, Ohio, Prosecutor’s Office.

Thomas Dillon ’73, partner-in-charge at Boetzel & Andress LPA’s Columbus, Ohio, office, was elected to membership in the American Board of Trial Advocates and its Ohio chapter. His practice focuses on medical defense, insurance coverage, business litigation, and product liability. He is a 2004 Ohio Super Lawyer according to Law and Politics Magazine and was voted as “Tops of Litigation” in the March 2004 Business First.

Stephen C. Fitch ’73, a partner at Chester Wilcox & Saxbe LLP, Columbus, has become a fellow of the American College of Trial Lawyers. Additionally, he is listed in the 2005–2006 edition of The Best Lawyers in America.

Richard A. Frye ’73 is listed in the 2005–2006 edition of The Best Lawyers in America. He was also elected to a six-year term as a Franklin County, Ohio, Common Pleas Court Judge.

Phil Langer ’73, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition. Langer has developed considerable experience working with banks and financial institutions on lender liability issues, commercial litigation, and loan restructuring and documentation.
by Dan Beckley

From First Daughters to Future Lawyers: the Apple Doesn’t Fall Far from the Tree

This article first appeared in Ohio Lawyer magazine. (Used with permission. Edited for Law Record/University Publications style.)

As The Ohio State University Moritz College of Law prepared for the first day of classes this past fall, so did Colleen Bell, Kacey Chappelear, and Emmy Ashmus. These three women have at least two things in common: each entered the same law school on the same day, and each has a parent who was or will be president of the Ohio State Bar Association. All three women credit their parents among the factors leading them to study law.

Motivated by social justice
Colleen Bell, daughter of OSBA president-elect E. Jane Taylor, began law school this past fall at Moritz Law. She is a graduate of the University of Notre Dame and has been interested in the law since she was a child. “Seeing both my parents being dedicated to the social justice aspect of the law has been a very big motivating factor for me in continuing to pursue the law, not just as a childhood interest, but as something I want to turn into a meaningful life pursuit,” Colleen says.

Colleen knows law school will be tough, but trying to decide which field of law to enter after graduation has become an even greater challenge. “The biggest challenge is deciding whether to take a public interest job where I am helping the greatest amount of underprivileged people versus taking a job in a corporate setting,” she notes.

Yet, Colleen is certain that getting her juris doctorate was the right decision and, not surprisingly, so is Jane. “I am delighted knowing who she is and how her mind works and what her intellectual skills and abilities are,” Jane says. “Law will be a very satisfying profession for her, and I am very happy that she made this decision for herself.”

Using knowledge and experience to help others
After graduating from the University of Virginia, Kacey Chappelear, daughter of OSBA past president Steve Chappelear ’77, spent two years working as a paralegal at a large law firm in Washington, D.C., where she worked with indigent clients.

Steve believes that this opportunity opened his daughter’s eyes to the “mental” side of the law and how she can use her knowledge of and experience with the judicial system to help people. “I would ideally like to practice public interest law, so that is my future goal,” Kacey says. “I want to work at a firm as a lawyer.”

Steve Chappelear knew his daughter would want to engage in something involving social issues from an early age. “It didn’t surprise me because she had been interested in law since elementary school and she liked hearing about cases that I was working on. She has always had a very strong public interest and volunteered for many activities,” Steve says.

Steve also knows the responsibilities and workload that come with pursuing a law degree can be daunting. “I know that three years of very intense work will be very hard and challenging, but if she’s willing to stand up for that, she’ll be fine.”

Kacey thinks she will be fine, too, and looks forward to learning more about the intricacies of law. “I think this will be an interesting profession, and I have always admired the work that my dad does. Practicing law is a good way to explore different subject matters and to have an interesting job,” Kacey says.

Drawn to public service
Emmy Ashmus, daughter of OSBA past president Keith Ashmus, agrees that a legal education encompasses more than just studying cases and memorizing a new vocabulary. “My optimistic expectation is that I will do more than the academic experience,” Emmy says.

After earning a master’s degree in public policy from Johns Hopkins University, Emmy enrolled at Moritz Law because she wanted to learn more about juvenile law. At first, her father wondered if rushing to law school was the right decision for his daughter. “I was wondering whether she should delay entering law school another three years and get into the public service-public policy work that she was trained to do,” Keith says.

But, in retrospect, he realizes that the benefits of law school far outweighed the challenges. “I think the study of law helps you make the right decisions about your goals for the future,” he says.

Emmy already has plans to make a difference with her legal education. “I don’t want a career as a practicing attorney. I like working for nonprofits,” she says. “Five years from now, I’d like to do some sort of public interest work, probably for children.”

Future OSBA presidents?
In the future, one of these talented young women may follow in her parent’s footsteps and become OSBA president. In the meantime, Colleen, Kacey, and Emmy will continue to work hard in law school and, of course, make their parents proud.

“I think the important thing is that in five years or 10 years, I want to be doing something that makes me happy, and that’s all that really matters, even if it’s low paying,” Colleen says. “I want to do something that I am able to enjoy.”

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Curtis A. Loveland ’73, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of corporate law. He is also included among Ohio Super Lawyers.* He practices in the areas of general corporate, securities, and business law.

David E. Northrop ’73, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition. He is also included among Ohio Super Lawyers. He practices environmental law, with experience in both the private and public sectors.

Frederic A. Portman ’73, an attorney at Portman, Foley & Flint, Columbus, is listed among the 2005 Ohio Super Lawyers.*

John W. Bentine ’75, a partner at Chester Willcox & Saxbe LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition. He practices in the area of electric, natural gas, water, wastewater industries, communications, and local government law.


Charles R. Saxbe ’75, a partner at Chester Willcox & Saxbe LLP, Columbus, is listed in the 2005–2006 edition of The Best Lawyers in America. He practices in the area of civil litigation in state and federal courts.


Bill Kelly ’76, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of corporate, mergers and acquisitions, and securities law. He practices in the areas of general corporate and business law, with a concentration in securities law and financial transactions.

Thomas L. Long ’76, a partner at Baker & Hostetler LLP, Columbus, is listed among the 2005 Ohio Super Lawyers.*

Adele O’Conner ’76, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the areas of labor and employment law and workers’ compensation law. She is also included among Ohio Super Lawyers.* She concentrates her practice in workers’ compensation, employment discrimination, wrongful discharge, and OSHA matters.

William M. Todd ’76, a partner at Squire, Sanders & Dempsey L.L.P., Columbus, has been listed in The Best Lawyers in America 2005–2006 edition.

Robert C. Tucker ’76, managing partner of Tucker Ellis & West, Cleveland, is included in the 2005 Ohio Super Lawyers.* Within that listing, he is ranked among the Top 50 among all Cleveland/Akron lawyers.

Edward J. Bernert ’77, an attorney at Baker & Hostetler LLP, Columbus, is listed among the 2005 Ohio Super Lawyers.*

Janet R. Burnside ’77, a Cuyahoga County, Ohio, Common Pleas Court Judge, recently joined the faculty of the National Judicial College in Reno, Nevada, where she will teach fundamentals of evidence and advanced evidence.
Stephen E. Chappelear ’77, an attorney at Hahn Loeser & Parks LLP, Columbus, is included among Ohio Super Lawyers.*

Nanci L. Danison ’77 has been elected corporate secretary of National Church Residences, one of the nation’s largest nonprofit providers of high-quality affordable housing for seniors and low-income families. She continues her health law practice part-time, advising health care providers on issues of Medicare and Medicaid law, and assisting hospitals to remain in compliance with laws governing federal grants. She has maintained a solo practice in Dublin, Ohio, following 17 years as an associate and then partner with Vorys, Sater, Seymour and Pease LLP, Columbus.

Kevin R. McDermott ’77, an attorney at Schottenstein Legal Services LPA, Columbus, is listed in The Best Lawyers in America 2005–2006 edition.

Marty Seltzer ’77, chair of the environmental practice group at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition. He concentrates his practice on problems relating to hazardous and solid wastes, water issues, and toxic substances.

Nancy L. Sponseller ’77 is included in The Best Lawyers in America 2005–2006. This is the 10th consecutive year that she has been included in the publication. She is also included among the 2005 Ohio Super Lawyers.*

Robert W. “Buzz” Trafford ’77, a partner at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition. He is also included among the 2005 Ohio Super Lawyers.* He focuses his practice on business litigation.

Additionally, he is president-elect of the Legal Aid Society of Columbus, a director of the Columbus Chamber of Commerce, and trustee of the Columbus Symphony Orchestra.


Nancy Young ’77, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of real estate law. She works in the area of commercial real estate, representing commercial lenders, developers, landlords, and tenants, and has done extensive work in the workout, foreclosure, and receivership areas.


Dan A. Bailey ’78 is listed in the 2005–2006 edition of The Best Lawyers in America. He is associated with Bailey Cavalieri, Columbus.

Gary J. Leppla ’78, a Dayton litigation attorney, has been re-elected to the Board of Governors of the Florida Bar Association. It is his third two-year term on the board, which consists of 52 attorneys (including four out-of-state members) who direct the activities of the 74,000-member bar. He previously served from 1998 to 2000 and was re-elected in 2003 by attorneys across the United States who are members of the Florida Bar. He currently serves the bar as the chair of the Board of Review Committee on Professional Ethics and is a member of the board’s budget committee. In 1994–1995, he served as president of the Out of State Division of the Florida Bar and, in 1997–1998, served as president of the Dayton Bar Association in Ohio.

Thomas J. Sigmund ’78 is listed in the 2005–2006 edition of The Best Lawyers in America. He is a member of the employee benefits law and trusts and estates groups at Buckingham, Doolittle & Burroughs, LLP, Columbus.


John Stephen ’79, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of labor and employment law. He has practiced in this area almost exclusively for more than 25 years and represents employers in Ohio and around the country on all types of labor and employment disputes, defending them before state and federal judges and juries, administrative agencies, arbitrators, and mediators.

Tom Stickrath ’79 was appointed interim director of the Ohio Department of Youth Services by Governor Bob Taft. The department oversees nine juvenile facilities in the state.

1980s

David Conrad ’80 has been accepted into the Counselors of Real Estate (CRE), a professional membership organization for leading real property advisors. He is a partner with Bricker & Eckler LLP, Columbus, where he is the chair of the real estate industry group.

James E. Davidson ’80 and Peter Pavarini ’80 are included in The Best Lawyers in America 2005–2006 edition. Both are associated with Schottenstein Legal Services LPA, Columbus.

Denise Herman McColley '80 has been elected as a Henry County, Ohio, Domestic Relations Judge.

Brett L. Miller '81 is listed in the 2005–2006 edition of The Best Lawyers in America. He is a member of the workers’ compensation law group at Buckingham, Doolittle & Burroughs, LLP, Columbus.

Diane M. Signoraceci '81, an attorney at Bricker & Eckler LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition.

Randolph H. Freking '82 has been named an Ohio Super Lawyer by Law & Politics Magazine for his work in the area of employment litigation. He was also named an Ohio Top 100 Super Lawyer and Cincinnati Top 50 Super Lawyer. He is a founding partner at the Cincinnati firm of Freking & Betz.

Donald B. Leach Jr. '82 is listed in the 2005–2006 edition of The Best Lawyers in America. He is a member of the construction law group at Buckingham, Doolittle & Burroughs, LLP, Columbus.

John C. Ross '82 has joined the law firm of Buckingham, Doolittle & Burroughs, LLP, Canton, as a shareholder. Ross practices in the areas of real estate and construction, business, and labor and employment law. He resides in Canton with his wife, Kathleen.

Kathleen B. Schulte '82, a partner at Gittes & Schulte, Columbus, is listed among Ohio Super Lawyers, as well as in The Best Lawyers in America. She practices employment law.

Capt. David A. Wagner '82 was recently appointed as an appellate military judge on the Navy Marine Corps Court of Criminal Appeals following four years as a trial judge in the Navy Marine Corps Trial Judiciary. He has been serving on the appellate bench since August 2004 and expects to be in the Washington, D.C., area for the next three years.

Jeff Horst '83 has been selected by Georgia Trend magazine as one of Georgia’s “Legal Elite” and by Atlanta Magazine as a Super Lawyer for business litigation. He was only one of about 30 business litigators in Georgia selected for these honors, which are based on peer recommendations for the state’s most effective lawyers. He has been involved in a number of high-profile matters that have been written about in the New York Times, Wall Street Journal, Tampa Tribune, Raleigh News and Observer, and Atlanta Journal and Constitution. In 1999–2000, he was one of the principal trial counsel in a five-month jury trial in Tampa which the National Law Journal selected as one of the top 10 defense verdicts of the year.

Diane Reichwein '83, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition. He is associated with Bricker & Eckler LLP, Columbus.

James N. Kline ’84 was recently named partner at Ulmer & Bernie LLP, Cleveland. Kline practices in the firm’s liability defense and insurance coverage groups where he concentrates on liability defense and first-party insurance defense litigation.

Patricia A. Shlonsky '82, a partner at Ulmer & Bernie LLP, Cleveland, is listed in the 2005–2006 edition of The Best Lawyers in America. She practices in employment and labor law, health care, income tax, securities regulatory compliance, and nonprofit groups.

Mark Stemm '84, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of labor and employment law. He is also a seasoned litigator and chairs the City of Dublin’s personnel board of review.

Joseph O. Bull ’85, director for planned giving at The Ohio State University, has been elected to serve as chair of the board of the National Committee on Planned Giving for 2005.

Mark A. Johnson ’85, a partner at Baker & Hostetler LLP, Columbus, is listed among the 2005 Ohio Super Lawyers.*


James G. Ryan ’85 is included in the 2005–2006 edition of The Best Lawyers in America. He is associated with Bailey Cavalieri, Columbus.

Susette C. Putman '86 recently accepted a position as a mediator with the Federal Mediation and Conciliation Service in Florida. Previously, she was labor counsel for the American Nurses/Ohio Nurses Association for 17 years. She and her husband, Alan, reside in Valrico, Fla.

Joan Irwin Fishel ’87 was elected to the Bexley, Ohio, school board in November 2003.
Andrew A. Folketh ’87 has joined Porter Wright Morris & Arthur LLP, Columbus, as a partner in the real estate practice group.

Matthew Shay ’87 has been named president of the International Franchise Association (IFA), the world’s oldest and largest association representing the interests of franchising. He has been a staff member at IFA since 1993, serving as executive vice president and chief operating officer, senior vice president and chief counsel, and vice president and director of government relations.

Robert J. Tannous ’87, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is listed in The Best Lawyers in America 2005–2006 edition in the area of corporate, mergers and acquisitions, and securities law. He is also included among the 2005 Ohio Super Lawyers.* He concentrates his practice on representing public companies in federal securities compliance, mergers and acquisitions, and corporate law issues.


James A. King ’88, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is included among the 2005 Ohio Super Lawyers.*

Christopher C. Russell ’88, an attorney at Porter Wright Morris & Arthur LLP, Columbus, is included among the 2005 Ohio Super Lawyers.*

Robert Solomon II ’88 is serving as president of the 100 Black Men of Central Ohio, an organization that focuses on mentoring, education, health and wellness, and economic development. He is the assistant dean for Admissions and Financial Aid and director of Minority Affairs at Moritz Law.


Richard J. Helmreich ’89, a partner at Porter Wright Morris & Arthur LLP, Columbus, has been appointed chair of the firm’s employee benefits practice group.

David C. Levine ’89, an attorney at Baker & Hostetler LLP, Columbus, is listed among the 2005 Ohio Super Lawyers.*

Maggie Moy ’89 has joined the office of the federal public defender, District of New Jersey, as a trial attorney. She and her husband, Jeff Kleeman, reside in Voorhees, New Jersey, with their three children.


1990s

Thomas A. Breitenbach ’90, a partner at Graydon Head & Ritchey LLP, Cincinnati, has been appointed chair of the board of trustees at Crayons to Computers, a free store for teachers in underprivileged Cincinnati schools.

John Blaufuss ’91 was one of three recipients of the 2005 Public Interest Law Award for his work in consumer advocacy law, particularly as it affects lower income and disadvantaged persons. The award was presented at the Access to Justice dinner in April, an annual event benefiting Legal Aid of Western Ohio, Advocates for Basic Legal Equality, and the Toledo Bar Association Pro Bono program. John has been a solo practitioner in Toledo since 2001.

Daryl W. Winston ’91 has joined the law firm of Conrad, O’Brien, Gellman & Bohn, PC, Philadelphia, Pa., as of counsel, focusing on commercial litigation, employment defense, and premises liability. He resides in Lumberton, New Jersey.

Thomas J. Grever ’92 has been named partner in Lathrop & Gage L.C., Kansas City. Grever practices environmental law with a significant focus on air, water, and hazardous waste issues. He counsels a broad range of manufacturers, developers, and local governments on compliance and permit matters before state and federal agencies. He also assists federal and state election campaigns on election law matters.

Charles W. Haubiel II ’92 has been appointed senior vice president and corporate secretary of Big Lots, Columbus. He also serves on the company’s executive committee.

David Robinson ’92 has been named principal in the new SZD Government Advocates, LLC, which provides consulting and research services to government and private sector clients locally, regionally, and nationally on public policy issues. It is a wholly owned subsidiary of the law firm of Schottenstein Legal Services LPA.

Daniel T. Downey ’94 has become a partner in the firm of Isaac, Brant, Ledman & Teetor LLP, Columbus.

Erika Haupt ’94, a partner at Roetzel & Andress LPA, Columbus, is included among the 2005 Ohio Super Lawyers.*
Amee McKim ’94 has joined the law firm of Hunton & Williams, Richmond, Virginia, as firm-wide director of Legal Recruitment. She is coordinating both entry-level and lateral recruiting for all 17 worldwide offices of the 800-attorney firm. Until May 6, she served the Moritz College of Law as the assistant dean for Professional Development.

Bobbie S. Sprader ’94 was recently elected partner in Bricker & Eckler LLP, Columbus. She is a member of the firm’s health care and litigation groups.

Alan Tracey ’94 is a director in the law department of Applied Materials, Inc., a Fortune 500 company in the semiconductor industry. He resides in Grenoble, France, where he coordinates the legal support for the company’s European-based subsidiaries, which account for more than a billion dollars in sales and employs more than a thousand employees.

Laura G. Anthony ’95 has been elected partner in Bricker & Eckler LLP, Columbus. She is a member of the firm’s education group, where her practice focuses on employee relations, special education, student rights and discipline, and policy development.

F. Drexel Feeling ’95 has been named partner at the Jones Day office in Cleveland. In addition, he and his wife, Lisa, welcomed their fourth child (and only son), Drexel Alexander, on September 8, 2000. The family, including daughters Nicole, 16, Stacy, 13, and Brittany, 12, live in the Cleveland area.

Elizabeth L. Hendershot ’95 has been elected to partnership at Baker & Hostetler LLP, Columbus. She is a member of the litigation group and concentrates her practice in the area of complex civil litigation, complex electronic discovery, and employee benefits in litigation.

Chris Berhalter ’96 was successful in the November 2 election for the position of Prosecuting Attorney for Belmont County, Ohio. He took office on January 3, 2005.

April R. Bott ’96 has been named senior counsel at Chevron Wilcox & Saxbe LLP, Columbus, and will chair the firm’s environmental practice.

Julie E. Brigner ’96, an associate with Hahn Loeser & Parks LLP, Columbus, has been named a “Rising Star” among Ohio Super Lawyers.*

Steve Elleman ’96 was recently named partner at Thompson Hine LLP, Dayton. He and his wife, Jennifer Elleman ’98, reside in Centerville.

Darius N. Kandawalla ’96 has been elected to membership at Bailey Cavalieri, Columbus.

Nichol M. Schoenfield ’96 and her husband, Donald E. Kacmar ’97, welcomed a son, Mason Nicholas, on March 20, 2004. Mason joins big sister, Ryan, age 3. Donald recently was appointed as a shareholder in the business department of McDonald Hopkins Co., LPA, Cleveland. Nichol continues to work part-time for Baker & Hostetler LLP.

Craig H. Smith ’96 has been promoted to partner at the Miami office of Hogan & Hartson. Additionally, in December 2004, Smith and his wife, Joy, gave birth to their son, Michael Dale Smith.

Marc S. Blubaugh ’97 has been named partner at Benesch, Friedlander, Coplan & Aronoff LLP, Columbus. He is a member of the firm’s trial practice group and polymer law group, as well as vice chair of the transportation and logistics practice group.

Daniel J. Guttman ’97 has been elected to partnership at Baker & Hostetler LLP. Located in the Columbus office, Guttman is a member of the employment and labor group and concentrates his practice in the areas of employment litigation, traditional labor law, and general employment counseling.

Matt A. Mayer ’97 has been appointed acting executive director of the office of state and local government coordination and preparedness in the Office of Secretary in the U.S. Department of Homeland Security.

David Mollicone ’97 and his wife Christina welcomed a daughter, Patrina Julia Mollicone, on December 28, 2004. The Mollicones reside in Michigan.

Angelique Paul Newcomb ’97 and Jennifer Dutey Readler ’97 have been named partners in Schottenstein Legal Services LPA, Columbus.

Lloyd Pierre-Louis ’97 has been appointed by the Supreme Court of Ohio for a six-year term as a Court of Claims Commissioner. He is with Squire & Pierre-Louis LLC, Columbus.

Bradley Snyder ’97, a partner at Roetzel & Andress LPA, Columbus, is included among the 2005 Ohio Super Lawyers.*

Renee Byers ’98, Columbus, recently joined the Ohio School Boards Association’s (OSBA) Division of Management Services as deputy director of labor relations. She works with the association’s member districts in negotiating collective bargaining agreements and providing general labor relations consulting. She is also the editor of School Management News, a monthly OSBA newsletter, and writes articles on labor relations for other OSBA publications.
Jennifer Lyn Miskell Deibel ’98 joined Pricewaterhouse Coopers LLP, Columbus, in April 2004 as a manager in state and local taxes. She married D.J. Deibel in October 2004. They reside in Hilliard.

Michelle A. LeVeque ’98 has rejoined the firm of Dykema Gossett PLCC as an associate in the litigation practice group in the Grand Rapids, Mich., office. Previously, she was senior attorney at Kellogg Company, where she oversaw the company’s active product and general liability, ERISA, and various commercial cases. She resides in Ada, Mich.

Jonathan D. Mester ’98 has recently joined the law firm of Nurenberg, Plevin, Heller & McCarthy Co., LPA, Columbus, as a principal. His practice includes complex personal injury litigation.

Ed Redder ’98 and Deanna Brandon Redder ’98 welcomed their second child, Carline Deanna, on December 9, 2004. The Redders also have a two-year-old son, Henry. Ed Redder is an associate in the litigation department of the Dayton office of Thompson Hine LLP, and Deanna Redder is in-house counsel for General Electric Retail Sales Finance, Kettering.

Aimee A. Zaleski ’98 has joined the corporate practice group of Schottenstein Legal Services LPA, Columbus. Her work in the firm’s intellectual property and technology protection area will focus on trademark, copyright, domain name, computer, and business law matters. Previously, she served as senior corporate counsel at the Longaberger Company, Newark.

Chuck Gall ’99 and Heather Gall ’99 welcomed a daughter, Alexandra Ann “Ally” Gall, on April 5, 2004. Heather also recently joined Friedman & Mirman Co. LPA, Columbus.

Rebecca Snow Molyneaux (Purinton) ’99 and her husband, Miles Molyneaux, had their first child, Katherine Grace Molyneaux, on October 30, 2004.

Michael J. Montgomery ’99 recently joined the firm of Bricker & Eckler LLP as an associate in the firm’s Cleveland office. He is a member of the firm’s litigation group, where he defends business organizations and individuals in complex commercial disputes, criminal matters, and class action lawsuits.

2000s

David A. Muller ’00 has been elected treasurer of the board of directors for Central Community House, a United Way agency in Franklin County, Ohio, that offers services designed to strengthen family, neighborhood, and community life. Muller is an associate with Bailey Cavallieri LLC in Columbus.

Brandon Salmon ’00 has joined the information technology (IT) law firm of Gordon & Glickson LLC, Chicago. Salmon advises clients in connection with outsourcing of their data processing, IT infrastructure, and business process functions.

Aaron D. Ford ’01 received the Outstanding Minority Bar Leader’s Award from the Dallas Bar Association and the Award of Excellence from the Dallas Bar Association Board of Directors. Each of the awards was in recognition of his work with the Dallas Bar Association’s Brown v. Board of Education 50th Anniversary Commemoration Committee. He is an associate with the Dallas firm of Weil, Gotshal & Manges LLP.

Tara Hare Aschenbrand ’02 joined the law firm of Squire, Sanders & Dempsey L.L.P., Columbus, following completion of a two-year clerkship with the Honorable James L. Graham ’62, U.S. District Court for the Southern District of Ohio. She and her husband, Aaron, also welcomed twins, Colter and Lily, on January 5, 2005. They reside in Dublin.

Aimee Hathaway ’02 is currently a law clerk for the Honorable Gregory Frost of the U.S. District Court for the Southern District of Ohio. She also trained to run the Columbus half marathon in April with the Leukemia and Lymphoma Society’s team in training program, which raises money to help find a cure for blood-related cancers.

Joseph C. Pickens ’02 has joined the Columbus law firm of Chester Wilcox & Saxbe LLP as an associate. His practice is concentrated in the area of environmental law and related litigation. He also handles litigation and related matters in the areas of electric, natural gas, communications, and wastewater industries.

Kyle S. Scheatzle ’02 has joined the law firm of Roetzel & Andress LPA, Akron, as an associate in its labor and employment group.

Jeffrey Lauderdale ’01 has joined the firm of Calfee, Halter & Griswold LLP, Cleveland, as an associate in its labor and employment group. He focuses on labor and employment law, as well as state and federal litigation and alternative dispute resolution. He resides in Brook Park.

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James G. Graley ’03, an associate at Campbell, Woods, Bagley, Emerson, McNeer & Herndon, P.L.L.C., Huntington, W.Va., was recently certified by the National Football League as an NFL agent and was certified by Ohio and West Virginia as an athlete agent. He has already put that certification to use by signing three football players and one ATP tour tennis player.

Matthew T. Green ’03 has joined the Columbus firm of Schottenstein Legal Services LPA in the firm’s litigation practice group. His practice focuses on commercial and appellate litigation.

Cheri Baldree ’04 has recently joined the creditor rights law firm of Javitch, Block & Rathbone, LLP, Columbus, as an associate. Her areas of concentration are collections and insurance subrogation.

Priya J. Bathija ’04 recently joined Buckingham, Doolittle & Burroughs, LLP, Columbus, as an associate in the health and medicine practice group.

Letitia S. Bryant ’04, Marcella L. Lape ’04, and Deborah A. Pickrel ’04 recently joined the Columbus office of Baker & Hostetler LLP.

Jennifer M. Nelson Carney ’04 has joined the law firm of Bricker & Eckler LLP, Columbus, as an associate practicing general law.

Bruce Davis ’04 has started his own criminal defense practice in Columbus, Ohio.

Scott W. Davis ’04 has joined the law firm of Bricker & Eckler LLP, Columbus, as an associate in the firm’s construction group.

Greg M. Daugherty ’04 has joined the law firm of Porter Wright Morris & Arthur LLP, Columbus, as an associate.

Monica E. Grande ’04, Anna “Kate” Nuber ’04, Jody Gilkey Shaffer ’04, Jennifer L. Tucker ’04, and Robin Grant Wyckoff ’04 have joined the firm of Vorys, Sater, Seymour and Pease LLP, Columbus, as associates.

Christine M. Kattola ’04 has joined the law firm of Roetzel & Andress LPA as an associate in its Cleveland office. She is a member of the labor and employment and business litigation groups.

Camille A. Miller ’04 has joined the firm of Kegler, Brown, Hill & Ritter Co., LPA, Columbus, as an associate in the litigation department.

Brian K. Nam ’04 has joined the firm of Buckingham, Doolittle & Burroughs, LLP, as an associate in the real estate and construction practice group in Cleveland.

Deborah A. Pickrel ’04 has joined the firm of Baker & Hostetler LLP in the firm’s Columbus office.

Adrienne Rapp ’04 and Melissa Zujkowski ’04 recently joined the firm of Ulmer & Berne LLP, Cleveland. Both are members of the firm’s litigation department, concentrating on business litigation.

Timothy J. Richards ’04 has joined the firm of Baker & Hostetler LLP in the firm’s Cleveland office.
June 30
Cleveland alumni gathering.
For more information, call Laura Landy Carr at (614) 292-2937 or e-mail carr.275@osu.edu.

July 28
12:45 p.m., After the Bar Party, Drinko Hall portico. For more information, call Pam Lombardi at (614) 292-8809 or e-mail lombardi.2@osu.edu.

August 10
Early On-Campus Interview Program. For more information, call Cybele Smith at (614) 292-7707 or e-mail smith.302@osu.edu.

August 16
First-year orientation

August 18
First day of classes

Unless otherwise indicated, all programs are held at John Deaver Drinko Hall, 55 West 12th Avenue, Columbus, Ohio. If you plan to attend, please use the contact information listed for each group.

The Moritz College of Law will provide reasonable accommodations to seminar, workshop, or symposium participants with disabilities. Individuals who desire accommodations should call the telephone number for a particular event or send an e-mail to lawalum@lists.acs.ohio-state.edu no later than two weeks before the event.
Remember When?

In 1968, the latest in courtroom technology was a reel-to-reel recorder. Faculty members Robert J. Wills, Charles C. Calhoon, and Robert Lynn listen as an unidentified student makes a presentation in the moot courtroom.