Moritz Law Initiative
Bringing Justice to Children

Angela Lloyd, assistant clinical professor, recalls Marta (not her real name), a Franklin County teenager who was being charged with a probation violation and threatened with removal from her mother’s care for being truant from school. The Justice for Children Practicum, one of nine legal clinics in which Moritz Law students may enroll, was appointed to represent her.

When a student legal intern from the clinic interviewed Marta, she learned that the young lady had been found delinquent a few months prior, after having admitted to the charge of chronic truancy. Marta had not had a lawyer. What was most upsetting was, “No one had ever asked her why she wasn’t going to school,” recalls Lloyd, of the Justice for Children Practicum at the Moritz College of Law. “It turns out, she wasn’t going to school because her stepfather allegedly had been sexually molesting her.”

The student also discovered that the most recent absences, which had resulted in the probation department filing a motion to find Marta in violation of probation, occurred because Marta had been attending her stepfather’s criminal trial.

With Moritz Law students representing her, Marta filed a successful motion to withdraw her admission to the truancy charge and, subsequently, to have all the charges dismissed. Moritz Law students helped Marta’s mom find counseling for Marta, who ultimately returned to school with no juvenile record.

(Continued on page 2)
Justice  (Cont. from page 1)

Marta serves as an example of hundreds of young people who have been assisted by Moritz Law students since the clinic took its first client in 1998. An interdisciplinary educational project that combines an academic mission with practical experience, Justice for Children has helped more than 400 young people since its inception.

The project is rooted in a 1995 symposium at the Moritz College of Law. Titled “Justice for Children — Meeting the Basic Needs of Children: Defining Public and Private Responsibilities,” the conference attracted lawyers, scholars, and researchers from a number of different disciplines. Building on the success of that conference, the Moritz Law faculty unanimously approved the creation of the project. They also sought additional funding for the creation of a children’s rights clinic, which would provide law students opportunities to represent children and children’s issues under the supervision of both a law professor and a staff attorney. With funding from a university academic enrichment grant, Professor Katherine Hunt Federle was hired to direct the program and teach in the clinic. By January 1998, the clinic was ready to accept its first client.

“Our students have the chance not only to work on individual client representation and abuse, neglect, and dependency cases, but also in individual delinquency cases,” says Lloyd, who has been a part of the clinic staff since 2003. An estimated 127 Moritz Law students have participated in the program.

In addition, the project is engaged in promoting the rights of children through legal reform. “So many of the constitutional rights of children are not fully explored,” says Professor Federle. “Our students get to raise new challenges and move the law forward in a very positive way for kids,” she notes. “That’s not only energizing for us, when we’re doing this kind of work everyday, but it’s also incredibly energizing for law students who actually get to see the difference they make.”

One of the ways legal reform is promoted is through the Amicus Project, which files amicus curiae in children’s rights cases. “Their voices often are excluded from the litigation process,” stresses Federle.

The project’s first amicus was filed in the case of Moore v. Asente in the Supreme Court of Ohio in May 2000. The case centered on a three-year-old boy who was being adopted by a couple who had already adopted his older biological brother. Appeals were filed in both Ohio, where the adoptive parents live, and in Kentucky, the residence of the biological parents. Ultimately, the Kentucky Supreme Court remanded the case to the trial court and ordered that the child’s placement be made in accordance with his best interests.

Since then, the project has filed more than a dozen amicus briefs, including the case of L.B., the child of a Washington state same-sex couple who decided to separate. Students who drafted the amicus brief asserted that L.B. had a constitutional right to have a voice in the proceedings. In a November 2005 ruling, the Supreme Court of Washington agreed and cited the brief in its judgment. “This case is one of many in which the Justice for Children Project seeks to advance the rights of children,” says Professor Federle.

To help with this effort, Moritz Law graduate Jason (Jay) Macke ’98 joined the clinic staff this year as its amicus attorney. In addition to drafting and filing briefs, he is working with the Pro Bono Partnership Project, a new initiative, in collaboration with the Columbus Bar Association and the Columbus Bar Foundation that will develop Ohio best practices standards for representing children in domestic matters. (See related stories on pages 1 and 14.)

The practicum also hosts regular conferences that are focused on child law issues. On September 14 and 15, the Moritz College of Law co-hosted a Juvenile Law Conference with the Ohio Association of Criminal Defense Lawyers. Past conferences have looked at the relationship between brain development, cognitive functioning, and accountability under the law and surveyed special needs adoption. “The Justice for Children Project has created challenging research opportunities for our students, while providing practical experience in client counseling, problem-solving, negotiation, and litigation,” says Nancy H. Rogers, dean of the Moritz College of Law. “It is a distinctive program and one that provides our students an opportunity to make a difference.”

http://moritzlaw.osu.edu
Education Plays Role in Law and Life

Just because Laura G. Anthony graduated from the Moritz College of Law in 1995 does not mean education is not still a big part of her life. In fact, it is the focus of her legal career.

Anthony, a partner with the Columbus office of Bricker & Eckler, is a member of the firm’s education practice group. She advises boards of education, mental retardation/developmental disability (MRDD) boards, and other public entities on issues arising under state and federal laws and regulations. While Anthony’s practice touches on a broad spectrum of education-related matters, she places a particular emphasis on special education issues.

She says the experience of having family members with disabilities motivated her to pursue a legal career focusing on the rights of those similarly situated. Partly in reverence to their struggles and successes, Anthony says it is “rewarding to work with the professionals who support individuals with challenges.”

Even while a student at Moritz Law, Anthony knew she wanted her work to focus on a nontraditional area of the law. Another influence on her choice is that several members of her family are involved in education, both as administrators and teachers. “My practice helps the educational community and that’s important to me,” she says.

She is also pleased that her alma mater is offering courses related to school law, which did not happen when she was a student at the college. “I sense a growing interest in it [school law] in the student body and it’s great to see the school respond.”

Of her work, Anthony says the level of emotion displayed by people on education-related issues amazes her. On one hand, she says, are parents who present “passionate fights” for their children on various matters such as discipline and transportation. As for the educators who have devoted their lives to teaching others, “They have a lot of emotion, too,” she says.

Interestingly, Anthony says she is unable to peg any particular case she has worked on as her favorite. “My favorite case is every case,” she says, noting that each one offers its own unique set of circumstances and challenges.

Besides representing school boards and other education-related entities around Ohio, Anthony stays busy heading her firm’s summer clerk program. Not surprisingly, she enjoys stepping into the teaching role, saying, “I am educating nine summer law clerks about the practice of law.”

In 2004, Ohio Lawyers Weekly newspaper named her an ‘Up and Coming Lawyer.’ She was also selected as a Columbus Bar Association Barrister Leader, an honor bestowed upon young lawyers perceived to have burgeoning leadership skills. Anthony was also a member of the Ohio State Bar Foundation Fellows Class of 2001, which developed a children’s book to educate elementary students about the legal system. Currently, she is a member of the Ohio Council of School Board Attorneys Executive Committee, the Education Law Association, the National School Boards Association Council of School Attorneys, and the Ohio State Bar Foundation Membership Marketing Committee.

Mindy Rich, the student services supervisor with the Delaware City Schools in Delaware, Ohio, has worked closely with Anthony during the five years she has held her post.

“Special education law changes frequently and Laura and her colleagues stay on top of those changes and we rely on their expertise,” she says. Furthermore, Bricker offers ‘Legal Updates’ several times a year, a seminar Rich and her colleagues consistently attend. “Laura presents almost every time and we try to send a representative to hear her updates because we know we will get the latest information,” she says.

“It’s absolutely critical [for school districts] to utilize the services of an attorney,” says Rich. The icing on the cake, she notes, is that “we love working with Laura.”

— by Tami Kamin-Meyer
Making a Difference, One Child at a Time

As magistrates in separate county juvenile courts, William J. (Bill) Kirby ’80 and David A. Hejmanowski ’99 have the opportunity to help young people make changes in their lives before bad habits and poor choices become habitual.

“There is a need to do more than just punish the children I see. If we address the issues the children are facing now, then we avoid more serious offenses they may commit as adults,” says Hejmanowski, a magistrate with Delaware County, Ohio, since 2003. He knows that punishment makes the community safer in the short-term, but looks ahead to the long-term outcomes that he can effect in his courtroom.

“Many of the children I see are bright and educated, but they are making horrible choices,” he observes. “These are kids who have the potential to succeed.”

“The kids I see are there either because of what they’ve done or what their parents have done,” notes Magistrate Kirby. “It’s an enormous variety of people and circumstances.”

As a Franklin County magistrate for 20 years, Kirby has handled thousands of cases. He still enjoys the work. “You have the feeling that you are doing something important, by helping a child or protecting the public,” he explains.

When asked about success stories, Kirby says that, “In this business, I don’t necessarily know about the victories, because with success, the child doesn’t end up back in my courtroom.” He adds, “But, every once in awhile a kid will stop by and hand me their graduation photo and say ‘ten years ago, you were the magistrate in my case. I wanted to tell you I’m going to college in the fall.’ When that happens, you savor the moment.”

Hejmanowski loves his job. “It’s satisfying seeing kids do well. We help them now and they’ll experience and create fewer problems in the future.”

The Delaware County magistrate wasn’t always focused on this career path. In criminal law class on his first day of law school, he says he wasn’t sure what he wanted to do, but he knew it wasn’t criminal law. His eventual feelings for the subject changed as he took criminal law classes and the criminal prosecution clinic. “The clinic is what really steered me toward this field,” he says.

Hejmanowski started working in the Delaware County Prosecutor’s office following law school graduation and was appointed to his current position in 2003. He hears about 350 cases a month. “I see kids in one of three circumstances. One scenario is children in a home with little structure, with parents who have their own substance abuse problems. In another, the child has serious substance abuse issues. Finally, a case may involve a child with good parents, but the child has mental health issues or has become involved with a bad group of friends.” He says, “In any of these three scenarios, we need to do more than just punish.”

A recent case illustrates his point. “A young man, close to 18, had multiple theft and alcohol offenses. He had a terrible attitude. Nothing was getting through to him. I decided to send him to a locked group home with a strong emphasis on education and treatment. I wasn’t sure it would work, but I wanted to give him the opportunity for change.”

He continues, “Six months in, he wrote me a 10-page letter. He laid out how he planned to avoid problems and past mistakes. I saw him last week. He’s doing well, living in his own apartment, holding a job, and staying out of trouble. He was so polite. He is a changed young man.”

Magistrate Kirby hears more than 500 cases a month and supervises 11 other juvenile magistrates and 30 court staff. His interest in juvenile court developed in law school. “I loved my criminal law classes. They were really instrumental in my getting into juvenile justice. My interest was really piqued when I took the juvenile clinic in law school.”

He values the clinical experience. “Moritz Law has expanded the clinic now, which is a wonderful thing. We really enjoy having the students at the Juvenile Center and it’s important for them to be here to see what we do.”

He adds, “A lot of people look at juvenile court as a training ground. Anything we can do to stress the importance of the work here is helpful.”

Magistrate Kirby joined the Franklin County Juvenile Division in January 1983 after work as a guardian ad litem while employed as a juvenile defense attorney with the firm of his older brother Edwin L. Kirby Jr. ’74. After serving the courts as chief counsel from 1984 to 1986, he was appointed magistrate.

From similar positions in adjacent Ohio counties, the two magistrates know the parallels end there. “Each case is different. Each child is different,” says Magistrate Kirby.

— by Abbie Basile
Alumni News

Submit news items to Liz Cutler Gates, Director of Communications, Moritz College of Law, 55 West 12th Avenue, Columbus, OH 43210. You may also e-mail news to gates.68@osu.edu. Photos are welcome but will not be returned. Digital photos must be 300 dpi for printing purposes.

Because of the volume of class notes received, we regret we cannot confirm all information. If an item is printed incorrectly, please let us know and we will correct the error in the next issue.

1950s

David J. Young ’55, a partner in the Columbus office of Squire, Sanders & Dempsey, L.L.P., has been named a 2006 Ohio Super Lawyer by Law & Politics magazine.

The Honorable David A. Katz ’57 has been named to the Lawdragon 500 Leading Judges in America by Lawdragon magazine.

1960s

The Honorable James L. Graham ’62, of the U.S. District Court, Southern District of Ohio, has been elected to the 2006-07 Board of Governors of the Columbus Bar Association.

Thomas J. Lombardi ’66 has joined the Canton office of Buckingham, Doolittle & Burroughs, LLP, as a partner. He resides in North Canton with his wife Sandy.

1970s

James A. Readey ’70, Readey & Patterson, received this year’s Professionalism Award from the Columbus Bar Association. He concentrates his practice in alternative dispute resolution services. He was the primary author of the original court-annexed arbitration program in Columbus and has extensive experience as both an arbitrator and mediator.

Thomas Dillon ’73, Roetzel & Andress, Columbus, has been selected as one of Ohio’s Super Lawyers by Law & Politics magazine.

Stephen C. Fitch ’73, Chester, Wilcox & Saxbe, received this year’s Bar Service Medal from the Columbus Bar Association. He practices in the areas of civil trial and appellate litigation, alternative dispute resolution, and professional responsibility and is chair of the firm’s litigation practice and a member of the management committee. He mentors the firm’s associates.

Nancy G. Brown ’74 has joined Taft, Stettinius & Hollister, LLP, as of counsel.

Ronald C. Stansbury ’74 has joined the law firm of Roetzel & Andress in the Cleveland office. He is a member of the labor and employment law practice group, focusing on employee benefits and executive compensation. He represents publicly and privately held corporations as well as individual executives.

William M. Todd ’76, a partner in the Columbus office of Squire, Sanders & Dempsey, L.L.P., has been named a 2006 Ohio Super Lawyer by Law & Politics magazine.

David W. Alexander ’78, a partner in the Columbus office of Squire, Sanders & Dempsey, L.L.P., has been named a 2006 Ohio Super Lawyer by Law & Politics magazine.

Francis X. “Skip” Frantz ’78 is chair of Windstream Communications, a company formed with the merger of the wireline business of Alltell Corp. with Valor Communications Group. Frantz previously was executive vice president and secretary of Alltell. The new company is based in Little Rock, Ark.

Wayne A. Jenkins ’78, a partner in the Columbus office of Dinsmore & Shohl, has been named a 2006 Ohio Super Lawyer by Law & Politics magazine.

Jeffrey E. Fromson ’79 has been appointed to the position of manager for the business services group at Roetzel & Andress, where he is a partner in the Columbus office.

Thomas D. Sykes ’79 was designated as an Illinois Super Lawyer for 2005 in the tax field. He moved to Chicago in 2002 to join McDermott Will & Emery LLP as a partner, after having practiced tax law in Washington, D.C., for 18 years, first with the U.S. Justice Department’s tax division and later as a partner with a D.C.-based law firm. A native of Wisconsin, he reports that he loves living and practicing in Chicago, but still occasionally misses D.C., especially its golf-friendly weather. A member of McDermott’s tax department, Sykes focuses his practice mainly upon tax controversies, including litigation. He is currently commissioned by the Bureau of National Affairs (BNA), the large legal publishing house, to revise two of its tax publications. He and his wife Debbie reside with their two teenaged children in suburban Lake Forest.

1980s

Glenn S. Krassen ’80 has been appointed partner-in-charge of the Cleveland office of the law firm of Bricker & Eckler, LLP. His practice focuses on complex energy finance, energy, public utilities, corporate, real estate, and oil and gas law.
Alumni News

Continued

Janet Dyar Welch ’80 was elected judge of the Marietta (Ohio) Municipal Court for the term that began January 1, 2006.

Stephen M. Hammersmith ’81 has been elected to the board of managers at Buckingham, Dolittle & Burroughs, LLP, Akron.

Thomas K. Emswiler ’82 has been named general counsel of the Federal Retirement Thrift Investment Board in Washington, D.C. He and his wife Susan reside in Fairfax, Va.

Donald B. Leach Jr. ’82, managing partner of the Columbus office of Buckingham, Dolittle & Burroughs, LLP, has been named one of Ohio’s leading construction law attorneys in the 2006 edition of Chambers USA. He has been listed in the publication each year since 2002.

William J. Wahoff ’82, a founding partner in Scott Scriven & Wahoff, Columbus, was recently recognized by Rotary International District 6690 with the Service Above Self Award for his work with Rotary Ambassadorial Scholarship candidates and recipients.

Jennifer T. Mills ’83 has been recognized as a 2006 Ohio Super Lawyer by Law & Politics magazine. She practices in the areas of finance and commerce and financial institutions at Porter Wright Morris & Arthur LLP in Columbus.

In January of 2006, D. Wesley Newhouse ’83 started a new law firm, Newhouse, Propheter & Letcher, LLC, in Columbus. The firm focuses on the representation of businesses and not-for-profit organizations, primarily with respect to employment issues. He has been working with a number of not-for-profit organizations that provide services to disadvantaged youth and is vice chair of the board of the Columbus After-School All-Stars, a free after-school program for inner-city youth.

1990s

Eric S. Bravo ’90 has been selected as an Ohio Super Lawyer – Ohio Rising Star by Law & Politics and Cincinnati magazines. He is an associate in the Columbus office of Roetzel & Andress.

Brigid E. Heid ’90 has been elected president of the board of trustees for the Legal Aid Society of Columbus for 2006-07. She has been a board member for eight years and is a shareholder at Luper Neidenthal & Logan, Columbus.

Elizabeth J. Watters ’90, Chester Willcox & Saxbe, Columbus, has been elected to the Ohio State Bar Association Council of Delegates as a District 7 (Franklin County) representative.

Bradley A. Wright ’90, Roetzel & Andress, has been re-appointed to the USLAW Network board of directors for 2005-06. USLAW Network is a national organization of 57 independent AV-rated law firms and more than 3,400 attorneys.

Kara J. Trott ’91 was featured in Business Week magazine for her entrepreneurial work in developing Quantum Health, a Columbus company that helps patients navigate the health care system.

Daryl W. Winston ’91 has been elected to the board of directors of the Philadelphia Association of Defense Counsel (PADC). He is of counsel to Conrad O’Brien Gellmann & Rohn, PC, Philadelphia.

Susan M. DiMickele ’95, a partner in the Columbus office of Squire, Sanders & Dempsey, LLP, has been named a 2006 Ohio Super Lawyer by Law & Politics magazine.

Gerhardt A. Gosnell II ’95 and Timothy S. Horton ’95 each have been named an Ohio Super Lawyer – Ohio Rising Star by Law & Politics and Cincinnati magazines. Both are associates at the law firm of Chester Willcox & Saxbe, LLP, Columbus.

David E. Kauffman ’95 has joined Schottenstein Zox & Dunn, Columbus, as a partner in its tax and wealth management practice group.

April R. Bott ’96 has been named an Ohio Super Lawyer – Ohio Rising Star by Law & Politics and Cincinnati magazines. She is a partner at the law firm of Chester Willcox & Saxbe, LLP, Columbus.

David S. Bloomfield Jr. ’97, Porter Wright Morris & Arthur, has been elected to the 2006-07 board of governors of the Columbus Bar Association.

Lark T. Mallory ’97 has been named an Ohio Super Lawyer – Ohio Rising Star by Law & Politics and Cincinnati magazines. She is an associate at the law firm of Chester Willcox & Saxbe, LLP, Columbus.

Kevin Burgess ’98 has been named to the 2006 listing of Texas Rising Stars in recognition of his work in intellectual property litigation. He is a principal in McKool Smith’s Austin office.


Brian Linhart ’99 has joined the Columbus office of Ulmer & Berne LLP in the real estate group. He focuses his practice on commercial real estate and business transactions, and commercial litigation.

2000s

Suzanne E. Duddy ’00 recently joined the Washington, D.C., law firm of Howrey LLP. She also announced that she recently became engaged to Patrick Butler ’00, who is a captain in the U.S. Army Judge Advocate General (JAG) Corps in the Army Litigation Division, also in Washington, D.C.

Jeffrey A. Fickes ’01 has been selected as an Ohio Super Lawyer – Ohio Rising Star by Law & Politics and Cincinnati magazines. He is associated with Krugliak, Wilkins, Griffiths & Dougherty Co., L.P.A., Canton.

Jeffrey S. Braun ’02 has been selected as an Ohio Super Lawyer – Ohio Rising Star by Law & Politics and Cincinnati magazines. He is an associate in the Columbus office of Roetzel & Andress.

Cavett R. Kreps ’02 has joined the Columbus law firm of Bricker & Eckler as an associate in the firm’s employment group.

Janica Pierce ’02 was recently sworn in as a director of the Franklin County Trial Lawyers Association. She also has been named an Ohio Super Lawyer – Ohio Rising Star by Law & Politics and Cincinnati magazines. She is an associate at the law firm of Chester Willecox & Saxbe, LLP, Columbus.

Adrienne L. Rapp ’04 and Melissa L. Zujkowski ’04, both second-year associates at Ulmer & Berne, have been elected to co-chair the Young Executives Committee at the Club at Key Center in Cleveland. As co-chairs, both serve on the club’s board of directors.

Gregory J. Krabacher ’05 has joined the technology and intellectual property group of the Columbus office of Bricker & Eckler LLP.

Florence Jesrani Murray ’05 has joined the Franklin County Prosecutor’s office as an assistant prosecutor, working on juvenile cases in the criminal division.

Welcome Back

The Moritz College of Law will be welcoming back the classes of 1956, 1981, and 1996 on Homecoming Weekend, October 27-28, 2006. A block of rooms has been reserved at the University Plaza Hotel, (877) 677-5292. Rooms are available at the rate of $99 per night for a single/double occupancy, or $139 per night which includes breakfast for two and an Ohio State gift basket. The classes of ’81 and ’96 will be welcomed on Friday, October 27, with a cocktail reception in Drinko Hall and the class of 1956 will have a dinner at the Barrister Club the same evening. On Saturday all are invited to a pre-game tailgate at the Barrister Club from 1:00 to 3:30 p.m. Free shuttle bus service is available to and from the stadium. The class of ’81 will also gather for a post-game dinner to celebrate the past 25 years and hopefully a victory over Minnesota. Invitations, including football ticket information, will be mailed by September 15. If you have questions, please contact Sara Grimm, Reunion Giving Coordinator, (614) 292-8809 or grimm.127@osu.edu, or Darnell Hines, Director of Donor Relations and Stewardship, (614) 247-8640 or hines.127@osu.edu. We look forward to seeing you there!
Professors Visit at Moritz Law

Ed Imwinkelried and Steven D. Walt have joined the Moritz College of Law faculty this year as visiting professors. Imwinkelried is the Edward L. Barrett Jr. Professor of Law at the University of California, Davis. Walt is the Sullivan & Cromwell Research Professor of Law at the University of Virginia.


Walt teaches contracts, sales/commercial paper, legal philosophy, bankruptcy, and secured transactions. A cum laude graduate of Kalamazoo College, he holds an M.A. and Ph.D. in philosophy from the University of Chicago. He earned his J.D. from Yale in 1988 and was an associate professor at the University of San Diego for three years. He is a member of the American Society for Political and Legal Philosophy and serves on the editorial board of Legal Theory.

Professor Cole New ADR Program Director

Sarah Rudolph Cole, Squire, Sanders & Dempsey Designated Professor of Law, has been named director of the Moritz Law Alternative Dispute Resolution Program. Her work on arbitration, the line between public and private adjudication, mediator qualifications, and other dispute resolution topics and her coauthored treatise on mediation and dispute resolution textbook have collectively created an impressive national reputation for her as a scholar in this field. She has exciting plans for the program, which is consistently ranked among the top five ADR programs in the country.

Professor Participates in Study to Assess Personal Finance Education

Associate Professor Creola Johnson is among a group of Ohio State faculty awarded a P-12 Scholars grant of $32,000 to engage in a study of personal finance education in Ohio’s P-12 schools. The grant was presented by The Ohio State University P-12 Project, a university-wide partnership developed to strengthen the scope and effectiveness of Ohio State’s commitment to P-12 education, with a special emphasis on the education of underserved children and youth.

The study will look at financial literacy topics offered and who teaches them. It will also assess the education of the teachers with regard to personal finance, their sources of financial literacy information, and available training. Professor Johnson will compare Ohio’s legislative efforts to get mandatory personal finance education into the school system with legislative efforts in other states.

Former Dean Beytagh Returns to Teach Constitutional Law

Former Moritz Law Dean Francis X. Beytagh is returning to Moritz this fall to teach. A former clerk to the late U.S. Supreme Court Chief Justice Earl Warren, Dean Beytagh is a distinguished constitutional law scholar and is teaching a seminar on the U.S. Supreme Court and the Constitution during the fall semester. He was honored last fall with the inaugural Founder’s Award for his dedication and service to the college. The award has been subsequently named the Beytagh Award.
Election Law and the Roberts Court

September 29–30, 2006
Barrister Club
25 West 11th Avenue, Columbus
Co-sponsored by:
Ohio State Law Journal (OSLJ); Election Law @ Moritz (EL@M)

This symposium will address the Texas redistricting and Vermont campaign finance cases as the first evidence of potential changes in the Court’s philosophical approach to the “law of democracy” with the recent additions of Chief Justice John Roberts and Associate Justice Samuel Alito to the bench. Contributors may also discuss the application of jurisprudential themes (like potential tensions between “original intent” and “stare decisis”) as they apply to particular topics of election law, including the future of Bush v. Gore and equal protection constraints on the vote counting process. Articles by participants will be published in an issue of the Ohio State Law Journal, tentatively scheduled to be released in spring 2007.

Scheduled Participants:

Richard Briffault, Vice Dean and Joseph P. Chamberlain Professor of Legislation, Columbia University
Guy-Uriel Charles, Interim Law School Co-Dean and Russell M. and Elizabeth M. Bennett Professor of Law, University of Minnesota

Edward B. Foley, Robert M. Duncan/Jones Day Designated Professor of Law, The Ohio State University
John Fortier, Research Fellow, American Enterprise Institute
Heather Gerken, Professor of Law, Yale University
Linda Greenhouse, Supreme Court Correspondent, New York Times
Rick Hasen, William H. Hamon Distinguished Professor of Law, Loyola University of Los Angeles
Samuel Issacharoff, Bonnie and Richard Reiss Professor of Constitutional Law, New York University
Michael Kang, Assistant Professor of Law, Emory University
Pamela S. Karlan, Kenneth and Harle Montgomery Professor of Public Interest Law and Associate Dean for Research and Academics, Stanford University
Ellen Katz, Professor of Law, University of Michigan
Dan Lowenstein, Professor of Law, University of California at Los Angeles
Richard Pildes, Sudler Family Professor of Constitutional Law, New York University
Richard A. Smith, Professor of Law, Capital University
Michael E. Solimine, Donald P. Klekamp Professor of Law, Director, Faculty Development, and Director, Extern Program, University of Cincinnati
Daniel Tokaji, Assistant Professor of Law, The Ohio State University

For additional information, visit moritzlaw.osu.edu/lawjournal or contact OSLJ symposium editor Matthew Byrne at byrne.79@osu.edu.
GRADUATES FIND JOBS

The “at graduation” rate for Moritz Law is up when compared with previous years. This year, 83 percent of the Class of 2006 was employed at graduation, compared with 78 percent in 2005 and 69 percent in 2004.

Miranda At 40 Years

October 6, 2006
Saxbe Auditorium (room 130)
Sponsored by:
Ohio State Journal of Criminal Law

The Supreme Court’s decision in Miranda v. Arizona has generated tremendous controversy—both high praise and intense critique—since it was handed down in 1966. Forty years later, what does this famous decision mean?

Does it continue to afford criminal suspects meaningful protection of their constitutional rights? Or, through the various exceptions to its rule that have been crafted by the Burger and Rehnquist Courts, has it become some thing of an empty shell? What will be its fate in the Roberts Court?

Moderated by one of the rising stars of the Supreme Court reporters’ pool, a first-class panel of experts on the decision and on constitutional criminal procedure, more generally, will debate these and other questions, including a foreword by guest editor Professor Marc Spindelman, to follow in the Ohio State Journal of Criminal Law.

Scheduled Participants:
Ronald J. Allen, John Henry Wigmore Professor of Law, Northwestern University
Yale Kamisar, Clarence Darrow Distinguished University Professor of Law Emeritus, University of Michigan, and Professor of Law, University of San Diego

The Honorable Gerard Lynch, U.S. District Court for the Southern District of New York and Paul J. Kellner Professor of Law, Columbia University

Charlie Savage, Legal Affairs Correspondent, Boston Globe

George Thomas, Professor of Law and Judge Alexander P. Wangh Sr. Distinguished Scholar, Rutgers University, Newark

For registration and additional information, visit moritzlaw.osu.edu/osjcl or call (614) 688-3781.

Persons Honored at Commencement

W. Ray Persons ’78 was among individuals who were honored at The Ohio State University’s summer commencement on August 27 for their contributions to society and academics, and their dedication to the university.

Persons was presented with the Distinguished Service Award, which is given to alumni who have worked tirelessly on behalf of the university. He is senior litigation partner at King & Spalding LLP in Atlanta, Georgia, where his practice focuses on complex litigation, including class actions, product liability, and mass torts.

Harry A. Blackmun Lecture

Noon, September 27, 2006
Barrister Club
25 West 11th Avenue,
Columbus
(south of Drinko Hall)

The Honorable Nancy Gertner, U.S. District Court, District of Massachusetts will present the second annual Harry A. Blackmun Lecture on September 27 at the Barrister Club. She will speak on “From Omnipotence to Impotence: American Judges and Sentencing.” The Blackmun Lecture honors the late U.S. Supreme Court Justice Harry A. Blackmun (1908–1999) by addressing the justice’s enduring contributions to the Court for more than 25 years. The series was developed by five former Blackmun law clerks on the Moritz College of Law faculty: James J. Brudney (1980 Term), Ellen E. Deason (1986 Term), Alan C. Michaels (1987 Term), Edward B. (Ned) Foley (1988 Term), and Michelle Alexander (1993 Term). The lecture is underwritten by the Gregory H. Williams Fund for Excellence established through a gift from Michael E. Moritz ’61.

The Blackmun Lecture is part of the Mentoring and More @ Moritz series and is open to students and their mentors.
Celebrate the Football Season with Free Tailgates at the Barrister Club

The word is out! Alumni are catching on that the best place to party before Buckeye games is the college’s Barrister Club, 25 West 11th Avenue.

Alumni, students, faculty, and staff are welcome to bring a single guest with them to the club; additional guests are $15 per person. We’ll serve a scrumptious brunch starting two-and-one-half hours before kickoff.

Parking is available for $10 at the new Gateway District garage, one block off High Street at Pearl between 9th and 11th avenues, and at the Ohio Union “C” garage, located at 1780 College Road (accessible from High Street). A free shuttle is available to take guests between the Barrister Club and the stadium.

For more information, please visit moritzlaw.osu.edu/alumni/events/tailgates.php or contact Alumni Special Events Coordinator Carrie Brady at (614) 292-0601 or brady.1301@osu.edu.

Tailgates

Tailgate with your Moritz Law friends at the Barrister Club, 25 West 11th Avenue, two-and-one-half hours before these Ohio State football games:

- **September 16, 2006**
  9:30 a.m. before the Cincinnati Game
- **September 23, 2006**
  Two-and-one-half hours before the Penn State game
- **October 7, 2006**
  Two-and-one-half hours before the Bowling Green game
- **October 21, 2006**
  Two-and-one-half hours before the Indiana game
- **October 28, 2006**
  1 p.m. before the Minnesota game
- **November 18, 2006**
  1 p.m. before the Michigan game

In the first year of operation, the Barrister Club saw 104 events with more than 6,800 guests. Of those events, 76 were sponsored by the law school and included mentoring luncheons, tailgates, and alumni events.
Zeislers Fund Real Estate Law Project

Ken Zeisler '61, a Clevelander who has completed his 40th year in commercial real estate development, has, along with his wife, Paula, donated $250,000 to fund a two-year pilot project for the study of real estate development law at the Moritz College of Law. Teaching the course will be Columbus-based attorney Rick Daley '78, whose professional background includes 12 years in private practice followed by 13 as executive vice president and general counsel of The Pizzuti Companies, a regional developer headquartered in Columbus. For the last three years, Daley has served as a consultant for numerous national and Columbus commercial development projects.

For Zeisler, the project evolved from many hours of discussions with his late business partner, Patrick J. Morgan, while working on real estate deals. They envisioned writing a book together on real estate development law so that lawyers could benefit from their years of experience.

Throughout Zeisler’s years of drafting development deals, battling bureaucratic obstacles, and negotiating with opposing counsel, he says he was “disappointed” with the lack of practical knowledge displayed by lawyers on the other side of the bargaining table. He says it is his fondest wish that the Moritz Law students who participate in this practicum—featuring a hands-on case study approach to the multi-faceted area of real estate development law—will evolve into “the best prepared in the country to practice real estate law.”

Student response has been overwhelmingly positive. The course’s first offering, set for spring semester 2007, has already been filled by 33 students, and a waiting list has formed.

According to Daley, the course’s curriculum will be enriched with case studies based on actual, “real world” projects in which he was once involved. Students will examine various legal disciplines that intersect a commercial real estate project, ranging from land acquisitions and leasing to partnerships, bankruptcy, finance, ethics, and public policy considerations.

For the Zeislers, donating the funds that are underwriting the course was a natural extension of life lessons they learned, starting as young children. They recall their parents teaching them, “Charity is a privilege for those of us who have been fortunate to be successful.”

Zeisler’s charitable works also involve the gifts of his valuable time and wealth of experiences. He is an active alumnus of the law college, and he and Paula have twice hosted alumni receptions in Naples, Florida. Ken is currently a member of the college’s National Alumni Council, an advisory group to Dean Rogers, and the Investing in Momentum campaign committee. He is also a mentor to a Moritz scholar.

In addition to the $250,000 gift that is funding the real estate practicum, the Zeislers funded a real estate development law scholarship in 1999. When he was on the Barrister Club fund-raising committee in 2003, he gave a leadership gift. “I always felt my law school education played a major role in my business success,” he notes.

With their latest donation, the Zeislers are demonstrating their genuine desire to help future Moritz Law graduates prosper in their careers, as well.

According to Dean Rogers, “It is wonderful that he and Paula wanted to use that success to make possible similar opportunities for those who follow here in his path.”

– by Tami Kamin-Meyer

LIVING NEAR THE LAW SCHOOL

Just in their second year of availability, apartments in the South Campus Gateway are at capacity. This includes 109 law students who live the buildings at 1595 and 1620 North High Street and on East 9th Avenue.
Pioneering Professor Promoted Environmental Law

Earl Finbar Murphy, Professor of Law Emeritus, died July 23, 2006 in Indianapolis, at the age of 77. A brilliant and erudite scholar, he contributed greatly to not only his field, but also to the lives of those around him.

After finishing first in his class at Indiana University School of Law, Professor Murphy practiced law for two years in Indianapolis. He then went on to become a graduate law fellow at Yale. Subsequently, he taught at the State University of New York-Binghamton and Temple University School of Law.

He joined the Ohio State law faculty in 1969. A pioneer in his field, Professor Murphy was instrumental in helping to expand the field of environmental law into what it is today. He published several books, including *Man and His Environment: Law, and Energy and Environmental Balance*. He regularly taught Environmental Law, Natural Resources Law, and Land Use Planning Law.

His scholarship was valued by many for its breadth as well as its depth. He was a courtesy professor of natural resources for The Ohio State University College of Food, Agricultural, and Environmental Sciences (CFAES). Recalling his encounters with Professor Murphy, Professor William J. Mitsch of CFAES says, “Early in my career at Ohio State, I had several great discussions with Earl on wetland and land use laws, as well as a host of other topics. He was always a great conversationalist and he sure knew environmental law!”

Professor Murphy also served as a faculty member for the Atmospheric Sciences program, and was an adjunct professor for the College of Engineering because of his expertise in urban planning.

He also had an affinity for history. His sister, Carol Kocher, recalls that this interest began very early: “When he got to be about 10 years old he became very interested in books. Our local library used to set history books aside for him. He loved reading about ancient history.” His love for history never waned, and after law school he became very interested in the history of the law and its impact on the world.

“Professor Earl Finbar Murphy

“When most of the professoriate focused narrowly on law, Earl understood the need to cross cultures, borders, and disciplines in order to offer insights that mattered,” recalls Dean Nancy Rogers. “He clearly used his opportunity to engage in scholarship both to learn very broadly and contribute in important ways.”

He was a professor whom students loved. In 1991, he was named “Outstanding Professor of the Year.” Donald Simon ’95, now an environmental lawyer in San Francisco, remembers him fondly. “He was a pioneer in environmental law and literally helped write the book for it. But he always had a door open to his students to help them figure out what to do with themselves, help them with whatever they needed, and inspire them. I considered him a friend and I miss him.”

Despite his focus on serious scholarship, Professor Murphy is remembered by many as a very warm, personable, and downright funny man. He was someone you could always rely on for a joke. “We enjoyed his sense of humor and his sarcasm. We just plain liked Earl,” says Dean Rogers.

His youngest sister, Roselyn Murphy, was his consistent and tireless traveling partner throughout his life. “When I was 18 and he was 28, we went to Europe with almost no money. We were actually living on $5 a day or less! We spent so much time traveling together. We went everywhere – Greece, Portugal, France, Spain, Belgium, Switzerland. In 1998, we went to Turkey to visit the site of a battle our father had fought in during World War I. My parents reared me, but Earl educated me. I would not be the person I am today without him. I miss him so much.”

Earl was also a man who loved his wife very deeply. He married Joanne Wharton Murphy ’58 in 1972. She taught at the college and served as assistant dean for alumni relations for 14 years. Shortly before her death on October 20, 1997, former Dean Gregory H. Williams had the opportunity to present her with the college’s “Alumna of the Year” award. Earl was deeply affected by the loss of the wife he loved so dearly for 25 years.

A brilliant scholar who contributed much to his field, Earl Finbar Murphy was a dedicated professor who cared about the lives of his students and colleagues. “Earl always had a loyal following. I have met them as I travel to visit alumni around the country,” says Dean Rogers. “Some would not have gone into environmental law, for example, except for Earl’s inspiration. He influenced hundreds of the lawyers in this country. In the last few weeks, I have had a number of conversations with persons in tears. Earl was just someone you loved.”

—by Devin Henderson

PROFESSOR MURPHY BY THE NUMBERS

Years on Moritz Law Faculty: 36; Books Published: 7; Chapters in Books: 9; Articles: 51; Essay Reviews: 12; Book Reviews: 33
Jay Macke ’98 Joins Justice for Children Project

Jason (Jay) Macke ’98 has joined the Moritz Law Justice for Children Project after four years in a Columbus private practice. He serves as the project’s amicus attorney and web site manager, in addition to mentoring volunteer attorneys as part of the Pro Bono Partnership Project.

Since joining the project, he has filed amicus curiae briefs with the Supreme Court of Ohio in several cases, including In the Matter of J.B. and In Re: A.B., J.B., T.B. and C.B. In addition, Macke has updated and improved the project’s web site: moritzlaw.osu.edu/jfc/.

“Jay is a terrific addition to the project staff,” says Professor Katherine Hunt Federle, director of the project. “He brings tremendous energy and commitment to the children we strive to enfranchise.”

In his appellate practice, Macke represented civil plaintiffs, criminal defendants, parents, and children in dependency and permanent custody cases. He has handled hundreds of cases in numerous state and federal courts, including the Supreme Court of Ohio. He also served as chair of the Ohio Association of Criminal Defense Lawyers (OACDL) Amicus Committee and has authored numerous amicus briefs for that organization. He is currently the secretary of OACDL.

Moritz Law Administrative Changes Announced

Professor Joseph B. (Josh) Stulberg has been named associate dean for the faculty at Moritz Law. He had been associate dean with responsibilities for academic affairs and professional relations since 2004. He joined the Moritz Law faculty in 1998 to direct the Alternative Dispute Resolution Program and is currently the John W. Bricker Professor of Law.

Moving into the associate dean for Academic Affairs position is Professor Donald Tobin. He joined the faculty in 2001 and teaches in the areas of taxation and legislation. He has written on the relationship of tax and campaign finance laws concerning the regulation of political groups having tax-exempt status under section 527 of the Internal Revenue Code.

Assistant Dean Pamela Lombardi, who last year took the reigns of the Career Services office, has also assumed additional responsibility for External Relations. In that role, she oversees communications, media relations, and alumni relations and coordinates other external relations activities.

Lisa Ballmann has been named director of Development. She joined the Moritz Law staff six years ago as assistant director and has been a major force in raising $17 million of the $30 million goal of the college’s current campaign.

Jeff Hilperts has been named the associate director of Development. Since joining the Moritz Law staff in 2003 as a development officer, he has designed and implemented a $250,000 match program, which increased giving and encouraged new donors to the college.

Darnell Hines has been promoted to director of Stewardship and Donor Relations for the college. He has served as coordinator of stewardship since 2004.

Sara Grimm, who joined the staff this year as special event coordinator in the office of Alumni Relations, has been named reunion giving coordinator in the office of Development.

In the alumni relations office, Carrie Schergen Brady, ’05 has been named the special events coordinator. She joins Laura Landy Carr, who has been director of Alumni Relations since 2005.

GATEWAY GROWS
Adjacent to Moritz Law, the South Campus Gateway continues to grow. New businesses in the area include Sunflower Market, McFadden’s Restaurant and Saloon, Caribou Coffee, and the Happy Greek Restaurant.


**New Faculty Members Named**

Annecoos Wiersema has joined the faculty of the Moritz College of Law to teach environmental law and property law. At the same time, Amy Cohen, an assistant clinical professor of law in the mediation practicum since 2004, has been named an assistant professor, and will be teaching Property, International Dispute Resolution, and Mediation.

“Professor Wiersema brings with her remarkable scholarly training and experience in legal issues connected with environmental law regulation, strengthening an area of study that is of sustained interest to Moritz Law students,” said Joseph B. (Josh) Stulberg, Associate Dean for Faculty.

Professor Wiersema received an LL.B. degree from the London School of Economics and an S.J.D. (Doctor of Juridical Science) degree in international and environmental law from Harvard Law School, where she was the George W. Foley Jr. Fellow in Environmental Law from 1999-2000. She also was a visiting scholar at the International Monetary Fund (IMF) in 2001.

Prior to joining the Ohio State faculty, she taught at the University of Denver Sturm College of Law and worked in the Denver office of Arnold & Porter LLP as a litigation associate. With teaching and research interests in environmental and natural resources law, her work focuses on developments in ecological science and their impact on law, international law, international environmental law, property law and theory, and administrative law and theory.

“Professor Cohen worked closely this past year with Dean Nancy Rogers and the staff of the Journal on Dispute Resolution to coordinate the journal’s annual symposium, Listening to the World: New Ideas for Resolving Identity-Based Conflict. Conference planners tapped her expertise gained as a Fulbright scholar in Nepal, where she had engaged in economic development work and community mediation projects, to help shape the program agenda,” adds Associate Dean Stulberg.

Professor Cohen came to Ohio State after serving as law clerk to the Honorable Carlos F. Lucero of the 10th Circuit Court of Appeals in Denver. She holds a J.D. degree from Harvard Law School, where she co-taught courses on negotiation and deal-making, and a B.A. from Rutgers, the State University of New Jersey.

**In Memoriam**

The Moritz College of Law has received word of the death of this graduate. We express our sympathy to relatives and loved ones.

Ann Munro Kennedy '81, of Newark, died July 20, 2006. She was 63. A graduate of Radcliffe College, she worked as an art registrar at Denison University’s gallery, then as director of Denison’s January term prior to entering law school in 1977. She was a partner at Reese, Pyle, Drake and Meyer in Newark, Ohio, and also served as law director for the Village of Granville from 1987 to 1990.

Surviving are her husband, Dr. Alan M. Larimer; son and daughter-in-law, David and Katherine Kessler, of Chapel Hill, N.C.; daughter, Mary Clare Kessler, of Newark; mother and father, Dr. Nathan and Elizabeth (Asselin) Munro, of Jackson, Mich.; one sister, Mary Munro Moburg, of Horton, Mich.; two brothers, Colin Munro of Cos Cob, Conn., and David Munro, of Clarklake, Mich.; six nephews and four nieces; three step-daughters, Celine Larimer, Meredith Larimer Stenning, and Adrienne Larimer; and one step-grandson, Finn Larimer Bumstead.

**Correction**

In the Spring/Summer 2006 Special Edition, because of an editing error, Thomas and Mary Kay Eyerman were referred to as “late.” We are happy to report that the Eyermans are very much alive and we apologize for the reference.
The Moritz College of Law has received a bequest in excess of $1.5 million from the estate of the late Helen Haden to provide full-tuition scholarships for law students. Haden, a Columbus native, lived in Qualicum Beach, British Columbia, Canada. She died in 2005.

A graduate of Columbus’ Central High School, it was Haden’s dream to attend law school at Ohio State. Because of the Depression, she could not afford to enroll, but she continued to place a high value on legal education. She ultimately married and left Ohio.

Following her husband’s death in 1995, she explored options that would allow her estate to be used to assist others who would not otherwise be able to realize their goal of attending law school. She recognized that her own dream would never become a reality, but she could help make the dreams of others come true. In 1996, Helen formalized her gift to the Moritz College of Law to support future law students through full-tuition scholarships.