Cleveland-Marshall College of Law

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Cleveland-Marshall College of Law

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Gail Newman "Pleasure Boat—the Flats"
25" x 30" acrylic over gessoed wood
Dear Alumni,

As my term as the President of the Cleveland-Marshall Law Alumni Association rapidly draws to a close, I want to take this opportunity to reflect on what the Association has accomplished this year and to thank the many volunteers who have made our success possible.

I want to thank at the onset our wonderful Executive Director, Mary Walton McKenna, for the outstanding job she has performed yet again this year in making the Association work efficiently, smoothly and effectively. Without her dedication and force of personality my job would have been vastly more difficult and far less enjoyable. Mary keeps things moving in the right direction and in a timely manner.

Another individual whose efforts on behalf of our organization are also important is Louise Mooney. As you peruse this edition of Law Notes, please keep in mind that Louise is a vitally important part of bringing each edition together and the quality of many of the articles admirably reflects her professionalism and commitment to the law school and the Law Alumni Association.

I particularly want to thank the members of the Association’s Board of Trustees for their support and commitment throughout this past year. The Board, through its wonderful system of committees, works tirelessly each year to promote the Association’s programs for the benefit of the students, the law school faculty and staff, the alumni, and the legal community in Northeastern Ohio.

As president of the organization, over the course of the past year, I have had the opportunity to see how much the Law Alumni Association accomplishes. Although I have actively participated in the Association since my graduation, until I had the opportunity to see the “big picture” this year, I wasn’t truly aware of what the Association actually does on a year-to-year basis. You might be surprised to know that the Law Alumni Association supports the law school, the students, the alumni and the community each year by:

• Providing a mentor program that pairs local practitioners with students;
• Providing annual scholarships to students who have made positive contributions to Cleveland-Marshall;
• Hosting an annual program where local practitioners visit Cleveland-Marshall and talk to students about their areas of expertise;
• Providing continuing legal education seminars;
• Publishing Law Notes, Cleveland-Marshall’s well-recognized alumni magazine; and
• Hosting numerous social events, such as annual reunion weekends; and the Annual Recognition Luncheon which honors our alumni and faculty and is regularly attended by hundreds of lawyers in Northeast Ohio.

And this is all made possible by the dedication and hard work of the volunteers of the Cleveland-Marshall Law Alumni Association to whom I say thank you for your efforts.

Sincerely,

Michael W. O'Neil '94
President
About the cover artist:
Gail Newman has been making painted wood collages, furniture and decorative objects for twenty-five years. For the past five she has been concentrating on memory paintings on canvas and paper, as well as on wood.

Ms. Newman received an AB degree in 1951 from Bennington College, an MA in Education from Columbia Teachers' College in 1952 and, after coming to Cleveland in 1969, she studied at the Cleveland Institute of Art.

She is represented by The Headfoote Gallery of Cleveland, Ohio, and has had solo and two-person exhibitions in various Ohio, Washington, D.C., and New York State galleries and institutions and in numerous private collections.

Law Notes thanks KeyBank for permission to reproduce Ms. Newman's painting, "Pleasure Boat—the Flats," on its cover.

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We hope you enjoy this new issue of Law Notes and ask that you continue to contribute and respond to information in this and future issues of Law Notes. Special thanks to Leon M. Plevin '57, Donald F. Traci '55, Susan L. Gragel '80, Daniel R. McCarthy '84 and Sheldon Sager for their commitment in support of this publication.

The CMLAA Board of Trustees is dedicated to serving the alumni, students, faculty and staff of the College of Law. For comments and suggestions, please feel free to contact the Law Alumni Association Office at 216-687-2368 or by email at mary.mckenna@law.csuohio.edu.

Law Notes, issued by the Cleveland-Marshall Law Alumni Association

C/o Cleveland State University
2121 Euclid Avenue, LB 121
Cleveland, Ohio 44115
The Law School and the University

by Dean Steven H. Steinglass

T
he modern law school belongs in a university, and for the past 35 years the Cleveland-Marshall College of Law has been an important part of Cleveland State University.

Established in 1897 as the Law Department of Baldwin-Wallace University (as it was then known), the Cleveland Law School became an independent law school in 1899 and from 1916 to 1946 co-existed with its downtown rival, the John Marshall School of Law. In 1946, these two part-time, evening-division law schools merged and operated independently until the late 1960s when the law school again looked for a university affiliation. And after a brief merger with Baldwin-Wallace, the law school merged with Cleveland State University in 1969.

The decision to merge the law school and the University had its critics. Some members of the law school community preferred that the law school remain independent, while others recognized the advantage of a university affiliation but sought a different partner. Likewise, many at Cleveland State University, including members of the CSU Board of Trustees, were concerned about whether the addition of a professional school would detract from the University's mission.

Other Board members, especially Alvin "Buddy" Krenzler and the late Joseph W. Bartunek III, had a different vision and strongly supported the merger. They also had the skills to develop support for their plan. Judge Bartunek, a 1955 graduate of the law school, had been part of the Democratic leadership in the Ohio State Senate and one of the chief proponents of the creation of Cleveland State University in 1964. Judge Krenzler had worked for Republican Governors William O'Neill and James Rhodes. These two lawyers (and future judges) played a pivotal role in developing the political support for their vision of an urban university with a public law school.

Thirty-five years after the merger, it is clear how correct these two founders were.

Today, the law school is a far different institution from what it was during its first 70 years. Though most law students are full time, the law school remains committed to providing an opportunity for the part-time study of law. The part-time evening program has been joined by a part-time day program, and our students have great flexibility as they move between programs and take courses in the day or evening after completing the required first year of instruction.

One need only visit the law school to see how Cleveland-Marshall has benefited from being part of a public university. A private law school might not have been able to raise the funds to build a modern law building in 1977, to build a world-class Law Library in 1997, or to plan the building upgrade that is presently being considered (and is described on page 24 of this issue). Nor would a private law school have been able to maintain a reasonable tuition level. Today, our full-time resident tuition, which will increase to approximately $13,000 per year in the fall of 2004, though increasing significantly in recent years because of state cuts to higher education, is still far less than half of the cost of private legal education in this state and the nation, and our graduates are able to begin their careers without the six-figure educational debt that is common among graduates of private law schools.

And what did Cleveland State University get from the merger? The new University obtained an instant and distinguished alumni base that was, and is, the foundation of the legal community in Northeast Ohio. Cleveland-Marshall has educated many of this region's most prominent lawyers, judges, businesspersons, and political leaders, and the law school's tradition of community involvement is precisely what Cleveland State University President Michael Schwartz has articulated as part of his vision for the University.

Regardless of which school issued our graduates' diplomas, the University can rightfully claim a connection to much of the political and legal leadership of our community, including a current member of the United States House of Representatives, the Honorable Steven C. LaTourette '79, and five former members of the House, Edward F. Feighan '78, Dennis E. Eckart '74, James V. Stanton '62,
Louis Stokes '53, and Robert E. Sweeney '51; the current Cuyahoga County Prosecutor, William D. Mason '86, the current President of the Cleveland City Council, Frank G. Jackson '77 and several of his predecessors, George L. Forbes '62, the late Anthony J. Garofoli '61, and Edward J. Turk '54; 70 percent of the state and federal judges in Cuyahoga County; two of the last three chief judges of the United States District Court for the Northern District of Ohio, the Honorable George W. White '55 and the Honorable Thomas D. Lambros '52; the last two United States Attorneys for the Northern District of Ohio, Emily Sweeney '81 and Greg A. White '77, and three current members of the Ohio Supreme Court, the Honorable Maureen O'Connor '80, the Honorable Terrence O'Donnell '71, and the Honorable Frances E. Sweeney '63.

The University has also looked to the law school for governance, and law school graduates who have served on the Board of Trustees include the current Chairman, Tim Cosgrove '83, and his immediate predecessor, Michael L. Climaco '72 as well as former trustees Joseph W. Bartunek, Annette G. Butler '70, and Anthony J. Garofoli. Moreover, Steven W. Percy '79 has served as the Chairman of the Cleveland State University Foundation.

In the law school, the University also obtained a partner for many of its academic initiatives. Today, in recognition of the important role that law plays in other disciplines, the University, through collaborations between the law school and the Maxine Goodman Levin College of Urban Affairs and the James J. Nance College of Business Administration, offers four joint-degree programs that allow students to receive both their J.D. and Master of Business Administration (M.B.A) or a J.D. and Master of Public Administration (M.P.A.) or a J.D. and Master of Urban Design and Development (M.U.P.D.D.) or a J.D. and Master of Environmental Science (M.E.S.). In other words a student can earn two graduate degrees in one four-year program.

The law school and the University both benefit from the faculty's participation in the community of scholars and researchers that only a university can attract. During the last 35 years, the law has become more complex, and the study of law has become more interdisciplinary. The law school faculty includes a number of teachers with doctoral and other advanced degrees, and the University faculty includes a number of teachers with J.D. degrees and with academic interests in the law. The ability of law faculty to work with faculty from the College of Business Administration and the College of Urban Affairs and from the Departments of Art, Psychology or Sociology (to identify only a few of the recent collaborations) strengthens all disciplines and contributes to what it means to be part of a University. And this participation by the law school faculty in the intellectual life of the University has been recognized by the membership of 22 members of the law school faculty in the University's Graduate College.

The number of patrons and the circulation statistics confirm the Law Library as yet another important resource for the entire University. The Law Library's 500,000-volume collection is the second largest collection of legal materials in the state, and faculty and staff throughout the University avail themselves of the collection as well as the assistance of our full-time reference librarians.

The law school faculty also play an important role on issues of University governance. The first President of the Faculty Senate was a law school faculty member, and last year a member of the law school faculty, Professor Patricia J. Falk, chaired the committee that developed a proposal for the University's first comprehensive Honors Program for academically superior undergraduates, one of President Schwartz's most important initiatives.

Composed of seven colleges and a graduate college, Cleveland State University is younger than many of its parts. A university's strength and reputation rest on the different strengths of each of its components. The University and the law school have strengthened one another and fulfilled the vision of those who, four decades ago, understood that a public urban university would benefit from a law school and that a modern law school would benefit from a university.
Presenting the 2004
Cleveland-Marshall
Law Alumni Association
Distinguished Alumni:

Sheryl King Benford

Sheryl King Benford '79

The office of the Greater Cleveland Regional Transit Authority General Counsel and Deputy General Manager for Legal Affairs, Sheryl King Benford, is in a restored turn-of-the-century building in the heart of downtown Cleveland's Warehouse District. To be admitted into the building and the office of the General Counsel, a visitor must sign in, wear a visitor's badge, pass an informal inspection, and be escorted to her destination. So my first question to Sheryl is, "Why all the security?"

As it turns out, the heightened security is a post-9/11 precaution, and on March 11, when terrorists simultaneously detonated 10 bombs on commuter trains in Madrid during the morning rush hour killing 200 citizens on their way to work, I had an enlightened vision of the responsibilities that rest upon the shoulders of our graduate of the class of 1979, Sheryl King Benford. I also knew that Greater Cleveland's transit system was in good hands. For Sheryl is in charge of GCRTA's Legal Affairs Department, which includes the Safety Department—the department that deals with safety issues and employee and rider protection.

The life Sheryl was shown is not the life she chose; instead she chose the life she dreamed. Listening to her speak, I found almost immediately that many of her considerable accomplishments began with someone telling her there were challenges involved and hardships ahead because she was (1) not a boy, because she was (2) poor, because she was (3) a woman, because she was (4) a black woman. In many ways, being told she could not do something has defined her life. And about that word, "challenge"? She loves it. So, I am confident she will be able to tackle whatever drops on her doorstep—at GCRTA or anywhere.

Sheryl King Benford is not only the law school's proud product; she is also the city's. She began life in her parents' home in Cleveland public housing; a sister, Valerie, was born 19 months later. Sheryl spent her first school years at Case-Woodland Elementary School. But then, as she explains, "My mother was diagnosed with tuberculosis and

Benford continued on pg. 6
and Tim Russert

Tim Russert ‘76

To look at Tim Russert is to see the people and the map of Ireland writ large: An openness in his expression, a keen and ready wit, a genial, welcoming manner—all right there on the surface, so that he might appear for all the world to be, in Yeats’s phrase, “a smiling public man.” In fact, he is that and much more; fortunately, however, among his many Irish traits, the gift of blarney is decidedly absent, and for the past dozen years, Tim has been the straight-talking, cut-to-the-core, hard questioning moderator of NBC’s “Meet the Press.” For many of his guests, spending a pleasant Sunday morning hour on “Meet the Press” has turned into a call to judgment.

The Law School’s Most Visible Graduate

Before joining NBC News in 1984, Russert—1976 Cleveland-Marshall diploma in hand—prepared for his career in journalism by broadening his political expertise in the executive and legislative branches of the government as counselor to New York Governor Mario Cuomo and as special counsel and Chief of Staff to US Senator Daniel Patrick Moynihan, who eventually helped him land his job at NBC. Tim first appeared on-air for NBC News in 1990 and took over the helm of “Meet the Press” in 1991. Since then the 57-year-old program has become the most quoted news source in the world, and its national audience has grown by leaps and bounds, making it America’s most watched Sunday interview program and perhaps the country’s most influential. Unquestionably the law school’s most visible graduate, Tim has interviewed every aspirant and every occupant of the White House since 1991; he has grilled as well members of Congress, foreign diplomats, heads of state, kings, generals, members of the President’s cabinet, heads of the FBI and CIA, and practically every major player on the national and international political front—from David Duke to King Hussein to Tony Blair to Jesse Jackson to Hillary Rodham Clinton to Prince

Russert continued on pg. 7

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spent the next several years at Sunny Acres Sanitarium. Our parents divorced, and for a while Valerie and I were in foster care. Then our father remarried, and we lived with him and his new wife in Hough. Eventually Sheryl and Valerie had two half-brothers and two half-sisters.

**Do What Your Teacher Says?**

Japanese, Hungarians, American Indians, Puerto Ricans and, of course, white and African American children attended her new school, Dunham Elementary in Hough, but though the school was institutionally integrated—a mix of post World War II Americans—at heart the school was segregated. "When I first went to my new school, I was tested once; then I was tested again," she recalls. The problem was not that she tested poorly but that she tested too well. "You're a freak, an overachiever," her second-grade teacher told her. "Black kids don't test this well." Her teacher soon found she had an even bigger problem on her hands: a child who was black and didn't mind being black. "I had a beautiful box of Crayola crayons. We all drew pictures of our families. I colored my family our colors: tan, brown and then very dark brown. The teacher scolded me: 'You can't use those colors; you have to use the flesh-colored crayon,' which was sickly pink. 'Do what your teacher says,' my father said. But my family isn't pink," she insisted. "I won't color them pink." And she didn't.

Today she says, "I learned early on I could compete with anyone. I was as bright as anyone. Some were brighter, some were not, and it didn't matter what race they belonged to. People were people and I always felt that people were more alike than they were not."

"Know Any Black Women Lawyers?"

"My mother was released from Sunny Acres when I was around ten, but her doctor said she was only strong enough to care for one child. My sister was younger and hardly knew my mother, so she went to stay with her and I remained with my father." It was not an easy life. "I used to think of myself as Cinderella: cooking, cleaning house, taking care of the kids. School was really my refuge." One day lying on the floor in my father's living room, watching the old Perry Mason show on TV, Sheryl remembers telling her father, "This is for me."

"Are you crazy?" he scoffed. "Do you know any black women lawyers?"

"My father was old-fashioned; he did not believe in education for women," Sheryl remarks. "Women got married and had kids." Her father may not have known any black lawyers, but he didn't know his own daughter either.

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Bandar. And, on top of that, he is the single American TV reporter to have induced a Pope to sit down for a chat.

Big things—sometimes career-defining things—happen on “Meet the Press.” In the past few months alone, Ralph Nader announced his campaign for the Presidency; Howard Dean took the first steps toward sabotaging his own candidacy by testily objecting to Tim’s questions, and Ambassador Paul Bremer, Presidential Envoy to Iraq, brought some discredit to his authority when he failed to respond adequately to Tim asking him, “On June 30, You’re going to turn the keys over to the Iraqis. Who do you turn them over to?” (“Meet the Press” transcript, 4/11/04).

So, Who Do You Think Tim Votes For?
There are rabid web pages that accuse Tim of liberal bias and rabid web pages that accuse him of conservative bias. The truth is, Tim is so unrelenting in his questioning it would be difficult to make a definitive case one way or the other. For example, this year on February 8th Tim hurled this question at President Bush: “How do you respond to critics who say that you brought the nation to war under false pretenses?”; he then asked him, not once but three times, whether he would appear under oath before the special committee investigating the circumstances leading up to September 11. Conversely, on April 18 he opened his interview with Presidential rival John Kerry by showing him focus group figures that favored Bush over Kerry when the groups were asked, “Which candidate says what he believes?” Tim continued his probing by reporting that Kerry’s commanding officer had questioned the merit of Kerry’s first Purple Heart and by asking the candidate to make his military records public.

In other words, Tim Russert is not for sale; in fact, in the judgment of at least one member of his audience, his greatest virtue is to hold up all points of view to impartial scrutiny and to hold the powerful of this world accountable for their decisions and actions.

On one issue, however, both his detractors and his fans are in accord: Tim knows his stuff. On a visit to the law school shortly after the scrambled 2002 election, Tim described his weekly preparations for “Meet the Press,” “I read six or seven newspapers a day and every magazine and journal and book I can get my hands on; watch every interview that these candidates give or our leaders give and the statements they offer on the floor of the House or the Senate and inside the governors’ mansions. You have to read newspapers that represent both political philosophies, whether it’s The New York Times or the Washington Post or the Wall Street Journal or the Washington Times and create as much balance as you can. And really try to have a true sense of how [policy makers] have come to their conclusions and how well versed and articulate they are in their proposals. Or are they simply [consumers of] fodder that has been dropped into their heads by campaign consultants? I try very hard to anticipate their initial stock response, their prefab answer, if you will, their canned reply, and take that away from them and force them in the second, third, fourth follow-up to provide some true sense of where they want to lead the country.” It is Tim’s incredible command of material that accounts for his success and raises the ire of those flummoxed by the questions of a man who knows more about them than they do—the journalist who has facts, figures, statistics, who can flash a quotation on the screen and demand a coherent explanation, whose antennae for contradiction can utterly disarray the self-promoters and the self-righteous. Let us just say, he fears none, and any criticism he receives, he rides out.

**“Big Russ”**
There is, however, one viewer whose opinion of his performance he seeks after every “Meet the Press” session: his father, Timothy Russert, the subject of Big Russ and Me: Father and Son: Lessons From Life, a homage to his father and a portrait of his own upbringing in post-WWII Buffalo. The elder Timothy Russert quit school in the tenth grade to serve in the war. After the war he worked days for the Sanitation Department and nighttime drove a truck for the local evening paper in order to raise his four children and give them a chance at an education he never had. According to an early review of Big Russ and Me in Booklist, “Russert celebrates his father’s generation, young men who went off to Europe for World War II and returned to create the largest middle class the U.S. had ever known, a generation known for their stoicism and sense of duty. . . . He recalls his tight-knit neighborhood in working-class Buffalo, dominated by the Catholic Church and the American Legion, where neighbors looked out for each other as children played hide-and-seek and captured-the-flag, listened to radio shows, and watched television favorites.” And, sometimes, the future TV journalist was drawn to watch “Meet the Press,” where he might see Nixon or Kennedy or Castro being interviewed by Lawrence Spivak or any of the seven moderators who preceded him to his NBC job.

According to another “Big Russ” reviewer, Tim’s world was “anchored by the institutions of marriage, family, church, school” and the Jesuit counselors who “strengthened and solidified” his character. And at his world’s center was always Russert’s father, a man he unfailingly calls “his hero.”

Tim, who is also NBC Washington Senior Vice President and political analyst for “The Today Show,” tells any and everyone that he is the first member of his family to go to college, that the road that led him from his Catholic elementary school to his Jesuit high school and college, John Carroll University, to Cleveland-Marshall and ultimately to NBC was a road he traveled with little money and the riches of determination. The gifts he assimilated from his father’s persistence in believing that the America he fought for would not fail his children.

In the Days of the Butterfly Ballots
During and following the unsettled 2000 Presidential election, there was no political commentator more reliable in
Master's degree in education from the University of Akron.

**Revisiting Perry Mason**

By 1976 the Perry Mason show was languishing somewhere in the late night fog of reruns, but that little girl's dream was still playing in full color on the large screen at the back of Sheryl's mind, and three years after the Shaw High School Unit Principal enrolled at Cleveland-Marshall, she was able to hang up her law degree beside the other degrees lining her office wall. And that was an accomplishment that most full-time-employed students barely manage in four years as part-time students.

Sheryl did not slip unnoticed through Cleveland-Marshall. Teachers and administrators noticed her, and on the eve of her graduation, Dean Robert Bogomolny hired her as the law school's Assistant Dean of Admissions, and, once more, she was the first African American woman to hold that job, and she hadn't yet taken the bar! Students had noticed her too, and one in particular, Ron Benford '79, a CIBA-Geigy Pharmaceuticals drug representative, announced to any who would listen that Sheryl King was the girl for him. And she was: The Benfords were married in 1980. Of course, before she agreed to marry him, Ron, who had been a leisurely student, had to prove he could keep up with Sheryl: That meant he had to exhaust himself in serious study so that the pair could graduate together in the same class.

"I wanted to do everything. I wanted to practice law, to deal with clients, to litigate," Sheryl says by way of explaining why, in 1981, she left law school administration to take a job as an Assistant Director of Law in the City of Cleveland Law Department. She got what she bargained for in one of the most demanding legal departments in the nation. "I loved that job. I did everything they let me do: I tried cases, represented clients, dealt with everything from employment issues to tort litigation to drafting legislation. I created my own job, and I never had to carry anyone else's briefcase." She remained with the department until 1984 when it was time for her daughter, Dorothea (who likes to be called "Dory"), to be born. Dory joined her half-brother, Kevin, Ron's son by a previous marriage, and, if affection counts, he is Sheryl's son also. "They are two great kids," she announces.

"Every year that I was gone, the Cleveland Law Director, Marilyn Zak, called me and asked me to come back. When Dory was three and kept wondering whether I didn't have a trial to go to, I decided the time had come. Russ Adriance ('55), who was legal counsel at GCRTA, wanted me to work for him, and I was considering it. Then I got another call from Marilyn Zak saying, 'Someone called me from RTA checking your references. Whatever they offer, I'll pay $2,000 more.' And thus the GCRTA was the next stop for Sheryl.

**GCRTA-First Time Around**

This is a woman who thrives on challenge and change, and when GCRTA dangled an irresistible carrot in front of her—to head-up the close-out of the Tower City Station project—she rose to the occasion and accepted the position of Associate Counsel. As she explains, the Tower City project, a partnership between public and private entities that transformed the old Terminal Tower station into an indoor mall, was about to be concluded and there was a disagreement involving millions of dollars in change orders. "I was just supposed to fill in as kind of contract lawyer, but I'm a big picture person, and I thought we could do a better job for the public partner. I told the General Manager, and he agreed. I thought he would appoint one of the men already working on the project, but, instead, he appointed me. It was a wonderful experience: I learned so much; I learned construction law, real estate law, dispute resolution, and I supervised engineers, finance support staff, and outside legal counsel." As her husband Ron remarked, "You take little jobs and make them enormous." Which is to say: She makes them worthy of the worker.

**Shaker Heights Residents, Thank the Honorable Patricia A. Hemann '60**

In 1991 a group of women lawyers, many from Cleveland-Marshall, founded the Ohio Women's Bar Association, an organization long overdue in the state. Sheryl was among the founding mothers and so was United States District Court Magistrate Judge Patricia A. Hemann. Riding together to Columbus to set up the organization, Judge Hemann mentioned she was on the transition team for the new Shaker Heights Mayor, Pat Mearns; she urged Sheryl—not once, but several times—to apply for the law director position. "She really insisted," Sheryl recalls. "I had an old beat-up Xeroxed resume in my briefcase, and Pat took it to the transition team." Does anyone doubt what happened next? Scores applied; the Mayor's first choice was Sheryl King Benford. As the city's chief legal counsel, she had oversight for all the city's civil and criminal legal operations and was the mayor's indispensable counsel. "It worked beautifully; Pat was a stupendous mayor. We had such a productive and friendly relationship, and we did great things for the city. That was a fulfilling time in my life."

**GCRTA- Second Time Around**

Mayor Mearns served two terms with Sheryl at her side and decided not to seek a third, so when Ron Tober, then GCRTA's General Manager, asked her to apply for the General Counsel position in 2000, she agreed, was interviewed, was swiftly hired and today finds herself working for the 13th largest transit system in America, directing the legal activities of a staff of over 40 employees and safeguarding the safety of a huge ridership of over 52 million greater Clevelanders crossing and re-crossing the city and its suburbs yearly. And this massive responsibility she bears with efficiency, grace and unflappable decorum. Sometimes she must call upon all her resources of courage as well: Sheryl was hired in April; in September her husband was diagnosed with pancreatic cancer and died four months later in January 2001. "Ron insisted that I continue working," she recalls, and as difficult as that was, the people here were wonderful. They and the work sustained me and kept me sane.

**What Goes Around . . . ?**

In that Sheryl has twice returned to work for previous employers, it crosses my mind happily that perhaps she might find her way back to Cleveland-Marshall, so I ask her whether she thinks she will be at GCRTA forever. "This is such a great job," she says. "I'm able to do so much here: We handle claims and workers' compensation,
safety issues and so much more. A well-functioning public transportation system is critical to the environmental and social health of our country. I’ve always done public sector work; it’s doing the work of the people so it’s the most rewarding job you can have. I’m very proud to be where I am, now, at this moment.”

But, still I think; Cleveland-Marshall is a public law school, so why not? We can always hope. After all, we know the words that work magic on her: “challenge,” “responsibility” and, now, “public service.” And, if all else fails, just tell her. “You can’t,” and see what happens. LFM

Law Notes thanks Ms. Benford’s assistant, Gizzela Gregoire, for her help in writing this article.

Russert from pg. 7

his reporting than Tim Russert who, with the help of his now famous chalk board (he calls it his “tote board,” and it is now the property of the Smithsonian Institution), consistently outfoxed computers as he configured and reconfigured the scenarios that would play out if Michigan or Pennsylvania or Florida went this or that way; if “chads” were pregnant or “swinging”; if this court or that ruled this or that way. And he was surely one of the few reporters who could with some clarity repeatedly explain the electoral system or forecast the course of the election if it were thrown into the House or into the Senate.

On November 11, 2000, in the thick of the ensuing post-election melee, Tim visited the law school to speak to our students and the legal community; this is what he said about our country: “It’s seven days after the election, and we don’t know who the 43rd President of the United States will be . . . and the wonderful thing . . . is that we can laugh about it and talk about it. And it’s our Constitution before us, working 200 years after our founding fathers devised it. It’s our local, state and federal levels actively engaged. And I don’t have any trepidation or fear. . . . [T]he country is secure. . . . There’re no tanks, there’re no demonstrations, there’re no troops in the streets... [and] we know we are going to work through this. . . . Through a mixture of good will, our legal system, and the Constitution, we will find an end and reach a conclusion. [W]hat an extraordinary and successful experiment we are!”

He has told our students, “My legal training is the underpinning of what I do each and every Sunday. It taught me to assimilate huge amounts of information and in a very disciplined and logical way to reduce [the information] to the essential issue.”

“Everything Flows from There.”

Our honoree has never forgotten where he came from and how he came to be where he is. He keeps up with Sister Lucille Socciarelli RSM, his seventh grade teacher at St. Bonaventure’s School in West Seneca, New York, who created a class newspaper and made him its editor; who insisted that he go to Canisius College, John Carroll University, and thanks his law alma mater as the underpinning of what I do each and every Sunday. It taught me to assimilate huge amounts of information and in a very disciplined and logical way to reduce [the information] to the essential issue.”

Moreover, his gratitude goes beyond words: He has told our students, “My legal training is the underpinning of what I do each and every Sunday. It taught me to assimilate huge amounts of information and in a very disciplined and logical way to reduce [the information] to the essential issue.”

Tim’s book will be on sale and he will autograph your copy at the CMLAA Annual Recognition Luncheon at the Renaissance Cleveland on May 27.
WHY I LOVE BEING A MENTOR

By Vincent T. Lombardo '81

Cleveland-Marshall Law Alumni Association is unique in having a Mentor Program. Under the leadership of Sheryl King Benford '79 and Gregory F. Clifford '81, Minority Concerns Committee Chairs, the Law Alumni Association began a Minority Mentor Program in 1990 to increase the retention rate of minority students. The program was sponsored by CMLAA's Minority Concerns Committee and was so successful and so popular that the program was expanded to include all students the following year. Under the aegis of the Association's Professional Opportunities Committee, an average of 150 law students per year—almost all first-year students and transfers—have participated in the Mentor Program. Thus, some 1,800 law students have taken advantage of this Program since 1991, and an equal number of attorneys have volunteered their time to be mentors. Under the guidance of CMLAA Executive Director Mary McKenna, this program is driven entirely by volunteers.

Most dictionaries define a mentor as an advisor, counselor, or teacher, and a good mentor is all of these things and more: He or she is also a friend. The purpose of the Mentor Program is to provide students with someone who can guide them, advise them, and give them emotional support. The March 1995 issue of the ABA Journal contained an excellent article on mentoring, which stated that there are three components to being a good mentor. First, the mentor is a teacher, the "information professional." Second, the mentor is a "connector," a person who helps make the necessary connections for the student along his or her career path. Finally, the mentor is a friend, someone who manages the heart and spirit of the mentor-student relationship.

I have been a mentor since the program's inception, but my definition of "mentor" is a bit more idiosyncratic. Yes, I am teacher, connector, and friend, but I am also a coach. I spend lots of time motivating my students, encouraging them to push themselves, telling them that they will survive the first year of law school. Although the program's guidelines instruct the student to initiate contact, I always initiate contact with my new mentees, typically by e-mail. I introduce myself and give them this unsolicited advice: "Take law school seriously." I tell them to study hard, find out what their professors want, and give it to them, and avoid those students who are negative and not committed to performing their best. I then schedule lunch with them and reiterate these points.

After the first meeting, I e-mail my mentees a few more times, but if they do not respond, I stop. A few of my mentees (not many) have decided not to take further advantage of the program. But most have kept me as a mentor after the first year and even after graduation. I write my students letters of reference, call potential employers singing their praises, give them tips on how to interview with particular lawyers, and help them maintain their sanity while studying for the Bar.

Over the years, I find myself giving as much personal as professional advice. I have found that I cannot counsel a student about curriculum and career if he or she is troubled or preoccupied by other issues, so now I advise my students on everything from managing their course loads to managing their busy lives outside of law school.

What do I get out of this? Like me, most of my mentees are the first in their families to go to law school, and I find it most satisfying to give these students direction and instill confidence in them that they, too, can traverse unknown terrain. It is wonderful to see them succeed while maintaining civility and decency because, above all, I impress upon my mentees that they need to be ethical, professional, courteous, and well-rounded. They are not just good students and good lawyers, but good people. Mentoring allows me to contribute to a law school that I revere and to a profession that I still love after 22 years of practice. But the most fulfillment that I have received as a mentor is seeing my mentees themselves become mentors. The circle is unbroken.

Being a good mentor requires energy, commitment, and good listening skills, but you must also accept the fact that students will not always heed your advice and may fall flat on their faces as a consequence. But that is as it should be: The mentor is there to advise and counsel, not to decide. In the final analysis, the mentor is above all a teacher, one who does not provide the answers but leads students to find the answers for themselves. As Kahlil Gibran described a good teacher: "If he is indeed wise he does not bid you enter the house of his wisdom, but rather leads you to the threshold of your own mind."
Thanks to Mentors

Mr. Matthew B. Abens
Mr. Gary S. Adams '83
Ms. Beverly A. Adams '02
Mr. Louis S. Aliberti '97
Mr. Richard C. Akre '80
Mr. Richard J. Ambrose '87
Ms. Donna M. Andrew '96
Mr. Kemper D. Arnold '80
Mr. Michael Babinski
Mr. David A. Beal '82
Ms. Teresa Beasley '93
Mr. Christopher S.W. Blake '99
Ms. Chirsana Blanco '01
Mr. Timothy A. Boyko '89
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Mr. Henry W. Chamberlain '90
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Mr. Gerald R. Walton '80
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Ms. Patricia F. Weisberg '85
Mr. Joseph H. Weiss, Jr '99
Ms. Wendy Weiss '97
Ms. Darlene E. White '00
Ms. Jennifer W. Rennino '99
Ms. Laura A. Williams '82
Mr. Mark N. Wiseman '92
Ms. Deborah W. Yue '94
Mr. Michael J. Zidar '88

Spring 2004
FOUR STUDENTS,
FOUR VISIONS,
ONE GOAL

A Look at Some of Cleveland-Marshall Law's Finest

By Brigid Gallagher

Meet Kyla, Terry, Melanie and Brendan, just four of Cleveland-Marshall's promising law students. Each has led a productive life, each has an accomplished past, and each has passion that's undeniably propelling all of them towards a future filled with successes. Though they differ in various arenas, from hobbies to political interests, they all share a common goal: to serve actively their community by striving towards justice, whether it is in the court room or on the floor of the United States Senate. It's clear, even from merely glancing at their resumes, that these four have been on the go since, well, birth. And they're just getting started.

Kyla Pavlina

"The toughest job I ever had was working on a turkey farm in high school." A surprising answer to my question, considering it came out of the mouth of a woman who in 1996 was ranked sixth in the nation in pole vaulting; of a woman who,
while working towards her undergraduate degree, co-established "Tender Loving Care," a non-profit organization that works with homeless women with children in New York City; of a woman who lobbied issues at fundraisers for the Office of Senator Hillary Clinton. Clearly, athletic talent and active compassion are traits so innate to Kyla Pavlina, second-year law student, that shoveling some turkey droppings was more of a challenge than, say, spending two months training under Vitaly Petrov with the Italian pole vaulting Olympic team.

A 2002 graduate of Columbia University with a B.A. in Political Science and Minor in Middle Eastern Politics, it's obvious from the get-go that Kyla is no stranger to testing her abilities and pushing herself to the utmost extent. She explained, "I am my own worst critic and competitor. Competition always pushes me." An all-around athlete, Kyla holds both the indoor and outdoor Ivy League pole-vaulting records at Columbia and, in 2000, was awarded the All Team Ivy League Award. Running is her "second love" (her first being jumping) and she's currently training for long distances and has already run in two half-marathons.

But athletics are just one of her many strengths. Her volunteer experience as Community Coordinator for Tender Loving Care (TLC) in New York City serves as a testament of Kyla's determination to take action when it comes to providing help to less fortunate citizens. "A few fellow undergrad students and I started the program to support homeless women and help take care of their children. The women would attend resume, self-help and parenting classes. On Saturdays, the children were given consistency, food, love and most of all an education. As a group we focused on teaching the children the importance of reading, sharing and caring."

Besides being a full-time law student and a member of various activities, including the International Law Students Association and Delta Theta Phi, Kyla has been working as a law clerk for the Cleveland Municipal Court since May of 2003. She was always attracted to law but her interest did not fully develop until she took a summer internship position with Senator Hillary Clinton in 2001. "At first I worked on cases involving women and children, such as adoption for children from Russia to the U.S. These matters were draining because children with birth defects were not accepted by their own countries, yet getting them safely to the U.S. was sometimes impossible. Later, I lobbied at the Senator's fundraisers. She was the most amazing mentor and advisor. Her legal analysis, writing and skills articulate the very essence of a superior legal mind."

Born in San José and raised in east bay San Francisco, Kyla is a true California girl and plans upon graduation from Cleveland-Marshall to return to San Francisco and pass the state's bar exam. She is eager to return home and spend time with her parents and two brothers and to begin her career as an attorney. Kyla hopes "to give to those who gave to me" through both her personal and professional dealings. "Law school is much more than becoming a lawyer," she asserted. "It is a way of thought. And her final thought? "I plan to accomplish any goal I tackle." Well, Kyla, why break your winning streak now?

**Terry Billups**

"When I was a kid I would tell everyone that I was going to be a federal judge because I heard that they could never lose their jobs. Later I found out that this was called lifetime tenure." Second-year law student and recipient of both the Dean's Scholarship Award and the Louis Strokes '53 Scholarship Award, Terry Billups has known since he was a nine-year-old boy that he wanted to be a judge. Born in Weisbaden, Germany, where his father was stationed in the Air Force, the Billupses moved to Florida a year later and Terry was raised in Fort Walton Beach and Orlando. His sincere passion for law and his determination ultimately to become a federal judge is, to say the least, inspirational.

Terry is serious and genuine, and his attitude is practically contagious: "Law school gives me the ability not only to have a direct hand in helping mold and un-mold areas of the legal field, but possibly to be an educator. Federal judges are called upon to make decisions that affect the most important areas of our lives as American citizens. Thus, I want to be one of those few who make these decisions. Plain and simple, nothing less."

And he is putting forth nothing less than his best efforts when it comes to fulfilling his lifelong dream. From the very beginning he jumped right into law school: An active member of various programs and organizations, including Moot Court, the Ohio State Bar Association and the Black Law Students' Association, Terry is also a legal writing and research teaching assistant for Professor Deborah Klein '78. Oh, but there's more. It's apparent that Terry likes to keep busy since, in addition to his school and extracurricular activities, he also works for United States District Court for the Northern District of Ohio Magistrate Judge Patricia A. Hemann '80 as a judicial extern. "She is teaching me the ropes of being a federal judge." He credits both Judge Hemann and Juvenile Court Magistrate...
Judge Laura Williams ‘82 for being extremely influential and helpful role models. This summer he will return to the law firm of Hahn Loeser + Parks as a partial summer associate and eventually join the law firm of Squire, Sanders & Dempsey.

But enough about Terry’s present state and blindingly bright future. His previous undertakings are just as impressive and interesting. While Terry was completing his undergraduate degree at the University of North Carolina at Chapel Hill, he founded and became executive producer of Blank Pictures, a student organization created to document the struggle for human rights through film. In 1998, Blank Pictures received the John Hope Franklin Documentary Award for work on “The Last Victim,” a film tracing the hardships and legal injustices faced by mother and son Wilena and Kwame Cannon of Greensboro, North Carolina. Kwame had spent 13 years of two life terms in prison for two non-violent burglaries committed when he was 17. Many considered the harshness of the sentence an act of retribution against Wilena Cannon for her involvement in a suit brought against the Greensboro police, the KKK, and the American Nazi Party for the 1979 murder of five prominent anti-racist labor organizers associated with the Communist Workers Party. The efforts of several grassroots organizations and the success of Terry’s film eventually helped persuade the state to commute Kwame’s sentence; he was released in 1999.

After graduating in 1998 from UNC with a B.A. in Communications, Terry went on to play three years of professional football for the Dallas Cowboys and the New England Patriots. “It was one of the greatest experiences of my life. I had the opportunity to compete against and with some of the greatest athletes of all time. Words cannot describe what it was like starting my first game in the NFL on Thanksgiving Day in front of 70,000 fans at Texas stadium—basically breathtaking!” During his years as a pro athlete, Terry also had the time to manage national recording artist, Jennifer. As her executive producer, he negotiated tour dates and landed Jennifer a record deal with EMI Records. Additionally, he wrote, produced and directed her music video, “Y U Callin’ Me.”

Terry is a “strong and passionate Christian,” and his faith, as well as his family’s love and support, have taught him that there is nothing that he cannot achieve if he puts his mind to it. “If I could play in the NFL weighing 173 pounds, one of the smallest players, after two reconstructive shoulder surgeries, there is nothing that I cannot do. I truly believe that I can make a difference in society.” Terry, you already have.

**Brendan Doyle**

“I have a great Irish family—we enjoy laughing and telling stories, and nobody is exempt from getting a little grief once in awhile.” It was obvious from initial discussions that Brendan Doyle, third-year law student, Moot Court member and Vice President of Programming for the Student Bar Association, is the product of a large, kind, good-humored Irish family. Son of Cleveland-Marshall alumnus, William “Bud” Doyle ’70, he hopes to follow in his father’s footsteps by practicing law in Cleveland: “My father truly enjoys assisting people with legal difficulties, and he has said often that he would never want to retire. Growing up listening to him discuss his work, I decided that I too wanted to pursue a profession that could bring an individual intimately into the lives of so many people.”

Born and raised in University Heights, Brendan attended Cleveland’s St. Ignatius High School and later graduated from Loyola College in Maryland with a B.A. in History and minor in Communications. Extremely active during his years at Loyola, Brendan was a member and officer in various organizations: He was Executive Vice President of the Student Government Association and Chair of the Honor Council, so it is no wonder that in 1999 he received the school’s Action, Loyalty, Integrity, Values and Ethics Award (A.L.I.V.E.) and was included in the yearly publication of *Who’s Who in American Colleges and Universities*. After graduating, Brendan returned home to serve as a Young Alumni Volunteer at his high school alma mater, St. Ignatius. During his year there, he assisted in the supervision and direction of its Sophomore Community Service Program. “The entire year was my chance to give back, in some way, to the school that had given me so much.”

From there, his legal interests were further fueled through his work experiences. During three of his college summers he had worked for Cuyahoga County Commissioner Tim McCor-
mack '72, and for almost a year-and-a-half before he began law school, he worked as a full-time aide with the Commissioner. Brendan cannot praise Commissioner McCormack enough for his values, morals and life priorities: "I knew nothing about Commissioner McCormack when I started with him in 1997, but over time he taught me to have the courage to be strong in my convictions in the face of adversity because, in the end, you have to live with yourself and the decisions you have made over the course of your career. I respect that." Although he remembers that year-and-a-half as the "toughest and best job I ever had," he is full of praise for the Commissioner and the Commission. "The number of issues that county government works on at any one time is amazing. You have to be constantly at the top of your game in order to try and keep things running smoothly and efficiently. That job had early mornings and late nights, but I wouldn't trade the experiences and the lessons learned from the people there for anything."

In the summer of his first law school year, Brendan had the "amazing experience" of externing in the court of United States District Court for the Northern District of Ohio Judge Donald C. Nugent '74. In his second year he clerked in the Cleveland law firm of Reminger and Reminger, L.L.P., where he assisted attorneys in preparing their civil defense cases and absorbed the exciting energy of presenting cases in front of juries.

Due in no small part to his experience working for the county and his loyalty to his hometown, Brendan plans to return to public service work after he graduates in May. "When I see the negative things being written about Greater Cleveland in the newspapers and on television, I want to be part of the solution. When working at the county, I was inspired by my colleagues who worked tireless and thankless hours for thousands of dollars less than what they could have been making in the private sector because they wanted to help bring the community back to where it should be. Right now, my goal is to be part of that effort."

At a time when young adults seem to be flocking out of Cleveland in herds, Brendan's loyalty to his hometown and his determination to improve the lives of its residents is quite admirable. "I am motivated by my desire to make a positive impact in the community, as well as my hope to continue making my family and friends proud of me."

It's truly a comfort to know that Clevelanders will have Brendan working for them in years to come. The city could use a few more Brendan Doyles.

Melanie Bordelois

"I really like the way you have to think when you're doing legal work. I'm a problem solver and I like to help people and those reasons combined are why I decided to go to law school." Committed, or perhaps over-committed, is the word that best defines Melanie Bordelois, third-year student, Vice President of the Student Public Interest Law Organization and new mother. She ranks in the top five percent of her class academically but is currently taking a semester off to spend time with her newborn baby daughter, Sylvia. "My relationship with my husband and the family we're establishing is one of my greatest accomplishments to date."

But Melanie is no stranger to achievements. "Injustice is my greatest motivator." And boy, has she done things. Born in Brea and a 1990 graduate of Denison University with a B.A. in Latin American Studies, Melanie moved to Chicago and spent two years volunteering for the Chicago Religious Leadership Network on Central America. While there, she served as Assistant to the Director, led delegations for advocacy days in Washington, D.C., and maintained a human rights emergency response network, among other things. "The experience was amazing. It gave me the opportunity to view the world through someone else's eyes. I was paid a very small stipend, so it gave me insight into the lives of people on welfare. Yet, at the same time, it was a very surreal experience because I knew I was doing it voluntarily, of my own accord. I knew the life I was leading, unlike others' lives, was a life I could leave behind."

In 1995, Melanie began work for the National Coordinating Office on Refugees, Returnees and Displaced of Guatemala, which took her to that country for two years. Her first year was spent living in a remote community of refugees, who had fled the country in the early 1980s but had returned before the Guatemalan Civil War ended. "I was a Human Rights Observer, and my basic job was to just be there in the community because the returning refugees feared for their safety and were afraid of the Guatemalan military."

During her second year, Melanie relocated to Guatemala City and became co-coordinator of the Human Rights Observation Project. Through her guidance the program took flight and today "continues to send Human Rights Accompaniers to different returning refugee communities." Upon coming home, Melanie set up a sister human rights community at Oberlin College that trains and sends students to Guatemalan refugee camps. "My time in Guatemala had a profound impact on me. It really impressed on me the importance of a judicial system that functions adequately and that can really contribute to a more just and free society."

Melanie's passion for public interest causes has only increased over time, and in 2002 she took a summer position as a law clerk for Farmworker Legal Services in Michigan. While there, she enjoyed assisting clients and performing educa-
tion work in migrant labor camps. Last summer, she served as extern for United States Sixth Circuit Court of Appeals Judge Karen Nelson Moore. "Basically, the experience was intense and I did exclusive research and writing. Since I enjoy people contact, the combination of both summer jobs—farm worker and working for the Judge—was ideal." When Melanie isn't studying or working for a cause, she enjoys cooking, swimming, knitting and gardening.

As for the future, Melanie would like to practice law immediately after graduation. She would, however, also enjoy doing advocacy work and lobbying for a non-governmental organization like Amnesty International or Human Rights Watch. She recognizes that she's a bit of a contradiction: "I am very committed to public interest life, public interest causes and not making a lot of money doing those things. At the same time, I tend to have very expensive tastes. I enjoy theatre, ballet and nice restaurants. So trying to balance those things is somewhat difficult." Regardless, Melanie's commitments—from her family to human rights to public justice—depict a morally conscious and compassionate future leader. "I am compelled by things that I hear and see that motivate me to do something." The only question is: where will her convictions take her next?

Brigid Gallagher graduated from Lake Forest College in Illinois last May with a B.A. in English. She is currently working as a technical writer for Lokring Technology Corporation and Metal Foils, LLC in Willoughby. In the fall, she plans on returning to school to receive an M.A. in Creative Writing.

The Law Alumni Association hosted the CMLAABYOPENLMPARTY, that is, the Cleveland-Marshall Law Alumni Association Bring Your Own Prospective New Life Member Party in February at the Hyde Park Chop House on Prospect Avenue. The event was held to thank our life members for their support throughout the years and to attract new life members; by all reports, everyone had a wonderful evening!

It is our extreme pleasure to announce the new life members who joined as a result of the event:

- Donna M. Andrew ’96
- Anthony J. Asher ’63
- Richard J. Berris ’80
- Roger Bundy ’02
- Michelle M. DeBaltzo ’97
- Colleen Barth DelBalso ’02
- Greta E. Fifner ’86
- John Gabel
- Amy E. Gerbick ’02
- Lisa Gold-Scott ’94
- Sandra Natran
- Frank E. Piscitelli Jr. ’93
- Gregory S. Scott ’96
- Roklyn DePerro Turner ’01
- Robert G. Walton ’01
- Hallie I. Yavitch ’03
- Elizabeth Zoller ’01

Special thanks to the "recruiting" life members and to the membership committee for their hard work and effort that made this event such a tremendous success.
Kevin Francis O'Neill is an Associate Professor at Cleveland-Marshall where he teaches First Amendment Rights, Evidence, Civil Procedure, Constitutional Law, and Contracts. Professor O'Neill joined the full-time faculty in 1996 after a year-long appointment there as a visiting professor. His scholarship focuses on the Speech Clause of the First Amendment, with particular emphasis on public protest and forum-access issues.

Prior to entering academia, Professor O'Neill served four years as the Legal Director for the American Civil Liberties Union of Ohio. Before that, he was a trial lawyer at the national law firms of Thompson, Hine & Flory and Arter & Hadden. During his years in commercial litigation, Professor O'Neill represented clients from a broad range of locales—from California to Saudi Arabia. His work has spanned all phases of trial and appellate practice, including cases decided by the Supreme Court of Ohio and the United States Supreme Court.

Professor O'Neill received his BA from San Francisco State University in 1977 and his law degree from Case Western Reserve University in 1984. He and his wife, Sonia Winner, live in Shaker Heights with their two children, Dylan and Katherine.

John C. Meras '80 is a partner in the Cleveland law firm of Schulman, Schulman & Meras. He concentrates his practice in plaintiff personal injury litigation, primarily in product liability involving industrial machinery and workplace intentional tort actions.

Mr. Meras graduated from Cleveland State University with a BA cum laude in 1973. He and his wife, Margaret, have been married 23 years and are the parents of five children. They live in Parma Heights.

After receiving her BA in Speech Communication/Thematic Sequence in Psychology in 1998, Roklyn DePerro Turner entered Cleveland-Marshall and never looked back. Prior to her graduation in 2001, she served as Co-Chair of the Dean's Council, as Peer Mentor, an SBA Senator, a member of Delta Theta Phi Law Fraternity, a member of the Law School Improvement Committee and the SBA Constitution Revision committee. Ms. DePerro Turner was also the recipient of the Dean's Scholarship for Academic Excellence.

Ms. DePerro Turner is the owner of her own general practice law firm in Boardman, Ohio, handling cases in all areas of domestic and probate law, misdemeanor criminal law and some civil litigation.

She and her husband live in Canfield.

Louis A. Vitantonio Jr. '02 is the Director of Legal and Regulatory Affairs for the Greater Cleveland Automobile Dealers' Association, which represents over 200 new car dealers in a 14-county region of Northern Ohio.

After graduating from Walsh Jesuit High School in 1992, Mr. Vitantonio headed to John Carroll University where he earned a BSBA in Marketing in 1996 and a MBA in 2000. After passing the bar in 2002, he was promoted to his current position with the GCADA. He is a member of the American Society of Association Executives, American Bar Association and Ohio Bar Association.

Mr. Vitantonio makes his home in Independence with his wife, Penelope, and their two children, Angela and Malena.

After receiving her BA in German and Education from Muskingum College in 1971, Elizabeth F. Wilber's career took many paths, from kindergarten teacher in the Mentor Public Schools to music librarian assistant at CWRU, to secretary/receptionist at University Hospitals of Cleveland to Drama Club advisor at Sandusky High School.

But it was Ms. Wilber's volunteer service as a CASA guardian ad litem that spirited her interest in the law and brought her to Cleveland-Marshall, where she graduated in December, 1998. Since then, Ms. Wilber has been associated with the firm of Muehlhauser & Moore in Sandusky; her practice involves probate, real estate, estate planning, contract, business and assorted civil matters.

Ms. Wilber is the mother of two children, a daughter in medical school at Ohio University and a son at the University of Toledo in Biological Engineering.

Welcome New Life Members
Wyatt Brownlee '43
Anthony J. Asher '63
Annette G. Butler '70
Richard J. Berris '80
Robert G. Walton '80
Marilyn Tobocman '83
Daniel S. Kalka '85
Greta E. Fifner '86
Royce R. Remington '88
Frank E. Piscitelli Jr. '93
Lisa Gold-Scott '94
Melvin F. O'Brien '94
Karen E. Hamilton '95
Michael S. Owendoff '96
Donna M. Andrew '96
Gregory S. Scott '96
Michelle M. DeBalzto '97
Cheryl L. Kravetz '97
Anthony R. Petruzi '97
Edward P. Simms '98
Emily A. Smayda '99
Roklyn DePerro Turner '01
Elizabeth Zoller '01
Roger Bundy '02
Colleen Barth DeBalso '02
Amy E. Gerbick '02
Caitlin Magner '02
Hallie J. Yavitch '03
John Gabel
Kevin F. O'Neill
Sandra Natran
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<td>Robert W. Haskins</td>
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<td>Harry L. Griffith</td>
<td>1974</td>
<td>Hon. Leslie Wells</td>
<td>Joseph Gibson</td>
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Life Members

Louis C. Damiani
Sheryl King Berlond
William J. Day
Maria E. Quinn
H. Jeffrey Schwartz
W. Andrew Hoffman III
Peter J. Brodhead

1980
Cullen F. Eyman III
Gerald R. Walton
Howard D. Miskind
Richard C. Akre
Susan L. Geigel
Philip E. Thomas
Kemper Arnold
Kenneth R. Roll
James H. Hewitt III
Floyd J. Miller
Lynn Arko Kelley
H. Diane J. Karpinski
William Haufler
Richard S. Pitch
Gregory F. Clifford
David Paul Burke
Richard J. Berris
Robert G. Walton
John C. Mirus

1981
Hermine G. Eisen
Louise P. Dempsey
Sandra J. Kerver
Vincent T. Lombardo
Dennis R. Landowne
Frederick N. Winter
Michael V. Kelley
Sherrie Noble
Peter W. Klein
Mercedes H. Spotts
James Lee Reed
Laura A. Williams
Jamie R. Lebovitz
Kathleen J. St. John

1983
John L. Halat
Peter Monnaros
Donna J. Taylor-Kolls
Elizabeth Haque
Kevin J.M. Serich
Anthony P. Dapore
Thomas P. O'Donnell
Hon. Ralph J. Perk, Jr.
Irene Holyk Rennillo
Gary S. Adams
K. Ronald Bailey
Marilyn Tobocman
Michael P. Cassidy
Carl F. Assaff
M. Elizabeth Monihan
Carol Rogers Hilliard
Michelle L. Paris
Carter E. Strang
Paul Briton
Frank Aveni
Susan J. Becker
Joseph P. Giolito
Laurie E. Starr
Tina Ellen Weeks
Beverly J. Blair
Jeffrey A. Leikin
Joseph G. Stafford
Daniel S. Kalka
James E. Tavens

1984
Laura J. Gentilcore
Jane Barlow
Greta E. Fifner
Gary Lichtenstein
John T. Hawkins
Scott C. Finerman
Barbara Silver Rosenthal
Mary D. Maloney
Schuyler Crock
Thomas L. Feher
Michael P. Harvey
John M. "Jack" Jones
Thomas M. Wilson
Bruce E. Committie
Richard J. Ambrose
Brian M. O'Neill
Jayne Geneva
Raymond Gurnick
Scott Sprou
Sheila McCarthy
Barbara Tyler
Diane Homolak
Sheila M. Brennan
Lori White Lasure
Judit Arcorla DeLeonibus
Sonia Winner
Carol A. Roic
Brian G. Ruschel
Henry Chamberlain
Robin J. Levine
Ellen M. McCarthy
Anthony A. Logue
Karim Mika
Dr. Gary J. Birmbaum
Kevin P. Foye
Lillian B. Earl
Meena Morey Chandra
Gloria S. Gruhn
Peter A. Russell
Michelle Joseph Sheehan
Eilene Ester
Frank Adamo
Frank E. Placitielli Jr.
Jean M. Hillman
Marc D. Rossen
Matthew V. Crawford
Megan Hensley Bhalla
Lisa Ann Meyer
Shawn P. Martin
Ronald W. Dunbar, Jr.
Michael W. O'Neill
Lisa Gold-Scott
Melvin P. O'Brien
Patricia A. Ambrose
Nancy Q. Walker
Maureen Reidlin Swain
Karen E. Hamilton
Deborah Ferency-Furry
Anthony Gallucci
Thomas R. O'Donnell
Robin M. Wilson

1985
Michael S. Owendoff
Donna M. Andrew
Gregory S. Scott
Anthony T. Noi
Sam Thomas III
Stacey L. McKinley
Ian N. Friedman
Lesley M. Huff
Wendy Weiss
Cheryl L. Kravetz
Michelle M. DeBalzo
Anthony R. Petrucci
Tanya Eppert
Edward P. Simms
Laura Curry-Zhao
Tammy L. Bogdanski
Terrell Menefee
Lillian Ortiz
Joseph M. Saponaro
Patricia McSinty Aston
Emily A. Smayda
Elizabeth F. Wilber
Jennifer Lyons
Mark S. O'Brien
Frank L. Gallucci
Theresa M. Kulp
Eileen M. Sulker
N/A
2001
Roklyn DePampeo Turner

2002
Rick Strauser
Roger Bundy
Colleen Barth DelBalso
Amy E. Gerlick
Caitlin Magner
Louis A. Vintantonio Jr.
Troy Prince
Frederic P. White, Jr.
Paul Carrington
Steven H. Steinberg
Louis B. Genova
Lloyd B. Snyder
James G. Wilson
Earl M. Curry, Jr.
David Bambizer
David Goshien
Joel Fish
Jack Guttenberg
Carol Barnes
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New Appointments at the Law School

Associate Dean Linda L. Ammons, Assistant Dean Melody J. Stewart, Administrative Coordinator Marydale Rogan, Clinical Faculty Member Carole O. Heyward and Baker & Hostetler Visiting Professor Irene Lynch Fannon

Linda Ammons: These days we address Professor Ammons as “Dean Ammons.” On July 1 she began a new job as Associate Dean for Faculty Enrichment. In addition to teaching, publishing, and serving on committees, she has worked to develop programs and seminars that encourage faculty scholarship, teaching and enterprise. She is off to a cracking good start already. First of all, Dean Ammons, a world-class photographer, applied her artistry to developing an on-line faculty/staff newsletter that has succeeded in not being for a moment boring. Quite charming, in fact. Next, she managed to corral all the faculty and staff and have them line up for a group photograph, a feat no one in the modern history of the law school has been able to accomplish! She held a reception to honor books published by faculty in the last two years, and she inaugurated a series of all-college Monday lunch meetings featuring our faculty and visitors speaking on their areas of expertise.

Dean Ammons earned her undergraduate degree in English from Oakwood College in Huntsville, Alabama, and her MA in Communications and law degree from The Ohio State University. In Columbus, she worked first as a public relations officer for the American Federation of State, County and Municipal Employees Ohio Council and then as a special assistant to the director of the Department of Administrative Services for the State of Ohio. Following her graduation from law school, she served as Ohio Governor Richard Celeste’s Executive Assistant. She joined the law school faculty in 1991, where she teaches Administrative Law, Legislation, Mass Communications Law, and Women and the Law. In April 2002 Cleveland State University named her one of its “Women Who Make a Difference.” She is a member of the faculty of the National Judicial College in Reno, Nevada, and has served on the National Council of the Moritz College of Law of Ohio State University.

Dean Ammons has an impressive roster of publications; among her most recent are “Why Do You Do the Things You Do? Clemency for Battered Incarcerated Women: A Decade’s Review”, which is forthcoming in the American Journal of Gender Social Policy & Law, and “What’s God Got to Do With it? Church and State Collaboration in the Subordination of Women and Domestic Violence,” which was published in 1999 in the Rutgers Law Review.

Equally impressive are her accomplishments as a photographer. Her photographs have appeared in juried shows throughout the world.

Melody J. Stewart: Last fall Interim Assistant Dean of Admissions Melody J. Stewart, a graduate of the Cleveland-Marshall College of Law class of 1988 and the University of Cincinnati Conservatory of Music, was appointed Assistant Dean of Admissions. Dean Stewart has served her law alma mater in a number of capacities: as a lecturer, as a member of the adjunct faculty, as the Assistant Dean for Student Affairs and Director of Minority Recruitment and Retention and as a Visiting Professor of Law. She has also taught at the University of Toledo College of Law and at Ursuline College in Cleveland. Before returning to Cleveland-Marshall as the Admissions Dean last fall, she served as Director of Student Services at Case Western Reserve University School of Law, where she won the Administrator of the Year Award. 

She is a doctoral candidate at CWRU Mandel School of Applied Social Sciences, where she was a Mandel Lead-
ership Fellow.

She is admitted to the Supreme Court of Ohio, the US Court of Appeals for the Sixth Circuit, the District of Columbia Court of Appeals and the US District Court for the Northern District of Ohio.

Dean Stewart's record of community involvement is commendable: She is a volunteer Magistrate Judge in the Juvenile Community Diversion Program, President of the Citizens League of Greater Cleveland Board of Trustees, President of the New Leadership Roundtable of the National Conference for Community Justice and a member of the boards of the Cleveland-Marshall Law Alumni Association, Beaumont School, and the Cleveland BoyChoir.

Dean Steinlass's Administrative Coordinator Marydale D. Rogan holds a BS in Business Administration and a MS in Education with a concentration in microcomputers from Mansfield University in Pennsylvania. She has brought impressive credentials in both the non-profit and private sectors to her new job with a resume that includes teaching and administrative experience in higher education and banking. She was Assistant Director for Administrative Programs at Bucknell University and taught computer-related courses at both Penn State and at Susquehanna University and business courses at the American Institute of Banking. Prior to joining the Cleveland-Marshall administration, she was an adjunct instructor in the department of business at Lorain County Community College in Elyria, Ohio.

Her banking history includes service as operations manager for Marine Midland Bank in Albany, corporate secretary to the Director of Finance of North Penn Comprehensive Health Services in Blossburg, Pennsylvania, and a personnel and marketing officer for the Williamsport National Bank. Her community service experience includes the United Way, Habitat for Humanity, the YWCA Board and the Vice President for Education for the American Institute for Banking.

Community Advocacy Clinical Professor Carole O. Heyward's '93 undergraduate degree in economics is from Baldwin-Wallace College, and her law degree is from Cleveland-Marshall College of Law. The Community Advocacy Clinic provides general business and legal services to community organizations. Areas of practice include corporate governance, regulatory compliance, drafting of legal documents for real estate transactions and guidance on public policy matters in community development. Ms. Heyward's position is funded by the Cleveland Foundation, the Gund Foundation and the Sisters of Charity in recognition of the contributions the Clinic has made to Cleveland's at-risk neighborhoods.

During and after law school Professor Heyward worked for the Messerman & Messerman firm and as an arbiter for the National Association for Securities Dealers. More recently she has worked as a staff attorney and as a volunteer for Housing Advocates Inc., a not-for-profit organization located in Cleveland whose mission is to eradicate housing discrimination through legislation and enforcement codes. Before joining the law school faculty, where she had previously taught as an adjunct, Ms. Heyward served as General Counsel for Cleveland's Housing Research & Advocacy Center, another fair housing agency with a mission to promote equal housing opportunity for all persons. She is a frequent guest speaker on issues of fair housing.

Professor of Law, former Dean and Head of the Department of Law at University College in Cork, Ireland, Irene Lynch Fannon spent the 2002-03 school year at Cleveland-Marshall as a Visiting Professor teaching in the employment and labor law curriculum. This spring she returned as the 2004 Joseph C. Hostetler-Baker & Hostetler Visiting Professor, teaching European Union Law and Comparative Corporate Governance.

According to Dean Steinlass, "Professor Lynch Fannon's knowledge of the global workplace and its implications for our future will greatly enrich our students' ability to practice law in this expanding and complex area of law."

Professor Lynch Fannon's law degree with honors is from University College Dublin; her post-graduate law degree with honors is from Oxford University, where she was a Senior Scholar, and her Doctorate of Juridical Science is from the University of Virginia Law School. In addition to WORKING WITHIN TWO KINDS OF CAPITALISM: A COMPARISON OF THE ROLE OF EMPLOYEES WITHIN THE EU AND US CORPORATE STRUCTURES (2003), she is the co-author of LABOR LAW IN IRELAND (1993, 2003) and numerous other book chapters and articles in scholarly journals on corporate insolvency and employment and labor law.

The Joseph C. Hostetler - Baker & Hostetler Chair has brought over 14 national and international scholars to the law school since its creation in 1988 by John Deaver Drinko, Senior Advisor to the Policy Committee of the Baker & Hostetler law firm. The chair memorializes the life and contributions to the legal profession of Baker & Hostetler founder Joseph C. Hostetler (1885-1958). In 1916 Mr. Hostetler taught at the law school, and in 1948 the Cleveland-Marshall Law School awarded him an honorary degree. LF
We Celebrate the Acquisition of Our 500,000th Library Book

In 1997 the Cleveland-Marshall Law Library and faculty, staff, students and friends of the law school celebrated the acquisition of our 400,000th book. That book, acquired in the year of our centennial, was, appropriately, a 1912 Cleveland publication: Isaac Franklin Patterson’s The Constitutions of Ohio, Amendments, and Proposed Amendments, including the Ordinance of 1787. Today, seven years later, we are 100,000 books richer, and our Law Library now houses the second largest law collection in Ohio. That’s cause for celebration. And that is precisely what we did!

On February 4, 2004, Dean Steven H. Steinglass, Associate Dean and Law Library Director Michael J. Slinger, the law school community and best-selling author Scott Turow added the 500,000 and 500,001 volumes to the Law Library collection. The landmark 500,000th book, The History of Law School Libraries in the United States: From Laboratory to Cyberspace was passed by its author, Associate Dean for Information Services and Director of the Barry University Law Library, Glen-Peter Ahlers, Sr., down a line of librarians, faculty, administrators and students into the waiting hands of Dean Steinglass. And volume 500,001? Mr. Turow’s most recent work of non-fiction, Ultimate Punishment: A Lawyer’s Reflections on Dealing with the Death Penalty, which was also paraded from hand to hand down to Dean Steinglass.

Scott Turow, the lawyer-author of Presumed Innocent, the Burden of Truth and other works of fiction, participated in the Law Library ceremony as a writer, a book lover and an attorney. As partner in the Chicago law firm of Sonnenschein, Nath & Rosenthal LLP, he delivered the third Criminal Justice Forum lecture of school this year, “Confessions of a Death Penalty Agnostic,” which drew heavily on his experiences representing, pro bono, death row convicts.

For all the celebrity of the event, perhaps the most entertaining moments were those created by law school Network Administrator Rick Zhang and Faculty Service Librarian Leslie Pardo in their remarkable video presentation artfully tracing the history of the Cleveland-Marshall Law Library from its earliest days to its present status as the 85,000 net-square-feet home of the second largest multi-media legal collection in Ohio! LFM

Novelist Scott Turow

Akron University Law Library Director Paul Richert, Dean Ahlers, CSU Library Director Glenda Thornton, Dean Slinger, Baker & Hostetler Library Director Al Podboy

Dean Linda Ammons, Dean Steinglass, Michael Climaco, Dean Ahlers, Scott Turow, Prof. Adam Thurschwell, Dean Slinger, Assistant Dean Louise Dempsey

Spring 2004 23
In October 1977 Cleveland-Marshall College of Law, amid much fanfare and a memorable visit by Britain’s Prince of Wales, dedicated its new and permanent home on the corner of East 18th and Euclid. For the previous 11 years, the law school, allied since 1969 with Cleveland State University, had had a nomadic existence, moving from the former law school building on Ontario Street and from one make-do site to another on the new University’s campus. The dedication celebration was a rousing one: Outside, a hundred or so pickets lined up behind police barricades to protest the English treatment of Irish prisoners; inside, a reverential CSU President Walter Waetjen, Cleveland Mayor Ralph Perk, Cleveland-Marshall Dean Robert Bogomolny and CSU Trustees clustered around the Prince who was given an honorary law degree before an awed assembly of dignitaries, alumni and friends.

Protesters aside, nothing could dim the enthusiasm of the men and women who taught and learned law at Cleveland-Marshall for their new $7.5 million law building—its two-story atrium, the beginnings of a fine library and its handsome Moot Court Room whose bench had served the
former Ohio Supreme Court building for generations. Not to mention the spacious classrooms and corridors of well-equipped faculty and administrative offices. After years of confinement in the cramped spaces of Rhodes Tower and the Chester Building, the new law school gave promise of a building that would house a vibrant intellectual engagement.

And it has: Twenty-six classes have studied and learned law on the corner of East 18th Street and Euclid Avenue and now serve the law throughout the country as graduates of Cleveland-Marshall. But, today, the profession, with its growing reliance on technology and its emphasis on experiential teaching, demands more, not only of its teachers and students but of the teaching resources and the teaching facility itself. Now, thanks to the generosity of our 1953 graduate Bert L. Wolstein, we have a plan that will transform our 1970's building into one that is a more effective representation of law as it is taught and practiced in the 21st century.

In 2001 Mr. Wolstein provided the law school with funds to hire the Akron architectural firm of Braun & Steidel to develop a master plan for the renovation of the law school. The plan they presented reaches far into the future and positions the law school to become as effective in the new century as it has been in the last.

Two guiding planning principles were to bring the law school building into architectural unity with its handsome state-of-the-art Law Library addition and to emphasize our strong and interdependent alliance with the University. In this regard among the changes proposed are creating a new front entrance facing Euclid Avenue—an alteration that would call attention to the University's urban mission—and affixing mirror cladding to the exterior of the building compatible with that surrounding our sister colleges on East 18th Street, the Maxine Goodman Levin College of Urban Affairs and the James J. Nance College of Business Administration.

Much of the plan involves a reconfiguration of space that was vacated in 1997 when the new Law Library opened its doors: Where study carrels and shelves of books once stood, spaces will open up for offices for our adjunct faculty, conference rooms, expanded student organization offices, enlarged clinical teaching and legal writing areas, moot court practice rooms, career placement interview rooms and a thoroughly electronic practice court room. The plans propose better lighting throughout the building and technological enhancements in the classrooms.

In the spring of 2003 the Trustees of the Law Alumni Association unanimously endorsed the plan. Though it is a costly plan, it is essential to our future as the educator of some of the region's finest lawyers and community rainmakers. And we count as always on our alumni/ae to lend their support to this exciting new era in the history of the Cleveland-Marshall College of Law. LFM

Reoriented Atrium
A Brief History of America's Republican Empire

In his recent book, *The Imperial Republic: A Structural History of American Constitutionalism from the Colonial Era to the Beginning of the Twentieth Century* (Ashgate 2002), Professor Wilson discloses the quest for empire that has lain hidden in the heart of the American democracy since its founding. The essay for Law Notes places his findings in a contemporary context. Ed.

For almost a century, most Americans have thought of their country as a "republic," not an "empire." In popular culture, Star Wars audiences cheered the virtuous Jedi Knights' efforts to save their beleaguered Republic from the heartless Empire. Intellectuals reassuringly distinguished the United States from decadent European countries that clung to their nineteenth-century spoils well into the twentieth-century. President Ronald Reagan all but invoked Darth Vader when he labeled the late Soviet Union an "Evil Empire."

One of the more surprising reactions to the September 11 atrocities has been the widespread debate over whether the United States has become an "empire." President Bush preserved the preexisting, sentimental dichotomy when he told a group of veterans that the United States does not have any "territorial ambitions. We don't seek an empire. Our nation is committed to freedom for ourselves and for others." His National Security Advisor, Condoleezza Rice, extended the definition of empire beyond geographical expansion to political domination: "The United States does not have territorial ambitions, or ambitions to control other people." But in a lengthy essay in the *New York Times Sunday Magazine*, Michael Ignatieff argued that the United States has evolved into an empire. He worried that the assumption of imperial obligations could undermine republican norms and institutions—the government has diverted resources from domestic needs to military ventures and has compromised fundamental human rights, such as the right to a fair hearing under due process by summarily incarcerating numerous individuals suspected of terrorism. In a widely read book, *A Republic, Not an Empire: Reclaiming America's Destiny*, Pat Buchanan warned that the nation should not transform itself from a republic into an empire. Entering "empire, repub-
Thy crisis was approaching! Perhaps it son exclaimed, "Ill fated America! Without energy!

There are claims that the empire arose after September 11, after World War II, after the Spanish-American War in 1898 when the United States established permanent colonies and even during the early 1800s.

More is at stake here than just semantics. A careful historical survey of the two central words, "republic" and "empire," helps us understand who we have been, who we are, and who we should be. The short answer, which the rest of this essay defends, is that the United States has always been a "republican empire." A large part of this country's success is attributable to its capacity to maintain an uneasy equilibrium between the two forces of republicanism and imperialism, cultural/political imperatives that simultaneously conflict with and reinforce each other. In an era of protracted troubles like the present, there can be little doubt that the greatest danger is that the necessities of empire will overwhelm the republican aspects of our society.

The Federalists who supported the proposed Constitution in 1789 did not perceive a Manichean dichotomy between an empire and a republic. Bernard Bailyn's magisterial collection of the most influential speeches and pamphlets discussing America's proposed Constitution, *The Debate on the Constitution*, contains numerous positive references to the nation as an "empire." "The Federalist Papers" used the word over 30 times. In an impassioned, influential speech in Philadelphia that was reprinted many times, James Wilson exclaimed, "'Ill fated America! *** Thy crisis was approaching! Perhaps it was come! *** Without a government! Without energy! *** In such a situation, distressed but not despairing, thou desirest to re-assume thy native vigour, and to lay the foundation for future empire!"

Even in the context of the times, the Founders' use of the word seems a bit surprising. After all, the Americans had only recently freed themselves from the British Empire. But more important, they seemed to accept the Anti-Federalists' argument that the new Constitution violated the political principles established by Montesquieu, who argued that the "spirit of the laws" of an empire diametrically opposed the structure and culture of a republic. Montesquieu believed republics had to be small to maintain their agrarian virtues, while empires would grow until they collapsed from a combination of centralized power, luxury, militarism, and hubris. As Patrick Henry explained during the Virginia Ratification Debates: "If we admit this consolidated government, it will be because we like a great, splendid one. Some way or other we must be a great and mighty empire; we must have an army, and a navy, and a number of things. When the American spirit was in its youth, the language of America was different: Liberty, sir, was the primary object."

On one level, the Federalists argued that their system of dual sovereignty was consistent with Montesquieu's approach because the French philosopher had endorsed "federal republics." They also pointed out that existing states, most notably Virginia, which at that time extended to the Mississippi River, were already large geographical sovereignties that could never resemble Montesquieu's idealized, small republican societies. But the Federalists knew their new system conflicted with Montesquieu's vision. As James Madison explained in the now famous "The Federalist Papers No. 10," a large republic was more likely to endure than a small one because the multiplicity of interests would prevent any single faction from seizing control. Empire and republic were not in opposition; they strengthened each other. Many years later, Thomas Jefferson wrote to his good friend Madison that United States history had successfully refuted Montesquieu's anxieties about a large republic.

There were other noted political authorities for the Framers' positions, but they are political philosophers this country rarely acknowledges as part of its intellectual heritage. Most of our intellectual history focuses on such relatively reassuring figures as Locke, Hume, Montesquieu, and the authors of "The Federalist Papers." But equally relevant are Machiavelli and Hobbes. Machiavelli's *Discourses on Livy* far better illuminates our political culture than his sardonic advice to leaders in his much better known work, *The Prince*. The main lesson that Machiavelli learned from Livy's history of Rome was that republics must either expand or perish. Although it is conceivable that a small republic could survive if it were geographically well
Before this century ends, this country may engage in an intense struggle with China, a conflict that both sides will justify with stirring rhetoric.

pressing a sentiment that many Latin Americans would have recognized over the past two centuries, Machiavelli pitied those countries near a successful republic. Thomas Hobbes supplemented this approach by rejecting the size issue as a dangerous distraction; the only question is whether the country is big enough to deter its inevitable rivals. Hobbes’s defense of empire—the definition of empire as a country of vast size and power—should remind us that a smaller version of the United States would have had a great deal of difficulty defeating fascism and Soviet Union-style communism during the twentieth century. Despite its legion of sins, the United States defeated two imperial cultures that were far more venal. Before this century ends, this country may engage in an intense struggle with China, a conflict that both sides will justify with stirring rhetoric. Such rhetoric should not distract us from the grim historical truth that the dispute would be yet another example of our species’ tendency to dominate through force, which is justified by self-persuading arguments.

Although Jefferson and Madison were influenced by the grim economist Malthus who foresaw a population explosion that would ultimately destroy civilization, they believed they could create a republicanism that would last for at least a century. At that dark time, the country would become urban, substituting a deferential proletariat for the sturdy, independent yeoman farmers that were the economic and cultural foundation of a healthy republicanism. Thus, the Virginia aristocrats’ republicanism had positive political and cultural norms as well as a theory of what the new country should avoid as long as possible. It is worth considering these factors to determine what kind of republic we have and what actions we need to take to protect it from the relentless pressures of empire.

Madison’s republicanism began with a structural premise. Every branch of government had to be ultimately selected by the electorate. For example, the Constitution created a purely republican form of government because voters directly elected members to the House of Representatives, Presidential electors, and State representatives who had the power to select the United States Senators, who in turn join the President in choosing Supreme Court Justices. This fundamental tenet of Madisonian republicanism has remained untouched. Indeed, the electorate gained more influence once it began directly electing United States Senators. President Abraham Lincoln held an election during the Civil War, an election that could have led to a permanent division of the nation. Certainly, none of the present threats can possibly warrant the suspension of elections.

But two fundamental props of the electoral process—free political speech and physical freedom—are more vulnerable. This year, the Supreme Court had to determine in Virginia v. Black if the burning of a cross is per se punishable. During oral argument, Justice Thomas broke his customary silence by angrily stating that such an act was so inherently threatening that it should be criminalized. Most disturbing, he thereby called into question the foundation case, Brandenburg v. Ohio, which protects all political speech not intended to persuade others to engage imminently in unlawful action. Brandenburg creates the core First Amendment right to be free of governmental “particularized viewpoint discrimination,” the governmental power to suppress unpopular ideologies and beliefs. In his dissent, Thomas went further, arguing that such conduct by this “terrorist organization” was inherently criminal. Thomas’s creation of an exception to viewpoint neutrality undermines the republican process. If the burning of crosses can be banned because of its very disturbing historical connotations and because it has been used by a “terrorist organization,” what about T-shirts with a picture of Osama Bin Laden, swastikas worn by bikers, or speeches honoring the genocidal General Custer or the tyrant Joseph Stalin? Justice O’Connor created a doctrinal compromise that preserved the heart of Brandenburg but limited the scope of another crucial case, R.A.V. v. St. Paul, by constricting R.A.V.’s broad conception of “viewpoint discrimination.” O’Connor held that the State of Virginia could not pass a law that made cross burning per se proof of intimidation, a crime that she defined as a “true threat” that is “directed at a particular person.” Rather, the State could pass a law outlawing any cross burnings that actually intimidate particular indi-
Judge Harvey Wilkinson, who is allegedly Hamdi, conversely, any person who burns a cross will resolve this fundamental issue. Although the cases can be factually distinguished, the Court of Appeals in Hamdi v. Rumsfeld has upheld such incacertations, while the Court in Padilla v. Rumsfeld has not. In Hamdi, Fourth Circuit Court of Appeals Judge Harvey Wilkinson, who is allegedly on the Bush Administration’s short list for a Supreme Court nomination, all but wrote a love letter to the Bush Administration. While acknowledging that the perpetual detention of American citizens without any hearing or any contact with a lawyer was a potential threat to our liberties, he concluded that any serious judicial intervention via habeas corpus violated “separation of powers.” Aside from that conclusory statement, Judge Wilkinson made a single legal argument: No serious constitutional problems existed because Hamdi was only detained, not tried, sanctioned, and stigmatized. This distinction transcends the absurd; anyone who is indefinitely incarcerated, probably while being subjected to some form of psychosomatic torture like sleep deprivation, is definitely being sanctioned, traumatized, and stigmatized. Although the case can theoretically be narrowed to its “facts”—Hamdi allegedly was captured while armed and fighting for the Taliban in Afghanistan—the highly deferential approach need not be limited to overseas conduct. The opinion relied upon a conclusory government document stating that Hamdi was an “enemy combatant” and upon statements by Hamdi’s father, who had acted as “next friend” to trigger the litigation.

In a dissent from a motion for the full Fourth Circuit Panel to rehear the case, Judge Michael Luttig, another Supreme Court aspirant, simultaneously argued that the amount of process that the Court had given Hamdi was pathetic and that the Court had been insufficiently deferential to the Executive Branch. Luttig wrote that the Court could not rely on Hamdi’s father’s statements, which only stated that Hamdi was residing in Afghanistan, to reach its conclusion that Hamdi was in a combat zone. But Luttig thought that the Court was inappropriately requiring the government to prove that “enemy combatants” must be in a combat zone. Conceding that the war against terrorism may last for many years and may extend throughout the world, Luttig concluded that the Court should defer to the Executive once it has recited some dramatic facts, about which there was “not even a hint of fabrication” “sufficient to satisfy “the constitutionally appropriate standard for the President’s designation of an enemy of the United States.” In this particular case, the affidavit stated that Hamdi trained with the Taliban, his military unit surrendered to the Northern Alliance, and he turned over his weapon to the Northern Alliance before being imprisoned. The law of perjury and the judgment of the President of the United States are the only constraints on this power.

The Court of Appeals in Padilla v. Rumsfeld held that the Executive Branch does not have the authority to summarily seize American citizens on American soil. The Court distinguished Hamdi on the grounds that Hamdi was incarcerated after being captured in a combat zone, while Padilla was seized in America—based upon allegations that he might be planning a terrorist attack. Hopefully, very few of us will stumble into a foreign field of battle; all of us are covered if the government wins in Padilla. The Court of Appeals avoided an ultimate showdown with the President by concluding that the incarceration violated the Federal Non-Detention Act. This Act, passed in response to the dis-
graceful internment of Japanese-Americans during World War II, clearly states, "No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress." (18 U.S.C., Dec. 4001(a)). The Supreme Court should not distort this text; it should hold that all detentions of U.S. citizens (Handi as well as Padilla) must comply with due process of law. The government cannot indefinitely deprive citizens of their liberty without indicting and trying them.

Never have so many fundamental rights been sacrificed for so little—the power to imprison perpetually those few civilians who are stupid and depraved enough to join terrorist organizations. The government had no difficulty convicting John Walker Lindh through the usual channels. This dilution of basic citizenship throughout the republican empire. Tragically, this geographical conception of equality did not require equal treatment of all adults within the new country. Assuming that the minimal definition of citizenship consists of the right to vote, serve in public office, and participate fully in the market place, the vast majority of Americans—women, slaves, Native Americans, and a significant percent of low-income whites—did not immediately benefit. Indeed, the ethnic cleansing of Native-Americans and the use of the peculiar form of "agricultural capital" known as race slavery were two of the defining characteristics of the new republic. Nevertheless, this doctrine of equal citizenship was revolutionary and progressive within the context of its times; it was the governmental foundation of the American Revolution. Formulated by Benjamin Franklin and best articulated by Thomas Jefferson, the American colonists argued that the right to vote, the right to vote in the conduct of foreign affairs. Although every member of the British Empire had a duty to the King, none were legally subordinate to others based upon geography. As Franklin put it, Americans could not be "subjects of subjects." Wealthy, white male colonists had certain "rights of Englishmen" that Parliament could not erase without turning the colonists into slaves whose property was totally under English control.

Madison’s and Jefferson’s highest commitment was to empire, not to equal citizenship or strict construction of federal powers.

Madison’s successful rebuffs of these proposals were not motivated solely by republican, egalitarian abstractions. He knew that many Virginians in Kentucky would recoil at being offered second-class citizenship. Some were already thinking of turning to Spain to guarantee their access to the Mississippi River through New Orleans. Our history might have turned out very differently if Morris had prevailed. The Federalists barely won the vote at the Virginia ratifying convention with votes from western Virginia providing the margin of victory.

Both in theory and in subsequent practice, the Presidency played a unique role by combining both imperial and republican attributes. In 1789, the year the Constitution was ratified, the historian David Ramsay wrote in a very popular history of the American Revolution that the new form of government would create republican freedom within its borders while allowing the President to act like an emperor in foreign affairs. In the foundation case Marbury v. Madison, Chief Justice Marshall constitutionalized Machiavellian republicanism: The Executive branch could not violate domestic, individual constitutional rights, but the President is "accountable only to his country in his political character, and to his own conscience" in the conduct of foreign affairs. One of Jefferson’s first acts as President was to attack the Barbary pirates without first obtaining Congressional authorization. Madison’s and Jefferson’s highest commitment was to empire, not to equal citizenship or strict construction of federal powers. After negotiating the Louisiana Purchase, they appointed political allies to control the new Territories rather than authorizing immediate elections.

Although Madison and Jefferson believed they had refuted Montesquieu, they made several other Pres-
identical decisions that confirmed Montesquieu's warnings that large countries could not preserve a republican society closely resembling his ideal. All three men believed that republicanism had cultural as well as political components. Montesquieu preferred republics because they were not suffused with empire's corrosive "spirits" of conquest, luxury, decadence, and urban centralized power. In addition to preferring small farmers to industrial urban centers, the Virginia Republicans were wary of such powerful institutions as standing armies and national banks. Jefferson and Madison had vigilantly, but unsuccessfully, opposed Alexander Hamilton's national bank. But when Jefferson gained power, he did not eliminate the bank (although he did reduce the debt after the Louisiana Purchase). After the War of 1812 revealed many flaws in America's military and political constitutions, Madison and Jefferson acknowledged the need for more central governmental power. With Jefferson's consent, Madison ignored Jefferson's adage that the country should grow peacefully through "compact and equality" via purchase agreements and equal citizenship. Under the Madison administration, Americans invaded Florida twice and Canada (the hoped-for spoils of the War of 1812).

In his attempt to keep the South in the Union, John C. Calhoun heavily relied upon "equal citizenship." All American citizens had the right to take their property, in particular their slaves, into the new Territories that were held in common on behalf of all of the States and their peoples. Chief Justice Taney later constitutionalized that doctrine in *Dred Scott v. Sanford*. Taney held that Congress could not prevent Americans from taking their slaves into Territories that had not yet settled the slavery issue. This aggressive decision has been appropriately reviled as politically inept and morally bankrupt. Nevertheless, *Dred Scott* contained several humanitarian doctrines that the Fourteenth Amendment did not repeal when the Court stated that all persons born in the United States were citizens of both the United States and the State within which they reside. The Fourteenth Amendment only reversed Taney's holding that Dred Scott could not file his case in federal court under Article III's diversity of citizenship jurisdiction clause because he, along with all other African-Americans, could never be United States citizens. First, Taney reaffirmed the Revolutionary War notion of equality of citizenship. Americans should be able to take their property with them when they travel or wish to settle elsewhere. The legal/moral problem does not arise in the

*Dred Scott* contained several humanitarian doctrines that the Fourteenth Amendment did not repeal when the Court stated that all persons born in the United States were citizens of both the United States and the State within which they reside. The Reconstruction Amendments temporarily put a brake on geographical expansion. Although many American politicians still hoped to obtain Canada, they could no longer easily expand southward because they would have to give Cubans, Mexicans, and other people of color full citizenship rights. Yet the demands of empire soon trumped the foundational principle of equal citizenship and the anti-racist goals of the Reconstruction Amendments. After the United States gained vital military/commercial bases throughout the Atlantic and Pacific by winning the Spanish-American War in 1898, Congress decided that these new lands—most notably Puerto Rico, Cuba and the Philippines—would be permanent colonies. When the Supreme Court faced this political development in a series of cases dubbed "The Insular Cases", it explicitly promoted "empire" over competing constitutional considerations. It gave Congress the power to determine almost all the rights (except for property rights) of the new subjects. The Court dismissed *Dred Scott* due to its obviously hideous pedigree, obfuscating the fact that it was arguably acting even in a worse way by constitutionalizing racism in light of the Fourteenth Amendment. The Taney Court at last had the powerful legal argument that the Framers had drafted the original Constitution to protect slavery. Otherwise, the Southern states would have never agreed to the new Constitution.

Fortunately, the United States has not exploited the "Insular Cases" by formally expanding its borders after 1898. It found such expansion unnec-
necessary—in part, because of the racial issues (could it really have kept all Mexicans in colonial subordination?), but, more important, because it found alternative means to extend its power—gunboat diplomacy, international corporations, and placing and maintaining compliant, well-paid elites in charge of South American nations. Machiavelli’s warnings to the neighbors of a successful republic were validated. While eventually expanding its citizenship rights to women and gradually permitting African-Americans to exercise their fundamental rights, the United States continued throughout the twentieth century to value “stability” far above democracy when it looked abroad. On the other hand, the “Insular Cases” remain good law, unlike their equally racist contemporary Plessy v. Ferguson, which created the “separate but equal” doctrine validating Southern apartheid. Puerto Rico remains a constitutional travesty, a large, permanent colony whose people, although American citizens, do not have full citizenship rights because they cannot run for federal office or vote for federal politicians as long as they reside in their native land.

The distribution of wealth and power was another concern of early republicanism. Unlike their rival Alexander Hamilton, the Virginia Federalists agreed with such republican theorists as Aristotle, Machiavelli, and Harrington that republics could only survive so long as there were no great disparities in wealth. A strong middle class prevents the ravenous aristocracy from plundering the nation or the desperate poor from turning to rebellion. Jefferson was particularly proud of eliminating the aristocratic doctrine of primogeniture in Virginia. He put this accomplishment, along with the writing of the Declaration of Independence, on his tombstone. Jefferson considered the doctrine of keeping all landed wealth within the hands of the first-born son to be anti-republican because of its “hereditary” principle. Jefferson approved of civil juries because local jurors would act more harshly toward the wealthy whenever they abuse their power. Jefferson and Madison admired the virtuous yeoman farmer for his financial and political independence. Thus, the phasing out of federal estate and gift taxes, part of the overall shifting of the tax burden from the rich to the middle class and the poor, is a sign that this country is drifting away from its republican heritage towards an imperial culture dominated by a few powerful, decadent courtiers, now known as lobbyists, who seek more and more wealth and power at the expense of the average citizen. The hereditary principle is redefining our political culture.

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Early republicanism also emphasized virtue. Citizens were not just economically independent; they also were well-informed, courageous individuals who actively participated in the political culture. But the current society, profoundly influenced by a few organs of mass media owned by the wealthy, obsesses on consumerism and entertainment. Nasty political advertisements reinforce the beliefs that politics are hopelessly corrupt and that the best solution is withdrawal. The national news programs consist of a mixture of MTV and “The Triumph of the Will.” Instead of whipping up hysteria after the terrorist attacks, our leaders should be telling us that anyone of us—civilians and soldiers—may die during the war against terrorism but all of us must demonstrate civic courage by maintaining our dignity, our culture, and our political rights.

So what does this brief history—which could easily be expanded into several volumes with numerous additional examples—tell us about our current culture? We need to return to semantics. People use such politically important words as “empire” and “republic.”

Sometimes, the word is purely descriptive. Thus, President Bush is correct when he says we are not an empire—if one limits the concept of empire to expansion of formal boundaries. So long as we have free elections, freedom of movement, and free speech, we preserve our basic Madisonian republican structure. If one requires an emperor as a necessary part of an empire, our Constitution provided a compromise: permitting the electorate to choose their emperor, at least in terms of foreign policy, every four years. But that President remains accountable through impeachment. The second cluster of usages is more empirical and thus more debatable. Many people will dispute Condoleezza Rice’s claim that we are not imperial since we do not seek to control other people. The United States has devised many means of informal domination that extend its power far beyond its formal borders. Many see the military conquest and occupation of Iraq as a reversion to old-style impe-
rialism. The third cluster of meanings is more "emotive"; one often associates power, dominion, and glory with the word "empire." It seems highly unlikely that early American leaders precluded such motives from their thinking; they were fully aware of what they called "the lust for dominion." Madison did not think men were angels. The next cluster of meanings focuses on the institutions and culture of empires and republics: to what degree is the country militaristic, dominated by the wealthy, the powerful, and the decadent? This issue is probably the most important domestic political question of our era. The final definition of "empire" is purely normative: empires are evil forms of civilization. Obviously, most American politicians and citizens do not characterize their country this way.

James G. Wilson's undergraduate degree in Russian and American history is from Princeton University; his law degree is from the University of Chicago. In addition to The Imperial Republic, recent publications include "The Individual, the Corporation, the State" in The Cambridge Companion to Noam Chomsky (forthcoming) and "The Eleventh Amendment Cases: Going too Far with Judicial Neofederalism" in the Loyola Los Angeles Law Review (2000). He can be reached at 216-687-2269 or by email at james.wilson@law.csuohio.edu.

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Overall, five themes emerge from this survey:

1. From its moment of origin, The United States has aggressively expanded its power. A large percentage of the electorate has usually supported this quest for empire. Thus, President Bush tapped into deep roots by acting so aggressively toward Iraq.

2. To justify their actions, American leaders have always invoked such inspirational norms as patriotism, republicanism, democracy, and individual rights. But it is impossible to separate those more noble aspirations from the usual, tawdrier political motives of increasing the wealth and power of one's nation, one's political party, and even one's friends and family. Like the rest of us, our leaders are motivated by a wide range of beliefs and desires.

3. The President has enormous discretion, barely tempered by law, to implement foreign policy. President Bush's decision to seek Congressional authorization prior to invasion reinforces the desirable constitutional convention established by his father, who obtained Congressional approval to drive Iraq out of Kuwait. But there is no real legal recourse if a sitting President ignores either Congress or the United Nations. The battle is primarily political. Congress can use its War, Appropriations, and even Impeachment powers to rein in a reckless President who is abusing his or her emperor-like powers.

4. The Nation needs to preserve the Machiavellian approach that aggressively honors and protects the fundamental rights of citizens.

5. There are several advantages in defining our country as a "republican empire." First, it is historically accurate. Second, it reminds us that in some ways the United States has not been exceptional. It has used all the tools of empire-violence, betrayal, and propaganda-to advance its ambitions. But it has been extraordinarily successful and has been, at least until recently, exceptionally able to expand its citizens' freedoms. Last year, the Supreme Court decided to protect private, consensual sexual behavior. The nation has extended equality of citizenship within its geographical boundaries and maintained a middle class that Aristotle believed is such a crucial part of a stable republic. Sometimes this nation has also extended basic human rights abroad, but too often it has been a counter-revolutionary force all too eager to ally itself with tyranny. Acknowledging the tension between empire and republic forces us to wrestle with the ambiguities and uncertainties that seem to be a permanent part of the human condition. Finally, the imperial theme enables us to perceive ourselves a bit more the way much of the rest of the world sees us: as a powerful nation that has done much good, but also done quite a bit of evil.
LIBRARY TITLES OF INTEREST

by Schuyler M. Cook '87
Reference Librarian

Welcome. Each issue, I'll provide a few words about the Law Library's recent acquisitions that may interest practitioners. All titles are available in the Cleveland-Marshall Law Library. You are welcomed and encouraged to come by and use our collection.


Collecting Your Fee: Getting Paid from Intake to Invoice, Edward Poll. Chicago, IL: American Bar Association Law Practice Management Section, 2003. KF316.P65 2003. For those of you whose firm's billing department consists of you, your PC and QuickBooks, the 143 pages of this title should prove invaluable. The Appendices contain some excellent sample forms and a CD-Rom is included.


Nonlegal Careers for Lawyers, 4th ed., Gary A. Munneke & William D. Henslee. Chicago, IL: American Bar Association Law Practice Management Section, 2003. RR KF297.V83 2003. This book is written for those attorneys and law students who find themselves dissatisfied with their current legal job or those who feel that a traditional law position will not satisfy them after passing the bar exam. It not only lists potential non-traditional careers but also provides a framework for letting the individual discover what the path will be. This book is a good addition to theABA's Career Series of titles.

Paralegals, Profitability, and the Future of Your Law Practice, Arthur G. Greene & Therese A. Cannon. Chicago, IL: American Bar Association Law Practice Management Section, 2003. KF320.L4 G74 2003. The authors discuss the changing face of law practice and then explain how utilizing paralegals can achieve the plastic surgery effect of keeping your firm looking its best. They advocate an overall team approach to delivering legal services and argue for the inclusion of paralegals onto the team.

Powerpoint 2002 for Litigators: How to Create Illustrative Aids and Evidentiary Exhibits for Trial, Mediation, Arbitration and Appeal, Deanne Siemer & Frank D. Rothschild. Notre Dame, IN: National Institute for Trial Advocacy, 2002. KF8915.Z9 P69 2002. Readers may know that this title is not the first work on the topic to be published by NITA. In 2000, two titles, one for Powerpoint and the other for Corel Presentations, were published. This effort includes a CD and can be checked away from the Circulation desk but not out of the Law Library.

Success Briefs for Lawyers: Inspirational Insights on How to Succeed at Law and Life, Edited by Amiram El-

OTHER TITLES OF INTEREST:


Carol Barresi Has Retired: Bon Voyage!

In June 2003, 29 years after she began working at Cleveland-Marshall as Administrative Coordinator to the Dean, Carol Barresi retired from the law school. In 1975 the law school, newly allied with Cleveland State University and newly named Cleveland-Marshall College of Law, was in transition: Not only were the faculty and staff just finding their bearings as a university-affiliated law school, but there had also been six deans or interim deans since 1966. Moreover, students who began school in the make-do classrooms of Rhodes Tower had now migrated to the make-do classrooms of the Chester Building, while everyone—faculty, students and staff—looked forward to the promised building of a new school on the corner of East 18th and Euclid. When Carol Barresi first walked into the dean’s office one bright March morning, she found a new dean just finding his bearings as well: Robert Bogomolny, a 1963 graduate of the Harvard Law School and a Professor of Law at Southern Methodist University.

In the 29 years she served the law school, Carol saw 29 classes and numerous faculty members come and go; she was on hand amid the clamor occasioned by the Prince of Wales’s visit to dedicate our new law building in 1977, the clamor surrounding the opening of the new Law Library in 1997 and the clamor surrounding the celebration of the Cleveland-Marshall Centennial the same year. Carol took shorthand (a rarity nowadays), kept impeccable files, transcribed inaccurate tapes accurately, minded schedules and records, and was the helpmeet of four deans of very different personalities and dispositions: Dean Bogomolny, Interim Dean Lizabeth Moody and Deans Steven R. Smith and Steven H. Steinglass. Above all, she was the ultimate insider—witness to the inevitable follies and machinations of two generations of her colleagues—and she was the ultimate keeper of confidences, which is an indispensable asset in a workplace and in a friendship. Sometimes impatient with the unorganized lot of us—those who can’t keep dates straight or remember deadlines or put things back where they are supposed to be, those whose offices are shambles or an archival paper dig (“Why don’t you clean up your office, Louise?”), those who have trouble taking rules seriously. Yet she put up with us and sometimes even found all those co-workers and their inscrutable habits amusing.

If I may speak personally, I miss her fussiness, her mild scoldings, the sight of her hurrying across the atrium on soundless feet to collect the mail, and I even miss looking outside and seeing her smoking (though I hope she has quit) in the snow, in the rain and underneath the boiling sun. Most of all, I miss being around someone whose sense of herself was so unshakeable and, often, so courageous. And it’s always good to have someone whose expectations for you are greater than your own: That’s our friend Carol Barresi. LFM

Holli Goodman, Jean Packard, Marie Rehmar, Carol Barresi, Gail Girdler, Mary McKenna
Wilson G. Stapleton graduated from our predecessor school, the Cleveland Law School, in 1934 and began teaching at his law alma mater the following year. As teacher and eventually as Dean of the merged Cleveland-Marshall Law School, the flamboyant cigar-smoking "Wilson G.," as his students came to call him, had great ambition for the school and its students, and he had the enterprise and persuasiveness to transform his ambitions into reality. Each of the merged schools had been independent night law schools, relying chiefly on the city's lawyers and judges to leave their offices and courtrooms in the late afternoon and spend the next few hours teaching Cleveland-Marshall students. By the time Dean Stapleton retired in 1967, the law school had inaugurated a daytime program and employed 18 full-time faculty members and 14 part-time instructors; its library collection had grown from 3,000 volumes to over 55,000, and its budget had increased from $25,000 to $350,000. Moreover, the law school had been accredited by the American Bar Association in 1957 and was on the verge of acceptance into the Association of American Law Schools.

Dean Stapleton is not remembered solely for his doggedness in ushering a struggling part-time night law school into the 20th century, however; he is surely best remembered for his dedication to his students. Stapleton cast a wide net over the men and women—black, white; old, young—aspiring to careers in law throughout his 30 years as teacher and dean. A World War II veteran of both the Royal Canadian Air Force and the United States Air Force, he was especially expansive in his kindnesses toward soldiers returning from the devastation in Europe and the Far East. Today, some of the region's finest attorneys, judges, business leaders and public servants owe their success to the study of law at Cleveland-Marshall Law School during the Stapleton years.

Two-thousand-and-four marks the 70th anniversary of Wilson Stapleton's graduation from our law school. Three years ago the law school created the Stapleton Society as a way of honoring his memory through planned gifts that will continue to build the law school he envisioned. The Stapleton Society recognizes donors who wish to name Cleveland-Marshall as a beneficiary in their wills, trusts, life income gifts, retirement plans or insurance policies. A planned gift in any amount qualifies a donor for membership in the Stapleton Society. Let this be the year you become a member.

Contact Louise P. Dempsey '81, Assistant Dean for External Affairs, for confidential advice on including the law school in your estate plans. You may reach her at Louise.Dempsey@law.csubhiio.edu or at the law school address, 2121 Euclid Avenue, LB 138, Cleveland, Ohio 44115 or by phone at 216-687-2300. LFM

Dean Stapleton's portrait by Rolf Stoll is a gift from the class of 1954.
This year the Honorable Louis Stokes '53 delivered the keynote address at the annual Black Law Students Association Banquet on April 2, 2004. Mr. Stokes, the first African American from Ohio ever elected to the Congress of the United States, served 15 terms in the House of Representatives before retiring in 1998. He is now senior counsel in the Washington, DC, office of Squire Sanders & Dempsey L.L.P. Congressman Stokes's brother, the late Carl Stokes '56, former Mayor of Cleveland, was the first African American Mayor of a major American city as well as a judge and an ambassador. Law Notes editors thank Congressman Stokes for allowing us to reproduce his BLSA remarks below.

I deem it an honor to be invited to speak at this BLSA banquet. As a graduate of The Cleveland Marshall College of Law, I can tell you that you are getting as fine a law education as you can get anywhere in this country. If you apply yourself,
you can compete against the law graduates of Harvard, Yale, Stanford or any other law school in America. I am proud of this school and you should also be proud of the school and of yourselves. The measure of any student here is not what they taught you, but what you did with what you were taught.

I also want to acknowledge the presence tonight of your Dean, Steven Steinglass. I also consider him one of the finest deans of any law school in the country.

Keesha Pincock, Chair of BLSA’s banquet committee, asked me to comment upon the 40th anniversary of Terry v. Ohio and the 50th anniversary of Brown v. Board of Education. She also advised me of this year’s banquet theme: “We, stand, on the shoulders of our predecessors... We, as their successors, must catch the torch of freedom and liberty passed on to us by our ancestors. We cannot lose in this battle.”

This is a noble theme and I will try to address it.

When I graduated from this law school in 1953, one year before the U.S. Supreme Court decided the Brown v. Board decision, my goal was to be a great trial lawyer. I wanted to defend those who were poor and oppressed. As a lawyer I wanted to fight discrimination and bigotry and segregation. Two men were my heroes in the law, men whom I admired and respected. One was Norman S. Minor '27 and the other was Thurgood Marshall. Fate determined that I got to practice law with Norman Minor, and I got to work in the civil rights movement and to know Thurgood Marshall, and to argue the Terry case before the U.S. Supreme Court when he was one of the nine Justices hearing the case.

Norman Minor was an Ohio Assistant Prosecutor for more than 18 years; he won more cases than any other lawyer in the history of Ohio: 5,000 cases and 28 first-degree murder convictions. As a defense lawyer he became a legend in Cleveland’s courtrooms. While my brother Carl and I were still both young lawyers, we were picked by Norman Minor to practice law with him. The firm was named Minor Stokes and Stokes.

I had no idea when I tried the Terry case here in Cleveland 40 years ago that it would become a landmark constitutional law case now taught in every law school in America and every police department in America. As a defense lawyer he became a legend in Cleveland’s courtrooms. While my brother Carl and I were still both young lawyers, we were picked by Norman Minor to practice law with him. The firm was named Minor Stokes and Stokes.

I had no idea when I tried the Terry case here in Cleveland 40 years ago that it would become a landmark constitutional law case now taught in every law school in America and every police department in America. What I did know was that when the white police officer in that case arrested two black males and a white male on Euclid Avenue, whom he had observed and approached because he said they acted suspiciously, and added “to tell you the truth, I just didn’t like em,” I knew I had a constitutional challenge. Terry and his companions were poor. None had any money. Jack Day, who later became my co-counsel, and I paid the expense of taking this case up to the U.S. Supreme Court out of our own pockets. Two of these men were found to have guns on them, and I could have pleaded them guilty and disposed of their cases, but the higher principle was whether the Fourth Amendment to the United States Constitution permits a police officer to stop and frisk, on a public street, people who look like me, because I act suspiciously or because he “simply doesn’t like me.” While I did not win Terry, the Supreme Court established guidelines for police all over the country regarding constitutional searches and seizures of citizens on the streets, in their cars and in their homes.

Your theme, “Standing on the shoulders of your predecessors,” came forcefully home to me about two weeks ago. It was on the morning of the 137th Charter Day Convocation of Howard University’s founding in Washington, D.C. The theme of Howard’s Convocation was the same as ours tonight, “Celebrating 50 Years of Brown v. Board of Education.”

I wish I could create for you tonight and for every young black person in America the living history lesson I experienced at Howard that morning.

On the stage receiving honorary degrees were people like Charles T. Duncan, a cum laude graduate of Dartmouth College and Harvard Law School, who worked on the second brief presented to the U.S. Supreme Court in Brown v. Board; Julian Dugas, now 85 years old and still teaching law in Howard’s law school, the lawyer in
one of the companion cases to Brown v. Board, Bolling v. Sharpe, the case that ended school segregation in Washington, D.C., and a great female lawyer, Frankie Muse Freeman, who in 1954 argued and won a landmark case in the U.S. Supreme Court challenging racial segregation in public housing in St. Louis, Missouri. Another lawyer present, Jack Greenberg, Director of the NAACP Legal Defense Fund from 1949-1984, argued 40 cases before the U.S. Supreme Court, including the 1954 Brown v. Board case.

Oliver W. Hill, Sr., a legendary name amongst civil rights lawyers, was in a wheelchair and is now 97 years old. He was born in 1907 in the shadow of Plessy v. Ferguson, the U.S. Supreme Court case that upheld the slave-based doctrine of “separate but equal.” He began the practice of law in 1934 and, with no money and no office, immediately began filing lawsuits to end discrimination and segregation. Several of his cases became landmark laws securing equal rights for African Americans in education, employment, housing, and voting and jury selection. He, too, was the lawyer in one of the companion school desegregation cases decided by the Supreme Court in Brown.

And then there was recognition of a man who also should be known by every black person in America. Charles Hamilton Houston Sr., now deceased, was represented by his son, Charles Hamilton Houston Jr. Charles Hamilton Houston Jr. was the lawyer who conceived and headed the legal strategy leading to the end of legalized racial segregation in the United States. He and those he taught and mentored, including Thurgood Marshall who was his prize pupil, laid the legal groundwork that ultimately led to the decision in Brown v. Board in 1954.

Charlie Houston completed high school at age 15 and graduated magna cum laude from Amherst College. He earned a bachelor of laws and a doctorate of laws from Harvard Law School. A few years after graduation he became Dean of Howard University Law School, where he went with a mission: to turn out the finest black lawyers in America, who themselves would have a mission. His creed was “A lawyer's either a social engineer or he's a parasite on society.”

Sitting there at this Convocation service that morning, over and over again, we were reminded of the role this black institution had played in the story of the New York Times reporter who was going through the rural area of Mississippi during the heat of the civil rights movement. Seeing this older black woman seated on her porch, he approached her and asked her what she thought the civil rights movement had done for black people. She said “Well, we ain't what we gonna be; and we ain't what we oughta be; but thank God, we ain't what we was.”

In order to understand the real meaning of Brown v. Board of Education in 1954 you have to go back in U.S. history to a date more than 60 years before the day in 1955 when Rosa Parks sat down in the white section of a bus and refused to get up and give her seat to a white man. In 1892 a 29-year-old shoemaker named Homer Plessy was chosen to challenge a law passed by the state of Louisiana in 1890 that required public transportation to be segregated by race. Plessy was the child of an inter-racial marriage and was fair skinned. Once on the train, Plessy, who had purchased a first-class ticket, refused to “retire to the Colored car on the train.” He was arrested for sitting in a “Whites Only” railroad car. In court, Plessy contended that the state law violated the 13th and 14th amendments to the Constitution, which had abolished slavery and given African Americans rights as citizens. The court ruled against him, and his appeal was taken to higher courts. In 1896 the United States Supreme Court ruled against Plessy in an eight to one decision that established the doctrine of “separate but equal.” The decision gave a powerful weapon to those who wanted to keep whites and blacks segregated by race and defined racial attitudes for more than half a century. Plessy upheld segregation laws in the United States and was used universally to hold African Americans
back in education, jobs and other opportunities.

According to writer Keith Weldon Medley, Plessy was "white enough to gain access to the train and black enough to be arrested for doing so."

In 1954 Brown v. Board of Education overturned the doctrine of "separate but equal."

This 11-page unanimous decision was written and delivered by Chief Justice Earl Warren in purposefully unemotional language. He said: "We come then to the question presented: 'Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities?' We believe that it does . . . . And it is the larger story of countless other African American children walking great distances, against great odds, to reach their own segregated schools as buses filled with white children passed them by."

It is fitting tonight that we pause and pay tribute to the man who, along with Charles Hamilton Houston, was the architect and the lead lawyer in the Brown case. That man was Thurgood Marshall who would later become this nation's first African American Supreme Court Justice.

Upon hearing of Thurgood's death, Thomas Krattenmaker, a Georgetown University Law Center professor, was quoted as saying: "When I think of great American lawyers, I think of Thurgood Marshall, Abe Lincoln and Daniel Webster." At Justice Marshall's funeral, Chief Justice Rehnquist cited the words above the entrance to the Supreme Court, which read, "Equal Justice Under Law," and then said, "Surely no one individual did more to make these words a reality than Thurgood Marshall." Vernon Jordan, in his tribute, said: "We thank you, Thurgood . . . your voice is stilled but your message lives. Indeed you have altered America irrevocably and forever."

The Washington Afro-American newspaper editorialized, "We make movies about Malcolm X., we get a holiday to honor Dr. Martin Luther King, but every day we live with the legacy of Justice Thurgood Marshall."

He had been the chief attorney for the NAACP for 23 years. He used the courts to strike down racially discriminatory practices in voting, housing, transportation, teachers' salaries, graduate and professional education, public schools and the administration of justice. Most lawyers in America never get to argue a case in the United States Supreme Court. Thurgood Marshall argued 32 cases before the United States Supreme Court and won 27. On his way to the Supreme Court, as a Judge on the U.S. Court of Appeals, he wrote 130 opinions, none of which were ever reversed by the Supreme Court. Again, as Solicitor General of the United States representing the United States Government before the Supreme Court, he argued 19 cases and won 15 of them.

This amazing record as a lawyer began with his education at two historically black public universities. Marshall attended Lincoln University where he
was a classmate of the future President of Ghana, Kwame Nkrumah; the future immortal band leader Cab Calloway and writer Langston Hughes. He graduated *cum laude* and went to Howard University Law School, where he established a special relationship with Dean Houston, who in 1927 had been the first black lawyer to win a case before the U.S. Supreme Court. Marshall went on to graduate first in his class, *magna cum laude*.

He was the lawyer for the famous “Little Rock Nine” school integration case in 1957 and the lawyer for Atherine Lucy in her successful court case ordering her admission to the University of Alabama in 1956. When college students across the south were being arrested for trying to integrate lunch counters and other public facilities in the south, Marshall and NAACP lawyers represented over 1,200 demonstrators. Eventually, they secured a valuable decision from the Supreme Court in *Garon v. Louisiana* in 1961, holding that peaceful sit-ins and protest demonstrations were a form of free speech.

Throughout all of this Marshall’s courage was inspirational. As he traveled through the south in desolate, rural areas, he often encountered threats of death. Throughout it all he seemed to be sustained and to garner strength from the words of his law teacher and mentor, Charles Hamilton Houston, who always told him “I would rather die on my feet than live on my knees.”

There were many local cases that were lost that should have been won. Because of hostile judges, fear by local African Americans of becoming involved in civil rights battles, and threats against those people filing suits, Marshall could never be sure whether a seemingly strong case would make it to court. He often told of how he had to sleep from house to house at night while trying cases in the south in order to escape those who threatened his life. Wherever he was and whatever the circumstances, he believed in the promise of America. In a 1979 speech he was quoted as saying “The goal of a true democracy such as ours is that anybody born in the United States, even if born to the blackest, most illiterate, most underprivileged Negro in Mississippi, is, merely by being born and drawing its first breath in this democracy, endowed with the exact same rights as a child born to a Rockefeller.”

America’s reaction to the *Brown v. Board of Education* decision—unlike the decision itself—was not unanimous. Newspaper editorials variously praised and condemned the decision. White southerners vowed opposition. Black Americans generally welcomed the decision as having removed every last vestige of segregation by race, thereby recognizing the equality of all Americans and affording them the opportunity to be whatever they wanted to be. To them, this meant no longer living under any semblance of the demeaning and degrading laws of 1896’s *Plessy v. Ferguson*, which had opened the door to state-sanctioned racial discrimination all across the south, and 1857’s *Dred Scott decision*, which had held that blacks, slave or free, were so far inferior that they had no rights that the white man was bound to respect.

Here in Cleveland, the first lawsuit to desegregate public schools in the north was filed in 1964. When Thurgood Marshall left the directorship of the NAACP Legal Defense Fund, he was replaced by Robert Carter, who is now a federal judge in New York. Bob Carter came here to Cleveland and worked with me, Jack Day, Harry Lehman and several other NAACP lawyers to open a new front in America: the desegregation of northern public schools. The case we filed against the Cleveland Board of Education was *Craggett v. Cleveland Board of Education, et al.*, which we tried here in the U.S. district court with Bob Carter as the lead attorney. The court ruled against us and the decision was made not to appeal until other cases had been filed in the north.

A later case filed in 1973 by the Cleveland NAACP, against the Cleveland Board of Education was known as *Reed v. Rhodes*. This case did go to the United States Supreme Court and the Court found that the Cleveland Board of Education had deliberately, illegally and unconstitutionally segregated children by race, and the school board was ordered to desegregate Cleveland schools.

I have tried tonight to commemorate the 50th anniversary of *Brown v. Board* by reviewing our history. It is said that “those who do not know their history are destined to repeat it.”

We have come a long way in the last 50 years, and no one can deny that much has been accomplished and that African Americans have broken through many barriers. Yet much of that progress when compared to white progress is minimal. Throughout the last century and now in this century, we have faced issues of resegregation of our schools, allegations of reverse discrimination, white flight, “angry white males,” and affirmative action challenges.

Perhaps Colbert I. King, a *Washington Post* writer, put the challenge to you best. He wrote a recent column captioned “Slow Progress, 50 Years After Brown.” After writing of the current separation of the races, he sums up his views by saying, “...the challenge to African Americans today is the same as it was on May 17, 1954, when the Court spoke: to be prepared to achieve success on an equal footing in any endeavor—be it in the arts, science, business, professions, sports—any and every thing...the march must continue until Brown’s promise—the opportunity to succeed in life—is made available to all on equal terms, until equal opportunity is a reality in the life of every American...”

How you, the young people in this room, answer these and other challenges in the next generation will determine our fate for generations to come.

I leave you with the immortal words of Mahatma Ghandi who so eloquently said: “You must be the change you expect to see in the world.”
Leon of the Long Memory and the Large Heart

Leon Plevin, President Emeritus of the Cleveland-based law firm of Nurenberg, Plevin, Heller & McCarthy Co, L.P.A., graduated from the law school in 1957. A West Virginian, he was the first lawyer in his family, and he has never forgotten his law alma mater or the faculty members who shepherded him through Cleveland-Marshall College of Law: Ellis Rippner '25, William Marsteller, Victor DeMarco, Norman Miller, William Gardner, Joseph Artl '23, and, above all, Dean Wilson Stapleton '34. This year, in an act of gratitude for those teachers and mentors, Leon created the Leon M. and Gloria Plevin Endowed Professorship at the law school. The Leon M. and Gloria Plevin Professorship will be given to a current faculty member whose scholarship and professional service have helped advance the reputation of the law school and whose teaching will inspire the next generation of Leon Plevins.

This is not Mr. Plevin's first act of generosity toward Cleveland-Marshall. Several years ago, he and his law firm established the Nurenberg, Plevin, Heller & McCarthy scholarship in law, which has helped remove the financial burden of a generation of our students. The Plevin name is as inseparably linked with the Cleveland arts community as it is with the legal community. Leon Plevin is a past President of the Cleveland Artist Foundation, and Gloria Plevin is a well-known and highly regarded painter and print maker. Together the Plevins have advanced the cause of local artists by their stewardship of the Nurenberg Plevin art collection, which is today perhaps the finest assembly of regional artists in the city. And recently Ms. Plevin donated one of her prints to the law school's own art collection to complement two other prints in the same series recently given to the law school.

Leon Plevin also has a commendable record of service to the University. He is a Director of the Cleveland State University Foundation and a member of the College of Arts and Sciences Visiting Committee. In 2000 he was instrumental in bringing the "For Everything There is a Season: Jewish Ritual Art in Cleveland" exhibition to the Cleveland State University Art Gallery.

Before the close of the school year, Dean Steinglass will announce the holder of the Leon M. and Gloria Plevin Endowed Professorship. LFM
his year as in the past Cleveland-Marshall College of Law faculty and administrators created opportunities for the University and the community to hear some of the country's most compelling speakers: Legal historians, civil rights activists, advocates for legal and labor reform, human rights attorneys, criminologists, legal philosophers and spokespersons for women's rights and employment came from prestigious law firms, universities, and public interest organizations to speak at Cleveland-Marshall.

We began the 2003-2004 school year's round of public events on September 4 with a visionary conference jointly sponsored by the law school and the Levin College of Urban Affairs. Organized by Legal Writing Professor Brian Glassman and Levin College Forum Program Director Kathryn Hexter, the conference examined the arts as a fulcrum for city planning and a means of restoring at-risk neighborhoods. Chief among the presenters at "MERGING AN ARTISTIC AND CIVIC VISION: LAW, THE ARTS AND URBAN PLANNING" were Brian Tolle, the artist who designed the Irish Hunger Memorial in New York City, and Lily Yeh, an artist and community activist in Philadelphia.

Twelve days later on September 16, New York University School of Law Professor Stephen J. Schulhofer, author of UNWANTED SEX: THE CULTURE OF INTIMIDATION AND THE FAILURE OF LAW, presented the first Criminal Justice Forum lecture of the year: "Rape, Sexual Assault and the Twilight Zone: When Sex is Unwanted but Not Illegal," a discussion of rape laws throughout the country that have failed to criminalize incidents of sexual imposition when they did not involve...
physical force against women.


In 1999, Associate Dean, Law Library Director and Professor of Law Michael J. Slinger inaugurated a program featuring our own faculty as speakers. In the past five years almost 30 faculty members have presented informal lectures about their research projects. The Faculty Speaker Series began this year with Professor Phyllis L. Crocker speaking on September 30 about her experiences as Foreperson of the Grand Jury, an experience that eventually involved a confrontation with the Cuyahoga County Prosecutor over the assignment given the jury by the appointing judge.


On October 9, New York University School of Law Visiting Professor Derrick C. Bell served both as the opening speaker for the three-day People of Color Midwest Legal Scholarship Conference and as the 77th Cleveland-Marshall Fund Visiting Scholar. Professor Bell, one of academia’s most revered teachers and civil activists, drew the largest audience of the year. His address, “Brown v. Board at 50: What Are We Doing with What We Have Learned?,” questioned our country’s successes in fulfilling the promises of the Brown decision. Cleveland-Marshall Professor of Law Adam Thurschwell brought together international law scholars and legal philosophers for a two-day conference on October 16 and 17, “Sovereignty and the Right to Death.” Among the presenters were Rutgers University Professor of Law, Women’s Studies and Political Science Drucilla Cornell, University of London Birbeck College School of Law Anniversity Professor of Law Peter Fitzpatrick, the University of California-Irvine Distinguished Professor of English and Comparative Literature J. Hillis Miller, and Cleveland-Marshall Professor of Law Tayyab Mahmud.

On October 29 Professor S. Candice Hoke presented the second Faculty Speaker Series lecture, a hard look at work-and-family conflicts. Professor Hoke characterized the growing tensions between work-life and family-life nationwide as an issue that should perhaps be addressed by government policy makers.

The second Criminal Justice Forum program of the school year looked back on a 40-year-old Cleveland court case that has become part of American legal history: Terry v. Ohio, the “stop and frisk case.” On Thursday, October 30, two of the principals in the case, former United States Congressman Louis Stokes ’53, who represented the Terry defendants all the way to the US Supreme Court, and former Assistant Prosecutor Ruben Payne ’53, who prosecuted the men, joined Cuyahoga County Court of Common Pleas Judge Timothy J. McGinty ’81, Cleveland-Marshall Law Professor Beverly J. Blair ’85 and Case Western Reserve University Professor of Law Lewis R. Katz in a discussion of the affects of the case on Fourth Amendment jurisprudence and its relevance to the practice of criminal law in the 21st century.

On November 18, Supreme Court historian and John Marshall biographer R. Kent Newmeyer, Professor Emeritus of Law and History at the University of Connecticut School of Law, delivered the year’s second Joseph C. Hostetler-Baker & Hostetler Lecture commemorating the bicentennial of Marbury v. Madison, “John Marshall in the circumstances which were his.”

Professor Stephen J. Werber, an expert in tort law and proposed tort reform initiatives nationally, presented the final fall lecture in the Faculty Speaker Series on November 19, “Tort Reform: State and Federal Constitutional Concerns.”

Famed novelist and attorney Scott Turow visited the law school on February 4 to deliver the third address in the Criminal Justice Forum lectures, “Confessions of a Death Penalty Agnostic.” Mr. Turow’s address drew heavily on his experiences representing death row convicts pro bono.
and the research for his 2003 non-fiction book, **Ultimate Punishment: A Lawyer's Reflections on Dealing with the Death Penalty.**

The spring Faculty Speaker Series opened on February 11 with Professor William Tabac's discussion of the Kennedy administration's conviction of Teamster Union President Jimmy Hoffa, his lawyer and others for jury tampering. Professor Tabac described his involvement as a US Court of Appeals clerk in the only conviction that was reversed and his personal investigation into the case in "A Most Zealous Prosecution: the Kennedys v. Hoffa."

On February 23, labor and human rights lawyer Terry Collingsworth, Executive Director of the International Labor Rights Fund in Washington, DC, presented "The Globalization of Labor and Employment Law: Suing Multinational Companies in US Courts for Violations of Workers' Human Rights." Mr. Collingsworth and the International Labor Fund have been leaders in bringing suit under the Alien Tort Claims Act in order to hold multinationals accountable for human rights violations in foreign lands. His lecture was the second event in the law school's 2003-2004 Employment and Labor Law Speaker Series. Mr. Collingsworth is fondly remembered as a Clinical Professor in the law school's Employment Law Clinic during the 1980s.

"Why Not Polygamy?" was the provocative title of Professor Dena S. Davis's Faculty Speaker Series lecture on March 2, in which she argued that the state has no business meddling in marriage, whether it is a heterosexual or a same-gender alliance. Dr. Davis took the argument a step further: If she argued, same-gender marriages should not be a matter of state intervention, then why not multi-person marriages?

On March 11, American University Washington College of Law Professor Joan C. Williams, who is also the Executive Director of the Program on WorkLife Law at American University, spoke to an enthusiastic audience about her organization's efforts to use the law to protect the working rights of parents and preserve values most prized by families. Her lecture, "Beyond the Maternal Wall: When Mothers (and Fathers) Sue for Job Discrimination," focused on experiences representing women whose jobs were endangered by bias against women seeking maternity benefits. Professor Williams spoke as the law school's 78th Cleveland-Marshall Fund Visiting Scholar and as the final Employment and Labor Law Speaker of the school year.

The final spring Faculty Speaker Series event presented Associate Dean Michael J. Slinger and Professor of Law and Urban Affairs W. Dennis Keating speaking together on "The American Civil War: Civil Liberties and Retribution—Parallels with Today," an historical look at the assaults on civil liberties that occurred during and after the War Between the States and a comparison with the present federal government's reaction to the September 11 tragedy.

The law school hosted three programs in April. On the 15th Daniel Halberstam, Assistant Professor of Law at the University of Michigan Law School and an authority on issues relevant to the effect of the European Union on international law, spoke to the law school and the legal community on "The European Court of Justice and the Quest for Europe."

On April 21, Princeton University Professor Of Anthropology Carol J. Greenhouse, a cultural anthropologist whose work focuses on questions of politics and law as cultural practices, delivered the 2004 Joseph C. Hostetler-Baker & Hostetler lecture on "Law and Anthropology: Unfinished Conversations about Democracy and Difference."

The final lecture in the Criminal Justice Forum series on April 29 brought Sharon L. Davies, the John C. Elam / Vorys Sater Designated Professor of Law at Ohio State University, to campus to discuss "False Confessions: Lessons from the Central Park Jogger Case."

On May 3, Professor James G. Wilson and other law and CSU history faculty analyzed oral arguments in Hamdi v. Rumsfeld and Rumsfeld v. Padilla.

Still to come at publication time:

The Eighth Internal Revenue Service Conference on Federal Wealth Transfere Taxation, organized by Professor Louis Geneva, will take place on May 26, 2004. For information contact Professor Geneva at 216-687-2346 or email him at Louis.Geneva@law.csuohio.edu.

And don't forget to check for special events during the 2004-05 school year on www.law.csuohio.edu. LFM

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**DID YOU KNOW?**

C-M student Ari Sherwin competed in the World Championships for Weight Lifting in 1999 and was an alternate on the U.S. Olympic Team in 2000.

Hon. Kenneth D. Stern '67 and Hon. Jeffrey A. Winikoff '78 both serve on the bench in Palm Beach County, Florida where their chambers are on the same floor.

Judge Jeffrey A. Winikoff '78 of the Palm Beach County Circuit Court is the presiding judge in the Rush Limbaugh case.
Alumni Happenings

1941
Paul J. Hribar, who has practiced law for the past 56 years, was the subject of an in-depth article in The News Herald.

1951
Hon. Lillian Burke, retired Cleveland municipal judge, received the Achievement Award from the YWCA of Greater Cleveland.

1953
CMLAA Honorary Trustees William T. Monroe and Louis Stokes, as well as Seymour R. Brown, Neil J. Byrne, Karl D. Kammer, Warren D. Langer, Thomas C. Losh, Mark A. Smith and George W. Whitehead were recognized as fifty-year practitioners and were the recipients of the Cleveland Bar Association Honorary Lifetime Memberships.

Akron Magistrate James S. Gallas was the recipient of the Ellis Island Medal of Honor Award.

The Cleveland Artist Foundation honored Leon Plevin at its annual benefit as he retired as president of the non-profit organization.

CMLAA Honorary Trustee and former Congressman Louis Stokes was the recipient of the Congressional Distinguished Service Award for his numerous accomplishments in a 30-year congressional career. Mr. Stokes was Ohio’s first black U.S. congressman.

Bert Wolstein received the 2003 Alumni Lifetime Leadership Award from Cleveland State University.

1954
Inside Business recently named CMLAA Honorary Trustee Daniel R. McCarthy a “Leading Lawyer in Northeast Ohio.”

1955
Xenophon Zapis was awarded the 2003 Ellis Island Medal of Honor.

1960
CMLAA Honorary Trustee Dale D. Powers has become President of the Cuyahoga County Public Library Board of Trustees.

1962
George L. Forbes was the keynote speaker for the Black Trades Council of Ohio Inc. second annual luncheon. Mr. Forbes is president of the Cleveland Branch NAACP.

CMLAA Trustee Stanley E. Stein is a member of the Trustees Class of 2006 of the Cuyahoga County Bar Association.

1965
Inside Business recently named Larry Crystal a Leading Lawyer in Northeast Ohio.

1968
CMLAA Honorary Trustee Hon. John E. Corrigan is a member of the Trustees Class of 2006 of the Cuyahoga County Bar Association.

Louis A. DiFabio is a member of the Board of Editors of Ohio Lawyer.

CMLAA Honorary Trustee Hon. Anne Dyke received a Presidential Board Appointment to serve a one-year term as a Trustee of the Cuyahoga County Bar Association.

Thomas J. Escovar was installed as President of the Cuyahoga County Bar Association. He is also a member of the Board of Editors of Ohio Lawyer.

William E. Powers Jr., a member of the National Advisory Board of the Cleveland-Marshall College of Law, has become Of Counsel to the Tallahassee, Florida, firm Allen, Norton & Blue after merging his management employment law firm. Mr. Powers continues to serve as General Counsel to the Florida Sheriffs Association. He was the recipient of the Distinguished Service Award given by the Florida Coalition for Children in recognition of over 15 years of pro bono service to the Florida Sheriffs Youth Ranches “Florida’s Charity for Children.” Mr. Powers was appointed to a second term as the chair of the 11th circuit nomination committee for the selection of fellows in the College of Labor and Employment Lawyers and as the management co-chair of the state and local bar association task force of the American Bar Association’s Labor Section.

Nancy C. Schuster is a member of the Board of Editors of Ohio Lawyer.

1970
Leonard J. Kleinman joined the Tampa, Florida, firm of Ruden McClosky Smith Schuster & Russell, where his practice will concentrate on general corporate and tax work. Mr. Kleinman is a member of the National Advisory Board of the Cleveland-Marshall College of Law.

1971
Governor Bob Taft named Hon. Terrence O’Donnell to the Ohio Supreme Court. The Federation of German-American Societies of Greater Cleveland also named Justice O’Donnell 2003 Public Official of the Year.

1972
Robert I. Chernett, Steven L. Wasserman ’78, Michael B. Pasternak ’92 and Jonathan M. Yarger announce the opening of their new law firm, Chernett, Wasserman, Yarger & Pasternak at the Tower of Erieview in Cleveland.

John V. Jackson has become a partner with the Cleveland office of Sutter, O’Connell, Mannion & Farchione.

1974
The Cleveland Bar Association, the Cuyahoga County Bar Association and the Executive Committee of the Judicial Conference of the Eighth Judicial District selected CMLAA Honorary Trustee Judge Michael J. Corrigan to serve as chair of the Judicial Conference of the Eighth Judicial District.
Dennis E. Eckart is a partner with the Cleveland firm of Baker & Hostetler.

Thomas Wood has been appointed Vice President Labor Relations for the International Steel Group Inc.

Leonard D. Young, CMLAA honorary trustee and former chair of the Cleveland-Marshall College of Law Visiting Committee, was named a partner in the Cleveland firm of Ulmer & Berne. Mr. Young chairs the firm’s General Counsel Services Group and practices in its business law group.

1975
Michael M. Courtney is a member of the Trustees Class of 2006 of the Cuyahoga County Bar Association.

Robert D. Weisman was elected Chairman of the Board of Trustees of Prevent Blindness Ohio.

B. Casey Yim, a member of the National Advisory Board of the Cleveland Marshall College of Law, joined the Los Angeles, California, law firm of Murchison & Cumming as Of Counsel and a member of the firm’s Professional Liability Practice Group. Mr. Yim’s primary practice area is the defense of attorneys, accountants, medical professionals and healthcare providers.

1976
Hon. Patricia Ann Blackmon was honored by Dominion East Ohio in its “Strong Men & Women” Educational series.

Sandy R. Cameron has become Of Counsel with the law firm of Conway, Marken, Wyner, Kurant & Kern.

Thomas S. Campanella has been appointed director of the Master of Business Administration Program in health care at Baldwin-Wallace College.

The Ohio Academy of Trial Lawyers inducted Stuart Garson into the Ohio Workers’ Compensation Hall of Fame.

Colette Gibbons has been named managing partner of the law firm of Schottenstein, Zox & Dunn.

Michael J. Nath has been promoted to director of Cedar Point’s Games Division.

Thomas McCullough O’Brien has returned to private practice in Bethany, Connecticut, with a concentration in the areas of juvenile and criminal law and civil litigation.

Buckingham Doolittle & Burroughs attorney Deborah Sesek was named in the 2004 edition of “Ohio Super Lawyers.”

Michael A. Sweeney was featured in Northern Ohio Live magazine’s selection of the area’s top 300 attorneys.

Hon. John D. Sutula is a member of the Trustees Class of 2005 of the Cuyahoga County Bar Association.

Laurence A. Turbow was installed as Second Vice President of the Cuyahoga County Bar Association.

The U.S. Senate confirmed Greg White as the United States Attorney for Northern Ohio.

1977
Carolyn M. Cappel has been elected to the management committee of the law firm of Weston, Hurd, Fallon, Paisley & Howley.

Carey N. Gordon serves as the US-AID’s Regional Contracting Officer for mainland Southeast Asia and China; he lives in Bangkok, Thailand.

Ellen S. Mandell is a member of the Trustees Class of 2006 of the Cuyahoga County Bar Association.

Barbara K. Roman received a Presidential Board Appointment to serve a one-year term as a Trustee of the Cuyahoga County Bar Association.

1978
CMLAA Honorary Trustee Thomas L. Colaluca has become a managing member with the law firm of Johnson, Angelo & Colaluca.

Fred M. DeGrandis is the president of the ALS Association, Northeast Ohio Chapter.

Edward F. Feighan has been named Chairman and Chief Executive Officer of ProCentury Corporation, the parent company of Century Insurance Group.

Janet L. Kronenberg is a member of the Trustees Class of 2006 of the Cuyahoga County Bar Association.

Mary Ann Rini is a member of the Trustees Class of 2006 of the Cuyahoga County Bar Association.

Buckingham Doolittle & Burroughs attorney Ronald F. Wayne was named in the 2004 edition of “Ohio Super Lawyers.”

1979
Clyde E. Bailey Sr., a patent attorney at Eastman Kodak Company, was inaugurated President of the National Bar Association at the organization’s 78th annual convention in New Orleans.

Common Pleas Court Judge Chris Boyko helped conduct a successful pilot project that tested the recommendations of a statewide task force of judges, attorneys and Ohio citizens designed to improve the jury system in Ohio. Judge Boyko was one of 50 judges across the state who volunteered his courtroom as a laboratory to help test innovative techniques designed to make jury service more rewarding for citizens and to help jurors better understand the evidence and law presented to them during trials.
Alumni Happenings

David B. Gallup is a member of the Trustees Class of 2005 of the Cuyahoga County Bar Association.

The National Board of Trial Advocacy recently certified W. Andrew Hoffman III as a civil trial advocate.

Martha H. Krebs was elected Treasurer of the Cuyahoga County Bar Association.

Inside Business recently named Kenneth B. Liffman a “Leading Lawyer in Northeast Ohio.”

Patricia W. Pribisko has become a principal in the corporate, securities, real estate and environmental practice groups of the Cleveland firm of Kahn Kleinman.

1980

The Supreme Court of Ohio’s Board of Commissioners on Grievances and Discipline elected CMLAA Treasurer Richard C. Alkire as its chair for 2003.

Hon. Patricia A. Hemann received the 2003 Alumni Award for Civic Achievement from Cleveland State University.

Hon. Diane J. Karpinski is a member of the Trustees Class of 2005 of the Cuyahoga County Bar Association.

1981

Ralph E. Jocke was named an “Exceptional Contributor to the OSBA” in the March/April 2003 issue of Ohio Lawyer, published by the Ohio State Bar Association.

Dennis R. Lansdowne was elected Vice President of the Cleveland Academy of Trial Attorneys for 2003.

Regina M. Massetti was elected a Trustee-at-Large of the Ohio Women’s Bar Association.

St. Edward High School Alumni Association honored Hon. Timothy J. McGinty as the 2003 Legal Eagles Man of the Year.

P. Kelly Tompkins was elected the 2003 Vice President of the Cleveland Bar Association. Mr. Tompkins also serves as chair of the Cleveland-Marshall College of Law’s Visiting Committee.

Patricia A. Walker is president of Project: Learn of Medina County.

1982

Karen L. Greco was named a partner in the Cleveland firm of Kehoe Jackson & Krantz.

Kevin Keogh joined the Cleveland firm of Buckley King as a partner in the corporate/business department.

Diana M. Thimmig was installed as First Vice President of the Cuyahoga County Bar Association for 2003. Ms. Thimmig was also named a partner in the business group of the Cleveland firm of Roetzel & Andress.

Merl H. Wayman has been certified by the Ohio State Bar Association as a specialist in labor and employment law.

Stephen Williger joined the Cleveland office of Thompson Hine as a partner in the business litigation practice group.

1983

Blake Owen Brewer married Rita E. Brewer (nee Grabisna) on April 11, 2003 in Key West, Florida.

Bernard A. Ostrowski has joined the Lancaster firm of Plante & Moran as a partner in the tax group; he will lead the central Ohio tax practice, which focuses on serving middle-market and privately held businesses.

Rick Schwartz is the law director and prosecutor for the city of Newton Falls.

Donna Taylor-Kolis was elected Treasurer of the Cleveland Academy of Trial Attorneys for 2003.

Mark Witt was inducted into the Berea School District’s Distinguished Alumni Hall of Fame.

1984

Yvonne C. Billingsley was sworn in as a member of the Board of Trustees of the Cleveland Bar Association.

The Ohio State Bar Foundation received the 2003 Award for Excellence in Public Service Programming from the National Conference of Bar Foundations. The key to the award-winning program was a storybook about the justice system for elementary school children titled “Did Not! Did Too!” created by volunteers of the Ohio State Bar Foundation, including Judge Paul Brickner. His work was also published in the Southwestern Journal of Trade and Law in the Americas in January. “The Passenger Cases (1949): Justice John Mclean’s ‘Cher ished Policy’ as the First of Three Phases of American Immigration Law.” Judge Brickner was recently elected to the Ohio Court of Appeals, Eleventh District.

Carol Rogers Hilliard was sworn in as a member of the Board of Trustees of the Cleveland Bar Association.

Kerin Lyn Kaminski is a founding member of Giffen & Kaminski in Cleveland.

1985

Goldie K. Alvis received the Rev. Richard E. Sering Award from the International Partners in Mission.

Russell D. Kornblut has joined the Cleveland law firm of Collins & Scallon, where he will focus his practice in the areas of business litigation and commercial transactions with an emphasis on lender services, general business representation and workmen’s compensation defense.

Randy D. Rinicella has joined Buchanan Ingersoll as a shareholder in its corporate finance and technology section. His arrival marks the firm’s first presence in Ohio.
Missia H. VaseLANEY has become a principal in the tax, pension and estate planning practice group of the Cleveland firm of Kahn Kleinman, where her practice will focus on estate planning for business owners and individuals.

1986
Seventh District Court of Appeals Judge Mary DeGenaro was honored by the Jefferson County Republican party with the Golden Tusk award, the highest honor bestowed on an individual who exemplifies through service, commitment and character the ideals of the Republican Party.

Lenore KleINMAN is a member of the Trustees Class of 2005 of the Cuyahoga County Bar Association.

Charles G. Pona was selected as President of the National Association of Retail Collection Attorneys. Mr. Pona is a partner in the Cleveland firm of Weinberg & Reis.

1987
Brian M. O'Neill was sworn in as a member of the Board of Trustees of the Cleveland Bar Association; he is the chair of the business law group in the Cleveland firm of Weltman, Weinberg & Reis.

Buckingham Doolittle & Burroughs attorney Erica M. Simon was named in the 2004 edition of "Ohio Super Lawyers".

Timothy P. Trainer, President of the International AntiCounterfeiting Coalition, Inc., since 1999, testified before the U.S. House of Representatives Committee on International Relations to address the issue of links between intellectual property crimes and terrorist organizations. Mr. Trainer was renominated as a co-chairman of the United Nations Economic Commission for Europe's Intellectual Property Advisory Group, which concentrates its intellectual property training and education programs in Central and Eastern Europe. In January, Mr. Trainer, working in cooperation with the US Patent and Trademark Office and the US Embassy in Muscat, Oman, delivered intellectual property enforcement training to government officials of six Gulf Cooperation Council Countries: Bahrain, Kuwait, Oman, Qatar, United Arab Emirates and Yemen. In February he testified before the US House of Representatives Subcommittee on the Courts, the Internet and Intellectual Property regarding a proposed law to impose enhanced criminal sentence if a defendant, in the furtherance of a felony, knowingly provided false contact information to a domain name registrar.

Timothy J. Webster was appointed a partner in the firm of Roetzel & Assness; his practice is concentrated on labor and employment.

1988
Buckingham Doolittle & Burroughs attorney Robert A. Hager was named in the 2004 edition of "Ohio Super Lawyers".

Robert W. Myers has become a partner with Thompson Hine in the firm's Columbus office.

Lisa A. Reid has become of counsel with the law firm of Porter, Wright, Morris & Arthur.

Beth S. Rosenbaum has become an associate with the law firm of Roth Bierman.

Christine M. Stouffer has been promoted to director of library services at the Cleveland firm of Ulmer & Berne.

1989
John Cipolla is an intellectual property partner in the Cleveland office of Calfee, Halter & Griswold.

Brian P. Downey is a member of the newly formed firm of Schwartz, Kushner & Rendon in Cleveland.

Lisa Gasbarre is General Counsel to the Secretariat for the Catholic Charities Health & Human Services in the Diocese of Cleveland.

Karen L. Giffen is a founding member of Giffen & Kaminski in Cleveland.

LuAnn A. Polito has become an associate with the law firm of Gallagher, Sharp, Fulton & Norman.

1990
Patrick S. Corrigan was named a partner in the Cleveland firm of Weston Hurd Fallon Paisley & Howley.


1991
Robert L. Brown and Terrell Meneffee '99 have founded the Cleveland law firm of Brown Meneffee, concentrating on immigration law; the firm was profiled in an article in Crain's Cleveland Business.

Sophia M. Deseran has become a partner with the law firm of Walter & Haverfield.

Lauren Kinkopf joined the medical defense group in the Cleveland office of Roetzel & Assness.

John P. Norton joined the corporate/business division of the Cleveland firm of Seeley, Savidge & Ebert concentrating on commercial law, employee benefits and compliance issues.

Buckingham Doolittle & Burroughs attorney John P. Slagter was named in the 2004 edition of "Ohio Super Lawyers."

Linda Stepian has become a partner in the Cleveland firm of Reminger & Reminger, where she focuses her practice on workers' compensation litigation.
Alumni Happenings

Timothy L. Zix was named a partner in the Cleveland office of Taft, Stettinius & Hollister, where he practices workers’ compensation, intentional tort, unemployment, and employment law.

1992
CMLAA Trustee Meena Morey Chandra and her husband, Cleveland Law Director Subodh, are the proud parents of triplets born in February, Chethan Muktha, Akaash Satya, and Karthnik Dharma.

Mia Lombardi has become director, and liaison to programs for the Commercial Real Estate Women Inc. of Cleveland.

1993
Janice Aitken has joined the insurance and appellate practice group of the Cleveland firm of Gallagher, Sharp, Fulton & Norman.

Teresa M. Beasley has become director and liaison to membership for the Commercial Real Estate Women Inc. of Cleveland.

Kevin Blum is the owner and founder of Erie Title Agency, Inc. in Pepper Pike, Ohio.

Edward Fitzgerald has become an associate at the Cleveland firm of Nurenberg, Plevin, Heller & McCarthy.

Meegan Lally Spicer and Scott Spicer are the proud parents of their first child, Maeve Catherine, born in May.

Oscar Romero, a member of the law school’s National Advisory Committee, has become Senior Counsel for Bridgestone/Firestone Retail & Commercial Operations in Bloomington, Illinois.

1994
Thomas A. Barni has been named a partner in the Cleveland firm of Dinn, Hochman & Potter. Mr. Barni is a litigator representing clients in commercial, business, construction, real estate and general civil litigation matters.

Thomas A. Briggs has been named a partner with the Cleveland office of the international law firm of Jones Day, where his practice focuses on technology transactions, including intellectual property litigations.

Amy Burkhardt joined the workers’ compensation group of the Cleveland firm of Wegman, Hessler & Vanderburg.

Ann M. Carseni is a partner with the Cleveland firm of Porter, Wright, Morris & Arthur.

James A. Dimitrijevs has been named chair of the intellectual property group of McDonald Hopkins in Cleveland. His practice is concentrated on trademark and copyright matters.

David Gunning II has joined the Cleveland office of the law firm of Roetzel & Andress as Of Counsel.

Robert N. Lurie was named a partner of the creditors’ law firm of Javitch, Block & Rathbone in Cleveland. His practice is concentrated on commercial law, real estate law, creditor rights, litigation and landlord/tenant law.

Daniel R. Mordarski has been named a partner with the Columbus firm of Zeiger & Carpenter.

Scott N. Opincar joined the Cleveland firm of McDonald Hopkins as an associate in the business restructuring department.

1995
Steven A. Eisenberg has been named a partner in the Cleveland office of Baker & Hostetler.

Amy Posner Brooks lives in Japan with her husband, United States Air Force Captain Joshua Brooks.

Joseph P. Szeman, an associate with the Painesville firm of Baker & Hackenberg, was named the city of Mentor’s zoning counsel and assistant law director.

1996
Susan K. French-Scaggs has established offices at Compass South Professional Center in Brecksville, Ohio.

Michael Laribee was the recipient of the Young Man of the Year award from the Medina, Ohio, Jaycees.

Aaron J. Reber, an associate in the Columbus office of Thompson Hine, has been appointed adjunct professor for Capital University Law School’s Tax L.L.M. program.

Paul F. Rusyn is a registered patent attorney with the Bellevue, Washington, firm of Graybeal Jackson Haley where his practice is focused on patent prosecution.
Alumni Happenings

Thomas J. Stefanik Jr. joined the Avon, Ohio, law firm of Wickens, Herzer, Panza, Cook & Batista as an associate in the employment relation division.

Martin J. Tremmel has become the Commissioner of the Union County, Ohio, Board of Health.

Daniel C. Urban has joined the Cleveland firm of Wickens, Herzer, Panza, Cook & Batista as an associate in the business organization and tax and real estate department.

Lawrence Wilkins is a partner in the Dayton firm of Thorson, Switala, Wilkins and Sneed.

1997
Timothy J. DeGeeter was appointed to serve as the Ohio State Representative for the 15th House District to fill a vacancy created by Dean DePiero '94, who resigned to become the Mayor of the City of Parma.

Jeffrey E. Dubin was named a partner in the creditors' law firm of Javitch, Block & Rathbone where his practice is concentrated in the area of insurance subrogation.

Matthew "Fitz" Fitzpatrick is a DEA Special Agent in the Buffalo, New York, Resident Office and was recently awarded the International Narcotic Enforcements Officers' Association Special Award of Honor. Mr. Fitzpatrick and his wife, Laura (formerly Pergi), a family nurse practitioner in private practice/research waiting for publication of her third medical journal article, recently celebrated their third wedding anniversary.

Leslye M. Huff was elected a Trustee-at-Large of the Ohio Women's Bar Association.

Gwendolyn A. Jones has joined the law firm of Porter, Wright, Morris & Arthur in Cleveland as an associate.

Jeffrey T. Kay is an associate with the Solon firm of Mazanec, Raskin & Ryder, where he focuses his practice on municipal law and professional liability.

Edward S. Lake has joined the medical malpractice and product liability groups of the Cleveland firm of Gallagher, Sharp, Fulton & Norman.

CMLAA Trustee Stacey McKinley has become an associate in the business law, real estate and nonprofit groups with the Cleveland firm of Ulmer & Berne.

Jeffrey Platko joined Kadish, Hinkel and Weibel in Cleveland, where his practice is focused on business, real estate, real estate taxes and corporate matters.

Theresa A. Richtammer has become an associate with the Cleveland law firm of Gallagher, Sharp, Fulton & Norman.

CMLAA Trustee Kate Ryan joined the Cleveland firm of Ulmer & Berne's liability defense group and concentrates on defense litigation, civil litigation, medical malpractice and negligence.

1998
Mark S. Bennett was sworn in as a member of the Board of Trustees of the Cleveland Bar Association.

John J. Burns is an associate with Singerman, Mills, Desberg & Kauntz.

Shawn A. Cormier has joined the law firm of Davis & Young as an associate in the Cleveland office.

Abby Gardner has become an associate with the law firm of Gallagher, Sharp, Fulton & Norman.

Amgad T. Husein has joined the St. Louis firm of Bryan Cave's international practice group; he is based in the Riyadh, Saudi Arabia, office.

Marlene Jennings has resigned from the Ohio School Board and will move to California, where her husband has accepted a job as a software manager.

Angela Privatera is an associate in the litigation group of the Cleveland firm of Wegman, Hessler & Vanderburg.

Joe L. Tackett joined the bankruptcy department of the Cleveland firm of Weltman, Weinberg & Reis as an associate.

Heather L. Tonsing has joined the Cleveland office of Taft, Stettinius & Hollister as an associate practicing general litigation.

1999
Janeane Cappara has joined the Cleveland firm of McNeal, Schick, Archibald & Biro as an associate practicing in the areas of civil litigation and insurance coverage.

David E. Gray II joined the Cleveland office of Calfee, Halter & Griswold as a staff attorney in the litigation group. He will concentrate on workers' compensation, employment litigation and asbestos litigation.

Kristin K. Going joined the Washington, D.C., office of Gardner Carton & Douglas as a senior associate in the firm's bankruptcy practice.

Bridey Matheny has joined the Cleveland office of Taft, Stettinius & Hollister as an associate practicing general litigation.

Mark A. Miller of the Washington, D.C., office of Squire, Sanders & Dempsey and Colleen Hanrahan, Trial Attorney, United States Department of Justice in Washington, D.C., are pleased to announce their engagement.
Alumni Happenings

Rebecca Maggiano and Gregory L. Thompson '00 were married in June; they have started the Rocky River, Ohio, firm of Thompson & Thompson focusing on business law, estate planning, small business formation and taxation.

Danielle Skoczen joined the intellectual property group of the Cleveland firm of Wegman, Hessler & Vanderburg.

2000

Lynnette Al-Shidhani has become an associate in the employment and labor group of the Cleveland firm of Ulmer & Berne.

Jason R. Bristol, an associate of Gary Naegle and Theado, was named alumni of the year by the Cleveland-Marshall College of Law Moot Court. Mr. Bristol is an adjunct faculty member at the law school and a faculty adviser for the moot court team.

Todd Broski is an associate with the Cleveland firm of Chernett Wasserman Yarger & Pasternak.

Maura S. Curran has joined the Stuart, Florida, law firm of Kramer, Sewell, Sopko & Levenstein as an associate.

Sara DeCaro has joined the Cleveland law firm of Buckley King as an associate in the litigation department.

Anthony De LaVina is an Assistant Public Defender in Laredo, Texas.

Lori Ann Luka received a Presidential Board Appointment to serve a one-year term as a Trustee of the Cuyahoga County Bar Association.

James Marniella has partnered with John Demer and Douglas Weiner to form the law firm of Demer, Weiner & Marniella.

Marie Novak is an associate with the Cleveland firm of Rademaker, Matty, McClelland & Greve.

Mark O'Brien is an associate with Kohrman Jackson & Krantz in Cleveland where he works with the tax, corporate and finance, and real estate groups.

James P. Salamone has become an associate in the Cleveland office of Davis & Young.

Wendy L. Woodford is an associate practicing in the area of commercial leasing with the Atlanta firm of Troutman Sanders.

Kristine R. Zenkewicz was named an associate at the Cleveland law firm of Kelley & Ferraro.

2001

Michael Heller is the Deputy Prosecuting Attorney for the County of Maui In Hawaii.

Erin Hess joined the Cleveland office of Reminger & Reminger as an associate practicing in health care and medical malpractice defense.

John Kress has opened his own office as The Kress Law Firm, LLC in St. Louis, Missouri.

Jeffrey R. Lang has joined the law firm of Weston Hurd Fallon Paisley & Howley as an associate.

Cathy Prusinski is an associate with the Cleveland firm of Yormick & Associates where her practice is concentrated on business immigration and general business matters.

Kimberly L. Rathbone is an associate in the creditors' law firm of Javitch, Block & Rathbone in Cleveland where her area of concentration is insurance subrogation.

Claudia Breed Rose joined the Cleveland office of Ulmer & Berne.

Kristie M. Sosnowski has joined the Cleveland law firm of Collins & Scanlon, where her practice is focused in the areas of business litigation and commercial transactions with an emphasis on complex litigation and dispute resolution.

Roklyn M. DePerro Turner is the owner of a general practice law firm handling cases in all areas of domestic and probate law, misdemeanor, criminal law, and civil litigation.

Adam Van Ho has been appointed assistant prosecuting attorney with the Montgomery County, Ohio Prosecutor's Office; he is assigned to the Juvenile Division.

2002

M. John Burgess has become an associate in the business department of the Cleveland firm of McDonald Hopkins where he will focus on tax matters and assisting clients in the implementation of business plans.

Carol Gottschling is an attorney with the Huron County Child Support Enforcement.

Thomas Evan Green has joined the Cleveland law firm of Kastner, Westman & Wilkins as an associate.

David A. Head has joined the Cleveland firm of Weltman, Weinberg & Reis as an associate.

Kristi L. Hilbish is an associate in the Youngstown office of Davis & Young.

Kyde Bloor Kelly opened her own practice in East Liverpool, Ohio.

Andrea Limberty is an associate with the Cleveland firm of Weston Hurd Fallon Paisley & Howley.

Matthew B. Murphy has become an associate with the law firm of Conway, Marken, Wyner, Kurant & Kern.
Megan Fraser Roberts joined the Cleveland office of Ulmer & Berne as an associate in the real estate and business law groups.

Melissa Toddy is practicing with The Employment Law Group, a Woodbridge, Connecticut, plaintiffs' employment litigation firm.

2003
Stacy Berliner is an associate in the litigation group of Calfee, Halter & Griswold in Cleveland.

Brian Block joined the Cleveland firm of Javitch, Block & Rathbone where his practice is concentrated in the area of collections.

Amy L. DeLuca has joined the Cleveland office of Porter, Wright, Morris & Arthur as an associate.

Manju Gupta joined the Cleveland firm of Javitch, Block & Rathbone and will practice in a variety of areas.

Henny L. Halim is an associate at the law firm of Yormick & Associates in Cleveland.

Christine M. LaSalvia joined the Cleveland firm of Friedman, Domiano & Smith as an associate.

Danielle M. McGill is an associate with the Cleveland firm of Ritzler, Coughlin & Swansinger.

Kristy Mullen joined the professional liability and general litigation practice groups in the Cleveland law firm of Gallagher, Sharp, Fulton & Norman.

Olabisi Onisile is an associate in the Washington, D.C., office of Porter Wright Morris & Arthur, where her practice is concentrated on white-collar crimes, including health care fraud and insider trading.

Christopher W. Peer joined the Cleveland firm of Hahn Loeser + Parks as an associate focusing on creditors' rights, reorganization and bankruptcy.

Matthew S. Romano is an associate with the Cleveland firm of Tucker Ellis & West.

Jason Rothman joined the Avon, Ohio, law firm of Wickers, Herzer, Panza, Cook & Batista as an associate in the business organizations and tax and real estate department.

Donald J. Smith concentrates his practice on real estate, business transactions, civil litigation, zoning, planning and land use in the Indianapolis, Indiana, law firm of Stark Doninger & Smith.

Brian Stano is an associate in the Cleveland firm of Roetzel & Andress.

Joe Tackett joined the Cleveland firm of Weltman, Weinberg & Reis as an associate in the bankruptcy department of the Brooklyn Heights operations center.

Clare Taft is an associate with the Cleveland office of Benesch, Friedlander, Coplan & Aronoff in the firm's general practice group.

Julie A. Vaccarelli is a research attorney in the Cleveland office of Weltman, Weinberg & Reis.

John A. Yirga has become an associate with the Cleveland law firm of Hahn Loeser + Parks where he will focus his practice in the litigation, intellectual property and construction law areas.

Ann C. Ziegler joined the Cleveland firm of Hahn Loeser + Parks as an associate practicing in the business area.

OBITUARIES
E. Emerson Logee '47
Ernest B. Stevenson '49
Robert J. Bambrick Sr. '51
Charles M. Unkovic '52
Joseph W. Bartunek '55
Edwin J. Ketchel '55
William L. Blake '56
Kermit K. Neely '56
Giacomino J. Imbrogno '58
Phillip A. Lawrence '59
Gerald M. Ozan '60
Anthony J. Garofoli '61
James H. Stethem '67
Richard Brezic '70
Anthony J. Celebrezze Jr. '73
David Layva '76
James J. Bartolozzi '82
Gary N. Dobersnyn '88
Alice Friedman Lissauer '91
Robert J. Steele Jr. '92
Robert Strauss
Jeraldine Ann Sheaffer
Richard D. Heberling
Paul Willberg

At Cleveland-Marshall College of Law We Raise Deans
Professors Frederic White and Jack Guttenberg have been teaching at Cleveland-Marshall College of Law for a total of more than 50 years. Fred came in 1978 and Jack in 1980. Fred was an Associate Dean from 1995 until 2000 and Jack has been an Associate Dean since 1997. Both are now leaving the law school to become deans of other law schools. Fred will be Dean of Golden Gate University School of Law in San Francisco, and Jack will be Dean of Capital University Law School in Columbus. We congratulate them both.
These faculty members published and edited books in the past three years*


*The phone number on the shirts is the Cleveland-Marshall law library's main number!
Faculty & Staff Happenings

by Rosa DelVecchio, Ph.D.

Having served for the past year as the law school's Associate Dean for Faculty Development and Research, Linda L. Ammons will succeed Jack A. Guttenberg as Associate Dean for Administration. Also a world-class photographer, Dean Ammons had her work on display at CSU's 2nd Cleveland Juried Biennial Exhibition at the CSU Art Gallery. She has also exhibited her photographs in juried shows in Toledo and Houston, and her photos are included in the newly released book: Black: A Celebration of a Culture, edited by MacArthur Fellow D. Willis. She presented "Religion and Domestic Violence" at the New Jersey Coalition for Battered Women and also "Legal and Ethical Responsibilities for Clergy" at the Pacific Union Ministerial Conference in Ontario. She gave the keynote address, "Intimate Partner Violence and the Bi-Cultural Reality for African-American Women," at Progress: Stopping Violence Against Women Conference, sponsored by New Jersey's Office of the Attorney General, Division of Criminal Justice, and published "Why Do You Do the Things You Do? Clemency for Battered Incarcerated Women, A Decade's Review" in American University Journal of Gender, Social Policy and the Law. Two of Dean Ammons' articles were reprinted: "Dealing with the Nastiness: Mixing Feminism and Criminal Law in the Review of Cases of Battered Incarcerated Women—A Tenth-Year Reflection" in Section 6: Progress and Challenges: Domestic Violence Lawyering Today of Cases and Materials on Social Justice: Professional, Communities, and Law by M. R. Mahoney, J. O. Calmore & S. M. Wildman (Thomson West); and "Mules, Madonnas, Babies, Bat­water, Racial Imagery and Stereotypes" in Critical Race Feminism, A Reader, edited by A. K. Wing.

Among Dean Ammons' innovations was a series of "First Monday" Luncheons, a forum in which faculty and visitors share their scholarly works-in-progress with one another. Presentations included Cleveland-Marshall Professor Alan Ruben, David Forte and Dena Davis speaking about their Fulbright experiences; Cleveland-Marshall Professor Candice Hoké on "Femin­ism and Federalism"; Cleveland-Marshall Professor Arthur Lande­ver on "Does Counterfactual History Have Any Lessons for Law Teachers and Lawyers? Does It Have Any Value for You, in Particular, in Your Area of Research or Teaching?"; Cleveland-Marshall Stephen R. Lazarus on "A Heated Debate: Are Classroom Quizzes Pedagogically Useful? Are They Even Pedagogically Legitimate?"; University of London Birkbeck College School of Law Anniversary Professor Peter Fitzpatrick on "Gods would be needed: American Empire and the Rule of Law"; Cleveland-Marshall Professor Christopher L. Sagers on "Two Symptoms of the Hidden Evolution in the Theory of Regulation: The Movers Decisions, the Federal Obsession with Private Standards, and a Generalized Theory of Decentralized Policymaking"; Rabbi Dr. Noam Zohar, a senior lecturer in the Department of Philosophy at Shalom Hartman Institute in Jerusalem on "Liberty and Equality in the Jewish Political Tradition"; Cleveland-Marshall Professor Heidi Gorovitz Robertson on "How Many Times Do I Have to Tell You?!: EPA's Ongoing Struggle With Data from Third-Party Pesticide Toxicity Studies Using Human Subjects."

"First Monday" Luncheon Speakers in the spring included Martha Chamallas, the Robert J. Lynn Professor of Law at the Ohio State University Michael E. Moritz College of Law; CWRU Professor Robert Strassfield on "How the Cleveland Bar Became Segregated"; Ohio Supreme Court Justice Maureen O' Connor '80 on "A View From the Bench"; Benjamin N. Cardozo School of Law Professor Barton Beebe on "The Semiotic Analysis of Trademark Law"; University of Missouri - Kansas City School of Law Professor Barbara Glesner-Fines on "The Impact of Expectations of Teaching and Learning in Law School"; Cleveland-Marshall Professor Adam Thurstone on "The Most Important Constitutional Case You Never Heard Of: An Apprendi v. New Jersey Primer"; Cleveland-Marshall Professor Kathleen Engel on "Securitization and Predatory Lending: Wall Street-Part of Problem or Solution"; University of Michigan Professor of Law Daniel Halberstam on "The European Union."

David Barnhizer gave a seminar on "Perception and Sight in Legal Strategy: Applying the Strategic Principles of Musashi and Sun Tzu" as part of a summer series of Legal Skills Research Seminars at the Institute of Advanced Legal Studies in London.

Susan J. Becker '83 was appointed by Supreme Court of Ohio Chief Justice Thomas J. Moyer to the Supreme Court Rules Advisory Committee for a four-year term. The Advisory Committee is a 19-member standing committee charged with suggesting and reviewing proposed changes to Ohio's Rules of Civil Procedure, Criminal Procedure, Appellate Procedure, Juvenile Procedure, Evidence and Court of Claims. In addition, Professor Becker will also be working on the Civil Rules Subcommittee. Professor Becker published two articles: "Tumbling Towers as Turning Points: Will 9/11 Usher in a New Era of Civil Rights for Gay Men and Lesbians in the U.S. ?" in 9 William & Mary Journal of Women and the Law 207 (2003), and "Discovery of Information and Materials Retained by Litigants' Former Employees: Synergy and Synthesis of Procedural Rules, Ethical Standards, Privilege Doctrines, and Common Law Principles" in 81 Nebraska Law Review 101 (2000). Professor Becker was appointed to the rank of full professor of law.
Phyllis L. Crocker accepted a visiting professor appointment at Northeastern University School of Law in Boston, her alma mater, in Spring of 2004.

Dena S. Davis published an op-ed, “Why Academic Boycotts Are Wrong,” in the CHRONICLES OF HIGHER EDUCATION. Professor Davis co-authored with M. B. Bowekaty “Cultural Issues in Genetic Research with American Indian and Alaskan Native People” in IRB: ETHICS & HUMAN RESEARCH 12 (June-August 2003). In February, Professor Davis participated in a panel on “Community Benefit of Genetic Research” in Cairo, Egypt.


Kathleen C. Engel co-authored with P. McCoy “Revisiting A Tale of Three Markets: The Law and Economics of Predatory Lending,” published in TEXAS LAW REVIEW. She also published Can Employers Put Genetic Information to Good Use?” in the JOURNAL OF LAW AND HEALTH. Professor Engel presented “Predatory Lending Litigation Risk and Secondary Market Protections” at THE UPDATE ON FAIR HOUSING AND PREDATORY LENDING LAWS CONFERENCE at John Marshall Law School; “Assignee Liability for Predatory Lending” at the SYMPOSIUM: MARKET FAILURES AND PREDATORY LENDING in Chicago; “Impeding Integration: Limitations on Specific Performance under the Fair Housing Act” at the 8TH ANNUAL LATCRIT CONFERENCE, organized by Professor Tayyab Mahmud in Cleveland, Ohio.

Patricia J. Falk was recipient of the 2003-04 Cleveland State University Distinguished Faculty Public Service Award.

Joan Flynn was elected to membership in American Law Institute. A commentator on “EEOC Pattern or Practice Litigation in Sexual Harassment Cases” at the 56TH ANNUAL NEW YORK UNIVERSITY CONFERENCE ON LABOR, Professor Flynn also spoke on this topic at a seminar sponsored by Duvin, Cahn & Hutton.

David F. Forte published “Chapter 33: The Making of the Modern Supreme Court: Oliver Wendell Holmes, Jr., and Louis D. Brandeis” in the HISTORY OF AMERICAN POLITICAL THOUGHT by Bryan Paul Frost & Jeffrey Sikkenga, eds. He spoke on the “Feagler” program on local public TV regarding “Rebuilding Post-War Iraq”; before The Heritage Foundation Board of Directors regarding “America and Islam” and on BBC regarding Osama bin Laden and Saddam Hussein. He delivered several papers and addresses, including “Adultery in Islamic Law” at the AALS Annual Meeting in Atlanta, Georgia; “The Bill of Rights and the Anti-Federalists” at the Bill of Rights Institute in Lorain, Ohio; “A Celebration of Marbury v. Madison” at Hillsdale College in Michigan; and “Islamic Law and Democracy” at the Boston College Federalist Society in Massachusetts; “Islamic Law and the Prospects for Democracy” at the St. Louis University Federalist Society. Professor Forte published “The True Story of Marbury v. Madison,” in CLAREMOUNT REVIEW OF BOOKS; and “Faith and Ideology” in ST. MARK’S REVIEW (Australia). In the spring, Professor Forte spoke on Islamic Law and the Prospects for Democracy to three law schools: Oklahoma City University School of Law, Washington and Lee University School of Law, and St. Louis University School of Law.


Brian A. Glassman published an article on teaching legal writing entitled “I Didn’t Take the Road Less Traveled, and What a Long, Strange Trip It’s Been” in the AALS JOURNAL OF LEGAL EDUCATION.

Candice Hoke presented “Feminism and Federalism” at 11TH ANNUAL CONFERENCE OF PENNSYLVANIA AND DELAWARE VALLEY FEMINIST LAW TEACHERS held at Duquesne University School of Law. Professor Hoke’s current research focuses on federal preemption of state law. She is working on a federal pre-emption treatise and an article on preemption by federal administrative regulation.

Lolita Buckner Inniss was promoted to the rank of Associate Professor with tenure. Professor Inniss was one of 35 people (including government ministers, diplomats, state governors and legislators from the U.S., members of the U.S. Senate and House of Representatives, members of English Parliament, leaders in education and private sector, and scholars) invited to attend the Oxford Round Table in Oxford, England. The session Professor Inniss participated in was devoted to human and civil rights with particular reference to women’s rights and issues of gender equity. Results of the deliberations were published and made available to policymakers and academic libraries around the world.

W. Dennis Keating published Comment on Chester Hartman and David Robinson’s “Evictions: The Hidden Housing Problem” in HOUSING POLICY DEBATE, a publication of the Fannie Mae Foundation. Professor Keating is on the Board of Trustees of Heights Community Congress. Look for his book review “Hope VI” forthcoming in the BOSTON, NEW ENGLAND QUARTERLY.

Arthur Landever participated in a WCPN panel discussion on the US
Supreme Court ruling in the two University of Michigan cases challenging affirmative action, Grutter v. Bollinger and Gratz v. Bollinger.


Louise Moonien, Law Notes editor, wrote the “Consent of the Governed” portion of DEMOCRACY . . . A WORK IN PROGRESS, a study guide for AmeriCorps volunteers; in October she participated in a workshop with AmeriCorps facilitators using the guide. She was elected to the contract negotiations team for SEIU 1199, the union representing the University’s professional staff members, and to the Executive Committee of the Ohio Humanities Council. In April she wrote the program notes for Nobel-prize winning Irish poet Seamus Heaney who read his poetry at the Ohio Theater in a fundraiser benefiting the Cuyahoga County Public Library Foundation.

Kevin E. O’Neill presented “First Amendment Issues in Public Funding of the Arts” at a conference on MERCENARIES AND SLAVE-LIKE CONDITIONS: LAW, THE ARTS, AND URBAN PLANNING, sponsored jointly by CSU Colleges of Law and Urban Affairs. Professor O’Neill also accepted “The First and Fourth Amendment Rights of Students” in Columbus at an Ohio State Bar Association seminar on school law and spoke on “Constitutionality of the McCain-Feingold Campaign Finance Reform Law” with Christine Link, Executive Director of the ACLU of Ohio, at the First Monday Program presented by the law school’s Student Public Interest Law Organization.

Kunal M. Parker accepted a Visiting Fellow appointment at Cornell Law School. His article “Thinking Inside the Box: A Historian Among the Anthropologists: A Review of Sally Engle Merry, COLONIZING HAWAII: THE CULTURAL POWER OF LAW” forthcoming in LAW AND SOCIETY REVIEW .

Rita Pawlik was recipient of the 2003-04 Cleveland State University Distinguished Public Service Award by an administrator.

Heidi Gorovitz Robertson published “How Many Times Do I Have to Tell You?!” EPA’s Ongoing Struggle With Data from Third-Party Pesticide Toxicity Studies Using Human Subjects” in 28 WILLIAM & MARY ENVIRONMENTAL LAW & POLICY REVIEW 25 (2004). Professor Robertson was interviewed by Matt Solomon of KFBK in Sacramento and Michael O’Mara of Channel 3 in Cleveland regarding property issues surrounding a MegMillion lottery ticket that appeared to be lost and was subsequently claimed by two women.

Michael J. Slinger was appointed Chair of the American Association of Law Libraries Research Committee for 2004-05 and was elected Vice Chair/Chair Elect of the Academic Law Libraries Special Interest Section of the AALL. Dean Slinger also accepted an appointment on the Board of Advisors of the Suffolk University Law School Bi-Monthly Review of Law Books, the oldest and largest publication devoted to reviews of law books.

Adam Thurshwell published “Specters of Nietzsche: Potential Futures for the Concept of the Political in Agamben and Derrida” in 24 CARDOZO LAW REVIEW 1193 (2003), and his article, Agamben’s Critique of Derrida, is forthcoming in Andrew Norris, ed., POLITICS, METAPHYSICS, AND DEATH: ESSAYS ON GIORGIO AGAMBEN’S HOMO SACER (Duke University Press).

Barbara Tyler ’89 published “Active Learning Benefits All Learning Styles: 10 Easy Ways to Improve Your Teaching Today” in PERSPECTIVES, a West publication.

Stephen J. Werber received the Masters of Judaic Studies from the Laura and Alvin Siegal College of Judaic Studies. The last requirement was to pass a written test in Hebrew Proficiency—Professor Werber’s first test in over 30 years! Having distinguished himself, he then taught an adult education course on Judaic Law at Temple Emanu-El.

Frederic White published “Going to the Dogs: Tenant Injury and Landlord Liability” in NORTHEAST OHIO APARTMENT SUITES MAGAZINE 10 (Spring 2003) and “Ohio Landlord Tenant Law-A Look Ahead” in NORTHEAST OHIO APARTMENT ASSOCIATION SUITES MAGAZINE 8 (Summer 2003). Professor White also conducted a Landlord Tenant Law Seminar entitled “Ask the Expert” at the NOAA 22nd Multi-Family Trade Show in Cleveland.

James G. Wilson presented “A Brief History of America’s Republican Empire” to the historic Rowfant Club in February.

And Don’t Forget Our Students!!!

Barbara Tyler, Director of the Legal Writing and Research Department at the law school, points out that a number of our alumni published articles in academic journals when they were still law students. The list following is hers.


David J. Sipusic ’01, “Instant Repay:
Faculty & Staff Happenings


Mary E. White '02, Nurses and Hospitals Battling: Hospitals Protect Profits; Nurses Advocate for Quality Patient Care While Turning to Unions as A Solution, 27 Ohio Northern University Law Review 285 (2001).


Brian John Halliday '00 "In Order to Hire the Best Person for the Job We Have to do What?" 11 University of Florida Journal of Law & Public Policy 33 (1999).

Apryl A. Ference Seide '00, "Rushing to Judgment on Fen-Phen and Redux: Were the FDA, Drug Manufacturers, and Doctors Too Quick to Respond to American's Infatuation with a Cure-All Diet Pill for Weight Loss?" in 9 Albany Law Journal of Science & Technology 78 (1998).

DID YOU KNOW?

About our splendid Moot Court Teams?

Amy Scheurman, Terry Billups and Nora Graham

Early in April three second-year Moot Court Team students Terry Billups, Nora Graham, and Amy Scheurman received the award for second best brief in the country in Chicago at the American Bar Association Moot Court Competition. Legal writing professor Deborah J. Klein '78 was the field commander for the ABA team. The second-place brief finish for the ABA team is one of the highest finishes ever at this competition that starts out with approximately 200 teams.

The success of the ABA team ends a remarkable moot court season in which Cleveland-Marshall won one or more top awards—either the best brief, best oralist, or best overall team—in each competition entered. Congratulations to Moot Court Team Advisor, Legal Writing Professor Karin Mika '90, and to these faculty members who helped coach Moot Court contenders throughout the year: Professors Stephen Gard, Deborah J. Klein Stephen Lazarus, Christopher Sagers and Adjunct Professor Jason Bristol '00.
Good Bye to Old Friends

In the 2003-2004 school year, the law school and the state lost three memorable public servants.

Anthony J. Celebrezze Jr., died on July 4, 2003; Anthony J. Garofoli died on September 30, 2003, and 11 days later Mr. Garofoli’s one-time law partner, Joseph W. Bartunek III, died on October 10. All had deep roots in Cleveland’s ethnic communities, all were savvy politicians, all were dedicated to the welfare of the city and region, and all graduated from Cleveland-Marshall: Mr. Garofoli in 1961, Mr. Celebrezze in 1971, and Judge Bartunek in 1955. Only the Judge lived out his allotted three-score year and ten. Mr. Celebrezze was 61 when he died unexpectedly of a heart attack; Mr. Garofoli was 66 and Judge Bartunek was 79.

Former Ohio State Senator, Ohio Secretary of State and Ohio Attorney General, Mr. Celebrezze Jr., was the son of Anthony J. Celebrezze Sr., former Mayor of Cleveland and Secretary of Health Education and Welfare during the Kennedy administration. At the time of his death Mr. Celebrezze Jr., was practicing law in the Columbus firm of Kegler Brown Hill and Ritter, where he focused on regulatory law. He was a life-long fan of car racing and part of a Legends racing crew. He died unexpectedly of a heart attack while preparing to participate in a race in De Graff, Ohio. Mr. Celebrezze was a member of the law school’s National Advisory Council and a Life Member of the Cleveland-Marshall Law Alumni Association. To both organizations, he brought his considerable expertise and political insight.

According to the Plain Dealer, Anthony Garofoli’s influence was felt in virtually every major development in Cleveland government for the past 40 years. Though he had run unsuccessfully for Cleveland Mayor himself, his was the counsel every Mayor of Cleveland, including the present Mayor, sought. He was a former Cleveland City Council President, co-chairman of the Cuyahoga County Democratic Party and a member of the Cuyahoga County Board of Elections. In 1980 he joined the Cleveland firm that is now Climaco, Lefkowitz, Peca, Wilcox & Garofoli, where he served as Special Counsel to the Mayor of the City of Cleveland and lawyer for the Cleveland-Cuyahoga Port Authority, the Gateway Economic Development Board and many other state and city entities and officials. He served as President of the Cleveland-Marshall Law Alumni Association in 1977 and as a member and Chair of the Cleveland State Board of Trustees from 1977 through 1986.

Clevelanders had known the Bartunek name long before Joseph W. Bartunek III distinguished himself in 1948 by becoming the youngest state senator in Ohio history. His father, Otto J. Bartunek ‘16, and his uncle, Emil Bartunek had both served in the Ohio General Assembly. In the 1970s Joseph Bartunek was a powerful figure in local politics, serving on the Cuyahoga County Democratic Central and Executive Committees, the Ohio Democratic Party and the Cuyahoga County Board of Elections; later he served as Director of the Cleveland Port Authority and law director of Solon, Ohio. In 1986 the Judges of the US District Court appointed him Magistrate Judge for the Northern District of Ohio. He retired in 1997. He is perhaps best remembered, however, as a driving force in the creation of Cleveland State University, a member of the first CSU Board of Trustees and its eventual Chair. At the law school we remember him fondly as a primary negotiator of the 1969 merger of his law alma mater with the new University. And the hundreds of guests and students attending the law school’s public events are reminded of the part he played in building our University every time they enter the Joseph W. Bartunek III Moot Court Room of the law school. LFM
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