

June 8, 2017

Incoming President's Address at the CMLAA Annual Meeting

May it please the Court, Justice O'Neil, Judges of the Cuyahoga County Court of Appeals and Cuyahoga Court of Common Pleas, Judges of other jurisdictions, Cleveland-Marshall faculty and staff, family, friends, fellow Board Officers and members. You honor the Cleveland-Marshall Law Alumni Association, the law school and me with your presence. Thank you to Judge Russo for your assistance with this ceremony and your kindness to the Alumni Association and to me over the years.

To the members of our judiciary who are here this evening, and who support the Alumni Association and the law school in so many ways, we are very appreciative, and remain at your service for new ideas you might have for us, or carrying on those which have proven to be winners over the years. Who can forget the Warren Commission day long CLE championed by Judge Sheehan as but one example?

Congratulations are also due to all of the new members of the Alumni Association Board and officers. I look forward to working with you, and to your contributions to the Alumni Association over the next year. Thank you to my law firm for allowing me so much time dedicated to the Alumni Association. In particular, thanks to Tom Scanlon for the example he has provided to our firm and many others. Tom is a tireless advocate for so many civic, professional and charitable causes in the City of Cleveland. He does not skimp in his efforts to be in the service of others, showing his St. Ignatius roots many years removed from those hallowed halls. He thinks deeply as to the

causes he is involved with, and invests himself in those causes. There is much to be learned from his kind of volunteerism by each of us.

Thank you also goes to Chris Collins, my wife of 34 years, who is not here, and my children, Matt who is working on his advanced degree in Boston so he cannot be here, and Liz who is here, and a member of our law firm and an active volunteer in several organizations of her own interests. Both the practice of law, and the organizations I have been part of, require time and attention. I am grateful for the patience and giving required of my family in these and many more ways so I can do what has to be done in my office, and in the Alumni Association.

I also wish to recognize the many Cleveland-Marshall Law Alumni Association Past Presidents who have gone before me. Too soon leaders pass through the one year post as president, ever with valiant efforts to stamp their perspectives and hoped for improvements on the Association. Could I ask that all Alumni Association Past Presidents please stand and be recognized.

Many of our Past Presidents are memorable to me during my time around the Alumni Association. Difficult questions were raised by our presidents, soul searching conversations about our Association were had, and difficult, consequential decisions were made. It is easy to just ride along, but that is not our fiduciary duty, or the best way to move forward the organization. Were we always right? Did our decisions always achieve perfect results? In this lifetime we see through a glass dimly, and we make good faith efforts as we see how the world around us, and our decisions, work out. I respect the efforts of all of our Past Presidents and stand on their shoulders this evening.

Tom insists that our firm is the only 1 with 3 name partners who have been presidents of the CMLAA. Nick Froning, you know what you have to do.

Our most important Past President tonight is Greg Clifford. Greg quietly, but persistently worked his way up the leadership ladder over the past 5 years. He quietly, thoughtfully, took the reins of the Alumni Association 1 year ago. While having a busy professional life as a Chief Magistrate Judge of the Cleveland Municipal Court, a loving and active family, and pursuits beyond all of these, he never let a single aspect of the Alumni Association go untouched. He organized us to produce a working budget. He organized our committee structure, and encouraged committee chairs to make meaningful recommendations and decisions. He saw to it that our organization functioned. And he never complained or criticized even when he was emailing me and others at 11 PM, midnight, or recently at 3 AM about Alumni Association business. And with no disrespect for anyone else meant, I submit for acceptance by acclamation that Greg Clifford is the best dressed president of the Alumni Association, at least in recent memory. Greg, please come forward to receive grateful thanks and a token of our appreciation for your service.

For 2017-18, we have many things going for us, and we have some serious challenges as well. As some of you know, I have been involved with a number of professional associations and with 2 committees of the Supreme Court of Ohio. The OSBA, CMBA, the FBA, the Supreme Court Advisory Committee on Technology and the Courts, and currently the Board of Professional Conduct are some of these efforts. All of these have dedicated members, clear and strong missions, and great support. However, for me

personally the most rewarding moments associated with professional organizations and committees have unquestionably been with the Alumni Association. Struggling as an executive committee member over the future of our organization, and finding a way to push forward; going over a list of names of potential candidates for board membership and officers of the Alumni Association with the nominating committee; and going over a stack of applicants seeking scholarship support from the Alumni Association with fellow board members are moving experiences. I recall several times thinking about the meetings and what they meant to me, but Judge Deena Calabrese affirmed my experience after one such meeting, saying how vital and perspective changing a scholarship awards meeting had been for her with great input from many different participants. Judge, they have been the same for me. I only can hope honest, forward looking, meaningful interactions by our Board, Honorary Board and officers can continue during this year, and beyond. I relish the interactions we have doing good for the Alumni Association, our honorees and CMLAW students.

Since we're sitting in this room, and all of us who graduated after the 1970's have been here for every assembly from our first orientation event through bar exam preparation class, I would like to ask you to make a 15 second personal assessment. Please sit back, and consider, for yourself, what is the most important thing CMLAW did for you since you first sat in these moot court room seats up until today?

For me, the first word which comes to mind is "opportunity". On the Collins side of my family, my great great great grandfather Thomas Collins, and his son Thomas J. Collins came from Ireland to Canada in the 1840's on what is

now quaintly called a coffin ship. The records do not show precisely where they came from, only that they were born in the Northern part of Ireland. The family then moved from Ontario, Canada to New Jersey, and thereafter to Worcester, MA. My great grandfather, who I knew while in high school, moved the family to Boston, and then to a small industrial town called North Attleboro, MA. From 1840 until the mid-1950's no one from my family was able to obtain a college degree. They worked hard, supported their families, and were law abiding citizens through thick and thin. My father was the first to obtain a college degree in Civil Engineering in 1957, and he worked as a civil servant his entire professional life. He had 5 children, and was in no position to do more than help us with college, let alone pay for graduate school. My aspiration to become a lawyer was entirely on me. Cleveland-Marshall College of Law provided me the opportunity to become a lawyer, and did not bar the door for me by a private school price tag. Since I was intent on living in Cleveland, it was Cleveland-Marshall or bust when it came to going to law school. Hence I, like so many of you, am extremely appreciative of the opportunity given to me by CMLAW. On top of that, after 1L year, I was able to earn part of my way as a law clerk at the U.S. Attorney's Office, and then at Meyers Hentemann, Schneider & Rea where I eventually landed my first job as a fresh faced litigation associate doing insurance and business litigation. Work as a law clerk was made possible by CMLAW because it is a school of opportunity, setting its class schedules to accommodate students who needed to work.

However, opportunity does not come without cost. Once the law school could depend on a steady stream of ever increasing numbers of young people

seeking admission to the law school. Likewise, the law school counted on a full measure of state support from the Ohio Legislature. The double whammy of a severe recession leading to a steep reduction in law school applicants, and the determination by the Legislature to cut back on university support, has left this institution in a very precarious position. In fact, the law school is in a cycle that threatens it in an existential way. The essence of that cycle is that the law school requires about 150 students in each class to pay its bills. We just graduated 100 this year, and hope to have 110 students next year in the 1L class. That obvious gap must be closed ASAP. There are a lot of law schools in Ohio competing for essentially the same shrinking talent pool. While some students prefer small or large cities, a Catholic education over a secular one, or a night program over full time days, the vast majority of law school applicants in Ohio are highly sought after by all 9 schools. Once admitted to more than 1 school, how does a student decide where to go, especially highly qualified students? The main determining factor is the amount of scholarship that is awarded by each of the law schools. Similarly, if an out of state student applies to CMLAW, a significant tuition differential has been expected by CMLAW, while, for example, it is not expected by the University of Akron. How will the Cleveland-Marshall College of Law ever attract another Tim Russert to grace our halls, and distinguish our law school, if the current economics are not improved? Mr. Russert came to us, born and bred in Buffalo, NY because out of state tuition was not different for an out of state student, or was so small a difference as to be insignificant. CMLAW must have the resources to level the playing field for out of state students, just like other competitor schools are doing. I know CMLAW is making a change, but the reduction in revenue must be replaced. Otherwise, we cannot break the cycle, increase the population of

our student body, attract the brightest and best, and give opportunity to those who have shown the preparation and necessary skills to succeed at being a law student and lawyer. All this requires is financial support.

The Alumni Association has taken steps in the recent years to increase what we have contributed to student scholarships. Last year we gave \$31,000 to 2<sup>nd</sup> and 3<sup>rd</sup> year students. This year preliminary numbers show we can give a comparable amount, if not more, to student scholarships. We can and must do better. I would like to see our organization assist Dean Fisher with double or more of the amount we gave last year, and challenge each of you to consider how.

Please know that I will not ask anyone to do something I myself am unwilling to do. I am asking each of us to step up with a material contribution to Dean Fisher's 120 Fund. He is seeking \$150,000 before August 15, 2017. That is likely not enough. I am pleased to announce that Tom Scanlon and I are offering to contribute \$12,000 to the CMLAA, to be passed on to CMLAW as part of the 120 Fund. Assuming all else is equal, that is \$43,000 from CMLAA. Can't we do even better at this important time? If we do, we will see the fruits of our labor in an increased entering class. By making a material contribution, you will allow the Dean and his staff to vigorously recruit students who are admitted here, but are weighing and balancing CMLAW and other schools. I want to see this law school ranked in the US News top 100 law schools, and our contributions for scholarships have a direct impact on that ranking. Please give generously.

In addition to our financial efforts, the Alumni Association is poised to do great things with a strong board and group of officers including experienced hands, and rising stars of the Alumni Association. Our Committees have

mission statements, and will have strong leadership and board participation for their efforts. We have 9 standing committees carrying out the programs of the Alumni Association. We also enjoy one of the best partners I have ever worked with, now Dean Designate, and on July 1, Dean of the Cleveland-Marshall College of Law, Lee Fisher. We are so pleased to have his experience, his creativity and his unbridled passion to make this law school succeed.

All of this said, I look forward to an enormously challenging year, and getting to know and work with our judges, board members, and association members in 2017-18. Please do not hesitate to call, email, stop in for coffee, or communicate in any other way you wish as to your thoughts, or concerns for the Alumni Association this year.

Thank you,

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