

# Faculty Focus

October 2007



Thomas Roese, *Skyline Series: BP over Fed*

## CONGRATULATIONS!

To our new named professors:

**Susan Becker** - The Charles R. Emrick, Jr.-Calfee, Halter & Griswold Professor of Law

**Kathleen Engel** - The Leon M. and Gloria Plevin Professor of Law

**Sheldon Gelman** - The Joseph C. Hostetler - Baker & Hostetler Chair in Law

**Kunal Parker** - The James A. Thomas Distinguished Professor of Law

To our Distinguished Faculty Award winner:

**Stephen Lazarus** will be honored with the Cleveland State University Distinguished Faculty Teaching Award during the President's Annual Fall Convocation Ceremony, which will be held on Thursday, October 25 at noon in Waetjen Auditorium.

To our newest Doctor of Philosophy:

On September 28, the Board of Trustees of Princeton University approved the award of a Ph.D. in History to **Kunal Parker**.

## FACULTY PUBLICATIONS

In October, **Lolita Buckner Inniss** posted an abstract on the Legal Scholarship Network entitled *A 'Ho New World: Raced and Gendered Insult as Ersatz Carnival and the Corruption of Freedom of Expression Norms*.

**Arthur R. Landever**, *U.S. Supreme Court Watch: Bell Atlantic v. Twombly*, 2 OHIO BUSINESS LAW JOURNAL 17 (2007).

**Heidi Gorovitz Robertson** accepted an offer of publication for her article, *Seeking a Seat at the Table: Has Law Left Environmental Ethics Behind, as it Embraces Bioethics?*, from the WILLIAM & MARY ENVIRONMENTAL LAW & POLICY REVIEW.

**Steve Steinglass** just published the 2007-2008 supplement to his two-volume treatise, SECTION 1983 LITIGATION IN STATE COURTS. A new chapter on Removal will be published later this fall.

**Steve Steinglass** wrote a short article, *The Standing and Removal Decisions from the Supreme Court's 2006 Term*, that will appear in the October 2007 Cleveland Bar Journal.

## SPEAKING ENGAGEMENTS

On September 20, **Susan Becker** gave a presentation to members of the American Constitution Society and their guests titled *Many are Chilled but Few are Frozen: The Inevitable Demise of Legally Sanctioned Discrimination Against Sexual Minorities in the U.S.* The event took place at the Cleveland law firm of Hahn Loeser.

On September 4, **Dena Davis** gave Ethics Grand Rounds at the Cleveland Clinic; her topic was male and female genital cutting. She also spoke on that topic as part of the CWRU Foundations in Bioethics M.A. class, on September 13, as part of a panel on ethical and cultural relativism. On September 27 Dena gave a presentation in the Dept of Bioethics at CWRU on *How to Travel the World Without Spending Your Own Money: Everything You Wanted to Know about the Faculty Fulbright Program*.

On September 20, **Michael H. Davis** spoke to a group of prospective students about intellectual property, his work for an anti-drug organization opposed to the energy drink "Cocaine," an earlier Supreme Court amicus project, and the issue of public input on intellectual property.

**Kathleen Engel** will give the following talks:

- "Securitization, Financial Markets and Abusive Lending," University of Sydney Business School, Sydney, Australia (11/28/07).
- "Securitization and Abusive Lending" Consumer Roundtable, Griffith University, Brisbane, Australia (12/4/07).
- "State and Local Anti-Predatory Lending Laws: The Effects of Assignee Liability and Legal Remedies" AALS Section on Financial Institutions and Financial Services (1/5/08).

On September 17, **David Forte** gave an address entitled *Homer Plessy and the Living Constitution* at the Cleveland State University Constitution Day celebration. You may listen to the presentation on the link below.  
[Constitution Day Presentation](#)

On September 18, **David Forte** was the Constitution Day Speaker at Kent State University in Kent, Ohio.

On September 25, in the "First Annual U.S. Supreme Court Forum," sponsored by Cleveland-Marshall's chapters of the Federalist Society and the American Constitution Society (ACS), **David Forte, Stephen Gard, James Wilson**, David Marburger, litigation partner at Baker Hostetler, and Jonathan Adler, Professor of Law at Case Western Reserve University, discussed recent decisions and trends in the Court.

On October 5, **Brian Glassman** gave a lecture at and for the Cleveland State University Department of Art on legal issues relevant to the ownership of artwork that has been "transferred" legally or illegally to museums during times of peace and times of war.

In September, **Dennis Keating** presented papers at the Urban Futures Seminar of the Centre for the Study of Cities and Regions, Durham University, England (on Cleveland) and at the 10th Annual Conference of the European Urban Research Association at the University of Glasgow, Scotland (on the Glasgow Housing Transfer). In October, Dennis will present a paper on Cleveland Heights at the 38th Annual Conference of the Association of Collegiate Schools of Planning in Milwaukee.

On September 19, **Stephen Lazarus** was the guest speaker at a meeting of the Northeastern Ohio Chapter of Americans United for Separation of Church and State, delivering a talk on *The Court System and Religion: Will the Wall Come Tumbling Down?*

**Kermit Lind** made a presentation on *Critical Legal Tools for Redeveloping Abandoned Properties* at the Ohio Planning Conference Statewide Planning Conference in a session on *Redeveloping Ohio's Vacant Properties*. The OPC is a chapter of the American Planning Association. Its annual conference was held in Columbus on September 19–21.

**Claire Robinson May** presented on *The Self-Evaluated Draft: Teaching Students How to Evaluate Their Own Work* at the Southeast Legal Writing Conference at Nova Southeastern University School of Law in Fort Lauderdale, Florida.

**Karin Mika** also presented at the Southeastern Legal Writing Conference in early September: *Reinforcing Research Skills*. She also became a member of the newly established Legal Writing Institute's National Speaker's Bank.

On October 4, **Reginald Oh** gave a talk entitled *Language, Belonging, and the 14<sup>th</sup> Amendment: An Analysis of Parents Involved in Community Schools v. Seattle School District* as part of the Northeast Ohio Law Schools' Colloquia Series at Case Western Reserve University School of Law.

On October 5, **Reginald Oh** made a presentation *The Spatial Construction of Racial Identity* at the annual LatCrit Conference in Miami.

On September 20, **Steve Steinglass** gave a presentation to the Litigation Section of the Cleveland Bar Association. The title of his talk was *Jurisdictional and Related Decisions from the United States Supreme Court's Most Recent Term*.

<http://www.clevelandbar.org/EventDetail.aspx?Event=092007LIT>

On October 5, **Steve Steinglass** gave two presentations on Jurisdictional Issues at the Ohio federal bench-bar conference in Columbus. This is an annual conference of the judges of the Southern and Northern Districts of Ohio and federal court practitioners. His outline included both U.S. Supreme Court and Sixth Circuit developments.

On September 25, **Mark Sundahl** delivered a talk entitled *Rescuing Space Tourists: A Humanitarian Duty and Business Need* as part of the panel on the Law of Space Tourism and Private Space Flight at the International Astronautical Congress in Hyderabad, India.

On November 9-10, Mark **Sundahl** will be speaking at a *Conference on Globalizing Secured Credit Law: Current Problems, New Directions* at the Thomas Jefferson School of Law in San Diego, California. Mark will be kicking off both days of the conference with a talk on the history of secured transactions and then a talk on secured transactions under Islamic law.

## DID YOU KNOW?

On September 18, **Susan Becker** presented an extensive set of proposed Ohio Civil Rule amendments to the Supreme Court of Ohio. She made the oral presentation to the Court on behalf of the Ohio Commission on Rules of Procedure and Practice. The proposed rule changes include numerous amendments to address discovery of electronically stored information. The proposals also clarify the type of service appropriate for revivor of judgments and for service of subpoenas. The Court accepted all of the Commission's recommendations and will publish the proposals for public comments next month.

**Susan Becker** was elected to serve a two-year term as a Board Member Representative on the Executive Committee of the Ohio ACLU during the Board's September 15 meeting.

On September 13 and 14, **Stephen Lazarus** attended a retreat of the Ohio Supreme Court's Commission on Professionalism, during which the Commission discussed and evaluated the current statewide pilot program on Lawyer-to-Lawyer Mentoring for newly admitted attorneys, and considered proposals aimed at extending that program.

**Mark Sundahl** organized a faculty lecture series in a new community outreach program involving the *Beachwood Business Community Center*. As Mark explains: "The BBDC is a business incubator/accelerator that has had great success in bringing Israeli startups to Beachwood. Its success serves as a model for the economic revitalization of Cleveland." You can find more information about the BBDC here: <http://www.beachwood.org/BusinessDevelopmentCenter/Staff.ashx>.

**Mark Sundahl** was appointed "of counsel" to Yormick & Associates. See *Going Places*, CRAIN'S CLEVELAND BUSINESS, September 17, 2007.

## IN THE NEWS

In the September 25 issue of the PLAIN DEALER, there is an article, *ABA faults Ohio's death penalty system, urges moratorium*, that mentions both **Phyllis Crocker**, who chaired the Ohio group appointed by the ABA to conduct the 30-month study, and **Geoffrey Mearns**. You may read the article on the link below. <http://www.cleveland.com/news/plaindealer/index.ssf?/base/news/1190710033162650.xml&coll=2>

Other articles discussing this event and quoting Phyllis are:

- *How to execute the death penalty*, AKRON BEACON JOURNAL, September 30, 2007.
- Jim Provance, *Ohio asked to suspend executions: Bar association panel seeks halt until system's fairness ensured*, THE BLADE (Toledo, Ohio), September 25, 2007.
- Jon Craig & Sharon Coolidge, *Suspend executions, bar group urges Ohio*, THE CINCINNATI ENQUIRER, September 25, 2007, at 1A.
- Alan Johnson, *CAPITAL PUNISHMENT; State's system called unjust; Bar association seeks moratorium in Ohio*, THE COLUMBUS DISPATCH (OHIO), September 25, 2007 at 01A.

On October 4, **Phyllis Crocker** published an op-ed in the CHILLICOTHE GAZETTE entitled *Suspend Executions Until We Reform Ohio's Flawed Death Penalty System*. To read the

editorial, click on the link below.

<http://www.chillicothegazette.com/apps/pbcs.dll/article?AID=2007710040319>

On September 19, the PLAIN DEALER published an editorial written by **Kathleen Engel**: *Cleveland Can't Wait to Solve the Subprime Mortgage Crisis*. Please see link below for Kathleen's op-ed piece.

<http://www.cleveland.com/printer/printer.ssf?/base/opinion/119019211612800.xml&coll=2>

On September 9, **Kathleen Engel** spoke on an ABC (Australian Broadcasting Company) program, "BackgroundBriefing," a current affairs radio documentary program. Her subject was collateralized debt obligation.

**Kathleen Engel** is quoted in a BUSINESS WEEK on-line article. The front-page article entitled *Dear Ben*, contains the reactions of fourteen people to the current mortgage crisis. Kathleen's thoughts are on slide 7. Please click on the link below to access the article. <http://www.businessweek.com/>

**Candice Hoke** is quoted in the September 13 issue of the COLUMBUS DISPATCH, in an article by Mark Niquette, *Voting panel scrutinized-- Experts picked to test Ohio's machines are biased, critics say*. You may read the article on the link below. [http://www.columbusdispatch.com/live/content/local\\_news/stories/2007/09/13/votingsystems.ART\\_ART\\_09-13-07\\_B1\\_AP7SU18.html?sid=101](http://www.columbusdispatch.com/live/content/local_news/stories/2007/09/13/votingsystems.ART_ART_09-13-07_B1_AP7SU18.html?sid=101)

**Arthur Landever** has an op-ed in the September 10 edition of CRAIN'S CLEVELAND BUSINESS. You may read his article, *Create New R&D Institute to feed med mart*, on the link below.

Download the attachment: <http://www.law.csuohio.edu/public/announcements/landeverart.htm>

## ANNOUNCEMENTS

On Sunday, November 4, 2:00 p.m. **Dena Davis** will participate in a panel entitled *Perfecting People - The Promise and Perils of Modern Science* at the Maltz Museum of Jewish Heritage. Other panelists include Deborah R. Barnbaum, Associate Professor of Philosophy, Kent State University; Eric T. Juengst, Professor of Bioethics, CWRU; and Dr. Eric Kodish M.D., Chair of the Department of Bioethics, Cleveland Clinic Foundation. The panel will be moderated by Martin Kohn, co-founder of the Center for Literature, Medicine and Biomedical Humanities at Hiram College.

On Saturday, November 10, 9:00 to 12:40, *Defining Justice: A Great Stories Program*, organized by **Arthur Landever**, will be held in the law school. The program will consist of three stories: *Shooting an Elephant* (1936) by George Orwell, *Jury of Her Peers* (1916) by Susan Glaspell, and *Bright and Morning Star* (1939) by Richard Wright and two cases: *United States v. Holmes* and *People v. McMurty*.

On Friday, October 19, 9:00-4:00, the **University of Akron School of Law** Constitutional Law Center is putting on a conference entitled *The New Face of Women's Legal History*. The keynote speaker will be Reva Siegel of Yale Law School.