

# Faculty Focus

January 2008



**Bonnie Dolin, *Dec. 4th nightfall***

## FACULTY PUBLICATIONS

**Dena Davis** has signed a contract with Oxford University Press to publish the revised edition of her book, *GENETIC DILEMMAS: REPRODUCTIVE TECHNOLOGY, PARENTAL CHOICES, AND CHILDREN'S FUTURES*. The book was originally published by Routledge.

**Dena Davis** published two book notes in Volume 33 of the journal *RELIGIOUS STUDIES REVIEW*: a note on "Knocking" (a movie about Jehovah's Witnesses) and a note on *SENTIENCE AND SENSIBILITY: A CONVERSATION ABOUT MORAL PHILOSOPHY* by Matthew Silliman.

Raphael W. Bostic, **Kathleen C. Engel**, Patricia A. McCoy, Anthony Pennington-Cross & Susan M. Wachter, *State and Local Anti-Predatory Lending Laws: The Effect of Legal Enforcement Mechanisms*, 60 *J. ECON. & BUS.* 47 (2008).

**Deborah A. Geier**, *Advance Trade Discounts: A Reprise*, 117 TAX NOTES, December 17, 2007. Debby also posted the article on SSRN's Legal Scholarship Network.

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1071106](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1071106)

**Lolita Buckner Inniss** has accepted an offer of publication for her article "*A 'Ho New World: Raced and Gendered Insult as Ersatz Carnival and the Corruption of Freedom of Expression Norms.*" The piece will appear in Volume 32 of the NEW YORK UNIVERSITY REVIEW OF LAW AND SOCIAL CHANGE. Lolita also posted her piece on SSRN's Legal Scholarship Network.

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1020346](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1020346)

**Karin Mika's** article, *Mix it up for optimal learning*, was published in AALS Section on Teaching Methods Newsletter.

**Chris Sagers** will publish a commentary piece in the Houston Law Review based on his panel presentation at the Houston Law Review Symposium on Antitrust and Airline Deregulation.

**Mark Sundahl** has published the January, 2008 issue of GLOBAL ACTION, the newsletter for the International Law Section of the Cleveland Bar Association. Mark recently assumed the duties as editor of the newsletter.

A chapter on "Avoiding RLUIPA Claims," **Alan Weinstein** wrote for a forthcoming book on RLUIPA (the federal Religious Land Use and Institutionalized Persons Act) to be published jointly by the ABA and the American Planning Association, will also be published separately as a Commentary article in the March 2008 issue of PLANNING & ENVIRONMENTAL LAW, put out by the American Planning Association.

## SPEAKING ENGAGEMENTS

**Gordon Beggs** spoke at a forum held by the Cleveland Center for Community Solutions in December on the media's response to ex-offenders.

On February 8, **Michael Borden** will give a presentation entitled "The Promissory Character of Adequate Assurances of Performance" at the 4th International Contracts Conference at the University of the Pacific McGeorge School of Law in Sacramento, California.

On February 21 at noon, **Dena Davis** will speak on "The New Eugenics?" in Rhodes Tower Room 502 in an event organized by the Cleveland State University Bioethics Center and sponsored by the CSU Philosophy Department.

**Dena Davis** delivered a paper on "Male and Female Genital Cutting" in the Religion and Bioethics section of the American Academy of Religion Annual Meeting, in San Diego in November.

**Kathleen Engel** was the keynote speaker at the Consumer Roundtable at Griffith University in Brisbane, Australia in December. Her talk was entitled "The Subprime Crisis: Origins, Impacts and Solutions."

**Kathleen Engel** made the following presentation at AALS Section on Financial Institutions and Consumer Financial Services: "The Impact of Predatory Lending Laws: Policy Implications and Insights."

**Deborah Geier** testified before the Senate Finance Committee on December 13 at a hearing on "The Housing Decline: The Extent of the Problem and Potential Remedies." She also submitted written testimony. The "Mortgage Forgiveness Debt Relief Act of 2007" was enacted the week after Debby testified.

On January 25, **Chris Sagers** was a panelist at the Houston Law Review Symposium on Antitrust and Airline Deregulation.

**Milena Sterio** made a recent presentation at the AALS in New York. The title of her talk was "Globalization, Human Rights, and the Erosion of State Sovereignty."

On January 23, **Mark Sundahl** gave a talk entitled "The Five Miracles of Ancient Athenian Law" at the Rowfant Club.

**Alan Weinstein** will be one of two panelists for a CLE national teleconference on RLUIPA (the federal Religious Land Use and Institutionalized Persons Act) to be presented in late March by the International Municipal Lawyers Association.

## IN THE NEWS

**Pamela Daiker-Middaugh** and law student Camille Tucker discussed the Pro Bono Program's Drivers License Reinstatement Program in an article by Ellen Jan Kleinerman in the January 25 edition of the PLAIN DEALER. You may read the article, "Garfield Heights court clinic helps drivers regain licenses" on the link below.

<http://www.cleveland.com/news/plaindealer/index.ssf?/base/other/1201253683124200.xml&coll=2>

**Kathleen Engel** is quoted in an article by Steve Brandt in the January 23 issue of the Minneapolis STAR TRIBUNE, "Neighbors sue lender over house left vacant." You may read the article on the link below.

<http://www.startribune.com/local/14167031.html>

An article by Thomas Ott and Michael O'Malley in the January 24 PLAIN DEALER on the foreclosure crisis quotes **Kathleen C. Engel**. You may read the article, "The ruin spreads far and wide," on the link below:

[http://blog.cleveland.com/metro/2008/01/the\\_foreclosure\\_crisis\\_what\\_it.html](http://blog.cleveland.com/metro/2008/01/the_foreclosure_crisis_what_it.html)

**Kathleen C. Engel** is quoted in an article by Charu Gupta that appeared in the January 16 issue of the FREE TIMES: "Payback Time: Cleveland Sues Banks over the Foreclosure Crisis, but Take a Legal Road Less Traveled." **Adjunct Professor Ed Cramer**, who teaches in the Fair Housing Clinic, is also quoted.

<http://www.freetimes.com/stories/15/37/payback-time>

Associated Press writer Thomas J. Sheeran quotes **Kathleen C. Engel** in an article now circulating among several media outlets. You may read the story, "Cleveland sues 21 banks over foreclosure crisis," as it appeared on January 11 on OhioNewsNow.com.

[http://hosted.ap.org/dynamic/stories/O/OH\\_CLEVELAND\\_FORECLOSURES\\_OHOL-?SITE=OHONN&SECTION=HOME](http://hosted.ap.org/dynamic/stories/O/OH_CLEVELAND_FORECLOSURES_OHOL-?SITE=OHONN&SECTION=HOME)

On January 11, **Kathleen C. Engel** is quoted in the PLAIN DEALER in an article by Henry Gomez and Thomas Ott, "Mayor takes on banks in law suit. Big-name firms blamed in costly subprime crisis." You may read the story on the link below.

[http://blog.cleveland.com/plaindealer/2008/01/mayor\\_takes\\_on\\_banks\\_in\\_lawsui.html](http://blog.cleveland.com/plaindealer/2008/01/mayor_takes_on_banks_in_lawsui.html)

**Kathleen C. Engel** is quoted in a December 25 issue of the PLAIN DEALER in an article by Thomas Ott, "Federal court ruling stems foreclosure cases: Case dismissals slow banks' filings." You may read the article on the link below.

<http://www.cleveland.com/news/plaindealer/index.ssf?/base/cuyahoga/1198575170251740.xml&coll=2>

**Candice Hoke**, Director of CSU's Institute for Election Integrity, is quoted in the January 27 issue of the COLUMBUS DISPATCH in an article, "Officials: Brunner shaking voter trust" by Mark Niquette, which you may read on the link below:

[http://www.columbusdispatch.com/live/content/local\\_news/stories/2008/01/27/voting\\_confidence.ART\\_ART\\_01-27-08\\_B1\\_P4963GI.html?sid=101](http://www.columbusdispatch.com/live/content/local_news/stories/2008/01/27/voting_confidence.ART_ART_01-27-08_B1_P4963GI.html?sid=101)

PLAIN DEALER reporter Joe Guillen quotes **Candice Hoke** in a front page article of the January 13 issue: "Cuyahoga elections director Platten racing toward March primary." You may read the article on the link below.

<http://www.cleveland.com/plaindealer/stories/index.ssf?/base/isele/1200231056291480.xml&coll=2>

**Candice Hoke** is quoted in the cover article by Clive Thompson in the NEW YORK TIMES MAGAZINE for January 6: "Can You Count on Voting Machines?" You may read it on this link.

[Can You Count on Voting Machines?](#)

**Candice Hoke** is quoted in a December 26 PLAIN DEALER article by Joe Guillen, "Cuyahoga County's return to paper ballots still a mystery to some: Election board's Frost disapproves of the move." You may read the article on the link below.

<http://www.cleveland.com/printer/printer.ssf?/base/cuyahoga/1198661487283900.xml&coll=2>

**Candice Hoke** is quoted in the December 15 edition of the PLAIN DEALER in an article entitled "Brunner wants return to simpler voting times" by Joe Guillen and Mark Rollenhagen. Here is the link to the article.

<http://www.cleveland.com/plaindealer/stories/index.ssf?base/isele/119772914689070.xml&coll=2>

On December 14, **Candice Hoke** appeared on FOX 8 and was interviewed by Ohio News Network commenting on the Ohio Secretary of State's study of the County voting system.

On December 15, a story in the NEW YORK TIMES, "Ohio Elections Official Calls Machines Flawed" by Bob Driehaus, refers to the study conducted by the **CSU Center for Election Integrity** and others, which examined flaws in Cuyahoga County's electronic voting system. You may read the article on this link:

[http://www.nytimes.com/2007/12/15/us/15ohio.html?\\_r=1&oref=slogin](http://www.nytimes.com/2007/12/15/us/15ohio.html?_r=1&oref=slogin)

**Kermit Lind** is quoted in a January 16 article in the WASHINGTON INDEPENDENT by Mary Kane, "Toxic Titles' Haunt Cities in Mortgage Meltdown," which you may read on the link below:

<http://www.washingtonindependent.com/view/part-one-the-brick>

An article by Henry J. Gomez in the January 13 issue of the PLAIN DEALER quotes **Kermit Lind**. You may read the story, "Cleveland's lawsuit against investment banks may prompt other cities to pursue action," on the link below:

<http://www.cleveland.com/plaindealer/stories/index.ssf?base/iseco/1200231048291480.xml&coll=2>

**Kermit Lind** is quoted in the cover story of the January 3 edition of BUSINESS WEEK by Michael Orey: "Dirty Deeds." The story also quotes CM 1977 alumnus, Judge Raymond Pianka. You may read the article on the link below.

[Dirty Deeds](#)

In the January 27 issue of the PLAIN DEALER, reporter John Caniglia quoted **Geoffrey Mearns** in an article entitled, "Who dropped the ball in informant case?" You may read the article on the link below:

<http://www.cleveland.com/plaindealer/stories/index.ssf?base/other/1200821525103690.xml&coll=2>

On January 17, **Geoffrey S. Mearns** is quoted in an editorial in the PLAIN DEALER, "U.S. Attorney Greg White has served with distinction." Greg White '77, U.S. Attorney for the Northern District of Ohio, is retiring from the U.S. Attorney's office to become a federal magistrate. He is replacing another Cleveland-Marshall graduate, the Honorable Patricia A. Hemann '80, who is retiring from the bench. You may read Geoff's remarks on this link:

<http://www.cleveland.com/plaindealer/stories/index.ssf?base/opinion/1200562351156060.xml&coll=2>

On December 18, **Heidi Gorovitz Robertson** was interviewed live by Les Sekely on the WEOL am 9:30 Morning News Program regarding ownership rights in the “treasure trove” case, in which a contractor remodeling a home found over \$100,000 in cash in the home's walls.

**Heidi Gorovitz Robertson** is quoted in an article by Jim Nichols in the December 12 PLAIN DEALER: "Contractor, homeowner at odds over fortune found in bathroom walls - contractor, homeowner battling over money discovered in walls." The story was syndicated nationally by the Associated Press. You may read the article on the link below.

<http://www.cleveland.com/news/plaindealer/index.ssf?/base/cuyahoga/1197452108280821.xml&coll=2>

On January 18, **Heidi Gorovitz Roberston** was interviewed by Jon Vara, the News Editor, of the JOURNAL OF LIGHT CONSTRUCTION, for a story on the "money in the wall" case.

An article by Frank Bentayou in the January 10 issue of the PLAIN DEALER quotes **Alan Weinstein**. You may read the article, "River Oaks Racquet and Fitness Center struggles to stay open. River Oaks needs members to pay an extra \$300 or it will close" on the link below.

<http://www.cleveland.com/plaindealer/stories/index.ssf?/base/business-4/119978482855260.xml&coll=2>

## DID YOU KNOW?

**Gordon Beggs** supervised Employment Law Clinic student Thomas Fitzpatrick's comment to the Ohio Supreme Court on proposed rules of superintendence regarding the threat to the criminal record sealing process posed by the sale of electronic court records in bulk.

On January 10, the Federal Reserve Board of Governors announced the ten new members of its Consumer Advisory Council; **Kathleen C. Engel** is one of the new members. Each will serve a three-year term. The Council acts as an advisory board to Federal Reserve Chairman Ben Bernanke and other Governors of the Federal Reserve. You may read about Kathleen's appointment in the press release on the link below.

Download the attachment:

<http://www.law.csuohio.edu/public/announcements/FederalReserveBankPressRelease.htm>

**Kathleen Engel** was appointed to the Executive Committee of the AALS Section on Financial Institutions and Consumer Financial Services.

**Kathleen Engel** met with trade regulators in Australia about how they can take steps to avoid the subprime crisis that has struck the United States.

Professor Emeritus **Arthur Landever** is teaching a course on Constitutional Law for the CSU Department of Political Science.

**Karin Mika** was appointed to the Poster Committee for AALS Section on Teaching Methods.

**Karin Mika** was appointed an Assistant Editor of the Legal Writing Journal.

**Karin Mika** was nominated for the Legal Writing Institute Board of Directors.

## **CITATIONS TO OUR WORK POSTED ON SSRN/LSN**

Naomi Cahn & June Carbone, *Deep Purple: Religious Shades of Family Law*, 110 W. VA. L. REV. 459 (2007) (citing **David Barnhizer**, *Ideology, Propaganda and Legal Discourse in the Argument Culture* (Cleveland-Marshall Legal Studies, Paper No. 07-141, 2007), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=975256](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=975256)).

Jonathan L. Entin & Shadya Y. Yazback, *City Governments and Predatory Lending*, 34 FORDHAM URB. L.J. 757 (2007) (citing **Kathleen Engel** & Patricia McCoy, *Predatory Lending and Community Development at Loggerheads* 5 (Cleveland Marshall Legal Studies Paper 05-105, 2006), available at <http://ssrn.com/abstract=687161>).

Larry Alexander, *Horowitz, Churchill, Columbia--What Next for Academic Freedom?*, 77 U. COLO. L. REV. 883 (2006) (citing **David Barnhizer**, *Old Revolutionaries, New Dictators: The Politicization of Scholarship in the Modern Law School* (Cleveland-Marshall Legal Studies Paper No. 05-102, 2005), available at <http://ssrn.com/abstract=684246>).