

Faculty Focus



February 2010



Phyllis Seltzer
Courthouse B
Heat transfer print

CONGRATULATIONS



Congratulations to **Geoffrey S. Mearns**, now Interim Provost of the University. The law faculty and staff appreciate his tremendous service to the law school as Dean. We know he will serve the university well during his term as Interim Provost, and that that service will reflect well on the law school.

Congratulations to **Phyllis L. Crocker**, who has been appointed by President Berkman to serve as Interim Dean of the Law School during Geoff's term as Interim Provost. Certainly, the law school will continue on its positive trajectory under Phyllis' leadership. Thank you, Phyllis, for your willingness to serve the law school at this time.



FACULTY PUBLICATIONS

Milena Sterio's latest article on piracy *The Somali Piracy Problem: A Global Puzzle Necessitating a Global Solution* has been accepted for publication in 59.5 AMERICAN UNIVERSITY LAW REVIEW (2010). She will present this piece at their piracy symposium on March 31 (see below).

Brian Ray's article *Enforcement of Socioeconomic Constitutional Rights: Resolving Questions of Judicial Competence by Adopting an "Experimentalist" Standard of Review* was recently published in the INTERNATIONAL REVIEW OF CONSTITUTIONALISM, Vol. 9, No. 1 (2009).

SPEAKING ENGAGEMENTS



Alan Weinstein presented *Adult Uses and Secondary Effects: The Empirical Evidence* as part of the Richard E. Nelson Symposium on Local Government Liability Under Federal Law, at the University of Florida, Levin College of Law, Gainesville, FL, on February 12, 2010.

Milena Sterio will participate at the upcoming annual meeting of the American Society of International Law in Washington, D.C. on March 26, 2010, on a panel entitled: *The Case of Kosovo*.

Milena will present her latest article on piracy at the American University Law Review symposium on March 31, 2010, in Washington, D.C. The symposium is dedicated to maritime piracy, and she will be speaking on a panel about the current issues linked to the rise of piracy in Somalia.

On February 19, **Chris Sagers** was a panelist in an ABA Antitrust Section CLE Teleseminar, entitled *Petitioning and the Antitrust Laws: The Foundations of Petitioning Immunity and the Noerr-Pennington Doctrine*. Other panelists were Charles Fried (Harvard Law), Susan Creighton (Formerly Director, Bureau of Competition, FTC, now chair of competition practice, Wilson Sonsini), David Meyer (chair of competition practice, Morrison & Forrester) and John Roberti (Mayer Brown).

Mark Sundahl gave a presentation on February 19 at the Lorain Port Authority entitled *International Legal Issues when Exporting Goods* regarding the legal issues involved in exporting goods from Ohio.

On February 19, 2010, at the request of Chief Judge Carr, **Jonathan Witmer-Rich** served as a panel moderator at a University of Toledo School of Law symposium, titled *The Military Commissions Act of 2009: Back to the Future or the Fix for a Flawed System?* Jonathan moderated a "Practitioner's Panel" consisting of both prosecutors and defense attorneys from around the country who are engaged in federal terrorism trials, military commission proceedings, and habeas corpus proceedings for detainees at Guantanamo Bay.

IN THE NEWS



On January 30, **Kevin O'Neill** did a live 30-minute radio interview on WHK-1420 AM discussing *Citizens United v. Federal Election Commission*, the Supreme Court's recent decision on campaign finance regulation.

In the January 2010 issue of the CLEVELAND METROPOLITAN BAR JOURNAL, the Honorable Jennifer Weiler praised **Steve Lazarus** in her article *View from the Bench*. Judge Weiler said "In my first year at Cleveland-Marshall College of Law, I was privileged to have Steve Lazarus for Civil Procedure. He is a wonderfully skilled teacher in a discipline that seldom values quality instruction. Professor Lazarus has a powerful mind and remarkable breadth of knowledge. He has been a great mentor and friend to me."

Another CLEVELAND METROPOLITAN BAR JOURNAL article entitled *Measuring the Impact: What Students Say About Our Pipeline Programs* quoted several C|M|LAW students: Nicole Lester, Jessica Cardenas Jarvis, Mona Ma, praising the pipeline programs and the opportunities they provided.

Inga Laurent's article (co-authored with Alyson Alber), also in the January 2010 issue of the CLEVELAND METROPOLITAN BAR JOURNAL, *Law & Leadership Institute Expands Diversity Pipeline*, describes the Law & Leadership Summer Institute hosted by C|M|LAW and Case.



DID YOU KNOW?

Kermit Lind and the Urban Development Law Clinic organized the Cleveland Roundtable on Community Development and Housing Law held at C|M|LAW on February 19. The Roundtable is a co-sponsored by the Center for Social Justice and the Milton A. Kramer Law Clinic Center at Case, and Urban Development Law Clinic C|M|LAW. The Roundtable brings together law students and practitioners engaged in housing and community development law for discussions of legal issues and practice. The topic at this meeting of the Roundtable was The Cuyahoga County Land Reutilization Corporation (Land Bank) And Its Role In Neighborhood Revitalization. Speakers included Gus Frangos, President, CCLRC, and Bill Whitney, Chief Operating Officer. The event was attended by City and County officials, practicing lawyers, faculty, and students.

Kermit Lind and the Urban Development Law Clinic also developed and presented a 5-hour CLE course on "Nuisance Law And Abandoned Houses In Ohio: A Clinical Course For Public and Public Interest Lawyers" on February 24. The course was delivered at the Federal Reserve Bank of Cleveland. **Kermit Lind** and **Carole Heyward** were presenters, and students in the UDLC assisted in preparation of some of the course materials.

Kermit also offered expert testimony at a legislative committee hearing in the City of South Euclid, Ohio, on a proposed ordinance to require registration and certification of inspection of dwellings left vacant and abandoned by owners or mortgagees in foreclosure. South Euclid is seeking efficient ways to protect neighborhoods from the health and safety hazards and the loss of property values that accompany the rise in vacant and abandoned housing. **Kermit** and the Urban Development Clinic are working with community development clients to develop and propose local code enforcement strategies to help neighborhoods and the City cope with the surge of abandoned houses.

Milena Sterio was asked by the Melbourne Journal of International Law (Australia) to provide a "referee report" (peer review) on an article submitted to the journal on the topic of Somali piracy.

Karin Mika was a judge at the Jessup International Moot Court Competition Midwest Super Regional in Chicago on February 12th. She also graded memorials (briefs) for the Jessup Competition.

According to a post on the Legal Writing Professors Blog, Terri LeClerq (who spoke at C|M|LAW this past fall) is planning to write a new edition of her successful book GUIDE

TO LEGAL WRITING STYLE, with **Karin** as the co-author. See <http://lawprofessors.typepad.com/legalwriting/2010/02/terri-leclercq.html>

Carolyn Broering-Jacobs and the Legal Writing Faculty held a Legal Writing Practitioners' Roundtable on Friday, February 19. They invited a small group of relatively recent graduates to discuss the kind of research and writing that they were expected to do in the early years of practice. The practitioners enthusiastically shared their experiences and occasional frustrations.

Senator Charles Schumer (Senate Rules Committee Chairman) quoted **Candice Hoke** in a letter to the U.S. Department of Justice requesting full enforcement of the antitrust laws. See <http://www.floridavoters.org/downloads/DOJ-Holder%20Ltr%20-%20001-21-10.pdf>

Candice also facilitated and participated in the writing of a letter to Attorney General Holder, along with a group of election administrators, fair-voting advocates and computer experts. According to a New York Times, editorial, the letter warned that Election Systems and Software already has a bad record on open competition, including contract clauses that prevent jurisdictions that buy their machines from hiring other vendors to service them. The letter further warns of the dangers if its deal to purchase the elections division of Diebold closes. (New York Times editorial, February 25, entitled *The Voter Will Pay*.) The ElectionLawBlog and other nonprofit organizations' posted links to it. See, e.g., <http://voteraction.org/news-article/2010/groups-and-election-officials-warn-doj-security-risks-inflated-costs-voting-machine>. The Justice Department referred the letter for "full review and consideration."

Candice participated in the Winter Mid-Year meeting of the ABA Standing Committee on Election Law that reviewed federal election law (including the U.S. Supreme Court's new campaign finance decision) and proposals for uniform State election law.

Candice structured the program format and recruited speakers for an Internet Voting debate to be held in Munich, Germany, in March 2010.

