

# Faculty Focus



March 2010



Bruce McCombs, Sellout, Watercolor

## CONGRATULATIONS

Congratulations to **Jim Wilson**, who has been appointed President of the Faculty Senate following the former Senate President's appointment as a Special Assistant to the Vice President for Research. Jim will serve out this academic year, and will be eligible for election to the position in the fall.

Congratulations to **Kevin O'Neill** for, once again, being named the Student Bar Association's Teacher of the Year.



Thank you very much to our Faculty Senators—**David Forte, Matt Green, Browne Lewis, Milena Sterio, and Jim Wilson**—for their exemplary service during the law school's recent transition.



## FACULTY PUBLICATIONS



**Mark Sundahl** has accepted an offer from the JOURNAL OF AIR LAW AND COMMERCE (published by Southern Methodist University) to publish his most recent article *Space Tourism and Export Controls: A Prayer for Relief*.

**Mark** has also been invited to publish an article in a special issue of the INDIAN JOURNAL OF INTERNATIONAL ECONOMIC LAW (a journal published by the National Law School of India in Bangalore) dedicated to commercial space law.

**Debby Geier** published a "Letter to the Editor" (with 5 footnotes!) in the March 8 issue of TAX NOTES.

**Gwen Majette**, who will be joining the C|M|LAW faculty next semester, has published *From Concierge Medicine to Patient-Centered Medical Homes: International Lessons & the Search for a Better Way to Deliver Primary Health Care in the U.S.* in the latest issue of the AMERICAN JOURNAL OF LAW & MEDICINE at 35 AM.J.L.& MED. 587 (2009).

The following C|M|LAW faculty published accepted papers, working papers, or abstracts in our latest SSRN issue, Legal Scholarship Network, Legal Studies Research Paper Series Vol. 6 No. 2, March 26, 2010:

**Milena Sterio**, *The Somali Piracy Problem: A Global Puzzle Necessitating a Global Solution*

**Heidi Gorovitz Robertson**, *Public Access to Private Land for Walking: Environmental and Individual Responsibility as Rationale for Limiting the Right to Exclude* (abstract only)

**Browne C. Lewis**, *Incubator or Cultivator: Defining the Role of the Surrogate*

**Jonathan Witmer-Rich**, *Autonomy is Good for You: Prospective Consent, Retrospective Consent, and the Foundations of Consent in the Criminal Law*

**Chris Sagers**, *Understanding the Recurrent Crisis in Legal Romanticism: Two Criteria for Coherent Doubt*

**Chris Sagers**, *Much Ado About Probably Pretty Little: Mccarran-Ferguson Repeal in the Pending Health Reform Legislation*



## SUMMER RESEARCH GRANTS

The following faculty members have been awarded summer research grants:

- **Michael J. Borden** -The Enforceability of Insider Trading Norms Under the Federal Securities Laws
- **David Forte** - Public Virtue and Judicial Independence
- **Matthew Green** - The Time Has Come: A Call to Close or Merge Historically Black Colleges to Reduce Segregation in Public University Systems
- **Candice Hoke** - Litigating Voting Technology Issues
- **Lolita Buckner Inniss** - Critical Discourse Analysis as a Framework for Exploring the Intersection of Race and Gender
- **Browne Lewis** - Continuing Validity of Spendthrift Trusts
- **Karin Mika** - Students' Ages and Undergraduate Education as an Indicator of Potential Success in Legal Writing
- **Reggie Oh** - Post-racial Equal Protection: President Obama and the Political Integration Principle
- **Milena Sterio** - Applying the Laws of War to Piracy: A Good or a Bad Idea?
- **Mark Sundahl** - Customary Internal Law Prohibits Kinetic Anti-Satellite Weapons Tests
- **Jonathan Witmer-Rich** - When *Shatzer* Meets *Montejo*: When Can Police Re--Commence Interrogation Under the Sixth Amendment?

## SUMMER TEACHING ENHANCEMENT GRANTS

The following faculty members have been awarded summer teaching enhancement grants:

- **Patricia J. Falk** - Psychology of the Courtroom - Preparation of New Course Material

- **Lolita Buckner Inniss** - Race, Racism and Law: Data-Based Question Materials for a Concurrently Enrolled Law School/Undergraduate Course
- **Christopher Sagers** - Updating and Revision of Original Course Materials, Antitrust, Agency & Partnership, and Corporations



## SPEAKING ENGAGEMENTS

**Dena Davis** participated in a panel discussion on *Bioethical Issues in Health Care Reform*, as part of a symposium at Mississippi College of Law on February 26.

**Heidi Gorovitz Robertson** presented *Rights of Access to Private Land for Walking: Environmental and Individual Responsibility as Rationale for Limiting the Right to Exclude* at the Association for Law, Property, and Society's Annual Meeting at Georgetown University Law Center on March 6.

**Mark Sundahl** moderated a panel discussion at the Commercial Docket Seminar hosted by Collins & Scanlon LLP at the Stokes Federal Courthouse on March 15. This seminar brought together the central actors in the Ohio experiment to create a specialized docket to expedite the hearing of commercial disputes in order to examine the early results of the experiment and consider potential reforms.

**Alan Weinstein** presented a national webinar on *Regulating Digital Signs & Billboards* for the American Planning Association on March 5, which drew an audience of over 1,000 web attendees.

**Alan** also moderated and spoke at the Planning Law Seminar: Legal Implications of Zoning Decisions for Smart Planning and Development, presented by the Levin College Forum and cosponsored by the American Planning Association Cleveland Section and the Cleveland State University Levin College of Urban Affairs on March 26.

**David Forte** presented *Reality* at the Bringing America Back to Life Conference, Cleveland Right to Life, Cleveland, Ohio, March 8.

**David** also presented *Children of Abraham* at the Heritage Presbyterian Church in Amherst, Ohio, February 7.

**Steve Lazarus** presented a CLE lecture entitled *Discomforted Lawyers - Seven Problematic Scenarios and Fifteen Ethical Quandaries* at the offices of Littler Mendelson on March 9.

**Karin Mika** presented *What Teaching Assistants Need to Know* at the Rocky Mountain Regional Legal Writing Conference at the University of Arizona (Tucson) on March 20.

**Kermit Lind** presented a special report, *Nuisance Abatement Litigation for Neighborhood Stability*, to the Ohio Legal Services Association Housing Task Force in Columbus, Ohio, on March 25. Legal aid attorneys heard why and how lawsuits were brought against Deutsche Bank and Wells Fargo in their capacity as owners of thousands of houses in Cleveland.



**Candice Hoke** was interviewed on March 9 by Pam Fessler for National Public Radio's Morning Edition regarding the voting issues currently under review by the Justice Department. When Ms. Fessler called, Candice was in the midst of a conference call with the U.S. Department of Justice.

Further, **Candice's** work supported an editorial in the NEW YORK TIMES on March 11, entitled *Antitrust and Your Vote*. See <http://www.nytimes.com/2010/03/11/opinion/11thu3.html?ref=opinion>. Other news organizations have also relied on the work, including the WALL STREET JOURNAL, the NEW YORK POST, and the COLUMBUS DISPATCH.



**Dena Davis** participated in a peer review meeting for the Maryland Stem Cell Research Fund, in Baltimore, March 16-18.

**Dena** has been invited to be a researcher-in-residence at the Brocher Centre, in Geneva Switzerland, May-July 2011. The Brocher Foundation's mission is to encourage "pluridisciplinary thought on the ethical, legal and social implications for humankind of recent medical research and new medical technologies."

**Claire Robinson May** has been accepted to the NEOMFA program as an MFA degree candidate in playwriting, starting Fall 2010. NEOMFA is the Northeast Ohio Master of Fine Arts, offered by a consortium of the creative writing programs at Cleveland State, Kent State, Akron and Youngstown. She will be pursuing the degree as a part-time student.

**Sandra Kerber** is a member of the Judicial Selection Committee that assesses judicial candidates' qualifications for office. On March 11 & 12, she participated in two full days of interviews of judicial candidates running in the May 4, 2010, primary. The committee publishes the Judge4Yourself ratings that are available at least 30 days before each election.

**Arthur Landever** and **Louise Mooney** have been hosting a series of Great Stories roundtables. The next one, "Justice, Health Care and the Law," is on Saturday, April 10. The Great Stories program involves roundtables, for 3 credits of CLE, in which participants discuss short works of fiction, and then relate them to the law and justice. For the upcoming program, the group will be discussing Anton Chekhov's "Ward Six," Eudora Welty's "A Worn Path," Amy Bloom's "Silver Water," and John Updike's "Journey to the Dead."

NOTEABLE  STUDENTS

Our students have been making us proud, all over the country!

**Nicole Lester** was selected as one of the American Bar Association's 2010 Section of Business Law CLEO (Council on Legal Education Opportunity) CLEO Fellow scholarship recipients. For the past decade, the Committee on Diversity, through the Section of Business Law, has awarded four to five \$1,000 scholarships annually to CLEO Fellow Scholars. CLEO Fellow Scholars are selected based on an essay competition and their demonstrated interest in pursuing a career in business law. Scholarship recipients receive an all expenses paid trip to the Section of Business Law Spring Meeting in Denver, Colorado, April 21-24, 2010, where they will receive their scholarship award, be introduced to their assigned mentor (an attorney practicing in an area of business law), and will have the opportunity to attend workshops and activities. This is the first time that a student from Cleveland-Marshall has received this award.

**Ben Beckman** was selected from among students at all of the law schools within the Sixth Circuit as the American College of Bankruptcy Sixth Circuit Distinguished Student for 2010. He was the law student representation at the American College of Bankruptcy meeting in Washington, D.C., in March. His prizes included an all expenses paid trip to Washington for the meeting.

**Arthur Worley** was named the National BLSA member of the month for March 2010. Arthur is the Treasurer of his local BLSA Chapter. In addition to his dedication to BLSA, Arthur is committed to helping his community. Mr. Christopher Henry nominated Arthur, in part, because Worley spearheaded a school wide contribution to a project called "Antoine's Wish." Antoine is a twelve-year-old boy from Cleveland, Ohio, who suffers from chronic kidney failure. Antoine's only wish is to visit Disney World. Kids Wish Network, a nationally recognized charitable organization, completed most of the arrangements and asked the public to solicit funds towards Antoine's wish. To make the dream come true, \$4,200 had to be raised to provide airfare, car rental, and personal expenses for Antoine and his family. Arthur took on this task.

**Tierra Ndegwa** won the Best Oralist award at the National Frederick Douglass Moot Court Competition. The director of the competition commended Tierra on having the courage to argue by herself and stated that her scores were on par with those of the top competitors in the recent history of the competition. Tierra and her partner for the regional competition, **Eman Dugly**, had won third place in the Regional Frederick Douglass Moot Court Competition. This is the first team our law school has sent to the Frederick Douglass Competition in a long time.

ABA Moot Court Team of **Samantha Vajskop, Mike Jagunic, and Kevin Marchaza** is headed to National finals of the ABA competition in Chicago! The team received the award for Best Brief, was the number one seed throughout the event, and finished 5-0. Our team is the number one seed of the four teams advancing from the Miami regional. This regional competition narrowed 32 teams down to 4 that advance to the National finals in Chicago. The ABA National Appellate Advocacy Competition is one of two premier moot court competitions in the Nation, which feature two-tiers much like the National Moot Court Competition that C|M|LAW hosted this year.

