Self Study Report
2012
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I. History of the Law School and University

Cleveland-Marshall College of Law Mission Statement

We educate students from diverse backgrounds in the substantive knowledge, ethical values, and professional skills necessary to become outstanding lawyers and leaders in their communities and chosen professions. We foster a more just society through excellence in teaching, scholarship, and civic engagement. We are committed to the principle of Learn Law. Live Justice.

Cleveland-Marshall College of Law Vision Statement

We strive to be recognized for exceptional achievements in legal education and scholarship. We will prepare our students to succeed in increasingly diverse, global, and technology-driven professions through academic excellence, practical experience, critical inquiry, and the robust exchange of ideas. We will continue to be distinguished by our commitment to ethical values, social justice, and public service.

A. Cleveland-Marshall College of Law History and Present

Cleveland-Marshall has a long-standing commitment to providing an excellent education to a diverse student body that prepares them to leave law school ready to practice in the legal or other professions. The Northeast Ohio legal community has long recognized that Cleveland-Marshall graduates have strong practical skills—well before “practice-ready” gained prominence in legal education.

Cleveland-Marshall traces its roots to the Cleveland Law School founded in 1897. Common to the period, it was a for-profit law school, charging an annual tuition of fifty dollars. Strikingly uncommon, the law school from its inception admitted women, ethnic minorities, and people of color, providing an entry into the legal profession for these groups at a time when almost no other law schools did. The John Marshall School of Law began in 1916 and merged with the Cleveland Law School in 1946 to become the Cleveland-Marshall Law School.

The law school received ABA accreditation in 1957. In 1967 we initiated our first full-time legal education program after 70 years of exclusively part-time evening programs. In 1969 Cleveland-Marshall Law School joined the newly created Cleveland State University as Cleveland-Marshall College of Law and was elected to membership in the Association of American Law Schools in 1970.

Cleveland-Marshall is a school of excellence and of opportunity. We recognize the importance of looking beyond traditional metrics of predicting success in law school. We take seriously our obligations to prepare our students to excel in law school and in the legal profession. We work at keeping our curriculum meaningful and relevant—and recognize that this requires both theoretical and practical learning.
We have a strong record of meeting new challenges and helping our students. In 2003 we adopted a comprehensive and far-reaching Bar-Passage Plan to address persistently low bar-passage rates. See Chapter V, Students, Section C.1, Bar Passage. This multi-faceted plan affected our admissions program, our academic program, and our budget. The University administration and the Board of Trustees committed to a strategic reduction in class size while maintaining the quality of our academic program. Our efforts have succeeded—prior to 2006 our highest pass rate for first-time takers was 84%, since 2006 our lowest pass rate for first-time takers was 84% and our highest was 90%—but we remain vigilant. See id.

Over the past three years we faced new challenges—substantial reductions in law-school applications, fewer jobs for our graduates, state cuts in higher education, and a call for greater practice-ready graduates. Our 140 Plan, approved by the Provost in May 2012, reduced the size of the 2012 IL class to 140 students. See Chapter II, Self Study and Strategic Planning, Section C, Strategic Planning. This plan required substantial budget cuts on top of University-mandated budget reductions we made the previous year—including future commitments to reduce the size of the tenure/tenure-track faculty. Id. More important, the Plan demonstrates our commitment to student-centered solutions in this new environment. Coupled with our recently reformed curriculum, the result of two years of study and conversations (see Chapter III, Program of Legal Education, Section C, Changes to the Curriculum), we are well positioned to think strategically about the future.

In 2008 we developed a new mark—C|M|LAW—and a motto that capture the essence of who we are: “Learn Law. Live Justice.” These words speak to our historic and current mission and vision—to prepare our students to be outstanding lawyers and leaders and to inspire them to serve others in the pursuit of a more just society. This Self Study shows the ways in which we work together to carry out our mission and vision.

This Self Study comes at an opportune time. Legal education and the legal profession are changing. A clear consensus exists at Cleveland-Marshall that these changes require a response and the 140-plan is our first step in that direction. But, as the rest of this Study shows, we do not all agree on what other measures we should take—or even on the nature and effects of these changes in the long term.

B. Cleveland State University

Cleveland State University is a comprehensive regional state University, located in downtown Cleveland, that began admitting students as a new public University in Fall 1965. The Ohio General Assembly mandated the creation of the University to serve the citizens of Northeast Ohio who otherwise might not have access to higher education and to be an urban institution, sensitive to the particular needs of the community in which it is located. CSU has thrived under the leadership of the two most recent Presidents, Dr. Michael Schwartz (2002-2009) and Dr. Ronald K. Berkman (2009-present). In the last seven years, the 85-acre campus
has undergone a physical transformation, and the University community has developed a much more positive sense of itself and strengthened its relationship to Cleveland and the region.

CSU has changed in many ways academically over the last seven years. At the undergraduate level the University adopted more rigorous admissions standards and strengthened its core general education requirements. The University colleges were reorganized to better align academic departments and disciplines. CSU is now divided into nine colleges: College of Liberal Arts and Social Sciences, College of Sciences and Health Professions, Monte Ahuja College of Business, College of Education and Human Services, Fenn College of Engineering, Maxine Goodman Levin College of Urban Affairs, Cleveland-Marshall College of Law, College of Graduate Studies, and School of Nursing.

Today CSU serves approximately 17,000 students. Its student profile reflects its historic mission as an urban University; approximately 26 percent are minorities, of which 18 percent are African American; the average student age is 28; 55 percent are women; 45 percent are men. About one-third are in graduate school or law school. More than half are part-time students and transfer students.

The University employs 524 full-time faculty (91 percent have the Ph.D. or highest degree in their field) and 1,019 staff. It offers 71 undergraduate programs, 42 master’s-level programs, three advanced degrees in law, eight doctorates, two education specialist degrees, and several joint degrees in law and other disciplines. The University also administers $60 million in federal, state, local, and private grants (FY11) and collaborates with leading enterprises including Cleveland Clinic Foundation, Cleveland Municipal School District, City of Cleveland, and NASA Glenn Research Center, as well as other higher education institutions.
II. Self Study and Strategic Planning

A. Self Study Process 2011-13

In Fall 2011 Dean Boise appointed a Self Study Committee composed of C|M|LAW faculty, staff, administrators, and students (recommended by the Student Bar Association). The Committee members are: Jennifer Blaga (Director, Office of Career Planning), Phyllis L. Crocker (Professor of Law and Chair), Kelly Curtis (Professor of Legal Writing and Director of Academic Support), David Forte (Professor of Law), Carole Heyward (Clinical Law Professor and Director of Engaged Learning), Jean Lifter (Assistant Dean for Academic Affairs), Christopher Lucak (Assistant Dean for Admission and Financial Aid), Kristina Niedringhaus (Associate Professor of Law and Law Library Director), Mark Sundahl (Associate Dean for Administration and Associate Professor of Law), Brian Ray (Associate Professor of Law), Julia Salashour (3L student), Christopher Stuart (3L student), and Jeane White (Director of Budget and Administration).

The Committee tackled several projects in Fall 2011. At Dean Boise’s request, we gathered data relevant to and helped lead the faculty and staff discussions about the 140 Plan. Appendix 10, The 140 Plan: Towards a Smaller and Stronger Law School. We constructed, administered, and began analyzing faculty and staff surveys. Appendices 1A and 1B, Faculty Survey Results Charts and Graphs and Staff Survey Results Charts and Graphs. We began reviewing our Mission and Vision, but decided to postpone full consideration until Spring so that we could focus on the 140 Plan. The Library created a website for us to post all relevant Self Study documents.

In Spring 2012 we continued to meet as a committee to discuss the 140 Plan, the results of the faculty and staff surveys, and our Mission and Vision statements. We were pleased that a high percentage of faculty (77%) and staff (68%) participated in the online surveys. The committee worked with Thomas R. Geaghan, the University’s Director of Institutional Research, to better understand the survey results. During Spring we hosted four lunches with faculty and staff for conversations about the 140 Plan, the results of the faculty and staff surveys, and our Mission and Vision statements. We also divided responsibility for the sections of the Self Study and began meeting in teams.

In March 2012 we participated in the Law School Survey of Student Engagement. Fifty percent of our students answered the survey questions. The demographics of the respondents correspond to the demographics of our student body, by year in school, gender, race, and full-time and part time status\(^1\). Appendix 2, LSSSE 2012 Respondent Demographics; see also Appendices 3, 4, 5, and 6, LSSSE 2012 Frequency Distributions, LSSSE 2012 Mean Comparisons, LSSSE 2012 Student Comments, and LSSSE 2012 Summary of Results.

\(^1\)We have decided to participate in the LSSSE every year. Some of the results from the 2012 survey strike us as possible anomalies, so it makes sense to chart student experiences on a yearly basis rather than sporadically.
In April and May members of the committee met with the law school Visiting Committee and National Advisory Council to talk about the newly drafted Mission and Vision statements. We were fortunate to be able to spend several hours with the members of the National Advisory Council talking about the mission, vision, and future of the law school.

In Summer 2012 committee members began assembling data required for the Self Study.

In Fall 2012 we drafted and presented chapters of the Self Study to the faculty and staff for review and comment. In September Professor Crocker also met with Dean Boise’s Student Advisory Council to talk about the results of LSSSE and in October with the CMLAA Board of Trustees to present the proposed new Mission and Vision statements. In October, to encourage the greatest participation, we held lunches on a Tuesday and Wednesday for faculty and staff to discuss the chapters on Program of Legal Education, Students, Administration, Information Resources—Law Library, and Information Technology. In November we did the same for the discussion of the remaining chapters and topics—the Introduction, Bar Passage, Faculty, Finances, and Facilities. Prior to each set of lunches we provided the faculty and staff with drafts of the chapters. At each lunch our conversations focused on the Strengths and Weaknesses identified for each chapter.

The Self Study Committee incorporated comments and suggestions from all of the various constituencies into the final versions of the Mission and Vision statements that appear at the beginning of the Self Study. We also have incorporated the results of the faculty, staff and student surveys throughout the Self Study. Finally, we reworked the strengths and weaknesses, found at the end of each chapter, in light of our conversations with faculty and staff in Fall 2012.

The faculty approved the Self Study at our December 12, 2012, faculty meeting.

B. ABA Accreditation Committee Actions 2006-2008

In January 2007 the ABA Accreditation Committee made Findings of Fact and Conclusions based on the 2006 site evaluation. The Committee concluded that C|M|LAW was not in compliance with four Standards and had insufficient information to make a conclusion about one Standard. In its reports in January and October 2008, based on information we provided, the Accreditation Committee terminated the previously initiated Rule 13(a) proceeding regarding our compliance with noted standards. We remain on the list of ABA approved law schools and have no compliance matters pending. The specific standards, as well as our response to and resolution of each concern, are addressed below.
1. Not in Compliance

   a. Standard 212(b) requiring “a law school shall demonstrate by concrete action a commitment to having a faculty and staff that are diverse with respect to gender, race and ethnicity.”

   Response: Between Fall 2005 and Fall 2008 our hiring of full-time faculty was the result of concrete actions that reflected our commitment to racial, gender, and ethnic diversity. While we continued to participate in the AALS recruiting conference, we also decided to pursue lateral hires. Seven full-time faculty joined our faculty between Fall 2005 and Fall 2008: one African-American man, one African-American woman, one Asian-American man, one woman of Serbian descent, one Caucasian man, and two Caucasian women. Our commitment to diversity among our faculty has continued past Fall 2008. See Chapter IV, Faculty, Section B, Recruitment and Diversity.

   Resolution: In January 2008 the Accreditation Committee terminated the previously initiated Rule 13(a) proceeding regarding our compliance with Standard 212(b).

   b. Standard 304(f) and Interpretation 304-6 requiring a law school demonstrate the adoption and enforcement of policies that students may not be employed for more than twenty hours/week in any week in which they are enrolled for more than twelve class hours.

   Response: We instituted a number of mechanisms to inform students about and to better enforce the 20-hour/12-credit rule: we advise students about the limitations in the packet of information we send to admitted students, we discuss the requirement during 1L Orientation and during our one-on-one 2L advising sessions, and at the beginning of each semester we send an e-mail to students reminding them of the rule. In addition, we had the online registration system modified so that students who are in the system as part-time students cannot enroll for more than 12 hours per semester. If a part-time student wants to enroll for more than 12 credits, s/he must speak to our Assistant Dean for Academic Affairs, who may approve it if they advise her that they are not working more than 20 hours per week or if the extra hours are for an intersession course.

   Resolution: In January 2008 the Accreditation Committee terminated the previously initiated Rule 13(a) proceeding regarding our compliance with Standard 304(f) and Interpretation 304-6.

   c. Standards 404(a) and (b) requiring a law school have established polices about full-time faculty members’ “responsibilities in teaching, scholarship, service to the law school community, and professional activities outside the law school” and the law school periodically evaluate each faculty member’s compliance with those responsibilities.
Response: The faculty adopted a Statement on Professional Ethics and Academic Responsibility on January 17, 2008, and we provided a copy of the policy to the ABA. In addition, we informed the ABA that we had a yearly evaluation process for all faculty.

Resolution: In October 2008 the Accreditation Committee terminated the previously initiated Rule 13(a) proceeding regarding our compliance with Standards 404 (a) and (b).

d. Standard 701 and Interpretation 701-2(2) regarding educationally appropriate facilities for our clinics.

Response: In Spring 2008 we completed a substantial renovation project that included a new clinic suite. See Chapter X, Facilities.

Resolution: In March 2008, the ABA found we demonstrated compliance with Standard 701, subject to submitting a final report regarding completion, occupation, and use of the new clinic space. It appears we did not submit a final report, nor was it raised again by the ABA.

2. Insufficient Information to Determine Compliance

The Committee found it had insufficient information to conclude whether we complied with Standard 320(a)(4) requiring each student receive substantial instruction in “other professional skills generally regarded as necessary for the effective and responsible participation in the legal profession.”

Response: The faculty amended our graduation requirements to include completion of a skills course on May 8, 2008, effective with the 2008 entering class.

Resolution: In October 2008 the Accreditation Committee terminated the previously initiated Rule 13(a) proceeding regarding our compliance with Standard 320(a)(4). More recently we strengthened that requirement. See Chapter III, Program of Legal Education, Section D, Experiential Skills Courses.

C. Strategic Planning

In 2007 the faculty adopted a five-year strategic plan. Appendix 7, Strategic Plan 2007. The plan began in 2005-06 when, as part of a University-wide strategic planning process, we identified six areas in which we wanted to improve in order to fulfill our institutional vision. During the 2006-07 academic year, we held several sessions to prioritize our goals and develop specific tactics to accomplish those strategic goals. As then-Dean Mearns noted at the time: “We developed these goals and tactics with the understanding and expectation that the financial resources available to the law school will remain stable.” Id.

The goals unanimously adopted by the faculty were:
Goal 1: Substantially improve our graduates’ first-time bar passage rate on the Ohio State Bar Exam
Goal 2: Enhance the quality and diversity of the student body, and expand the professional opportunities available to them.2
Goal 3: Improve the scholarly reputation and productivity of our faculty.
Goal 4: Develop signature programs or centers of excellence at the law school.
Goal 5: Strengthen our curriculum and expand our teaching strategies to maximize the educational experience for our students in order to prepare them to practice law in the 21st century.
Goal 6: Expand our long-standing commitment to public service.

As the 2010 and 2012 updates show, we have employed the vast majority of the tactics we set forth in order to achieve our goals including those directed toward improving our graduates’ first-time bar-passage rates, enhancing the quality and diversity of the student body, and improving our faculty’s scholarly reputation and productivity. In terms of completed goals, we have created a Center for Health Law and Policy, adopted curriculum reform that strengthens our students’ educational experience and better prepares them for entering the legal profession, and increased our commitment to public service. Appendices 8 and 9, Strategic Plan 2010 Update and Strategic Plan 2013 Update. We discuss specific tactics, developments, accomplishments, and challenges within the text of this Self Study.

We recognize that the 2007 Strategic Plan was a five-year plan—technically ending in Spring 2012. We did not, however, end the process of strategic planning in Spring 2012.

In Dean Boise’s first year, he developed what we call the 140 Plan—a plan to immediately reduce the size of incoming classes to 140 students as a way to address the crisis in legal education engendered by the confluence of a shrinking job market, widespread criticisms of the traditional legal education model, and changes in student loans. Appendix 10, The 140 Plan: Towards a Stronger and Smaller Law School. Faculty and staff met to discuss the 140 Plan in Fall 2011; Dean Boise sought advice and counsel from our National Advisory Council and Visiting Committee. Dean Boise met with our Budget Task Force composed of faculty and staff on four separate occasions in Spring 2012 to develop a set of budget reductions that would be acceptable to the University. Dean Boise presented the 140 Plan to the University Provost and President in April 2012, and they approved the 140 Plan in May 2012. Id.

Reducing the size of the incoming class to 140 has immediate and future potential benefits. It maintains the academic quality of our students, increases student scholarship funds and will increase experiential learning opportunities. We expect it also will improve bar-

2In 2009 the new Director of the Office of Career Planning developed, in consultation with the Dean and Associate Dean for Academic Affairs, a separate Strategic Plan for her office. See Appendix 78, OCP 2009 Strategic Plan and 2012 update.
passage and job-placement rates beginning with this 1L class; it also may improve our rankings. Id. at 6-9.

The 140 Plan also affected a budget that we previously reduced by approximately $406,000 in response to subsidy reductions by the State of Ohio detailed in Chapter IX, Finances. With the assistance of the Budget Task Force, Dean Boise negotiated a revised budget plan for the law school designed in part to address a shortfall in the law school’s projected budget target for FY12 due to a decision to reduce enrollment to 168 students for the 2011 1L class and also to make up the revenue lost from the 140 Plan. The Provost asked for proposed budget cuts at three levels—$500,000, $900,000 and $1.3 million. Id. at 10. In the end, the Provost required reduction of our FY13 budget by $800,599, and proposed, and the CSU Board of Trustees approved, a 9.5% tuition increase in each of FY13, FY14, and FY15. Id. The Provost also required the law school to further reduce its budget by an additional $750,000 by FY15 through cuts to tenure-track positions through attrition. While the budget reductions are considerable, we believe that the class-size reduction was essential to maintaining our ethical responsibilities to our current and future law students. As Dean Boise concluded in his memo presenting the 140 Plan:

Reducing our entering class size to 140 will help us survive these challenges by maintaining the critical admissions selectivity that will ensure that our admitted students are capable of passing the bar examination and becoming practicing lawyers. More importantly, coupled with some of the curricular and programmatic changes outlined above, a smaller class size will enable us to thrive as we continue to anticipate the direction that the evolving legal services industry will take and respond in ways that will best prepare our students to build meaningful and fulfilling careers in the law.

Id. at 10.

In this academic year, 2012-13, we continued to engage in short- and long-term planning. In November 2012 the faculty voted to elect a committee to examine the effects of the 140 Plan, identify ways to respond to the challenges we face, and report to the faculty in Spring 2013. See Appendix 11, Committee Charges 2012-13. In addition, Dean Boise began a series of Strategic Roundtable Discussions in preparation for an all-day faculty retreat in May 2013 that will kick off our next strategic planning cycle. The first two roundtables, in December 2012, focused on admissions and bar passage; other proposed topics are academic support, the future of the legal profession and job market, our LCOP program, and planning for required and elective course coverage between full-time and adjunct faculty as we continue to downsize.

D. C|M|LAW Strengths and Weaknesses

Each chapter of this Self Study identifies strengths and weaknesses specific to that substantive topic. Here we list the most important of those strengths and weaknesses.
Strengths

1. We educate our students in a manner that distinguishes them as being ready to practice law upon graduation.

2. C|M|LAW provides an excellent education for the lowest tuition in the state.

3. Our faculty care deeply about the quality of our teaching.

4. We offer a flexible course of study: full- and part-time programs with day and evening classes.

5. The downtown location of the University and law school provides our students with access to government offices, judicial chambers and courtrooms, businesses, and private law firms; in turn, lawyers and judges are a welcome part of our law school on a daily basis.

6. The C|M|LAW Library staff provide an exceptional program of library support services including the Research Assistant Program and interdisciplinary support of faculty research.

7. We have a strong commitment to service, including service to the University, and a long tradition of strong faculty governance.

8. Students benefit from our strong and involved alumni base and name recognition locally.

9. The Law Library provides students with quiet, accessible, and technologically up-to-date space for individual and group study.

10. Experienced IT personnel provide a high level of support to the Law School faculty, staff, and students.

11. The law school administration thinks strategically about how to ensure that the administrative structure best serves the needs of the law school community.

Weaknesses

1. C|M|LAW continues to have insufficient scholarship funds, compared to our competitor law schools, for enrolling the most qualified and diverse students.

2. A series of substantial budget cuts resulting from reductions in state funding and our decision to reduce enrollment under the 140-plan as well as the prospect of future cuts have created resource constraints that drive several of the most significant weaknesses
we identified including: (1) faculty reductions that may make it challenging for us to continue to provide the same quality of legal education; (2) a constrained library budget that required aggressive acquisitions cancellations and severely limits all areas, including the IT capital purchases, and staff development and training; and (3) funding and staffing for the Academic Support Program, which is integral to our students’ academic success and bar-passage rates.

3. The law school needs more effective communication between the administration and faculty and staff.

4. Scholarly productivity is not consistent across the faculty.

5. The morale of the faculty and staff is a concern.

6. Academic support is limited and available almost exclusively to 1Ls.
III. Program of Legal Education

I. Degree Requirements

The College of Law has full-time and part-time programs leading to the Juris Doctor degree. The degree requirements are identical for both full-time and part-time students. For students entering in 2012, the requirements are:

1. The completion of 90 semester credit hours; with
2. A cumulative grade point average of at least 2.00; and
3. Satisfactory completion of the following course requirements:
   a. The core curriculum
      i. Contracts (4 credits)
      ii. Torts (4 credits)
      iii. Legal Writing (6 credits over 2 semesters)
      iv. Criminal Law (3 credits)
      v. Civil Procedure (4 credits)
      vi. Property (4 credits)
      vii. Legislation & the Regulatory State (4 credits)
      viii. Constitutional Law (5 credits over 2 semesters)
   b. Evidence (4 credits)
   c. Legal Profession (3 credits)
   d. 3rd Semester of Legal Writing (2 credits)
   e. Perspective course (2 or 3 credits)
   f. Experiential skills course (variable credits)
   g. Upper level writing requirement (2 or 3 credits)

Full-time students complete the core curriculum, except for Constitutional Law, in the first year; part-time students complete the core curriculum and some elective courses by the end of the second year. See Appendix 12, Student Handbook 2012-13, at 11-13.

The curriculum also offers a full range of courses tested on the bar examinations in Ohio and other states as well as an array of elective courses taught by both full-time and adjunct faculty. Simulation and other practice-related courses, in-house clinics, and off-campus externships provide numerous opportunities for practical skills training. Id. at 13-17; see also Appendix 13, Course Schedules Fall 2011-Spring 2013.

B. Attendance

Class attendance is an important element of student success. Our academic regulations require that students attend classes with substantial regularity. Appendix 12, Student Handbook 2012-13, Academic Regulations 1 (hereinafter Ac. Reg.). Generally speaking, absence from more than two weeks of classes in a single semester (or, in the case of Summer
term, absence from more than one week of classes) is cause for lowering a student’s grade, administratively withdrawing a student from the course, or giving the student an “F” grade. Id. Faculty members enforce this rule by taking attendance at the beginning of every class. This is done by a variety of techniques, such as taking roll, reviewing a seating chart, or passing around a sign-in sheet.

C. Changes to the Curriculum

The curriculum has changed in significant ways since the last site visit. We engaged in a two-year curriculum reform project, culminating with changes to both our 1L and upper level curriculum effective Fall 2012. In 2009 we created a Center for Health Law and Policy that builds on our faculty strength in this area and is part of the University’s focus on public health. We made these changes in the spirit of strengthening the legal education we provide our students by identifying new areas and skills that we believe will benefit our students.

1. 2009-11 Curriculum Reform

In April 2011 the faculty approved major changes to the first year curriculum along with other modifications to the upper level academic program proposed by the Ad Hoc Committee to Review the Curriculum and Academic programs (Ad Hoc Curriculum Review Committee) to review the curriculum and academic programs. Appendix 14, Ad Hoc Curriculum Review Committee Report to the Faculty. In 2009 then-Dean Mearns created the committee, giving it a two-year charge to engage in a “comprehensive evaluation of our entire law school curriculum and academic program and propose appropriate, necessary, and progressive changes to our curriculum and our academic program in order to prepare our graduates to practice law and pursue other professional opportunities in the 21st century.” See Appendix 7, Strategic Plan 2007, Goal 5: “Strengthen our curriculum and expand our teaching strategies to maximize the educational experience for our students in order to prepare them to practice law in the 21st century.”

Fall 2009-Spring 2011 the Ad Hoc Curriculum Review Committee undertook a comprehensive evaluation of the law school curriculum and academic program. See Appendix 14, Ad Hoc Curriculum Review Committee Report to the Faculty. The Committee process included group meetings with faculty designed to educate the faculty on curricular issues, elicit discussion and solicit faculty feedback on general and specific curricular proposals, and present specific proposals for faculty vote. Id. In addition, the Committee solicited faculty input through individual faculty interviews and created a curriculum mapping survey to identify competencies covered in required courses. Id. The Committee held discussions with the Curriculum Review Advisory Group, a group of 30 local practitioners brought together specifically to consult with the Ad Hoc Curriculum Review Committee, as well as Visiting Committee and National Advisory Council. Id. The Committee also consulted students in a town hall meeting and reviewed student responses to the 2007 Law School Survey of Student Engagement. Id. Finally, Committee members reviewed current literature on law school curriculum and curricular reform, attended conferences on law school curriculum, and
reviewed ABA Standards and potential revisions. Id. The Committee presented its report and proposals to the faculty for a vote in Spring 2011.

In April 2011 the faculty adopted the following changes:

a. Semesterization of four core courses—Contracts, Torts, Civil Procedure, and Property. The courses had previously been offered over the course of two terms for five credits (six credits for Civil Procedure). Beginning Fall 2012 the courses are offered as four-credit one-semester courses.

b. Creation of a new required first year course titled Legislation & the Regulatory State. The course replaces an upper level requirement that students take a course with a component of administrative law.

c. A mandate that we offer Legal Profession, our course that focuses on legal ethics and professionalism, only as a 3-credit course (the course could previously be offered for either 2 or 3 credits). Beginning with 2011-12, Legal Profession has been offered for 3 credits only.

d. Creation of a Professionalism Problem of the Semester to infuse professionalism into the curriculum. We introduced the first Professionalism Problem of the Semester in Spring 2012. September 2012 we held a faculty lunch to discuss Fall 2012 Professionalism Problem, including ways to integrate the problem or other discussions of ethics and professionalism into class discussions.

e. A charge to the Curriculum Committee to redefine the existing skills course requirement. See Section D below.

2. Health Law

In May 2009 the faculty approved the creation of a Center for Health Law and Policy. We chose to focus on health law for a number of reasons: the University made a commitment to introduce health initiatives across the academic curriculum, Cleveland’s extensive health care industry made us uniquely suited to train future health care attorneys, students were increasingly interested in health care law, and we had several professors whose teaching and scholarship focused on health law. See Appendix 15, Health Law Policy Center Proposal. Although we lost one of our senior health law professors who accepted a Chair at Lehigh University, the Center has flourished. Within the first two years we hired Professor Gwendolyn Majette, whose expertise is in U.S. health care regulatory matters and global health, and Professor Browne Lewis was named Director of the Center.

Our curriculum has expanded in a number of ways. We approved Certificates in Health Law and in Health Care Compliance. The Certificate in Health Law is open to J.D. candidates and is similar in design to the concentrations offered in other areas. See id. The Health Care Compliance Certificate reflects our belief that health care compliance is a growing field. The compliance certificate is open to J.D. and non-J.D. students, and we intend that ultimately graduates of the program will be certified by the Health Care Compliance Association. See Appendix 16, Health Care Compliance Proposal. In addition, we created the Community Health
Advocacy Law Clinic (see Appendix 17, Clinic Descriptions).

The Center has also engaged the community in its programs. We formed a Health Law Advisory Council composed of leading attorneys and business persons working in health law at private law firms, the U.S. Attorney’s Office, general counsel offices at hospitals, and other health care facilities. See Appendix 18, Health Law Advisory Council Membership. The Council works closely with the health law faculty and Office of Career Planning on identifying course needs and also networking and employment opportunities. The Center has held two public health law summits dealing with cyberbullying, prescription drug abuse, health literacy, childhood obesity, and emergency preparedness. The Center also organized and presented symposia on health care compliance, cyberbullying, Munchausen Syndrome by Proxy, and food safety. The Journal of Law and Health co-sponsored two of these conferences, Munchausen Syndrome by Proxy and Cyberbullying.

3. Challenges Ahead

It is too early to assess many of these changes as they have just gone into effect this academic year or will be fully implemented next year. The Ad Hoc Curriculum Review Committee Report of April 2011 called for the adoption of a system to evaluate and monitor the effects of the plan, but those steps have not yet been put in place. The Health Certificate programs have attracted a number of current students although it has been impossible, thus far, for students to fully complete either program. Because one of our health law professors left the law school, we were unable to offer one of the core courses in the general health law certificate for two years; the Director of the program will be filling that gap, beginning Spring 2013. The Health Care Compliance program is just getting underway; we have not yet created all of the courses that are required elements of the program.

With the recent shrinkage of incoming classes, it will be necessary to plan our course offerings more carefully. When the school was larger, many of the basic courses for the bar and the concentrations were offered frequently in both the day and evening divisions. With a smaller student body, the demand, even for basic courses, is reduced. In addition, with the expectation that some number of full-time faculty will retire in the next three to five years and the understanding that three or four of those slots will be eliminated because of the reduction in the size of the student body, careful planning will be needed to ensure that faculty will be able to teach not only basic and required courses but also more advanced courses that reflect the areas of their own scholarly interests. The switch to semesterized core classes should help by freeing faculty who taught the two-term versions of the classes from one of the terms. Still, it will be necessary to make clear to students how often and when the courses will be offered so that they can plan—whether they just want to be sure to take courses tested on the bar exam, want to complete a concentration or certificate, or participate in one of the dual degree programs.
We will have to balance the need to offer and staff basic and bar-tested upper level courses with the desire to develop curricular specialties, utilizing both full-time and adjunct faculty. Given the employment prospects facing our students, we need to determine whether we should be helping them to develop skills that are applicable across a wide range of practice areas or developing more specialties that cater to existing or prospective niche areas of law practice.

D. Experiential Skills Courses

One of the most important developments since the last Self Study was the faculty’s adoption of a more rigorous experiential skills course requirement. To satisfy this requirement, a course must meet the following criteria. A substantial (at least 50% of class time) and regular part of the course consists of providing each student with multiple opportunities to engage in Experiential Learning.

Experiential Learning is defined as:

a. exercising lawyering skills in real-world or simulated real-world settings,
b. interacting personally and immediately with others to work toward resolution of a legal matter, and
c. receiving substantial individualized feedback on the assigned lawyering skill tasks.

Examples of lawyering skills include:

a. Trial advocacy
b. Advocacy before appellate courts, administrative agencies, or legislative bodies
c. Alternative dispute resolution
d. Counseling
e. Interviewing
f. Negotiation
g. Investigating and organizing facts
h. Organization and management of legal work
i. Drafting

In no event may a student satisfy both the 3rd semester legal writing requirement and the experiential skills requirement with a single course, even if the course could satisfy either of those requirements individually. Appendix 19, Curriculum Committee Memorandum on Experiential Learning Skills.

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3In Spring 2012 the faculty adopted this requirement, which strengthened the skills requirement we adopted in 2008. See Appendix 19, Curriculum Committee Memorandum on Experiential Learning Skills. The Curriculum Committee is evaluating all existing skills courses this year to determine whether they meet our more robust skills requirement. See Appendix 11, Committee Charges 2012-13.
1. Overview of Experiential Skills Offerings

a. Clinics

We have made substantial changes to our clinics that are designed to strengthen our offerings and increase the types of experiences that are available to our students. The changes were occasioned by the recognized need for additional experiential opportunities for our students as well as the retirement of two clinical professors, budgetary pressures, and policy changes at the University (described below). Two of our five clinical professors, Gordon Beggs and Kermit Lind, retired in January 2011 and June 2011 respectively. Professor Beggs taught in the Employment Law Clinic, and Professor Lind in the Urban Development Law Clinic (formerly known as the Community Advocacy Clinic and now known as the Transactional Law Clinic).

When Dean Boise submitted a request to the Provost to hire two new clinical professors, the Provost viewed reinstating the positions as unnecessary given the historically low enrollments in the clinics and the fact that our entering class in Fall 2011 was predicted to be significantly smaller than our targeted enrollment of 190. The Provost agreed to permit the law school to keep the positions on the condition that we dramatically transform the clinics to increase their enrollment. The Dean, Associate Deans, and clinical faculty met over Summer 2011 and 2011-12 academic year to determine how to increase enrollment in the clinics, provide additional experiential offerings, and better prepare students for the practice of law.

After meetings during the 2011-2012 academic year, the clinical faculty in conjunction with the Dean and the Associate Deans decided that a variety of approaches would increase the level and quality of the experiential skills offerings as well as increase clinical enrollment. The clinical faculty’s goal is to create a variety of experiential skills offerings so that every student may engage in one or more experiences designed to build their professional skills and increase their chances of employment.

Specifically, the clinical faculty agreed to: 1) encourage students to take a clinic for one semester versus two semesters as was preferred in the past; 2) seek course approval for a General Civil Litigation Clinic; 3) seek to change the name of the Urban Development Law Clinic to the Transactional Law Clinic so that students would more easily identify the type of experience that was being offered; 4) experiment with using practitioners to assist the clinical professors with client supervision; 5) propose and offer a course called Transition to Practice that would prepare students for clinical or real-world practice by teaching skills such as problem solving, interviewing, negotiating, and counseling; and 6) assume responsibility for supervising the law school’s externship program.

In Fall 2012 the Transactional Law Clinic, supervised by Professor Carole Heyward, began using practitioners to assist with supervision of client matters. Professor Heyward
assigns client work to teams of students and practitioners and closely monitors team work generated by students and practitioners by assigning client matters, monitoring team progress, and reviewing work-product.

In Summer 2012 several personnel changes occurred in the clinics. We hired Doron Kalir as a clinical professor for litigation. Dean Boise created the position of Director of Engaged Learning to coordinate our experiential skills offerings in our clinics and externships and appointed Clinical Professor Carole Heyward to serve in that position.

C|M|LAW currently offers five in-house legal clinics and one clinical course housed off campus. The five in-house clinical programs are the Community Health Advocacy Clinic, Employment Law Clinic, Transactional Law Clinic, Law and Public Policy Clinic, and Environmental Law Clinic. The Fair Housing Clinic is operated at the offices of a public interest law firm, and students in that clinic are supervised by an adjunct professor and staff attorneys from that firm. Professor Stephen Lazarus participates in the weekly seminar meetings of the Fair Housing Clinic. See Appendix 17, Clinic Descriptions.

In Spring 2013 we will begin offering a General Civil Litigation Clinic, of which the Employment Law Clinic will become a part. Clinical Professors Kowalski and Kalir will supervise this new clinical offering in Spring 2013 on an experimental basis. The clinic is designed to offer a broader litigation experience than that offered by the Employment Law Clinic; it will give students an opportunity to engage in client representation across a wide variety of fields and on multiple levels. Because the General Civil Litigation Clinic will offer a broader range of litigation experience, we believe that enrollment in this clinic will be significantly higher than enrollment in the Employment Law Clinic. The Clinic will represent clients in short-term matters such as evictions, the collection of credit card debt, and unemployment compensation in addition to cases that are longer and more complex such as asylum cases and public impact litigation. The course will be one semester in length and offered for 3 or 4 credit hours.

b. Externships

Since the last self-study, we have greatly expanded our externship program. We tripled the number of placement sites and the number of students enrolled in externships. We also created a new position, Manager of Student Affairs, whose primary responsibility was to administratively oversee the externship program in 2008. We quickly recognized that it would make more sense for the Office of Career Planning to assume administrative and counseling responsibility for the program because they work so closely with each of our students as well as with employers able to provide externship opportunities. In addition, we are implementing a new program of faculty supervision for the program.

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4We also hired a clinical professor for the Transactional Law Clinic, who was to begin in January 2013. In November 2012 she decided to return to her former employer. In January 2013 we reopened the search, and Dean Boise appointed a new search committee chaired by Professor Heyward.
The level of student satisfaction with the externship experience continues to be very high. Students almost invariably report that their experience was extremely positive, enriching their understanding of the law and giving them an exciting taste of what it will be like to practice law.

We offer six types of externships: 1) General Counsel, 2) Judicial, 3) Public Interest, 4) Government, 5) United States Attorney, and 6) Independent. In Fall 2012 approximately forty placements were available to our students at a variety of sites including the Federal Public Defender’s Office, Legal Aid Society of Cleveland, and Cleveland Clinic General Counsel’s Office. A list of our current externship placements is provided in Appendix 20A, Externships List.

Students who have completed 29 credits (the core first year curriculum) with a 2.50 GPA or better may apply for an externship. Some externship sites have additional qualifications such as a higher minimum GPA or a background check. During Spring and Fall, students must work 16 hours per week (for 4 credits) or 24 hours per week (for 6 credits). In the seven-week Summer term, students must work for 24 hours per week (for 3 credits) or 40 hours per week (for 5 credits). See Appendix 20B, Externship Program Handbook.

Beginning in Summer 2013 responsibility for faculty supervision of the externship program is being transferred to the clinical faculty. Until Fall 2011 a number of professors rotated the faculty advisor responsibilities of overseeing operation of each placement, conducting seminars, collecting and reviewing weekly student journals, conducting site visits, and maintaining a quality educational experience by working with students and their supervising attorneys or judges. Students and site supervisors found this confusing. In Fall 2011 Professor Crocker became the full-time faculty advisor. She and the clinical faculty are sharing supervision of the externship program during the 2012-2013 academic year. The change to clinical faculty advisors for the externship program will provide continuity for the sites and closer advising for the students.

The Dean has charged the Curriculum Committee to review the current prohibition on externship placements in law firms. See Appendix 11, Committee Charges 2012-13. We also are reviewing the number of hours of student work required for our externships as compared to our clinics, as well as increasing the number of credit hours available Summer term.

c. Moot Court

C|M|LAW’s Moot Court Program has been in existence for over 40 years. The team has enjoyed great success since its inception. The program is administered jointly by the faculty advisors and the 2L and 3L students on the team. Since the last site visit, the faculty advisor of the program has changed twice. Professor Karin Mika was the faculty advisor until the end of the 2006-07 academic year, and Professor Stephen Gard served in that role for the academic years from 2007-08 to 2010-11.
Beginning in Summer 2011 Professors Kelly Curtis and Carolyn Broering-Jacobs assumed faculty responsibility for the program, when Professor Gard asked to step down.

Students take Moot Court I their first year on the team. Students who join the team for a second year take Moot Court II. Both Moot Court I and II are designed to teach advanced legal research, writing, and oral advocacy via regular instruction and participation in extramural moot court competitions. Students in Moot Court I are invited to participate based upon either their participation in a Spring competition at the end of their first year and chosen for Moot Court II based on their successful completion of Moot Court I. Each student is assigned to a team of two or three students who, together, compete in an extramural moot court competition sometime during the academic year.

Students earn three graded credits for Moot Court I and three graded credits for Moot Court II. Grades are based upon three equally weighted factors: 1) brief writing, 2) oral advocacy, and 3) professionalism and other contributions to the program. Grades are based on students’ work the entire year, not on competition results.

In the 2012-13 academic year, there are 22 members of the Moot Court Program. This represents a reduction in the size of the program. With the progressive reduction in the size of C|M|LAW’s incoming class and many worthwhile extracurricular activities for our students to choose from, a reduction in team size seemed appropriate. The Moot Court Program will send eight teams to five appellate advocacy competitions this year: Burton D. Wechsler First Amendment Moot Court Competition, National Moot Court Competition, American Bar Association National Appellate Advocacy Competition, William E. McGee Civil Rights Moot Court Competition, and August A. Rendigs Products Liability Moot Court Competition.

Outside-attorney involvement has been integral to the Moot Court Program in recent years. Each team is coached by an attorney or group of attorneys from the local bar. Typically, one coach works closely with a team and that coach draws on colleagues to assist with judging practice oral arguments at the coach’s law firm. Teams frequently are invited to their coaches’ firms for practice rounds. In addition to assisting as coaches, dozens of local attorneys come to the law school to judge practice oral arguments while the students are preparing for competition. The guidance and mentoring that students receive from the attorneys who assist in the program are invaluable.

d. Frederick Douglass Moot Court Competition

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5In May 2007 the faculty approved changes to the credits and grades we gave for Moot Court. Based on recommendations by the Ad Hoc Committee on Moot Court, the faculty agreed that the maximum number of credits for Moot Court should remain at six. See Appendix 97, Ad Hoc Committee on Moot Court Memo. The faculty also approved reorganizing how the credits are distributed: we replaced the prior arrangements of 1 credit for Moot Court Tryout (P/F), 3 credits for Moot Court Competition (graded), and 2 Credits for Moot Court Board (graded) with 3 credits each for Moot Court I and II (both graded). In May 2008, based on recommendations by the Committee, the faculty approved a new course for independent subject-specific moot court competitions: 1 credit, P/F, that may be taken no more than twice.
Beginning in 2010, each year the Black Law Students Association has sent two teams to the Frederick Douglass Moot Court Competition hosted by the National Black Law Students Association. We have supported this independent moot court competition with intensive faculty advising and financial support. In addition, members of the legal community have played an active role by judging practice rounds for our teams. The teams have been successful: each year our teams have advanced to the finals where the first year one of our students won Best Oralist and the next year one of our teams finished fourth in the nation.

e. Trial Advocacy Team

Since 1999, lawyers at the Reminger law firm have served as adjuncts who teach and coach the Trial Advocacy Competition course. The Trial Advocacy Team holds a competition for team members in Spring each year. In Spring 2012 more than fifty students competed for 17 spaces on the team. The students chosen meet in Fall to begin developing their trial skills. The students meet with the adjunct professors on a weekly basis and in Spring each year register for the Trial Advocacy Competition course (2 credit hours). There are two trial competitions each year—one in Fall and a regional three-day event in Spring. The law firm pays for all team travel. Given the school’s new Trial Courtroom, a renewed focus on trial competition teams may be appropriate. We need to consider how to expand the scope of trial practice training.

f. Law Journals

C|M|LAW publishes three student-edited journals: Cleveland State Law Review, Journal of Law and Health and Global Business Law Review. Our newest journal, Global Business Law Review, was founded in 2010. Students are selected for the editorial boards and staff of the journals based on their academic success and their research and writing abilities. Each of the journals has one or more faculty advisors and a student led board. Students who participate receive academic credit, graded Pass/Fail. In 2012, each of the three journals has undertaken the creation an online journal component through Bepress’s Digital Commons product. As a result, by Fall 2013, each journal’s current and back issues will be available online and accessible through the law school’s EngagedScholarship portal.

Cleveland State Law Review publishes articles of local and national significance four times a year, and gives preference to articles between 20 and 60 law review pages in length including text and footnotes. Journal of Law and Health publishes two issues per year that focus on the interactions between health care, the various branches of the health care

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6There are two ways to become a member of the journals. The first way is by grading on class percentile: Cleveland State Law Review invites students in the top 10 percent of their class, after the first year, to join. Global Business Law Review invites students in the top 15 percent of their class, after the first year, to join. Journal of Law & Health invites students in the top 20 percent of their class, after the first year, to join. The second way is through a Summer writing competition following the first year. Part-time students often wait until the end of their second year to participate in the writing competition.
industry, and law. In addition to the traditional law review articles, the Journal accepts shorter submissions. The Journal also co-sponsors, with the Center for Health Law and Policy, an annual lecture on the subject of the Note written by the recipient of the Barbara J. Tyler Award for Best Note. Global Business Law Review publishes cutting-edge articles addressing current legal issues that impact the world of transnational business and finance. GBLR publishes two volumes every year. Fall volume is a Symposium Edition with articles from their annual Spring symposium, the most recent of which was “Navigating Anti-Bribery Legislation: Remaining Compliant and Competitive in the Global Marketplace”.

g. Other Skills Courses

In addition to our clinics, externships and organized competitions, we offer other skills courses on a regular basis. Each year we offer Trial Advocacy as a full-term evening course and as a two-week intensive course in Summer. We offer Mediation twice a year as a short intensive course between Fall and Spring terms and between Spring and Summer terms. We also offer it every other year as a full-term course taught by a federal district court judge and an attorney. We offer Arbitration on a regular basis.

E. Legal Writing

The required core curriculum includes two legal writing courses: the first-year course and an upper level semester of writing instruction.

1. The First-Year Course

Legal Writing, Research, and Advocacy is a two-semester six-credit course. In order to give students significant individualized instruction, the first-year course is taught in small sections of between 15-18 students. Legal Writing professors teach no more than two sections of the first-year course, giving most professors an average teaching load of between 30-35 students per year—a significant reduction from the 48-50 students per professor at the time of the last Site Visit in 2006. Having fewer students allows for more individualized instruction that comes in many forms: written feedback on students’ work, work with small groups of students inside and outside the classroom, required conferences to discuss drafts, liberal office hours for students to drop in for additional or follow-up instruction, and responding to frequent student questions via e-mail.

The legal writing faculty agree on and regularly evaluate a common curriculum. While the course content is the same, each professor decides how best to deliver that content. Allowing each professor to teach to her/his strengths and to try different approaches benefits our students. Also, a professor who tries something new and succeeds can share that experience with other faculty. For example, we learned from the Office of Career Planning that Professor May’s students were writing markedly better cover letters than their classmates. It turned out that Professor May had incorporated a cover-letter writing segment into her course as an introduction to persuasive writing. The legal writing faculty agreed to add cover-letter
writing to the first-year legal writing curriculum, and Professor May shared her instructional materials for others to use if they wished.

2. Third Semester Courses

In addition to the first-year course, students are required to take one additional semester of legal writing, which we call the third-semester of legal writing. Students satisfy this requirement by choosing among Advanced Brief Writing, Legal Writing and Litigation, Legal Drafting: General, Legal Drafting: Transactional, Patent Drafting, and Scholarly Writing. In each third-semester course, students learn writing and research skills that build on and reinforce the skills developed in the first-year course, while focusing on a subject of interest.

The third-semester courses are taught primarily by adjunct faculty in sections of no more than 12 students. The 12-student cap on adjunct-taught third-semester courses is a change since the last Site Visit. Recognizing that the hallmark of good writing instruction is regular individualized feedback, and further recognizing that our adjunct faculty have other full-time jobs, we capped the class size to ensure that they could provide students sufficient feedback.

Innovations in the third-semester offerings include team-taught classes with an adjunct/adjunct combination as well as a full-time faculty/adjunct combination, collaboration in the transactional drafting course between Professors Broering-Jacobs and Heyward, from the Transactional Clinic, and the addition of the Patent Drafting course.

F. Professional Responsibility

In addition to taking the required three-credit Professional Responsibility course, students and faculty also participate in the Professionalism Problem of the Semester, which provides an opportunity for the entire Law School to consider and discuss common ethical and professional problems that lawyers routinely encounter. Introducing a new scenario each semester will give students the chance to grapple with these problems prior to entering the profession officially, to consider different views on how to handle difficult situations, and to emphasize that C|M|LAW emphasizes ethical and professional behavior by its students and graduates. Professors have discretion to decide whether to discuss this problem in their classes and may choose to focus on one or two questions or issues that are of particular interest to their class or area of interest. See Appendix 21, Professionalism Problem Fall 2012.
G. Additional Components of the Curriculum

1. Perspective course requirement

The perspective course requirement provides students with a viewpoint on the nature and function of law that is different from traditional doctrinal analysis of American law, whether that analysis involves cases, statutes, codes, constitutions, or other traditional sources of law. A perspective course should help students understand how law shapes and is shaped by forces outside the legal system, including such forces as economics, politics, culture, ideas, society, and religion. Because many students come to law school with deficient training in the humanities and social sciences, a perspective course may help them understand how other disciplines illuminate the study of law. We believe students can also gain understanding of how our legal system works by studying another legal system or body of law, or by studying the theory or history of law. For a full description of the perspective requirement, see Appendix 22, New Course Proposals, Attachment B, Description of and Criteria for the Perspective Course.

As part of its review of the curriculum, the Curriculum Review Committee considered eliminating the perspective course requirement. Faculty discussion, however, showed significant support for retaining it. The requirement remains a graduation requirement that students fulfill after the first year of law school.

2. Legal Career Opportunities Program

In Fall 2008 then-Dean Mearns appointed a Special Committee to Evaluate the Legal Career Opportunities Program (LCOP) and charged the Committee to evaluate and propose appropriate modifications to the current Summer LCOP. In April 2009 the Committee reported back to the faculty, summarizing its work over the previous year. The Committee looked at a number of issues including whether 1) LCOP should be changed from a regular admission to a conditional admission program, 2) LCOP should be expanded to include some designated percentage of the incoming class, and 3) the Summer LCOP course should be changed. In the end the Committee recommended that the program not be changed to a conditional admit program, that we should continue to explore expansion of the program, and that the Summer course should be modified to include more substantive content and a strong skills component and should provide regular feedback to students on their progress. See Appendix 23, Report of the Special Committee to Evaluate LCOP. In Summer 2009 through Summer 2012 the course, which had previously been taught by a legal writing professor, was taught by a tenured professor with the assistance of the Manager of the Academic Excellence Program. Quizzes, both multiple choice and essay, were administered regularly throughout the term along with a final exam. It is anticipated that, beginning Summer 2013, the course will be co-taught by a tenured professor and the legal writing professor who has been appointed Director of Academic Support.
3. Great Lakes Sports and Entertainment Law Academy

In 2012 C|M|LAW launched the Great Lakes Sports & Entertainment Law Academy in partnership with the Case Western Reserve University School of Law. The Academy is an intensive three-week academic program housed at C|M|LAW during the Summer in which students take three two-credit-hour courses in the areas of sports law or entertainment law. The classes are taught by leading figures in the fields of sports and entertainment law. Following this three-week program some of the Academy students participate in nine-week externships in a variety of settings, including the Cleveland Cavaliers, the Cleveland Film Commission, Vuguru Studios LLC, the Lake County Captains (Class A affiliate of the Cleveland Indians) and outside counsel for NCAA Athletic Conferences where they are exposed to the practice of sports law or entertainment law. The objective of the Academy is to provide students with an intensive doctrinal and experiential learning opportunity in the field of sports and entertainment law. The curriculum provides students the opportunity to negotiate and draft agreements that a lawyer advising an athlete, a sports team, or an entertainer would encounter. The inaugural year of the program exceeded expectations by attracting over 50 students from Northeast Ohio and across the country.

H. Dual Degrees and Concentrations

We offer five dual-degree programs, allowing J.D. candidates to complete the J.D. and a Master’s degree in as little as four years of full-time study. The existing dual degree programs combine the J.D. with the Master of Business Administration; Master of Public Administration; Master of Urban Planning, Design and Development; Master of Arts in Environmental Studies; and Master of Science in Environmental Science. See Appendix 12, Student Handbook 2012-13, at 17-18.

Students have the opportunity, but are not required, to complete concentrations in five areas: Business Law, Civil Litigation and Dispute Resolution, Criminal Law, Employment and Labor Law, and International and Comparative Law (added in 2008). In addition, we have two certificate programs offered under the aegis of our Center for Health Law and Policy—a general Health Law Certificate and, new in 2012, a certificate in Health Law Compliance. In each case, students must complete specified foundational courses, elective courses, and a writing project or experiential course, and maintain a 3.00 GPA in the concentration or certificate courses. Id. at 19-20.

In 2008 we suspended our Tax concentration because we had only one full-time tax professor and could not guarantee that we would be able to offer the range of tax courses required for the concentration on a regular basis. We have continued to offer a rich array of tax courses, utilizing now two full-time (new tax professor, John Plecnik, hired in 2010) and several adjunct faculty. This increase in our tax faculty has triggered discussions of possibly reviving the tax concentration. Since 2006, a number of graduates have gone on to LL.M. programs in Tax and, in 2011 and 2012, C|M|LAW students reached the semi-finals in the ABA Law Student Tax Challenge sponsored by the ABA Tax Section.
I. Survey Results Regarding our Curriculum

The 2011-12 faculty survey included numerous questions about our academic program. Close to 75% agreed that the part-time program was a strength of the school and more than half believed that we excel in teaching rigorous analysis and research skills. See Appendix 1A, Faculty Survey Results Charts and Graphs. Faculty expressed strong support for the clinical faculty’s professional experience. Id. We believe the externship program is a strength of the curriculum and believe it should be emphasized for students in the future. Id. We believe that preparing students for the legal profession of the future should emphasize written and oral communication skills, and research and analysis, as well as practical skills. Id. We consider it essential that we foster students’ intellectual curiosity and give them the tools to pass the bar exam.

Responses to the Law School Survey of Student Engagement indicate that our graduating students believe they have developed clear and effective writing skills and have learned to tackle real-world problems. An overwhelming majority believe that they have gained in critical and analytical thinking ability and in job and work-related skills. A clear majority of students are satisfied with academic planning and advising provided—with 1L students utilizing advising services the least but expressing the most satisfaction. Nearly all upper level students make use of academic advising and a significant majority express satisfaction. Student Bar Representatives reported that students express some dissatisfaction with course selection and scheduling. See below Sections K.3, Advising Students, and K.4, Academic Support, for further discussion regarding our advising and academic support services.

J. Pro Bono Program

The law school established the Pro Bono Program in 1997. Its goals are: (1) to engage law students in the delivery of legal assistance in cooperation with faculty, local attorneys, and community agencies serving the poor and other under-represented groups, (2) to introduce law students to the difficulties of the poor and other under-represented groups, (3) to demonstrate the reward of public service, and (4) to encourage law students to discharge their professional obligations to render pro bono service when they graduate and become lawyers. Clinical Professor Pamela Daiker-Middaugh spends half of her time coordinating the Pro Bono Program.

Our Pro Bono/Public Interest Program has been recognized as a leading program in the country. In 2008 we ranked #49 in National Jurist’s Change the World: Best Public Interest Law Schools. In 2011 we received a B+ in National Jurist (a total of 23 law schools received a grade of B+ and 36 schools received a grade of A). Factors used to evaluate the programs included: public interest clinics, faculty oversight of public interest, LRAP, tuition, pro bono efforts.

Generally, Pro Bono projects are separated into three categories: community service (non-legal), hybrid (partially legal), and pro bono (legal). Representative projects include: preparing and serving lunch at a local soup kitchen; team teaching the United States
Constitution in city high schools through the 3Rs Program sponsored by the Cleveland Metropolitan Bar Association; assisting residents in getting their drivers’ licenses back through the Driver’s License Reinstatement Project; preparing and filing taxes for low-income workers through the Cuyahoga County Earned Income Tax Credit Coalition; and performing intake, conducting research, and preparing for trial with the Legal Aid Society of Cleveland.

Students participate in the Pro Bono Program on a voluntary basis. Approximately one-fourth of our students take part in one or more projects each year. Over the past few years, student participation has been strong and steadily increasing. In 2010-2011, 187 students contributed over 10,400 volunteer hours to the community. In addition, twenty faculty and staff members and twelve alumni volunteered for one or more projects. During the 2011-2012 academic year, 204 students volunteered more than 11,600 hours to the community. Also, twenty-one faculty and staff members and eleven alumni assisted with one or more projects. In Fall 2012 we instituted a Live Justice Day as part of IL Orientation—over forty students, faculty, and staff participated.

Law students who complete at least 40 hours of service are recognized at our annual Honors Ceremony. Five law students who have demonstrated exceptional commitment to Pro Bono Work are selected to win $1,000 Dean’s Community Service Awards. And, to designate tireless work on behalf of the community, one law student each year is the recipient of the $1,000 Blair Award for Service Before Self and is recognized as C|M|LAW’s Pro Bono Student of the Year.

Each Summer, the Pro Bono Program invites law students to propose and design their own Pro Bono projects. Eighteen law students are selected to spend their Summer as Public Interest Fellows performing service in the community. Each student is provided with a $2,500 educational stipend to help defray costs. Projects have included volunteering for county public defender’s offices, local non-profits, and legal services agencies. Because the law students are able to craft their own dream initiatives, volunteer experiences have also included service not only all over the country—recently in New York, Georgia, and Alaska—but also all over the world. In the last few years our law students have held Public Interest Fellowships with Amnesty International in Sydney, Australia, a judicial tribunal in the Seychelles Islands, and a women’s micro-loan program in Tanzania.

Despite the high number of hours spent on pro bono work and the public recognition of our program, the 2012 LSSSE revealed that the involvement of 2Ls in pro bono activities was substantially lower compared to every comparator group of schools. See Appendix 4, LSSSE 2012 Mean Comparisons Report. Our 2Ls reported spending an average .38 hours per week performing pro bono activities that were not required by a class or clinic as compared to 1.15

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7 In the 3R’s (Rights, Responsibilities, and Realities) Program lawyers, judges, and law students team teach 10th grade social studies students in the Cleveland public schools to improve their understanding of and respect for the rule of law and our Constitution, provide practical career counseling, and improve the pipeline of minority students who may pursue a legal career.
hours per week at our peer schools, 1.64 at schools with 500-900 students, 1.52 at public schools, and 1.64 at all LSSSE participating schools. We are not certain why these differences exist with our 2L students. One reason for the low numbers, however, may have been the fact that due to technical issues our students did not receive notices of a popular pro bono activity—Legal Aid legal advice clinics.

We see a disconnect between the 2012 LSSSE Survey results, the high number of hours our students put in on pro bono projects, and the national recognition we have received. This is one example of why we decided to participate in the LSSSE every year: we want to know if the 2012 responses were an aberration or show a pattern that we need to address.

K. Evaluation of Scholastic Achievements

1. Grading Policy

The faculty grade student performance in accordance with grading guidelines applicable to most courses and with an understanding that grading in courses not covered by the guidelines (such as seminars, clinical programs, third semester legal writing courses, and courses with limited enrollment) should reflect a spectrum of grades. First-year and upper level courses have different grading guidelines. See Appendix 24, Faculty Manual 2012, at 45. Compliance with the guidelines is prima facie evidence of a reasonable grade distribution. In practice, although the guidelines are advisory, compliance is strongly urged and any substantial deviations are only approved by the Associate Dean for Administration under extraordinary circumstances. The guidelines are in the Faculty Manual and are distributed to all faculty members when grades are due. Id. The Student Handbook contains a copy of the Guidelines. Appendix 12, Student Handbook 2012-13, Grading Guidelines, at 20.

In April 2007 we modified the available grade options (and made corresponding changes in recommended allocation of grades in the Grading Guidelines) to include the option of assigning A-, B-, and C- grades. We adopted this change to bring our grading system more in line with the grading systems of the other Ohio law schools. See Appendix 25, Academic Standards Committee Memo Re: Grading System and Related Matters. According to the analysis undertaken by the Academic Standards Committee, the broader spectrum of grades utilized by other laws schools resulted in a higher average GPA for their students, which placed our students at an unfair disadvantage when entering the job market. Other rationales for this change included the understanding that the greater number of available grades would enable professors to assign grades that more fairly represent the performance of a student in class in comparison with other classmates and would yield greater consistency in grading among multi-section courses.

Grades for 1L and upper level courses (except seminars, see below) are based, at a minimum, on a final written examination or paper. All examinations that count for ten percent or more of a student’s final grade are graded anonymously. See Appendix 12, Student Handbook 2012-13, Ac. Reg. 3.9(a). In all courses professors can adjust the final grade based on
class participation, quizzes, papers, and/or other course projects. Students enrolled in trial advocacy, moot court, and clinical courses receive grades based on their performance and the projects completed as part of the course of study.\(^8\) Students in research-oriented courses such as Independent Legal Research receive grades based on the papers submitted to fulfill course requirements.

For seminars, law school policy requires that students complete a “substantial paper or equivalent written product.” See Appendix 22, New Course Proposals, Attachment C, Criteria for Designation of a Course as a Seminar. The Dean has charged the Curriculum Committee this year to evaluate whether the paper requirement for seminars is of sufficient rigor to satisfy the upper level writing requirement. Appendix 11, Committee Charges 2012-13.

For courses that satisfy the Upper Level Writing Requirement, students must complete a paper, brief, case note, or other piece of legal writing that combines writing, research, analytical and organizational skills into one substantial written product under the direction of a faculty supervisor. See Appendix 26, Upper Level Writing Requirements and Independent Legal Research Standards. What constitutes a “substantial” written product is left to the discretion of the instructor, subject to review by the Curriculum Committee at the time the course is submitted for approval. Id. When the Upper Level Writing Requirement is satisfied in an Independent Study course, the student is ordinarily required to write 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, per credit hour, but in no case less than 10 pages, exclusive of footnotes or endnotes, per credit hour. Id.

2. Advancement, Graduation, and Academic Dismissal

Students with a cumulative GPA of 2.0 and above are in good standing. Students who within the allowable timeframe have completed the Required Core Curriculum, all other graduation requirements, and earned a minimum of 90 credit hours with a cumulative GPA of at least 2.0 are awarded the J.D. degree. See Appendix 12, Student Handbook 2012-13, Ac. Reg. 4.3.

Faculty members are regularly encouraged by the administration to grade rigorously so that the law school does not continue to enroll students who we do not believe can complete their legal education, pass the bar, or succeed as lawyers. Giving a student low grades when justified also assists the law school in identifying at-risk or failing students early so that we can provide academic support to them. Any student who earns a GPA below 2.00 at the completion of the first year of study, or any term thereafter, is dismissed. Id. Ac. Reg. 5.1. Students who are academically dismissed with a GPA of 1.80 or higher may petition for Academic Probation. See id., Ac. Reg. 5.3(a). A student placed on Academic Probation must raise his/her cumulative GPA to 2.0 or better at the completion of the probationary semester. Failure to attain this GPA

\(^8\)Externships, the trial advocacy short course in between semesters, the trial advocacy team, mediation when taught as a short course in between semesters, the Ohio Bar Exam Strategies and Techniques course, and participation in the law reviews are all graded Pass/Fail.
results in dismissal. Id. A student may be placed on Academic Probation no more than one time. If, after raising the GPA to the 2.0 level, the student’s GPA again falls below that level, the student is dismissed. Id.

C|M|LAW’s attrition rates for recent incoming first-year classes are as follows: 2006, 14.9%; 2007, 17.5%; 2008, 17.3%; 2009, 15.9%; 2010, 17.5%; 2011, 16.4%.

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*Students of color.

The 16.4% attrition rate for the 2011 incoming class was the result of 30 students leaving the law school. This was comprised of 16 academic dismissals, 8 withdrawals (for personal and academic reasons), and 6 transfers. Of the 16 student who were dismissed for academic reasons, 10 were minority students, 2 of whom were LCOP (and they were the only two LCOP students academically dismissed). We are especially troubled by the high dismissal number of students of color—it comprises 50% of the students of color in the 1L class. We need to understand why this happened so that we can better assist our students in order for them to succeed.

In comparison with the other eight Ohio law schools, we fall somewhere in the middle in terms of 1L attrition. To illustrate, for the incoming class of 2006, we had the fifth highest attrition rate (14.9%) after Capital (23%), Akron (20.9%), Ohio Northern (20%), and Dayton (15.3%). For the class of 2007, we had the third highest attrition rate (17.5%), in Ohio, behind Capital (24%), Akron (23%). For the class of 2008, we were fifth again, behind Capital (20.4%),
Akron (19.6%), Ohio Northern (18.8%), and Dayton (17.5%). For the 2009 entering class, we were fourth behind Dayton (18.1%), Akron (17.2%), and Capital (17%). Finally, for the 2010 entering class, we had the third highest attrition rate (17.5%), behind Capital (23.7%) and Toledo (20.6%).

We view academic attrition as an important way of identifying students whose poor academic performance indicates that they should not continue in law school because we do not believe that they will pass the bar and therefore succeed as lawyers. In our continuing efforts to be honest with students, and to best utilize the information we glean from the data we have about our graduates’ bar passage, the Dean charged the Academic Standards Committee this year with considering raising the required minimum GPA at C|M|LAW from 2.0 to 2.25. Appendix 11, Committee Charges 2012-13.

3. Advising Students

C|M|LAW understands the importance of providing continuing advice to our students in order to ensure that they succeed in law school, prepare themselves for the bar exam, and prepare themselves to enter the job market. In addition to informal advice provided by faculty members and staff, we advise students in a number of ways including 1) orientation sessions for incoming students, 2) orientation sessions for returning students, 3) classroom visits to first-year students prior to registration of their second year of classes, 4) mandatory one-on-one counseling sessions for all 2Ls, 5) our Peer Advisor Program, and 6) advice on a walk-in basis provided by our Director of Student Life, our Assistant Dean for Academic Affairs, and our Associate Deans.

Our students benefit from a rich program of information and advice at the very outset of their law school career through the mandatory orientation program that all incoming students attend. This orientation program, called First Years’ First Week, is a week-long program that takes place during the week prior to the beginning of the academic year and includes an array of experiences to introduce students to law school and set them on a path toward their career as a professional. During this first week, incoming students begin one of their substantive classes (in 2012, it was Torts) as well as their Legal Writing, Research and Advocacy course. It is during this week that students are introduced to the Peer Advisor Program (as described below). The incoming students also have an opportunity to have lunch in small groups with faculty members who often provide them with informal advice.

In order to help prepare the new students to succeed in their classes, a Case Briefing Seminar is held to teach the skill of briefing cases. A mandatory session entitled “Entering the Profession” is also held in which the Associate Deans impress upon the new students that they will be entering the professional ranks of lawyers and that they need to comport themselves as professionals even during their student years. A session is also held to inform the students of

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9A further breakdown of the attrition numbers for the other Ohio schools is not publicly available, so we do not know how many students were academically dismissed, etc.
the support services that are available at the law school and at the University, including counseling services, health and wellness services, and accommodations for disabilities. At the close of the week, an advising session is held for significant others to help them understand the pressures and demands of law school so that they will be better prepared to support our students during their time at the law school.

In Fall 2012 the law school held, for the first time, a mandatory Upper Class Orientation session for all returning students (one session for day students and one for evening students). During this meeting, the Associate Deans, the Directors of Bar Preparation, the Library, and the Office of Career Planning spoke to the returning students about those issues on which 2Ls and 3Ls need to focus. While 1Ls are largely focused on succeeding in their pre-set first-year curriculum, upper class students need to understand 1) how to select courses that best match their needs and career goals, 2) the nature of the legal profession and career options, 3) the nature of the bar exam and how to prepare for it, 4) how to become involved in the legal community and develop professional relationships, 5) the benefits of being involved in student organizations and other extracurricular activities, and 6) how to gain work experience and prepare to enter the job market. This inaugural Upper Class Orientation was well received by students and will be annual event at the beginning of every year.

Every year during Spring (just prior to the opening of registration for Summer and following Fall courses), the Associate Deans and Assistant Dean for Academic Affairs visit a class in every first-year section to remind students of the graduation requirements that they will have to fulfill during their remaining years at the law school as well as provide with information on concentrations, courses tested on the Ohio bar exam, and special curricular offerings such as Law Review, Journal, Moot Court, externships, and clinics. Part-time students are also advised regarding the scheduling options for completing the core curriculum.10

Beginning 2007 the law school initiated mandatory one-on-one counseling sessions for all 2Ls, which take place in Fall. Every 2L meets with the Dean, an Associate Dean, the Director of Student Life or Bar Preparation, or a professor to ensure that the student is fully aware and informed about 1) graduation requirements, 2) the need to register with the Ohio Supreme Court to initiate the character and fitness process for bar admission, and 3) the bar preparation support that is offered by the law school. See Appendix 27, 2L Advising Information Sheet. During this meeting we seek to learn how the student is faring and offer advice regarding course selection, time management, and support services, among other things. This meeting gives the law school a chance to check-in with each and every student to make sure that the student does not have any issues that need addressing.

Our Peer Advisor Program provides an opportunity for 1Ls to seek advice and support from an upper level student who serves as their Peer Advisor. Students often feel more comfortable seeking advice from other students (rather than from faculty and staff members),

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10 Student leaders also visit the first-year Legal Research, Writing and Advocacy sections to inform students about (and promote) certain opportunities such as Moot Court and the three law journals.
and peer advisors are also able to share knowledge and advice stemming from their own experiences as students that faculty and staff may not be able to provide. Each peer advisor is assigned a small number of 1Ls with whom he or she maintains regular contact for the entire academic year. The peer advisors are expected to 1) contact each student in his/her assigned group twice a month by e-mail, text or phone, 2) schedule one hour of face-to-face meetings with each student every month, and 3) attend at least two of the social events that are held for peer advisors and the first-year students during the course of the year.

In addition, students are encouraged to seek advice on a walk-in basis from the Director of Student Life, Assistant Dean for Academic Affairs, or Associate Deans. The Associate Dean for Administration holds office hours one evening per week to ensure availability to evening students for walk-in advising.

Finally, faculty directors of the joint degree programs hold informational meetings to explain the programs and the admissions procedures for current law students. Faculty in some of the various concentration groupings occasionally hold meetings to talk to students about the courses offered and practice opportunities in the field.

When asked in the LSSSE to express their opinion about academic advising at the law school, 146 of the 259 respondents (56%) said that they were “satisfied” or “very satisfied”\(^{11}\) Appendix 3, LSSSE 2012 Frequency Distributions. We would certainly like to see a higher satisfaction rate among our students and have been aware of the need to improve student advising. The new Director of Student Life and the recently instituted orientation for returning students should improve this aspect of the law school, and we will continue to monitor this critical aspect of the student experience.

4. Academic Support

In addition to the Summer preparatory course provided to those students entering the law school through the Legal Career Opportunities Program (described in Chapter V, Students, Section A.7, Legal Career Opportunities Program (LCOP): an alternate admission program), C|M|LAW’s academic support services consist of our Academic Enrichment Program (AEP) and special sections of Legal Research, Writing and Advocacy for at-risk students. In Fall 2012 we restructured our academic support program to increase faculty involvement and to ensure that the program is focused on our most at-risk students.

Prior to this restructuring, the Manager of the Academic Excellence Program, a staff member, was in charge of our academic support program. The purpose of the program was twofold: to aid in student retention and to help improve the bar passage rate by helping at-risk participants improve their performance as law students.

\(^{11}\) Although this is not a reason for complacency, it should be noted that our scores in this area are comparable to (and in some cases better than) the scores of our peer schools. See Appendix 4, LSSSE 2012 Mean Comparisons Report.
The Manager of the AEP identified 10-15 at-risk students from each first-year section and invited them to participate in study groups focused solely on the first year Contracts course. The Teaching Assistant who led each study group was an academically successful upper-level student. Participants were invited based upon factors that indicated they might be at-risk for success in law school such as low LSAT scores, low undergraduate GPAs, and low index scores. Participation was voluntary. Other students who were not at-risk could also participate in the study groups.

In weekly meetings, the TAs reviewed and answered questions about the previous week’s Contracts course material. While the TAs were supposed to help students develop basic law school skills such as note-taking, outlining, case briefing, and exam writing, the reality was that the TAs mainly reviewed substantive course material and helped with outlining because they did not know, and were not taught, how to teach at-risk students. In addition to weekly sessions, TAs held office hours for two hours per week, during which they were available to any student from the section. The AEP Manager also offered occasional seminars and workshops to help students increase their comprehension of substantive law and build the analytical skills necessary for law school success. These sessions were not well attended.

The data suggests that the AEP benefitted some at-risk students in two ways. First, at-risk AEP participants outperformed the at-risk students who chose not to participate in the program in terms of their grades in Contracts. Second, it appears that the AEP had a beneficial effect on students’ overall performance in law school. At-risk participants outperformed at-risk non-participants by an average of 4/10ths of a grade, or the difference between a C+ and a B-. The following charts summarize differences between at-risk participants and at-risk non-participants in mean Contracts grades and cumulative first-year LGPAs for the past seven years.

Mean Contracts Grades for AEP At-Risk Participants and Non-Participants, AY04-10

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<td>2.37</td>
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<td>Participants</td>
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<td>2.25</td>
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<td>3.0</td>
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<td>2.41</td>
<td>2.3</td>
<td>2.63</td>
<td>2.2</td>
<td>2.64</td>
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12 The University Graduate College funds these positions, the purpose of which is to help the law school target and assist at-risk students.
Mean Cumulative First-Year LGPAs for
AEP At-Risk Participants and Non-Participants, AY04-10

<table>
<thead>
<tr>
<th>Academic Year</th>
<th>04-05</th>
<th>05-06</th>
<th>06-07</th>
<th>07-08</th>
<th>08-09</th>
<th>09-10</th>
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<td>2.61</td>
<td>3.08</td>
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<td>2.45</td>
<td>2.4</td>
<td>2.39</td>
<td>2.48</td>
<td>2.25</td>
<td>2.37</td>
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In Spring 2009 the AEP was expanded, on an experimental basis, to include Criminal Law, a first-year Spring semester course. The AEP Manager believed it might be possible to reach a greater number of 1Ls providing an additional point of entry into AEP in the second semester. As with Contracts, TAs offered small group sessions for students and maintained office hours for all members of the class. This program had a more inconsistent level of success than the Contracts groups. Unlike the Contracts groups, where at-risk students were identified by their LSAT score and UGPA, the Criminal Law sections defined at-risk students as those with a first semester GPA below 2.7. We have not analyzed why the results were not as good in Criminal Law, but it may be because, based on first semester grades, the at-risk students in the Criminal Law groups were truly at-risk, and not just thought to be at-risk based on incoming test scores. Therefore, the limited review and outlining assistance may not have provided the assistance that was needed.

In Fall 2012 Dean Boise restructured academic support services to bring the AEP under the supervision of the faculty rather than a staff member. This decision was based on our understanding that the TA-led sessions were functioning as high level study groups, somewhat dominated by high performing students, and not focused on the legal analysis skills needed by at-risk students. (University funding for the AEP program requires the program specifically target at-risk students.). Under the new model, the AEP Manager position was eliminated. One of our legal writing professors, Kelly Curtis, assumed the newly created role of Director of Academic Support in addition to continuing as a full-time faculty member. As a faculty member, Professor Curtis reports directly to the Dean rather than to the Director of Bar Preparation as the AEP Manager did in the past. Professor Curtis, as the Director of Academic Support, is in charge of our academic support program, which consists of teaching two small sections of Legal Writing populated by identified at-risk students, supervising the AEP for Contracts and Criminal Law, as well as one-on-one assistance to upper level students, including those on academic probation.

The two new Legal Writing sections (one day and one evening) are for our most at-risk 1L students, based on an index composed of LSAT scores and undergraduate GPAs. The sections are smaller than our standard legal writing sections, allowing Professor Curtis to work intensively and individually with these students.

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13 Each section began with ten students, and now has 9, compared to the other Legal Writing sections which have 15-20 in the day sections and 26 in the evening section.
The Contracts study groups are led by Academic Excellence Program Fellows who teach note-taking, outlining, case briefing, exam writing, and more. Professor Curtis and invited faculty meet with the Fellows to address these topics and help the Fellows learn how to teach these basic skills. Students, therefore, are learning skills that are helpful in Contracts as well as being transferable to other courses—unlike the prior AEP where they simply reviewed substantive material from Contracts.

Participation in these study groups is by invitation to those students most at-risk in each 1L section. Unlike in prior years, in Fall 2012 virtually every student identified as such is participating in the program. In addition, students who ask are permitted to join. AEP Fellows hold office hours where they are available to provide academic support to any law student in their assigned first-year section. For Spring 2012, after we have data on who the at-risk students are based on first semester grades, Professor Curtis intends to limit enrollment.

Professor Curtis also holds office hours where any member of the student body is welcome to seek academic counseling. This includes other 1Ls not in her Legal Writing sections as well as upper level students. In particular, students who are on academic probation are encouraged to seek out Professor Curtis’s assistance. Overall, Professor Curtis sees about ten students each week who are seeking academic support. (Our prior AEP Manager saw about two students per week.)

While it is vital that we provide academic support to 1Ls who are at risk for not succeeding in law school, it is also important to provide academic support for upper level students who are not thriving, because they did not master skills as 1Ls. One year we had TAs for the upper level Constitutional Law classes, but it was not well received. We believe this was because it is far more difficult to admit to a peer (another upper level student) that one does not understand the material or how to study it, than it is to admit that as a 1L to an upper level student. Our current academic support program is not capable of providing the kind of programming our struggling upper level students need.

In the LSSSE, 68% of our students, when asked whether the law school was “providing the support you need to help you succeed academically,” responded either “very much” or “quite a bit.” See Appendix 3, LSSSE 2012 Frequency Distributions. Only 54% of the 4L part-time students responded in this way. Id.14 In addition, several students commented that we needed to be clearer about who could participate in the AEP. See Appendix 5, LSSSE 2012 Student Comments. We will make efforts to send more explicit information about our academic support services so that the expectations of our students do not go unmet.

By moving the academic support function from the staff to the faculty, the law school believes it can better prepare our most at-risk students for success in law school and,

14Although concerns about the quality of our academic support were expressed in a few comments in the staff and faculty surveys, the staff survey also showed that 80% of the respondents thought that our Student Services were “especially strong” with respect to academic assistance. See Appendices 1A and 1B, Faculty Survey Results Charts and Graphs and Staff Survey Results Charts and Graphs.
ultimately, on the Ohio bar exam. We are hopeful that creating the two special Legal Writing sections will greatly improve our most at risk students’ opportunities to succeed. We expect teaching our AEP Fellows how to teach basic skills will improve the success of students in our Contracts and Criminal Law study groups. We are confident that Professor Curtis’s work with 1Ls and 2Ls will be beneficial to them. This model, however, is not sustainable even in the short term. Our students need more academic support than one professor can, or should be expected, to provide. We must address how to staff properly and strengthen our academic support program.

L. International Program

Cleveland-Marshall College of Law, University of Arkansas School of Law, and University of the Pacific McGeorge School of Law sponsor the St. Petersburg Summer Law Institute. It is approved by the ABA. The Summer Law Institute represents a continuing educational relationship between the U.S. sponsors, the St. Petersburg State University Law Faculty and the Novgorod State University Law Faculty that has endured since 1993, through some of the most momentous times in Russia’s ongoing transformation. Cleveland-Marshall administered the program until 2007 when the University of Arkansas assumed the administrative role. This change was made because one of the founders of the program Professor Jane Picker retired from Cleveland-Marshall College of Law and we did not have the capacity to continue to administer the program. Associate Dean Mark Sundahl oversees the promotion of the program on campus as well as organizing Cleveland-Marshall faculty participation in the program.

The St. Petersburg Summer Law Institute presents English-speaking law students with the opportunity to study international and comparative law in the historic city of St. Petersburg, Russia. Participating students live and study at the prestigious St. Petersburg State University for four weeks during Summer. Students attend four intensive courses in various areas of international and comparative law during the program. Each student takes two courses during the first two-week period and two courses during the second two-week period. Courses taught in the program in recent years include International Criminal Law, Public International Law, International Arbitration, International Environmental Law, Russian Business Law, Space Law, Comparative Antitrust Law, and Comparative Legal Ethics. The program faculty consists primarily of professors from the sponsoring schools in the United States. However, at least one Russian professor also typically teaches a course. Students earn five credit hours toward their law degrees for participating in the program—subject to any policies adopted by their particular law school.

Enrollment is open to all law students in the United States or abroad. The enrollment in the program from 2007 to 2010 has ranged from 10 to 12 American students. In 2011, enrollment reached 16 students. Unfortunately, enrollment fell below 10 in 2012 and, as a result, the program was not held last year. Although it is difficult to be sure why more students did not enroll, it is likely to be due (at least in part) to the weak economy and challenging job market. In light of these conditions, students may be more reluctant to bear the expense of overseas travel. However, the partner schools have agreed to undertake more vigorous
promotional activity this year and plan to hold the program in 2013.

M. Degrees in Addition to the J.D.

1. Master of Laws (LL.M.)

Applicants for admission as candidates for the Master of Laws (LL.M.) degree must have received the first degree in law from an accredited United States law school or an equivalent law school in any other English-speaking country that follows the common law system. Graduates from other foreign law schools will be admitted as candidates for the LL.M. degree only upon submission of evidence of knowledge of the English language and the common law system sufficient to permit the candidate to conduct advanced studies. Such students may be required to take one or two core common law courses (Contracts, Property, and/or Torts) that may be included in the credits required for the LL.M. degree.

The Master of Laws (LL.M.) degree is awarded upon the satisfactory completion of a program of study approved by the Committee on Graduate Studies. Graduates of U.S. law schools must complete a minimum of 20 semester hours of course work and a thesis reflecting a substantial degree of scholarship and original research. The LL.M. program for graduates of foreign law schools does not include a thesis requirement. Such students are instead required to complete a minimum of 24 semester hours of course credit, including at least one course for upper-level writing credit.

The LL.M. program is not attracting large numbers of students. Since 2006, 17 students have been admitted to the LL.M. program. Currently 7 students are enrolled. Eight students have graduated since 2006 with the LL.M. degree (with another student to graduate in December 2012). There has been no specific outreach targeted to attract more LL.M students. The committee overseeing graduate programs is currently charged with identifying opportunities to increase the enrollment of foreign LL.M students.

2. Master in Legal Studies (MLS)

In 2012 the ABA approved our new Master in Legal Studies program (MLS). The MLS is an entry-level non-professional degree designed for individuals who seek a better understanding of the law, legal institutions, and legal methods but who are not interested in obtaining a J.D. Applicants to the MLS program are advised that the program does not qualify them to take the bar examination; should not be seen as a back door for admission to the J.D. program; and that ABA rules preclude credit being given towards the J.D. degree for any courses taken prior to matriculation into the J.D. program.
N. Program of Legal Education Strengths and Weaknesses

Strengths

1. We educate our students in a manner that distinguishes them as being ready to practice law upon graduation.

2. We offer a flexible course of study: full- and part-time programs with day and evening classes.

3. Our redesigned first-year curriculum recognizes the importance of legislative and administrative law, while continuing to recognize the importance of a thorough grounding in core, common law subjects.

4. Our curriculum provides our students with a growing range of experiential learning opportunities.

5. We offer a variety of dual-degrees with other colleges in the University.

Weaknesses

1. Academic support is limited and available almost exclusively to 1Ls. (Also listed under Chapter V, Students, Section D, under Weaknesses.)

2. The increasingly smaller size of the law school hinders our ability to offer on a consistent basis the breadth and depth of courses to which our students are accustomed.
IV. FACULTY

A. Qualifications and Size of Faculty

1. Composition

The law school faculty is composed of forty members: thirty tenured/tenure-track professors, four clinical professors, and six legal writing professors. Our ages range from twenty-nine to seventy-three. See Appendix 28, Professor Demographics, Age. Twenty of our faculty are women, twenty-one are men; six are African American, one Asian, and thirty-three Caucasian. See Appendix 29, Demographics, Race and Gender. Since Fall 2006, eight tenured faculty members retired, five resigned, and one was terminated for personal reasons.15 See Appendix 30, Faculty Hires and Departures 2006-12. During the same period, we hired ten tenured/tenure-track faculty members. Id. As a result, our tenured/tenure-track faculty has been reduced by almost 12%—from thirty-four members to thirty. Based on age and/or years of service, it is likely that as many as ten tenured faculty could retire in the next seven years. Since 2006, two legal writing professors retired and one passed away. Id. During that period, we hired three legal writing professors, one of whom (Carolyn Broering-Jacobs) serves as Director of the Legal Writing Program. Id.16 Since 2006, two clinical law professors retired and we hired two new clinicians.17 Id.

The backgrounds of our faculty are rich and varied. Nearly half the faculty members have advanced degrees beyond the J.D.: 7 have Masters degrees in a field other than law, 14 have LL.M. degrees (2 of those have two LL.M. degrees), five have Ph.D. degrees, and one has a J.S.D. degree. Seventeen clerked for judges: 8 on the U.S. Circuit Court of Appeals, 3 on the U.S. District Court, and 6 in other courts. The vast majority of the faculty practiced in a law firm or at a government or non-profit agency prior to joining the faculty here. See Appendix 31, Faculty Resumes.

Two law faculty members have joint appointments with other colleges and two faculty members from other colleges have joint appointments with us. Professor Heidi Gorovitz Robertson and Associate Professor Alan Weinstein are members of the law faculty with a joint appointment to faculty of the College of Urban Affairs. Professor Weinstein serves as the Program Director for the Joint Degree programs with the Urban Affairs College. Professor Dennis Keating is a member of the College of Urban Affairs faculty with a joint appointment to the faculty of the College of Law. Professor Ralph Mawdsley is a member of the College of

15 Three retired faculty members continue to teach on a limited basis: Thomas Buckley, Lloyd Snyder, and Stephen Werber.

16 During this same timeframe, we lost a Legal Writing position. After Professor Aitken died in July 2010, we hired a visitor to assume her responsibilities—Jamie Bouvier, who was a Visiting Professor for two years. In the budget reductions of 2011, we relinquished that position.

17 As noted in n. 4, we are hiring an additional clinical professor.
Education and Human Services faculty with a joint appointment to the faculty of the College of Law.

Four faculty members hold named professorships in recognition of their scholarship. The professors and professorships are: Lolita Buckner Inniss, Joseph C. Hostetler-Baker & Hostetler Chair in Law; Browne Lewis, Leon M. and Gloria Plevin Endowed Professor of Law; Patricia Falk, Charles R. Emrick, Jr.-Calfee, Halter & Griswold Endowed Professor of Law; and Christopher Sagers, James A. Thomas Distinguished Professor of Law.

2. Faculty Engaged in the Practice of Law

Faculty devote substantially all working time to teaching, legal scholarship, service, and governance. Only two faculty members, Mark Sundahl and Karin Mika, have ongoing relationships with law firms. Dean Sundahl serves as Of Counsel to The Law Offices of Jon P. Yormick Co., L.P.A., and Professor Mika works on a contractual basis with the firm of Buckingham, Doolittle & Burroughs. Professor Carole Heyward is affiliated with a private law firm where she occasionally represents nonprofit entities. In addition, she serves as a part-time assistant law director for a local municipality where her role is limited to assisting the City with issues involving housing discrimination and economic development. Professor Steve Gard has represented a half-dozen clients in legal matters over the last four years, although this representation is winding down, and currently involves only one client. These faculty members practice on a limited basis in accordance with the limitations for external work set by the university. No other faculty member regularly engages in law practice, has an ongoing relationship with a law firm, is named on law firm letterhead, or has a professional telephone listing.

Even though no faculty regularly engages in law practice, faculty members participate in litigation by consulting with individuals and/or attorneys, submitting amicus briefs, and representing clients on a limited basis. See Appendix 31, Faculty Resumes. Some faculty members work on a pro bono basis; others are paid as experts, consultants, or court-appointed counsel. In each instance the work relates either to the faculty member’s area of expertise, contributes to the faculty member’s teaching and/or scholarship, or is of service to the legal profession and public.

3. Student-Faculty Ratio

ABA Interpretation 402-2 states that a ratio of 20:1 or less of full-time equivalent students to full-time equivalent faculty “presumptively indicates that a law school complies with the Standards.” ABA Standards for Approval of Law Schools Standard 402 (Interp. 402-2). The law school’s current student/faculty ratio is 12.3:1. Since 2006, our student/faculty ratio has ranged between 13.8:1 (in 2008) to 11.8:1 (in 2011).
4. Teaching by Full-Time Faculty and Adjunct Faculty

Full-time faculty members provide substantially all of any given student’s instruction. We also have a robust roster of adjunct faculty members who teach a significant number of courses. From Fall 2006 to Fall 2012, the percentage of full-time faculty credit hours in all divisions ranged from 69.9% to 79.3% (with an average of 74.9%). See Appendices 32 and 33, Full-Time/Part-Time Faculty Credit Hours for All Courses (Fall 2006-Fall 2012) and Full-Time/Part-Time Faculty Credit Hours for All Courses Underlying Data (Fall 2006-Fall 2012). In the full-time division, the range of credit hours taught by full-time faculty was 80.2% to 92.3% (with an average of 87.3%); in the part-time evening division, the range of credit hours taught by full-time faculty was 40.7% to 64.5% (with an average of 47.9%). Student contact hours of full-time faculty in the part-time evening division were higher, ranging from 50.1% to 71.1% (with an average of 57.0%).

Although the percentage of credit hours and student contact hours taught by full-time faculty in the evening division is significantly less than the percentages for the day program, a study of the individual transcripts of evening students who have graduated between 2010 and 2012 shows that, on average, the students received more than two-thirds of their credit hours from courses taught by full-time faculty. Appendix 34, Credit Hours Taught by Full-Time Faculty for Part-Time Students Graduating December 2009-May 2012. Some students received far more than two-thirds of their credit hours in courses taught by full-time faculty (the highest percentage being 93.62%). Others received less than two-thirds (the lowest being 52.22%).

18Pursuant to AALS Memorandum 98-9, a “full-time” faculty member includes faculty members who “devote substantially his or her entire time to the responsibilities of teacher, scholar, and educator” and includes “full-time administrators or librarians, emeriti faculty who are present at the law school essentially full-time while teaching part-time, and faculty with joint appointments who teach in the law school may be counted as full-time faculty.”

19These percentages are based on information provided to the AALS in compliance with Bylaw 6-4(d).

20In Spring 2012 the fact that only 40.7% of the total credit hours were taught by full-time faculty in the evening division was an anomaly and resulted from not offering as many electives taught by full-time faculty as is usually the case. This was partially a result of an adjunct filling in for one of our full-time professors who succumbed to a disability that prevented her from teaching Nonprofit Corporations.

21The low percentage (50.1%) of total student contact hours for full-time faculty in the evening division during Spring 2011 is not attributable to a reduction of courses taught by full-time faculty, but resulted instead from an unusually large number of courses taught by part-time faculty in comparison with other semesters.

22The AALS Bylaws state “in each division...each student shall have the opportunity to obtain substantially all of his or her instruction...from the school’s full-time faculty.” AALS Bylaw 6-4(d). The Executive Committee Regulations interpreting these Bylaws states that full-time faculty offering “at least two-thirds of the credit hours or student contact hours leading to the J.D. degree” demonstrates that compliance with 6-4(d). Based on these criteria, our evening division was only in compliance for 3 of the 14 semesters. However, AALS Memorandum 98-9 also allows for compliance to be shown “through review of individual student transcripts in each division, to ensure that every student received two-thirds of instruction from full-time faculty.” Copies of the individual student transcripts that form the basis of our analysis are attached to the AALS Questionnaire.
graduates) received at least two-thirds of their credit hours from full-time faculty. Id. Whether a student received more or less than two-thirds of their credit hours from courses taught by full-time faculty is a function of the courses that the student selects. The only way to ensure that all of our students meet the two-thirds standard would be to police their course selection.

The evening division has a lower percentage of full-time faculty members teaching electives, in part, because adjunct faculty members, who are full-time practitioners, are more available to teach in the evening. Both full-time and part-time students take advantage of taking classes from these practitioners. Appendix 35, Full-Time Students in Evening Courses Fall 2006-Fall 2012.

Substantially all of the first-year courses in both the day (full-time) and evening (part-time) divisions are taught by full-time faculty. See Appendix 36, Full-Time/Part-Time Faculty Credit Hours for First-Year Courses (Fall 2006-Fall 2012). For first-year courses from Fall 2006 to Fall 2012, the overall percent of academic credit hours taught by full-time faculty ranged from 87.7% to 100%. Id. In the day division the range was 84.8% to 100%, while in the evening division all first-year courses were taught by full-time faculty. Id.

Part-time faculty—i.e., Adjuncts, Professors Emeriti, and Visitors—teach relatively few of the courses in subject areas that are tested on the Ohio bar exam—and the number of such courses taught by part-time faculty has declined over recent years. See Appendix 37, Adjuncts, Visitors and Emeriti Teaching Bar Courses (Fall 2006-Fall 2012). To illustrate, during AY06-07 part-time faculty taught 23 bar courses, while in AY11-12 this number went down to 10 courses. Id.

5. General Obligations and Course Loads

The standard course load for legal writing, tenured and tenure-track faculty is two courses in Fall and two courses in Spring, typically totaling 11 to 13 credit hours. See Appendix 38, Policies on Standard Teaching Schedules, Variances, and Course Releases. With rare exception, faculty members accomplish this by teaching two courses each Fall and Spring. In the event that a faculty member teaches courses totaling 14 or more credit hours in one academic year (exclusive of Summer teaching), the Dean has the discretion to reduce the faculty member’s course load for the following year to three courses, provided that the three

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21In those cases when full-time faculty did not teach the first-year courses, those courses were taught by emeriti faculty, visiting faculty who held full-time positions at Akron University School of Law, or Adjunct Professor Harold Babbitt (a retired partner from a local law firm who was once a full-time faculty member at the law school).

24The courses that cover topics tested on the Ohio bar exam are Agency and Partnership, Corporations, Civil Procedure, Commercial Law, Secured Transactions, Constitutional Law, Contracts, Criminal Law, Criminal Procedure I, Criminal Procedure II, Evidence, Legal Profession, Property, Torts, and Estates and Trusts.

25In order to teach courses in a configuration other than the 2 + 2 model, a faculty member must submit a request for a variance to the Dean in writing. See Appendix 38, Policies on Standard Teaching Schedules, Variances, and Course Releases.
courses total 10 or more credit hours. Id. The faculty survey indicated a general sense of satisfaction among faculty with respect to their ability to teach the classes of their choice (with 26 of 34 respondents agreeing with this assessment). See Appendix 1A, Faculty Survey Results Charts and Graphs.

Tenure-track faculty members are given two semesters of reduced teaching load as a matter of course—usually one in their first year and the second in the year before they seek tenure and promotion. In addition to these automatic course releases, a faculty member may apply for a course release if other substantial professional commitments (such as chairing a major committee), working on a significant publication, assuming a particularly burdensome teaching load, or similar professional commitments place significant demands on the faculty member’s time and the Dean determines that a course release is in the law school’s best interests. Id. Over the last six years, our Deans have granted course releases for a variety of reasons, including the chairing of major committees (such as the Self Study Committee), the simultaneous development of multiple new courses, and significant research projects. In addition, faculty members who hold a named professorship receive an automatic course release each academic year. See Appendix 39, Named Professorship Appointment Policy.

Faculty members are expected to teach in both the day and evening divisions in order to provide the same quality and variety of instruction to both day and evening students. The general policy is that every faculty member should teach one evening course every year. If a faculty member teaches two evening courses one year, that professor is not expected to teach at night during the following year. A review of Appendix 40, Night Teaching Fall 2006-Fall 2012, which tracks night teaching shows that this policy has been implemented with consistency, although there are some anomalies. For example, Professors Michael Davis, David Forte, and Debora Geier had periods when they taught in the evening more often than is generally required. In some cases, this is the result of the professor’s choice. In other cases, it is necessitated by a need of the law school. In the case of Professor Geier, she taught in the evening every semester for a number of years because we had not yet replaced retired tax professors. The recent hire of Professor John Plecnik has remedied this situation.

B. Recruitment and Diversity

As mentioned above, since Fall 2006, the law school has hired sixteen new faculty members: nine tenured/tenure-track faculty members, three legal writing professors, and two clinical law professors. These new hires have strengthened the law school with respect to its teaching, scholarship, and diversity. These new faculty members have provided greater depth in subject areas where depth had been lacking—most notably in the fields of international law (Professors Milena Sterio and Brian Ray) and tax (Professor John Plecnik). Two new hires in the field of health law, Professors Browne Lewis and Gwendolyn Majette, also provided the law school with the expertise needed to form the foundation of our new Center for Health Law and Policy. The hiring of Professor Jonathan Witmer-Rich added further depth to our strong criminal law faculty, and the hiring of Professor Matthew Green similarly reinforced the law school’s strength in the field of employment and labor law (which area suffered a setback with
the departure of Professor Joan Flynn in 2010). The hiring of our new Director of Legal Writing, Professor Carolyn Broering-Jacobs, has provided our legal writing program with fresh leadership. Finally, the new members of our clinical law faculty (Professors Carole Heyward and Doron Kalir) have invigorated our clinical program, which has undertaken innovations that will increase the variety and number of experiential learning opportunities for our students.

The diversity of our faculty is important to the law school, and the lack of diversity at times has also been a concern. The law school strongly affirms the University’s affirmative action policy, which encourages us to recruit applicants of color and women.26 We are pleased that our efforts to attract a diverse group of applicants in terms of race and gender have resulted in recent hires that have increased the diversity of our faculty. Of the fifteen new faculty hires since Fall 2006, three are women of color, five are white women, three are men of color, and four are white men.27 See Appendices 30, Faculty Hires and Departures 2006-2012, and 29, Professor Demographics, Race and Gender. Our current Dean is the first African-American Dean in the history of C|M|LAW. Specific data on the race and gender of current faculty members is provided above in Section A, Qualifications and Size of Faculty.

Of the six tenured faculty members who left C|M|LAW since Fall 2006 for positions at other schools, two were white women, one was an African-American woman, and one was an Asian-Indian man. These individuals left for personal and professional reasons that were unrelated to our commitment to retaining a diverse faculty. The ranks of our faculty were also reduced when Professor Janice Aitken, an American Indian, passed away. The faculty survey revealed a significant concern about the ability of the law school to retain current faculty members (with 19 of 30 respondents agreeing with this). Appendix 1A, Faculty Survey Results Charts and Graphs. Although we do not expect to hire any new faculty in the near future, the faculty survey also showed concern among the faculty about the ability of the law school to attract strong new faculty members (with 26 of 30 respondents agreeing). Id.

C. Faculty Responsibilities

The responsibilities of faculty members have three components: teaching, research, and service. See Appendix 41, Cleveland-Marshall College of Law Statement on Professional Ethics and Academic Responsibility. The teaching load for faculty members is discussed supra in Section A.5, General Obligations and Course Loads. In addition to teaching a certain number of credit hours, faculty are expected to teach effectively and are encouraged to experiment with new teaching techniques (by, for example, integrating technology into the classroom). See

26 We seek new faculty through a number of avenues. For tenured/tenure-track faculty we participate in the annual AALS hiring conference, consider those who apply directly to us, advertise in Black Issues in Higher Education and Hispanic Outlook, post our hiring ad on relevant law professor discussion lists, look for lateral hires, and talk with alumni whose careers suggest an interest in and ability to be an outstanding faculty member. Recruiting of Clinical Professors and Legal Writing Professors occurs on a national level as well by publishing our ad in the Chronicle of Higher Education, relevant discussion lists, and local newspapers.

27 Professor Reginald Oh is currently on medical leave from the University.
infra Section E, Teaching. Our faculty publish a great deal of traditional scholarship in the form of books and articles, but they have also increasingly published in less formal venues, such as blogs. See infra, Section F, Research and Publications. The duty to provide service responsibilities are typically fulfilled by serving on law school and University committees, but faculty members also engage in service to the community and the legal profession in a variety of ways, ranging from the drafting of amici curiae briefs to the Supreme Court to serving as officers in the local bar association or other organizations. See infra Section G, Service Activities. The Faculty Manual contains a variety of procedures related to teaching with which faculty are expected to comply, such as preparing course syllabi, monitoring class attendance, and grading policies. See Appendix 24, Faculty Manual 2012.

D. Evaluation of Faculty Performance

Each Spring every faculty member must prepare an Annual Report for the Dean. Appendices 42, 43, and 44, Annual Faculty Report Forms for Tenured/Tenure Track, Legal Writing, and Clinical Professors. The Report asks, among other things, for information on courses taught, including new methodologies or materials, provision of feedback to students, supervision of students for the Upper Level Writing Requirement, publication of scholarship, participation in law school and University committees, and service outside of the University including professional and community organizations. Every faculty member is expected to meet with the Dean to discuss her/his report. The contents of the Annual Report is similar for tenured/tenure track faculty, legal writing faculty, and clinical faculty, although the reports for legal writing and clinical faculty make clear that scholarship is not a requirement of these positions. Faculty members receive student evaluations of teaching every semester for their review as well as comparative data of all law faculty based on the numeric portions of the student evaluations. See Appendix 45, Course Evaluations Memo. In the event that teaching evaluations indicate a significant problem, the Associate Dean for Academic Enrichment works with that professor to help provide training or teaching support as necessary.

E. Teaching

Enhancing teaching effectiveness has been a primary aim of the faculty for many years. It was an integral part of the 2003 Bar Passage Plan and the 2011 curricular reforms, and is a key part of our thinking about the effects of the 140 Plan, in particular the smaller class size. Based on visits to one another’s classes, development of new teaching methodologies, teaching retreats, and statements by faculty, effective teaching is an object of great interest and pride as well as of continuing concern of how to improve.

1. Faculty and Student Opinions

In the most recent faculty survey, over half of the faculty agreed/strongly agreed that the faculty is strong in their teaching in both the first year and upper level courses. See Appendix 14, Faculty Survey Results Charts and Graphs. Very few faculty thought that faculty teaching competence was a problem. Id. Two of our faculty have won the University-wide
Distinguished Faculty Award for Teaching. Another received The University System of Ohio Faculty Innovator Award for his development of cost-effective teaching materials. But perhaps because of the efforts our faculty put into teaching, few of the faculty were satisfied with the recognition that is given to them for their teaching.

In surveys where faculty reflected upon teaching in the law school, a majority believed that CM|LA W teaches “rigorous analysis” and “legal research skills” well. See id. Yet “instilling intellectual curiosity” among the students remained an area of concern. Id. Perhaps because of the faculty’s concentration in imparting analytical and research skills expertly, few faculty agreed that “preparing for the bar exam” or “teaching practical lawyering skills” was strong at the law school. Id.

Faculty opinion seemed also to register some disappointment in the way students responded to our pedagogical demands in such areas as analytical skills, substantive knowledge, and class preparation. Id. In addition, to the extent that the episodic LSSSE gives any indication of long-term student attitudes, the 2012 survey found that 2Ls were less engaged or felt less positive than students at other schools in their ability to “analyze basic elements of an idea, experience or theory.” See Appendix 4, LSSSE 2012 Mean Comparisons Report. But 2Ls were more comfortable in “memorizing facts, ideas, or methods from your courses and readings so you can repeat them pretty much in the same form.” Id. More positively, 3Ls believed themselves more engaged in writing clearly and effectively and in solving real-world problems. Id.

2. Strategies and Innovation in Teaching Methodologies

Faculty members utilize many different teaching methodologies. Some of these strategies have sought to respond narrowly to the bar passage issue, while others have been innovations intended to expand students’ critical thinking, engage in practical applications of classroom learning, and enliven the classroom experience itself. The common denominator of classroom teaching experimentation is to change the student from a passive note-taker to one who is engaged in his/her own learning of the subject matter and, more important, in learning how to think and express oneself.

Faculty members have spent considerable time talking about and changing the amount and kind of feedback students receive in the classroom. At least one faculty member provides frequent multiple choice quizzes, which he grades and then reviews in class. Another has experimented with “question time” in his Contracts class, which is a period of time once a week, after class, in which students are permitted to ask any question. Another requires students who were absent on a given day to turn in a summary and reflection on the reading assignment for that day. Others assign frequent short essays. A technique that is spreading throughout our faculty is group learning. A number of professors establish sub-groups among students who learn to solve problems among themselves, prepare for class leadership roles on various assignments, and engage in cross-group debate. This methodology is utilized in both first year core courses and upper level electives. In one professor’s Civil Procedure course, she
offers a series of optional classes where the class reviews previously covered topics, as well as basic law school survival skills such as how to outline the course materials and how to prepare for quizzes and exams. Attendance rate is usually close to 100%. Others require students to moot arguments on both sides of the issue in significant cases.

In Fall 2012 each 1L received an iPad during orientation. In addition, the law school loaned iPads to several faculty members to experiment with how to use this new tool.

3. Peer Review

As part of seeking tenure and/or promotion, faculty members review a colleague’s teaching. We also have a program of longitudinal teaching evaluation that requires at least two visits per course per semester by a faculty member in the years preceding a professor’s application for tenure and/or promotion. See Appendix 46, Procedures and Criteria for Promotion and Tenure in the Cleveland-Marshall College of Law and Supplement—Procedures for Mentoring and Evaluation of Faculty in the Years Preceding Application for Personnel Action. New faculty members are assigned mentors (more senior faculty) who help the individual become acclimated to the law school. In addition, a few faculty voluntarily participate in yearly peer review by visiting another professor’s class and having a professor return the visit. To date, there is no mandatory peer review, nor any post-tenure review aside from that associated promotion to full professor.

4. Student Evaluations

Written student evaluations are required for every course. The Dean discusses the evaluation results at each professor’s Annual Review, and they are an essential part of the consideration of faculty for tenure and promotion. The Associate Dean for Academic Enrichment meets with faculty who receive unfavorable student evaluations to suggest improvements.

5. Support for Professional Development

The law school supports professional development in teaching through presentations on teaching, library programs, teaching retreats, and Summer grants.

For many years, we have had a Summer grant program to encourage innovation and excellence in teaching. Tenured, tenure-track, and legal writing professors are eligible for these grants. A professor must submit an application that identifies a project that “addresses the Law school’s teaching and learning priorities.” See Appendix 47, Summer Teaching Grant Criteria. The Teaching Committee evaluates the proposals and makes recommendations to the Dean based on the overall quality of the proposal and the extent to which the proposal meets the stated criteria. Recipients are expected to discuss their work under the awards at a faculty luncheon. Faculty members, including Clinical Professors, are also eligible to apply for Teaching Enhancement Awards from the University Center for Teaching and Learning.
In Fall 2006 and Spring 2008, then-Associate Dean Patricia Falk organized half-day teaching retreats for all faculty. These were the result of our 2007 Strategic Plan in which we identified conducting faculty retreats or workshops on teaching as a tactic for implementing Goal 5: Strengthen our curriculum and expand our teaching strategies to maximize the educational experience for our students in order to prepare them to practice law in the 21st century. See Appendix 7, Strategic Plan 2007. In Fall 2006 Professors Gerald Hess (Gonzaga University Law School and Co-Director of the Institute for Law Teaching and Learning) and Sophie Sparrow (University of New Hampshire School of Law) facilitated our conversations about how to improve our teaching and in Spring 2008 Professor Michael Hunter Swartz (Washburn University School of Law and Co-Director of the Institute for Law Teaching and Learning). Approximately two-thirds of the faculty attended each retreat.

F. Research and Publications

1. General Observations and Comments

Out of a total of 41 tenured/tenure track faculty who are or were at the law school since Fall 2009, 30 have produced scholarship in traditional print media, 28 have made scholarly presentations, and 8 engaged in exchanges on electronic media such as blog posts. See Appendix 48, Scholarship All Faculty 2009-2012. Of the present faculty, 27 have produced scholarship in traditional print media, 24 have made scholarly presentations, and 7 engaged in exchanges on electronic media such as blog posts. See Appendix 49, Scholarship Current Faculty 2009-2012. Since Fall 2009, the tenured/tenure track faculty have published a total of 27 books, including treatises, monographs and textbooks, as well as 101 scholarly articles as book chapters, law review articles, and book reviews. Id. Of the present faculty, the tenured/tenure track faculty have published a total of 23 books, including treatises, monographs and textbooks, as well as 94 scholarly articles as book chapters, law review articles, and book reviews. The Clinical and Legal Writing faculty, who are under no obligation to publish, have, since Fall 2009, published one textbook and five law review articles. Id. Popular print articles, court briefs, and 300 scholarly presentations formed an additional part of the scholarly outreach of all our faculty since Fall 2009. Id. In addition, a number of the faculty members serve as editors or peer reviewers or on editorial boards or journals. See Appendix 31, Faculty Resumes.

Support for faculty scholarship takes many forms. Listed below are many of the specific forms of support. For a full list, see Appendix 24, Faculty Manual 2012, at 26-30, Faculty Development: Scholarship and Teaching.

The Associate Dean for Academic Enrichment routinely circulates to the faculty lists of symposia, conferences and requests for article and papers. She also posts a “Faculty News”
We participate in the Northeast Ohio Law Schools’ Colloquia Series with the University of Akron and Case Western Reserve University School of Law. For several years the three schools had an exchange where a professor from one school gave a talk on a current project at another school. In more recent years we created a new format: twice a year we gather at a restaurant, equidistant from all of the law schools, for lunch and scholarly presentations from three professors, one from each school.

Each faculty member is accorded 320 hours of student research per year but may request more. Thus far, no faculty member has been denied a request for additional research assistance hours. Annually since 2009, between 24 and 26 faculty have utilized student researchers.

The library is also a source of information and research for the faculty, who have consistently rated the library and its staff as one of the strongest elements of the law school. Both librarians and student research assistants working for the library are available to service faculty research requests. In AY11-12, the library staff handled 148 faculty research and support requests. The library also trains individual RAs working for faculty members. Librarians and RAs also assist faculty in preparing near-finished articles and books for publication by cite-checking, formatting footnotes in the required styles, and formatting bibliographies for publication.

In addition, librarians monitor and provide regular updates about new developments in a faculty member’s research area. The library will locate requested material either at the University, other Ohio academic institutions, or on the Internet, and, upon request, arrange delivery to faculty offices. It provides regular online current awareness services tailored to the faculty member’s interests. The library also offers training to faculty on new research software, such as Bloomberg Law. In addition, the library affords each faculty member an annual stipend to purchase materials that are then housed in the faculty member’s office. Faculty may use their allowance to purchase subscriptions to loose-leaf titles or journals, or books.

The law school participates in the online SSRN/Legal Scholarship Network. In addition, the University’s EngagedScholarship@CSU repository, which went live in Spring 2012, holds

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28The blog replaced the monthly electronic in-house newsletter, *Faculty Focus*, which contained similar information. See https://www.law.csuohio.edu/facultystaff/resources/facultyfocus. Now the news is available not only to faculty and staff but to the public as well.
1,045 of the works of 33 of our faculty. As of October 2012 our library has uploaded 302 faculty articles and continues to load material. See Chapter VII, Information Resources—Law Library, Section A, Support of Teaching, Scholarship, Research, and Services.

We have a long-standing Summer research program. The Cleveland-Marshall Fund Summer Research Grant Subcommittee reviews the applications and makes recommendations to the Dean in early Spring based on the quality of the proposal and the applicant’s past productivity. See Appendix 52, Summer Research Grant Criteria. See Chapter IX, Law School Finances and University Support, Section E., Income from Gifts, for an explanation of the Cleveland-Marshall Fund. Of late, the Subcommittee has been more insistent on scrutinizing the level of the applicant’s past productivity. The policy is to give tenure-track faculty a preference in awarding grants. Since Fall 2009, the Dean has awarded 45 faculty Summer research grants.

The law school pays for a faculty member to travel when representing C|M|LAW on official business or for professional development, including presenting papers to or attending professional and scholarly conferences, or attending national or regional committee meetings of professional organizations. The Dean has discretion to approve or deny travel requests. Prior to Fall 2009, we had no formal cap on the amount of travel funds an individual professor could use each year.29 In Fall 2009 the cap was $2,000, Fall 2010 it increased to $2,500, and Fall 2012 to $3,000. See Appendix 53, Faculty Travel Policy 2012-13. Although the Dean frequently makes exceptions to these limits when requested to do so, some faculty feel that the caps inhibit travel related to scholarly conferences and other professional matters.

In Spring 2009, Spring 2010, and Fall 2012 the faculty held retreats or workshops to discuss our scholarship quality, productivity, and publishing. These retreats were part of carrying out Goal 3 of our 2007 Strategic Plan—Improve the scholarly reputation and productivity of our faculty. See Appendix 7, Strategic Plan 2007. About half the faculty attended these gatherings. As a result of the second retreat, a number of faculty formed small scholarship groups that meet throughout the year to support members’ research and writing by talking about current and planned projects and/or reading and commenting on outlines and drafts. At the third event Dean Boise invited Professor Andrew Morris, from University of Alabama School of Law, to present his research on law reviews acceptance and publishing policies and practices.

In Spring 2010 the faculty voted to turn the Ad Hoc Committee on Scholarship into one of our standing committees. This year the charge to the committee is to conduct an evaluation of the scholarly productivity of the faculty compared to peer schools. See Appendix 11, Committee Charges 2012-13.

29The Cleveland-Marshall Fund also provides funding for faculty travel. When the stock market dropped in 2009, the available funds from the Cleveland-Marshall Fund became limited.
According to the most recent faculty survey, 80% of the faculty have taken advantage of Summer research grants, travel support, presenting works to the faculty, student research assistants, and posting works on SSRN.

Tenured faculty may apply for one- or two-semester sabbatical leaves after their seventh full year of teaching.\(^{30}\) One may not accept a visiting teaching position for the year of the sabbatical. Since 2007, 17 faculty have received sabbaticals, while three received a leave of absence supported by other sources. Faculty receiving a sabbatical are required to return to full-time teaching at the University for at least one year following the award. They must also submit a report on their accomplishments during the sabbatical. The University does not grant sabbatical leaves to Clinical and Legal Writing faculty.\(^{31}\)

2. _____ Speakers Series\(^{32}\)

C|M|LAW has a wide variety of lecture series that provide faculty the opportunity to talk about their own scholarship and hear about others’ work. Some of the series are geared more to a public audience, but they all enrich the educational and intellectual life of the law school. Attendance by students and the public at the lectures varies widely. Faculty attendance at the lectures is usually low. A list of all of our public lectures and conferences is provided in Appendix 54, Public Lectures Fall 2006-Fall 2012. Below is a description of our speaker series.

a. _____ Cleveland-Marshall Fund/Joseph C. Hostetler-Baker & Hostetler Scholars

The Cleveland-Marshall Fund or Joseph C. Hostetler-Baker & Hostetler Visiting Scholar comes to the law school for two days during which s/he participates in the life of the college in several different ways.\(^{33}\) The Visitor is a guest professor in a substantive course, leads a faculty


\(^{31}\)See Appendix 68, CSU Personnel Policies and Bylaws Section 8.1.8, Leaves of Absence (Non-Bargaining Unit Members Only). Fall 2011 the law faculty approved a proposal to recommend making clinical and legal writing professors eligible for professional leaves. The University Faculty Affairs Committee (UFAC) initially approved the proposal. The Faculty Senate Steering Committee raised several concerns, including the potential effect this change could have on lecturers in other colleges, and sent it back to UFAC for reconsideration. UFAC then voted to reject the proposal.

\(^{32}\)Since Fall 2006, we discontinued one speaker series. The Cleveland-Marshall Faculty Speaker Series, designed by the former law library director to showcase the scholarly and professional interests of our faculty to our students, ended when the director departed the college for another position.

\(^{33}\)In 2008, with the consent of the donor, we changed the funding that supported a year or semester-long Joseph C. Hostetler-Baker & Hostetler Visiting Chair and Lecture into a fourth named professorship and a two-day scholar program comparable to the Cleveland-Marshall Fund Scholar.
seminar discussing the Visitor’s current research, makes an informal presentation at a faculty lunch, and presents a public lecture. Often the scholar’s public lecture forms the basis of an article that is published in the Cleveland State Law Review. In the past, we have invited two scholars each year, one in Fall and one in Spring. Recently, visits have been somewhat more irregular. Professor William B. Allen spoke on “What Constitution Have I? A Moral Perspective”, dealing with Uncle Tom’s Cabin, in Fall 2010; Professor Michael D. Green spoke on “Deforming Tort Law: The Role of the American Jury” in Fall 2011; and Professor Phillip Hamburger lectured on “Censorship and Death,” dealing with government imposed speech limitations on researchers in Spring 2012. See Appendix 55, Cleveland-Marshall Fund/Joseph C. Hostetler-Baker & Hostetler Scholars.

In 2011-12 the Cleveland-Marshall Fund Committee considered proposing a change in direction of the speaker series due to episodic faculty interest in the series and uneven faculty input in proposing speakers. The committee thought we should move away from a two-speakers-per-year model and instead offer one speaker per academic year with a larger, more elaborate program featuring that speaker. The sense of the committee was that we should look well beyond the names that were in consideration if in fact we envisioned a speaker of greater renown. The current Cleveland-Marshall Fund Committee is considering the proposal.

b. Criminal Justice Forum

The Criminal Justice Forum is in its fourteenth year. Each year the criminal law faculty bring three or four nationally recognized scholars and practitioners to present public lectures on a current issue in criminal law. Since 2006 the law firm of Friedman and Gilbert has sponsored one of the lectures. The most recent speaker was Jeffrey Rosen, Professor of Law at George Washington University School of Law who spoke on “DNA Exonerations: How to Reform the Criminal Justice System to Avoid Convicting the Innocent.” See Appendix 56, Criminal Justice Forum speakers 2006-2013.

c. Labor and Employment Speaker Series

Beginning in 2002 the labor and employment faculty have presented three lectures each year by a distinguished scholar or practitioner in the field. The most recent was Jason R. Bristol, Esq., Partner, Cohen Rosenthal & Kramer LLP, who spoke on “The Fair Labor Standards Act at 75: Why Congress’s stated policy of eliminating substandard labor conditions remains as necessary today as it was in 1938.” The law firm of Duvin Cahn & Hutton, merged into Littler Mendelson, sponsors one of these lectures each year. The Cleveland-Marshall Fund also supports this series. See Appendix 57, Labor and Employment Speaker Series 2006-2013.

3. Faculty Attitudes Toward Scholarship

Although the vast majority of the faculty have taken advantage of the college’s support programs for scholarship and over 70% of the faculty are happy to be able to “research and write on topics I want,” most of the faculty remain quite dissatisfied with the faculty’s scholarly
output. Appendix 1A, Faculty Survey Results Charts and Graphs. Only 30% are pleased with the recognition afforded for their scholarly work, just 15% think that the faculty is strong in regard to publishing academic research, and no one believes that faculty had a strong national reputation. Id. Over half the faculty think that the lack of scholarly publishing is a problem for the college, and nearly 70% think that publishing academic scholarship is an area that “our faculty should seek particularly to improve.” Id.

G. Service Activities

Every faculty member participates in law school committees and faculty governance. We have a strong tradition of faculty governance. The law school is represented by five Senators in the University Faculty Senate, one of whom also is a member of the Faculty Senate Steering Committee. Many Faculty Senate Committees have designated law school representatives. Law faculty have been elected or appointed to several leadership positions in the Faculty Senate in recent years, including two Faculty Senate Presidents and Vice Presidents (Professor Sheldon Gelman is the current Vice President), Presidential Search Committee, University Faculty Affairs Committee, Presidential Budget Advisory Task Force, and Chair of the Faculty Budget and Finance Committee.

Faculty members serve the legal profession, the public, and the academic community in a range of capacities. Complete faculty resumes are in Appendix 31, Faculty Resumes. Select examples include:

Legal Profession. FAA’s Commercial Space Transportation Advisory Committee; Ohio Supreme Court and Ohio State Bar Association Joint Task Force to Review the Administration of Ohio’s Death Penalty; Northern District of Ohio Advisory Committee; Task Force on the Funding of Ohio Courts; and the Colloquium Planning Committee for the Ohio Constitutional Modernization Commission; White House Summit on Judicial Vacancies; Ohio State Advisory Committee to the United States Commission on Civil Rights; Public Interest Law Group High-Level Working Group on Piracy; the Ohio Commission on the Rules of Practice and Procedure; ABA Forum Committee on Affordable Housing & Community Development Law; and President of the ACLU of Ohio.

Public. Vice President and Trustee of a local synagogue, Trustee of Willoughby-Eastlake Library System, U.S. Senate Finance Committee Academic Roundtable, Judicial Candidates Rating Coalition, Stephanie Tubbs Jones Summer Legal Academy.

Academic Profession. Director of American Society of Comparative Law, Vice Chair of Society of Academic Law Librarians, Secretary of Women in International Law interest group of

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34In Spring 2010 we organized a special event to recognize and honor our faculty scholarship. Representatives of each of the donors that created the four named professorships attended and were recognized, as were the four professors holding those titles, in addition to other faculty who had published books and other significant works during the past two years.
the American Society of International Law, Article Editor for Immigration and Naturalization Review, President of Central States Law Schools Association, Coordinator of 53rd Annual Colloquium on the Law of Outer Space.

H. Faculty Governance

1. Faculty Participation

Since the last Self-Study, the faculty has worked with successive Deans on three key governance projects: 1) creating the five-year Strategic Plan, 2) developing a revised curriculum, and 3) developing a University-mandated budget-reduction proposal for FY11 and FY12. Governance issues arose in connection with the Interim Dean and Dean search processes in 2010. More recently several faculty raised governance concerns related to the 140-plan and several other new initiatives, including changes to the academic support and clinical programs.

Strategic Plan. We created the 2007-12 Strategic Plan in Spring 2007 with substantial input and a vote of approval from the faculty. See Appendix 7, Strategic Plan 2007.

Curriculum Review. Then-Dean Mearns established the Ad-hoc Curriculum Review Committee in Fall 2009. Chapter III, Program of Legal Education, Section C, Changes to the Curriculum, describes the Committee’s process, which included extensive faculty consultation and a vote by the full faculty approving the recommended changes.

Budget Cuts. Facing a close to 20% reduction in funding from the State of Ohio, in Spring 2011 President Berkman and then-Provost Mearns implemented a structured budget-reduction plan that used a range of criteria to rank colleges into three tiers and required each college to provide a report of possible budget reductions and/or revenue increases to reach a range of three targets. The President placed the law school in the second tier requiring that we develop plans for meeting 5%, 7.5% and 10% targets. Then-Interim Dean Crocker convened an Ad Hoc Budget Task Force with representatives from the faculty, staff, and administration to consult on the law school’s plan. See Appendix 58, 2011 Budget Proposal and Follow-Up. The President ultimately approved a target of 7.5% (over $917,000) implemented across FY11-12 through a combination of tuition increases, operating budget reductions, loss of several open faculty lines and significant cuts to the library budget. Id.

As detailed in Chapter IX, Law School Finances and University Support, Dean Boise recently negotiated a revised budget plan for the law school designed in part to address a shortfall in the law school’s projected budget target and also to make up the revenue lost from reducing the 2013 1L class to 140 students. Dean Boise re-convened the same Ad Hoc Budget Task Force convened by Interim Dean Crocker to develop three different levels of budget reductions. The Task Force met four times in March and April of 2012. Ultimately, the Provost required the law school not only to decrease its operating budget in FY13 by $800,000, but to also achieve additional reductions in FY13 through FY15 of $750,000 through faculty attrition. See Appendix 10, The 140 Plan: Towards a Smaller and Stronger Law School.
Budget pressures are likely to continue to pose governance and other challenges both for the law school and the University more generally. At the University level, the Board of Trustees recently approved a close to $150 million bond issuance, the debt service for which will be approximately $5 million in FY13 rising to close to $7 million beginning in FY14. State support is likely at best to stay level and may be cut back in the next biennial budget process, which will conclude in Summer 2013. And the Governor of Ohio has requested changes to the formula for allocating the state subsidy that may disadvantage Cleveland State University relative to other state institutions.

Within the University, the President has implemented a new budget approach that contains two elements likely to adversely affect the law school in the foreseeable future. First, beginning in Spring 2012, the Provost implemented an instructional resource model for allocating faculty positions among colleges. Under this system, all faculty vacancies are controlled by the Provost’s office and reallocated each year based on recommendations generated through a complex set of voting procedures guided by several criteria. The law school fits only uneasily into this framework relative to other colleges in the University, in part because of our commitment to enrolling smaller, stronger classes and in part because the external benchmarking criteria either do not include law faculties (e.g., Academic Analytics) or focus on metrics that apply only partially to law faculties (e.g., the Delaware Study). More generally, the process substantially reduces the faculty role in core governance decisions about curriculum and hiring by channeling them through a centralized administrative process.

Second, the Interim Provost has announced that he plans to conduct a comprehensive program classification process designed to identify colleges and programs deserving increased funding and others that should have their funding reduced and possibly closed. The President rejected a recent proposal from an ad hoc task force detailing how that process would proceed, so the law school does not yet know what criteria the Provost will use in this process. The task force’s recommendation recognized the critical governance issues raised by a process designed to close programs, and presumably fire faculty in those programs, and advised a joint faculty-administrative process. The Interim Provost has not stated what faculty involvement he plans to seek.

**Interim Dean and Dean Searches.** After President Berkman appointed then-Dean Mearns as Interim Provost in Spring 2010, the faculty, represented by the Faculty Senators, began consulting with the President regarding the process for appointing an Interim Dean and Dean. Following established practice, the Senators requested that the appointment processes include consultation with and a vote by the full faculty to approve candidates. After several meetings with the Senators, the President met with the full faculty. At that meeting the President described his view that appointment of interim deans is an administrative prerogative. Despite this, he agreed to consult with the law faculty and accept a report from the Senators regarding each candidate, although he stated that he would not accept a reported vote ranking the candidates. Five candidates applied for the interim position: three current law faculty members, one emeritus law professor, and one local attorney. The faculty met to
discuss each candidate and the Senators prepared a report for the President, who ultimately selected Professor Phyllis L. Crocker as Interim Dean.

The Dean Search process was much smoother and involved substantial faculty input. The 12-person committee included seven faculty members elected by the entire faculty and the Vice-Chair was Professor Alan Weinstein. The President had requested that the faculty submit three finalists to him. Following an extensive process detailed in Appendix 50, Description of the 2010-11 Dean Search, the law faculty approved only two names, and the President selected Dean Craig M. Boise.

140-Plan and Related Changes. In October 2012 Dean Boise, in his annual State-of-the-Law-School presentation, summarized a range of successful initiatives from the previous year, reported on the results of the 140-plan, and outlined several changes to the academic support and clinical programs and to administrative restructuring in other areas. He also identified several important challenges facing the legal profession and legal education, including likely continued declines in applications, a constrained legal employment market, and rising tuition debt for students. Dean Boise reported that C|M|LAW had been invited to participate with a group of other law schools and law-firm partners over the course of this year to identify potential solutions to these issues. He also called for a May Day Summit with the faculty at C|M|LAW to launch a new strategic planning process at the law school. Dean Boise also noted that, while the 140-plan positioned the law school well to respond this year, it also reduced an already tight budget, and that depending on University budget demands, maintaining a smaller class size might require additional budget-tightening measures, especially from the faculty.

Several faculty expressed concerns about the role of faculty governance in some of the changes outlined in the presentation as well as the need for a robust faculty role in addressing the looming challenges Dean Boise identified. One faculty member proposed establishing an elected faculty committee, the Strategic Priorities Committee, to assess the effects of the 140-plan and other measures the law school could consider to respond to these challenges. Dean Boise scheduled a brown bag meeting with the faculty to discuss these issues and a special faculty meeting in early November to consider the new committee. The faculty voted to approve the new committee at the special meeting. A description of the Committee and its charges is in Appendix 11, Committee Charges 2012-13.

2. Committee Structure and Operation

Article V of the Bylaws governs committee structure and operation. See Appendix 59, Bylaws, CSU, Cleveland-Marshall College of Law. The Dean in consultation with individual faculty members constitutes and appoints the Chair of each committee, except for the Dean’s Faculty Advisory Committee, Faculty Affairs Committee, and Personnel Action Committee, the membership of which is provided for in Article V, Section 1 of the Faculty Bylaws. Id. Each committee that has an active charge files a written report with the Dean by the end of the academic year. Committee reports from the 2011-12 year are in Appendix 60, Committee
Reports 2011-12. The current committees and their charges for the 2012-13 year are included in Appendix 11, Committee Charges 2012-13.

3. Faculty Meetings

Article IV of the Bylaws governs faculty meetings and requires at least four meetings during each year (two in Spring and two in Fall). More typically, the law faculty meets at least once a month during the academic year. We hold separate meetings for Promotions and Faculty Hiring in Fall. The Dean frequently convenes an extra meeting in Spring to resolve all unfinished business. No later than 48 hours before a meeting, the Dean’s office submits an agenda, which usually includes the minutes of the last meeting, any committee proposals, committee updates, information from the Dean’s office, and student petitions (heard in Executive Session by tenured, tenure-track, clinical and legal writing faculty). A schedule of last year’s faculty meetings, this year’s faculty meetings, and the minutes of faculty meetings from September 2011-December 2012 is attached as Appendix 61, Faculty Meeting Minutes and Schedule.

4. Unionization Movement

On November 20, 2012, the faculty was informed that a collective bargaining “card campaign” succeeded and that, as a result, the faculty requested the State Employment Relations Board recognize a bargaining unit at the law school. This prompted a frank e-mail exchange among the faculty. Some faculty expressed concerns about—and other faculty expressed support for—the prospects of unionization. As of January 18, 2013, CSU and the AAUP entered into a consent agreement for a union election at the law school, subject to approval by the State Employment Relations Board.

5. Faculty Morale

Faculty morale is mixed with 50% of faculty agreeing or strongly agreeing that morale is a problem and nine faculty rating this as the most important faculty issue—placing it second within the “faculty problems” category of the faculty survey. See Appendix 1A, Faculty Survey Results Charts and Graphs. We list the most prominent faculty problems the survey identified here. If SERB approves the agreement, it will mail ballots in early February and count ballots in early March.

- 75% of faculty agree or strongly agree that attracting strong new faculty is a problem and 12 faculty—the highest score in faculty problems—rated this as the most important issue. The 140-plan budget reductions and the University’s new budgeting process mean that the University is unlikely to allow the law school to fill future vacancies, potentially exacerbating this problem.

- Close to 53% of faculty rate faculty scholarship as a problem. That category ties for third place as most-important issue with three votes. Fifteen faculty voted publishing
academic research the most important issue (and 67% agreed/disagreed it should be an area of improvement), reinforcing this concern.

- Retaining present faculty was the only other category in faculty problems that generated close to 50% or greater agree/strongly agree votes at roughly 48%—with only 10% disagreeing/strongly disagreeing. This category tied for third in most important voting in faculty problems with three votes.

When asked about specific roles at the law school, more than 50% of faculty agreed/strongly agreed that they are generally satisfied in 8 out of 12 categories. See Appendix 1A, Faculty Survey Results Charts and Graphs. Faculty did not disagree/strongly disagree in any category, with teaching recognition attracting the strongest negative percentage at 25% closely followed by service recognition at slightly over 24%. Id. Outside of publishing academic research, the faculty did not express any clear consensus on where we should seek to improve, with no other category exceeding 50% agree/disagree.

Several recent events that post-date the Faculty Survey, including the Dean’s State of the Law School address, the Strategic Priorities Committee proposal, and the unionization movement, also have affected faculty morale.

I. Professional Environment

1. University Academic Freedom Policy and Practice

The University subscribes to the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors and the Association of American Colleges. The University recognizes that free speech is essential and provides for the right to demonstrate and protest on University property. Appendix 62, CSU Personnel Policies and Bylaws, Section 8.1.3, Academic Freedom. The University supports and has never interfered with the full exercise of academic freedom by members of the College of Law whether in terms of teaching, scholarship, or other means of expression.

2. Criteria for Selection of Faculty

   a. Faculty Appointments Standards and Procedures

Other than the one clinical professor position filled in Fall 2012, the law school has not hired any new faculty since 2010. As we highlighted above, the 140-plan budget reductions likely mean that the University will not allow us to hire new faculty to replace at least the next three or four faculty openings when they occur. The new instructional resource model will structurally disadvantage the law school in recapturing open positions even after we have met the 140-plan reductions.
When we hire new faculty, the law school uses the same criteria as virtually every other law school, including curricular needs, legal education, other postgraduate education, clerkships, publications, diversity, teaching experience, and professional experience. Appendix 63, Faculty Appointments Advertisements, contains the most recent advertisements used in the clinical professor search in Spring 2012 and the 2009 AALS Faculty Appointments Bulletin from our process that year.

b. Policies and Practices Concerning Promotion and the Award of Tenure

The University criteria for promotion and tenure are in Appendix 64, CSU Personnel Policies and Bylaws, Section 8.1.2, Standards and Procedures for Faculty Appointments, Continuation, Promotion and Tenure. The law school’s more specific criteria are in Appendix 46, Procedures and Criteria for Promotion and Tenure in the Cleveland-Marshall College of Law and Supplement—Procedures for Mentoring and Evaluation of Faculty in the Years Preceding Application for Personnel Action.

Every year the tenure-track faculty elects the chair of all of the Personnel Action Committees (tenured PAC, full Professor PAC, and five-year contract PAC). That person consults with the Dean to appoint three-person subcommittees for any person seeking promotion or tenure. The three-person subcommittee works with the candidate to gather materials for the application and then presents its report to the relevant Personnel Action Committee.

The procedures for the PAC evaluation process are detailed in Appendix 46, Procedures and Criteria for Promotion and Tenure in the Cleveland-Marshall College of Law and Supplement—Procedures for Mentoring and Evaluation of Faculty in the Years Preceding Application for Personnel Action. The memoranda created by the three-person subcommittees in the most recent Associate Professor and full Professor applications are found in Appendices 65, Subcommittee Report-Matthew Green, and 66, Subcommittee Report-Candice Hoke.

3. Employment Status of Professional Skills Faculty

Clinical and legal writing professors, after completing five one-year contracts, may apply for appointment to a five-year renewable contract. The criteria for the initial five-year appointment are in Appendix 67, Criteria, Standards, and Procedures for the Appointment of Non-Tenure-Track Clinical and Legal Writing Professors. As described in that memorandum, award of the initial five-year appointment establishes a presumption of renewal for successive five-year appointments. The procedures for hiring, initial five-year contract applications, and five-year contract renewals are detailed in Section IV of Appendix 67, Criteria, Standards, and Procedures for the Appointment of Non-Tenure-Track Clinical and Legal Writing Professors. Clinical professors are on 12-month contracts and legal writing professors are on 10-month contracts.
The status of clinical and legal writing professors is close, but not equivalent, to that of tenured/tenure-track faculty. Legal writing and clinical professors serve and vote on faculty committees, teach courses other than clinical or legal writing ones, supervise independent legal research papers, and receive travel and library allowances. Article II of the Bylaws makes clinical and legal writing professors members of the faculty. Article II.2 gives all faculty the right to vote on all matters, except that it makes clinical and legal writing professors ineligible to vote on matters related to hiring, tenure, and promotion of tenured or tenure-track faculty, and also the hiring or retention of the Dean. Appendix 59, Bylaws, CSU, Cleveland-Marshall College of Law. Legal writing faculty are eligible for Summer research and teaching grants, but, under University policies, they are not eligible for professional leaves. See Appendices 52, Summer Research Grant Criteria, 47, Summer Teaching Grant Criteria, and 68, CSU Personnel Policies and Bylaws Section 8.1.8, Leaves of Absence (Non-Bargaining Unit Members Only). Clinical faculty are not eligible for Summer research and teaching grants because they are on either 11- or 12-month contracts; they cannot satisfy the requirement that a grant recipient accept paid employment for no more than two weeks during Summer term. Like legal writing faculty, clinicians are ineligible for professional leaves.

Since the last Self Study, the law faculty has considered several changes that either did or would have affected the status of legal writing and clinical faculty:

In May 2006 the law faculty passed a resolution that clinical and legal writing faculty should be eligible for emeritus/emerita status. Approximately one year later, the Faculty Senate unanimously approved amendments to the CSU Personnel Policies and Bylaws, Section 8.1.2, Standards and Procedures for Faculty Appointments, Continuation, Promotion and Tenure, making clinical and legal writing faculty eligible for emeritus status under the same restrictions and with the same provisions as other faculty. The Board approved this amendment in September 2007. 35

In May 2006 the law faculty also approved eligibility of clinical and legal writing faculty to serve on the Faculty Senate, but the University Faculty Affairs Committee (UFAC) did not implement this proposal.

In 2007, in response the 2006 ABA site team’s suggestion that the College “might consider an outside evaluation” of the legal writing program, then-Dean Mearns hired three outside legal writing professors to evaluate the program. Because the consultant’s report raised some concerns about the program, then-Dean Mearns established an Ad Hoc Committee to evaluate which of the consultant’s suggestions, if any, the college should adopt. In its report to the faculty, the committee recommended that the College conduct a nationwide search for a

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35 In 2009 after the Provost sought to deny emerita faculty status to Professor Debra Klein in spite of a unanimous recommendation by the law faculty, the UFAC interpreted the CSU Personnel Policies and Bylaws, Section 8.1.2, Standards and Procedures for Faculty Appointments, Continuation, Promotion and Tenure to allow emerita status for Professor Klein. The Board approved Professor Klein’s emerita status in Fall 2010. In September 2011 the Board of Trustees awarded emeritus faculty status to Clinical Professors Kermit Lind and Gordon Beggs.
director of legal writing. See Appendix 69, Report of the Ad Hoc Committee on Legal Writing. Professor Carolyn Broering-Jacobs was hired for this position in 2008.

In 2008 the faculty clarified the renewal procedures for clinical and legal writing faculty five-year appointments and reaffirmed the presumptive renewal standard.

In Fall 2010 several faculty members proposed amending the law school Bylaws to make clinical and legal writing faculty eligible to vote on the hiring and retention of the Dean. The faculty voted to reject that proposal.

J. Adjunct Professors

A number of courses at the law school are taught by adjunct faculty members. Currently, we employ, on average, thirty adjunct professors per semester. Adjunct professors are typically practitioners or judges who have extensive experience in a given field and are then hired to fill a need within the course curriculum. The law school has retained a dedicated core of adjunct professors even though they are not well compensated for their services. Our ranks of adjunct professor are a great strength of the law school because of the practical knowledge that they impart to our students. The location of the law school in downtown Cleveland enables the law school to take advantage of the many judges and first-rate practitioners in the Cleveland legal community who are able to commute easily to the campus from their law offices or chambers. C|M|LAW is recognized for equipping our students with the practical skills needed for the practice of law, and our adjunct faculty plays an important role in achieving this. 36

Although we believe that the law school is fortunate to benefit from a strong cohort of adjunct professors, we are also careful to strike the right balance between full-time faculty and adjunct faculty. As discussed supra in Section A.4, Teaching by Full-Time Faculty and Adjunct Faculty, the area of particular concern has been the possibility that our part-time evening students do not take sufficient courses from full-time faculty. However, as explained in that section, an analysis of the transcripts of recently graduated evening students show that these students do have sufficient access to full-time faculty. The number of adjuncts teaching bar courses has been reduced in recent years and first-year courses, with only three exceptions in the past seven years, see id., are all taught by full-time faculty. We continue to monitor the balance of adjunct faculty to full-time faculty and make adjustments as necessary to ensure that our evening students have the same quality of professors as our day students.

Adjunct professors teach substantive courses and third semester legal writing courses. Since 2006 the Associate Dean for Academic Affairs (now the Associate Dean for Administration) and now the Director of Legal Writing, have responsibility for recruiting,

36This reputation for preparing practice-ready graduates is reflected in the faculty survey where 23 of 34 respondents agreed that the law school excels in teaching practical lawyering skills and 21 of 33 respondents agreed that we excel in preparing students for the practice of law. Appendix 1A, Faculty Survey Results Charts and Graphs.
selecting, training, evaluating and making recommendations for promotion from lecturer status to full adjunct status. Associate Dean Mark Sundahl oversees adjuncts who teach substantive classes and the Director of Legal Writing, Professor Carolyn Broering-Jacobs, oversees legal writing adjuncts. The faculty recommends which adjunct faculty should receive three-year contracts, \(^{37}\) and the Dean makes recommendations to the Provost, who makes the final decision.

The Associate Dean for Administration assigns a member of the tenured/tenure-track faculty to serve as a mentor for each new adjunct. The full-time faculty member is assigned to assist the adjunct in matters such as course book selection, teaching methodologies, and exam ideas. In addition, the mentor observes the adjunct professor in the classroom and files a report with the Associate Dean.

The Director of Legal Writing serves as mentor to the legal writing adjuncts. She works with them on course book selection and the creation of their syllabi and observes their teaching. In Fall 2012 she organized a workshop for the adjunct faculty who teach legal writing courses on how to provide effective feedback on written assignments. Although designed for legal writing adjuncts, we invited all adjunct faculty.

Each semester the Associate Dean for Administration or the Director of Legal Writing reviews in detail the student evaluations of every adjunct. If a problem presents itself, the Associate Dean or Director of Legal Writing discusses the issue with the adjunct faculty member and develops a course of action to address the issue. For example, the adjunct faculty member may be asked to observe classes taught by another professor or be asked to revise their course materials or change their teaching style as necessary.

In Spring of every year since 2008, the Associate Dean organizes an Adjunct Faculty Appreciation Lunch, which not only serves to recognize the contributions of our adjunct faculty but also contains an educational component to help strengthen teaching skills. Examples of recent topics addressed include the integration of technology into the classroom and techniques for engaging students more actively in the classroom. See Appendix 70, Sample Materials for Adjunct Workshops. Professors are invited to present to the adjuncts in order to share their experiences and knowledge about teaching.

We have worked at better integrating adjunct faculty into the law school community so that we (and the students in particular) can fully benefit from these practitioners’ connection to

\(^{37}\)Each Fall the Associate Dean for Administration makes recommendations to the faculty about which part-time faculty should be awarded three-year appointments as a full Adjunct Professor of Law. Initially, a part-time faculty member is classified as a Lecturer of Law; once an individual has taught three courses over a three-year period, s/he may become an adjunct. See Appendix 71, Adjunct Faculty Manual 2012. To make this recommendation, the Associate Dean reviews the individual's student evaluations, written classroom visitation evaluations by the mentor, and letters from recommendation solicited from student and colleagues of the adjunct faculty member.
the law school. We invite adjunct faculty to attend our faculty lunch presentations, the public lectures as well as social events that take place at the school.

Since the last Self Study, the law school designated office space in the law library for the sole use of our adjunct faculty. This provides space for adjuncts to prepare for class and meet with students. Although holding regular office hours is a challenge for adjuncts, they are very responsive to student inquiries by e-mail or phone. Since 2008, adjuncts have received their own Adjunct Faculty Manual. See Appendix 71, Adjunct Faculty Manual 2012.

K. Faculty Strengths and Weaknesses

Strengths

1. Our faculty care deeply about the quality of our teaching.
2. Many faculty members are leaders in their academic and professional fields.
3. We have an increasingly diverse faculty in terms of race and gender.
4. We have strong support for scholarship in the form of Summer grants, research assistants, and library services.
5. Faculty are committed to teaching in the evening program.
6. We have a strong cohort of excellent adjunct professors.
7. We have a strong commitment to service, including service to the University and a long tradition of strong faculty governance.

Weaknesses

1. Scholarly productivity is not consistent across the faculty.
2. Generally speaking, our faculty members do not place scholarship in highly ranked journals.
3. The morale of the faculty is a concern.
4. Our ability to retain existing faculty and attract new faculty is uncertain.
5. We are concerned about the potential negative effects of a smaller faculty on our ability to meet future teaching needs.
V. STUDENTS

A. Admission

1. Overview

The Office of Admission strives to attract and enroll talented and diverse students. Appendix 72, Final 2012 Admission Report, details our successes in meeting this important goal. We benefit from having the lowest tuition in the state of Ohio, our location in a large legal community, and strong support from alumni and other members of the Bench and Bar. We face a number of challenges, however, including a declining national applicant pool and limited scholarship funds. The Office of Admission works to attract and enroll a class of the most qualified students, of appropriate size and demographic, and with the greatest likelihood of passing the Bar.

C|M|LAW experienced a drop in application volume in 2007 (-14%), rebounding in 2008 (+19%) and peaking in 2009 (+9%). Applications dropped steadily in 2010 (-4%) and 2011 (-13%) with a more dramatic drop in 2012 (28.8%). According to Law School Admission Council data, 170 law schools experienced a decline in application volume in 2012. Thirty-eight schools experienced declines between 20% and 29%, and 9 schools experienced declines of 30% or more. We cannot be certain why we are among the schools with the greatest declines; however, a number of factors bear consideration. Our primary competitor, the University of Akron, experienced only a 12% decline in applications. In the U.S. News rankings, a significant influence in prospective student decision making, Akron ranked higher than C|M|LAW in several categories in 2011: assessment score by lawyers and judges, employment at graduation, employment 9 months after graduation, bar passage rate, and overall rank. Many applicants view C|M|LAW and the University of Akron as comparable; therefore, U.S. News rankings give Akron an advantage. C|M|LAW is not differentiated in the market, especially in the northeast Ohio area. We have not identified programs or services that are uniquely ours that could potentially bring greater attention and recognition.

Despite these fluctuations, we have successfully maintained the quality of the incoming class. Relative to the other Ohio law schools, C|M|LAW is the most selective law school based on reported admission rates and second to Capital University Law School in yield. In 2011 C|M|LAW was the second most selective law school in Ohio, just behind Ohio State. Our low admit rate reflects our ability to successfully use historic data to predict yield rates at various LSAT ranges in crafting a class and meeting institutional goals. In 2012, 46% of our applicants had LSAT scores below 150; however, only 11% of the incoming class had LSAT scores below 150. The remaining 89% of the entering class was selected from the top 54% of our applicant pool. Our median LSAT is ranked 4th out of 9 Ohio law schools and 3rd out of 5 Ohio public law schools. Our undergraduate GPA is 5th out of 9 Ohio law schools and 4th out of 5 Ohio public law schools. Our minority enrollment is 4th out of 9 Ohio law schools and 2nd out of 5 Ohio public law schools. Our percentage of women is 7th out of 9 Ohio law schools and 3rd out of 5 Ohio public law schools. See Appendix 73, Fall 2012 Entering Class Profiles Ohio Law Schools.
2. Commitment to Diversity

C|M|LAW is committed to admitting and enrolling high caliber students with diverse backgrounds and experiences, who will enrich the classroom and help to make the law school community exciting and dynamic. C|M|LAW offers equal educational opportunity for persons irrespective of race, ethnicity, religion, national origin, gender, age, handicap or disability, sexual orientation, and veteran status.

The percentage of minority students entering C|M|LAW has generally improved, from 14.5% in 2006 to 18.4% in 2012. See Appendix 74, Applications, Offers, Enrollment by Ethnicity 2006-12.

We are involved in a number of community outreach and pipeline initiatives designed to expose racial and ethnic minorities to potential opportunities in the law. For example, more than ten years ago we established the Stephanie Tubbs Jones Summer Legal Academy in partnership with Case Western Reserve University School of Law, Norman Minor Bar Association, and Cleveland Metropolitan Bar Association through which area high school students from underrepresented minority groups are exposed to career possibilities in law. They participate in a two-week intensive law institute during which the faculty of judges and attorneys introduce the participants to numerous legal issues. The students spend two days shadowing legal professionals in a variety of settings. Law professors and admission personnel from the two law schools address the students on the law school admission process and on the benefits of attaining a legal education. The Summer Legal Academy draws students from high schools in the City of Cleveland and its inner-ring suburbs.

Similarly, the Law and Leadership Institute (LLI) is a statewide initiative in collaboration with the legal community that inspires and prepares students from underserved communities for post-secondary and professional success through a comprehensive four-year academic program in law, leadership, analytical thinking, problem solving, writing skills and professionalism. LLI began in 2008 at C|M|LAW and Ohio State University Moritz College of Law with 40 rising ninth-grade students from the Cleveland Metropolitan School District and Columbus City Schools. C|M|LAW continues to host the program for ninth-grade students each summer. These pipeline initiatives are managed at the law school through the Associate Dean for Administration.

The Office of Admission hosts a number of prospective student open houses and visitation events throughout the year. In addition to pipeline initiatives, the Office of Admission is active in attracting diverse students to the study and practice of law. Multicultural Perspectives Day provides prospective students the opportunity to visit the law school, participates in a classroom experience, speak with current students and learn about scholarships, financial aid, and career opportunities. Multicultural Perspectives Day is held each Fall and Spring. The Multicultural Roundtable Breakfast takes place the morning of Admitted Student Days. Targeting diverse students but open to all admitted students, this
event provides a forum to engage in a conversation on diversity in the law with current faculty and students, and highlight how C|M|LAW values diversity.

The Office of Admission also participates in the Law School Admission Council’s Diversity Initiatives Grant Programs. Summer 2010 C|M|LAW received the first-ever Diversity Matters Award from the Law School Admission Council in recognition of our efforts to educate high school and early college students about law school preparation and careers in law. The efforts included our Jump Start visitation program for high school sophomores, juniors, and seniors from the Cleveland Metropolitan School District and surrounding suburbs with significant minority student enrollments, outreach to community college students and a partnership with Central State University, Ohio’s first and only historically black public college. C|M|LAW was among the ten finalists for the award in 2011 and we received a Certificate of Recognition for our efforts.

C|M|LAW is committed to providing access to legal study through a robust part-time day and part-time evening program. The following chart shows the percentage of enrolled part-time day, part-time evening, and total part-time students for each entering class from 2007 to 2012.

<table>
<thead>
<tr>
<th>Year</th>
<th>PT Day</th>
<th>PT Evening</th>
<th>TOTAL PT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>9%</td>
<td>20%</td>
<td>29%</td>
</tr>
<tr>
<td>2008</td>
<td>12%</td>
<td>18%</td>
<td>30%</td>
</tr>
<tr>
<td>2009</td>
<td>5%</td>
<td>16%</td>
<td>22%</td>
</tr>
<tr>
<td>2010</td>
<td>5%</td>
<td>18%</td>
<td>23%</td>
</tr>
<tr>
<td>2011</td>
<td>2%</td>
<td>20%</td>
<td>22%</td>
</tr>
<tr>
<td>2012</td>
<td>3%</td>
<td>22%</td>
<td>25%</td>
</tr>
</tbody>
</table>

Over the past 10 years, there has been a relatively low demand for part-time day enrollment. Only once during that time, in 2009, did the number of applications for part-time day exceed 100. In 2012 there were 32 applications for part-time day. Historically, prospective applicants perceived part-time programs as having lower admission standards which meant a greater likelihood of admission. That is not the case at C|M|LAW. In fact, the credentials of our part-time students often improve our overall admission profile.

Applications for admission by women have ranged between 44% and 46% of our total applicants each year since 2007. The following chart shows the percentage of women applicants, women admitted, and women enrolled in each entering class from 2007 to 2012.

<table>
<thead>
<tr>
<th>Year</th>
<th>% women applicants</th>
<th>% women admitted</th>
<th>% women enrolled</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>45%</td>
<td>32%</td>
<td>41%</td>
</tr>
<tr>
<td>2008</td>
<td>44%</td>
<td>31%</td>
<td>40%</td>
</tr>
<tr>
<td>2009</td>
<td>45%</td>
<td>29%</td>
<td>41%</td>
</tr>
<tr>
<td>2010</td>
<td>44%</td>
<td>32%</td>
<td>39%</td>
</tr>
<tr>
<td>2011</td>
<td>46%</td>
<td>34%</td>
<td>44%</td>
</tr>
<tr>
<td>2012</td>
<td>46%</td>
<td>38%</td>
<td>39%</td>
</tr>
</tbody>
</table>
The low percentage of women at the law school caused the admission office to aggressively admit a greater percentage of women applicants. In 2011 and 2012 the percentage of applications from women was 46%, the highest level from 2007-12. Despite increasing the percentage of women applicants and our rate of admission, the percentage of women enrolled in 2011 was 44% in 2011 and 39% in 2012—the highest and lowest percentage of women enrolled between 2007 and 2012. The admission office continues to develop recruitment and yield strategies to address the low percentage of women in our 1L classes, including targeted e-mail campaigns and direct contact outreach by women student, faculty, and alumni.

While C|M|LAW continues to participate in LSAC Forums and other law school fairs, we have expanded outreach to student organizations at area colleges and universities as many prospective law students are not part of traditional pre-law societies. Some of these include Black United Students at Kent State University, Multicultural Resource Center at Oberlin College, and Latinos Unidos at Cleveland State University.

The Legal Career Opportunities Program (LCOP), described infra at Section 7, is also a means for identifying and admitting students and providing a supportive introduction to the study of law.

3. Admission Process and Responsibilities

The Office of Admission staff has undergone a number of changes in response to the changing needs of the law school and the demands of our prospective students. In 2006 the office was staffed by an Assistant Dean for Admission, a full-time Admission Coordinator, and two secretaries. Additionally, the Assistant Dean supervised the law school’s Financial Aid Administrator. C|M|LAW employed additional recruiting staff on a seasonal basis during Fall recruiting season. In November 2006 the Assistant Dean for Admission was elected to the Ohio Court of Appeals—Eighth Appellate District. A new Assistant Dean for Admission and Financial Aid was appointed in February 2007. During the transition, the Admission Coordinator served as Interim Assistant Dean; she left in March 2007 to work at another Ohio law school. In Spring 2007 we hired two new Admission Coordinators, one with particular responsibility for multicultural recruitment. In 2012 the Office of Admission was restructured again. Both Admission Coordinator level positions were eliminated and replaced by an Assistant Director of Admission and an Admission Specialist with responsibility for “virtual” admission counseling and social media initiatives. The office is still supported by two secretaries, one with responsibilities for receptionist duties, the other for data entry and file maintenance.

The Office of Admission employs a paperless application process. Applicants apply through the Law School Admission Council’s online application service or via the C|M|LAW website. Application instructions and guidelines are available online and are published in the C|M|LAW Viewbook, Appendix 75. All regular applications to the law school (except for LCOP, see section 7 infra) are first evaluated by an admission professional staff member. Staff members make an initial recommendation to admit or deny the applicant. These evaluations
and recommendations are reviewed by the Assistant Dean for Admission and Financial Aid and an admission decision is rendered.

Criteria for admission are identical for the full-time and part-time programs, day and evening. Each applicant must have received a bachelor’s degree from a regionally accredited college or University (or equivalent for foreign-educated applicants) prior to enrollment at the College of Law. Applicants are urged to take the LSAT no later than February of the year in which they intend to enroll. However, C|M|LAW will consider June LSAT scores for admission the following Fall. The application deadline is May 1 (March 15 for LCOP).

In accordance with admission policy, adopted by the law school faculty in 2003, each applicant’s file is evaluated individually. Experience reveals that undergraduate GPAs and LSAT scores are important, although imperfect, measures for predicting success in law school. For this reason, we also consider other information about our applicants including: an upward trend in undergraduate grades; length of time since graduation from college; achievement after college; graduate work; volunteer and public service records; employment in a professional or managerial capacity; economic disadvantage or the need to work a significant number of hours while completing an undergraduate degree; extraordinary extracurricular activity; and one’s cultural, racial, and economic background. Our selection process also takes into account exceptional letters of recommendation, unusual and outstanding achievements or accomplishments, and demonstrated commitment to bettering society. Applicants are encouraged to use their answers on the application form and their personal statements to provide the Admission staff with information regarding any of these factors or any other relevant information that they would like to have considered.

The faculty Admission Committee works with the Assistant Dean for Admission and the administration to expand faculty, student, and alumni involvement in the admissions process, especially in activities designed to increase the number of highly qualified and diverse admits who enroll. Each Spring it reviews and makes decisions on applications to LCOP. It also provides oversight of applicant character and fitness issues.

4. **Character and Fitness**

A letter is mailed to admitted students whose files suggest that a character or fitness issue may arise with respect to their bar admission (e.g., students whose applications reveal past legal or academic honor/disciplinary issues) to register as a candidate for admission with the Supreme Court of Ohio (or with the appropriate office if they plan to practice in another state) as soon as possible, and direct them to the appropriate resources at the law school, so that any character issues can be resolved well in advance of their completion of law school. See Appendix 76, Admission Admit Letter.

All entering students are advised, during orientation, of the registration requirements of the Ohio Supreme Court and are urged to investigate the requirements of other states as applicable. In addition, during first year orientation, the associate deans conduct a session for
both day and evening students, highlighting the ethical requirements of the profession and the need for future lawyers to adhere to those requirements from the beginning of their law school careers. We advise students who believe they may have neglected to include relevant information on their law school applications to rectify the situation immediately.

5. Recruitment

Each year C|M|LAW participates in several national law forums organized by the Law School Admission Council. In 2012, these were forums in Washington, D.C., Chicago, Atlanta, New York, Miami, and the San Francisco Bay area. We also attend regional fairs such as the Greater Western New York Law Fair, and at individual school law fairs held in Florida (University of Tampa, Florida Gulf Coast University), Michigan (Michigan State, University of Michigan), Pennsylvania (University of Pittsburgh, Carnegie Mellon University), Utah (University of Utah, Brigham Young University), and Ohio (Ohio State University, Miami University). Each year we decide which recruitment events to attend based on location, number of recent applicants, relationships with pre-law advisors, or direct contact with the College of Law. As the number of prospective students attending national, regional, and campus-based recruitment events continues to shrink, however, we evaluate the benefit of each event and make strategic decisions based on event outcomes.

In addition, the College of Law holds a series of Open Houses at the Law School during the academic year. Information about the Open Houses is available on the prospective student web page and is e-mailed widely to law school prospects. In addition to the Multicultural Perspectives Day events mentioned above, the law school hosts a Twilight Open House event in Fall for part-time evening prospects and our Winter Open House in January. We invite prospective students to visit the law school when classes are in session for a tour, information session, and a classroom experience.

The Office of Admission makes admission decisions on a rolling basis, beginning as early as December and continuing through Summer. An initial seat deposit of $200 is required when the student confirms his/her admission. A second non-refundable seat deposit of $300, payable June 1. Applicants admitted through LCOP are required to pay only one non-refundable deposit of $350.

Admitted students are invited to Admitted Student Days each Spring. This day-long event includes a diversity breakfast, student panels, lunch with faculty, academic and administrative sessions, and tours. Scholarship recipients are invited to Scholarship Cocktail Receptions held at area law firms the evening before Admitted Student Days.

C|M|LAW admits a limited number of transfer students from ABA accredited law schools each year, based on academic records that demonstrate their ability to succeed in law school. C|M|LAW has not admitted graduates of foreign law schools as transfer students although some have been admitted as first year students in the J.D. program and/or to the LL.M. program.
In 2009, the Office of Admission fully revised and redesigned the recruitment Viewbook. The publication is a substantial change in look, feel, and content, and it represents all aspects of C|M|LAW and our community. The redesign was developed as part of a college-wide re-branding strategy. The Viewbook was planned and designed to be used for four years. At the end of the 2013 admission cycle, we will revise our publications in a smaller format and with more focus on online formats.

6. Scholarships

The Admission Office uses scholarships to attract and enroll the most academically talented students. Competitor law schools continue to outspend us in this area, with some providing grants in excess of full tuition. See Appendix 77, Average Scholarship Awarded at Ohio Law Schools, 2007-2012.

From 2006 to 2010, our scholarships ranged from $2,000 to full tuition and were renewable so long as the recipient maintained the requisite GPA. In an attempt to reach more qualified and deserving students with our scholarship dollars, in 2011, we changed our scholarship strategy to a two-tier award: $5,000 and $12,000 while retaining GPA requirements (3.10 and 3.20 respectively) for scholarship renewals each year. In 2012 we again modified the tiers to $5,000 (3.10 GPA requirement) and $16,000 (3.20 GPA requirement) to come closer to the dollar amounts awarded by our closest competitor schools. Though we recognized that we would lose a number of students at the highest LSAT ranges, we were successful in making more and larger awards to students with LSAT scores in the 155-160 range. In 2010 we awarded scholarships to 49% of our admitted students. In 2011 that increased to 55% and in 2012 to 61%. See Appendix 72, Final 2012 Admission Report, for additional information on the number and dollar totals of merit scholarships awarded.

In 2012, 41% of our merit scholarship recipients who entered in 2011 achieved the requisite GPA and, therefore, retained their scholarships. This is a decline from 49% in 2011 for students entering in 2010, and from 53% in 2010 for students entering in 2009. During this time frame the size of our 1L classes has gotten significantly smaller—203 in 2009, 195 in 2010, and 168 in 2011. We plan to analyze how the smaller size of the 1L classes affects the number of students able to attain GPA levels to retain scholarship awards and whether we need to change our GPA requirements.

7. Legal Career Opportunities Program (LCOP): an alternate admission program

The Legal Career Opportunities Program is an alternate admission program for applicants who have encountered adversity that negatively affected their traditional academic indicators (i.e., LSAT scores and/or undergraduate grades) but whose background and experience warrant additional consideration. Since 2007, students admitted to C|M|LAW
through LCOP represent, on average, 10% of the incoming class. Appendix 72, Final 2012 Admission Report.

Applicants to LCOP have academic indicators that are lower than those of regularly admitted applicants. However, LCOP applicants may demonstrate—through their career and professional accomplishments, personal statements, letters of recommendation, graduate work, and/or significantly improved academic performance over a period of time—their likelihood for success in law school. In considering applicants to LCOP, the Admissions Committee reviews an applicant’s:

- Undergraduate academic record, to determine the pattern of performance over a period of time
- LSAT Score(s) and a Law School Admission Council Credential Assembly Services report
- Personal statement to understand the nature of the adversity faced by the applicant and how it has affected the pursuit of the academic goals or career achievements
- Work history or career experiences demonstrating a record of accomplishments
- Graduate transcripts, if applicable
- Letters of recommendation (3 are required)

LCOP applications are reviewed by a professional admission staff member to determine if a) an adversity or other obstacle existed that may have impacted the applicants’ academic performance and b) the applicant has demonstrated readiness for the rigors of legal education in other ways, such as work experience or further education. Applicants who satisfy both criteria are referred to the Admissions Committee for full file review and an admission decision. The Admissions Committee is composed of four faculty, the Assistant Dean for Admission and Financial Aid, and two students, all of whom are voting members of the Committee.

Applicants admitted to LCOP begin their academic program in Summer by taking Legal Process, a 3-hour evening course. In the Legal Process course, students develop basic analytical skills that are critical to success in law school. Satisfactory completion of the course counts toward the credit-hour requirements for graduation from the J.D. program. LCOP is not a conditional admission program, and all LCOP students are eligible to continue their legal studies in Fall.

In Fall 2008 then-Dean Mearns appointed the Special Committee to Evaluate LCOP. The committee considered a number of proposals regarding LCOP, including whether we should adopt a conditional admission LCOP. See Appendix 23, Report of the Special Committee to Evaluate LCOP. The committee concluded that we should not adopt a conditional admission LCOP.
B. **Student Services**

1. **Financial Aid**

C|M|LAW and the University Office of Financial Aid share responsibility in the administration of federal loan programs for law students. C|M|LAW had its own Financial Aid Administrator until 2007, when the position was eliminated upon the recommendation of the University Director of Financial Aid.\(^\text{38}\) As a result, the University Financial Aid Office is responsible for obtaining all law student FAFSA data and awarding federal aid. The Assistant Dean for Admission and Financial Aid provides in-house financial aid counseling, troubleshooting, and programming for law students. In addition, the University’s Campus 411 All-In-One Enrollment Center personnel have been trained to address the financial aid concerns of law students and provide an additional resource for information and service.

In 2012 we transferred the responsibility for the in-house financial aid counseling, troubleshooting, and programming to our new Director of Student Life. This is in response to the concern of current students that financial aid counseling was insufficient. The Assistant Dean for Admission and Financial Aid will consult with the Director of Student Life on issues and programs and will also continue to be the primary financial aid resource for prospective and admitted students.

2. **Service to Disabled Students**

C|M|LAW is committed to ensuring that all of our students have access to all of our classes and programs. C|M|LAW invites voluntary self-identification by students with disabilities for purposes of verifying the disability and identifying the reasonable accommodations that C|M|LAW provides. Students seeking to establish a disability and arrange for reasonable appropriate accommodations contact the Assistant Dean for Academic Affairs.

Once the student has established a disability, the Assistant Dean’s office coordinates the provision of accommodations at C|M|LAW. Accommodations are individualized and arranged on a case-by-case basis. See Appendix 12, Student Handbook 2012-13, Disability Services, for a more complete description of the documentation process and provision of services.

Generally, we are able to meet a student’s needs when s/he makes a request for accommodations regarding class sessions. The Assistant Dean of Academic Affairs handles the provision of alternate textbooks by contacting the book publishers once the student has purchased the book and provided a receipt. The publishers then provide an electronic version of the text, which can then be “read” to the student by the computer. Providing volunteer note

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\(^{38}\)The University centralized all financial aid operations to ensure that policies and procedures were interpreted and applied uniformly because CSU was noncompliant with a number of Federal requirements in the awarding of federal aid and was in jeopardy of losing all federal aid programs.
opportunities

accommodations

relationships

alumni

staffing, limited

exams.

computer,

resumes.

Provide postings for students and alumni in order to best position them for their job search and to maintain our current relationships with employers and cultivate new employer relationships in order to identify opportunities for our students. The ways in which we achieve these goals include, but are not limited to:

- Open-door policy for current students and recent graduates, with extended office hours until 6 p.m. on Mondays and Wednesdays.
- Daily updates to the Symplicity job board that allows all students and alumni to review job postings for their class year only to ensure students and alumni see and apply only to those positions for which they are qualified.
- Fall and Spring Interview Programs where employers either come on campus or collect resumes.
- In-house and published handbooks (online and hard copy) related to job search tips and resources.
- Facilitate student participation in off-site job fairs such as Equal Justice Works and the Midwest Public Interest Law Conference.
- Provide guidance through the federal judicial clerkship OSCAR system.
- Participate in the Cleveland Metropolitan Bar Association Minority Clerkship Program.
- Provide requests for reciprocity with other law schools.
- Targeted law firm visits with the Dean.
- Targeted employer outreach soliciting internship, externship, and career information.
- Provide programming that highlights networking and career paths.
- Maintain active membership with the local bar association.
- Alumni counseling by appointment.

OCP has undergone significant changes since the last site visit. These changes involve staffing, programming initiatives, resources, and administrative responsibilities:
a. Staffing

- In 2009, C|M|LAW hired a new OCP Director.
- In 2009 the new Director created a 5-year strategic plan for the office (Appendix 78, OCP 2009 Strategic Plan and 2012 update), which will be revisited in 2013/2014.
- In 2010 the office elevated the support staff role to a Coordinator and hired a 10-year law library employee into the position.
- In 2011, due to a retirement, OCP restructured the Assistant Director position into a job-share position and hired two new part-time Assistant Directors.
- In 2011 OCP re-evaluated the department responsibilities and decided that the two Assistant Directors would handle the lion’s share of daily student counseling (previously the Director was one of the two primary counselors), in order to allow the Director to work on employer outreach, strategic planning initiatives for the office, and alumni.

b. Programming

- Fall 2010 we created a solo/small firm alumni task force to assist in counseling and programming related to small firm practice. We began this initiative to address issues facing the large number of our graduates who go into solo/small firm practice.
- The faculty reestablished a Judicial Clerkship committee in 2010 to assist in counseling and programming related to judicial clerkship applications, hiring processes, and experience.
- Spring 2010 the office began an annual (now biannual) Speed Networking/Legal Mocktail event, which teaches students how to work a room and network effectively.
- In 2009 we instituted a mandatory 1L OCP orientation.
- In 2011 the office created JAG day, presenting a panel discussion of the various arms of the JAG corps followed by one-one interviews.
- We began to digitally record a majority of OCP programs in 2010 in order to provide a link on the C|M|LAW website for those unable to attend.
- In 2010 we expanded the mock interview program to allow for more students to participate, to provide the option to have the interview videotaped for self-review, and to conduct interviews on-site at the mock interviewer’s office to acclimate and sensitize students to time/location issues.

c. Administrative and Counseling Responsibilities

- In 2011 we significantly expanded our use of Symplicity to include management of events and programs, tracking counseling notes and student employment information, and electronic appointment setting for students and relevant calendar information.
- The office assumed responsibility of the administration and counseling for the externship program in 2011—our use of Symplicity has allowed us to organize and streamline the application process and to be more responsive and effective in our externship placements.
- In 2009 we opened alumni counseling to all alumni (previously the office excluded alumni more than 18 months out of law school) and provide lifetime access to Symplicity.
d. Resources

- CoffeeTalk—a monthly newsletter (via e-mail and hard copy) established in 2011 by our Assistant Directors—highlights internal and external programs, job search tips, and class year specific advice.
- Our Public Interest Opportunities Calendar—publicized first in early Spring 2012 via e-mail and in Symplicity—highlights national conferences, events, and relevant deadlines for public interest related jobs.
- Our Diversity Opportunities Calendar, which we began to publicize in Spring 2012 via e-mail and in Symplicity, highlights national conferences, events, and relevant deadlines for diversity opportunities.
- In 2012 we began to populate the Symplicity Document Library, which houses OCP publications related to calendars, OCI, judicial clerkships, externships, government handbook, and specific lists of employers (e.g., small firms, prosecutors and public defenders).
- Our OCP Multi-Purpose Handbook (available online and in hard copy), completely revised twice between 2009 and 2012, highlights advice on and examples of resumes and cover letters, interviewing, follow up, and networking. Appendix 79, OCP Multi-Purpose Handbook.

These changes appear to have paid off as the results of the recent LSSSE student survey indicate a high level of satisfaction with both the career counseling services and job search advice that we provide to our students. See Appendices 4 and 6, LSSSE 2012 Mean Comparisons and LSSSE 2012 Summary of Results. These changes and initiatives have also enabled us to better-weather the challenges of the current job market. Fortunately, in their second and third year of law school, a good number of students are able to secure part-time legal employment that gives them practical experience. This—in addition to the existing ties in the local community they bring to law school, the practical skills they learn in law school, and our strong and supportive alumni network—has given our students a solid foundation, and often an advantage, as the legal market has evolved since 2008. During that year, many students who received offers from the larger firms had those offers deferred or revoked. Subsequently, recruiting for both Summer and entry-level positions came to a halt in some firms and to a significant slowdown in others. We are fortunate in that, historically, we are not dependent upon the large firms for the hiring of students. Rather, a significant majority of students have always been hired by the smaller, often 2-10 attorney, firms.

The legal job market as a whole has required small offices such as ours to be even more available, more creative, more proactive, and more strategic than ever before. The initiatives, resources, and added administrative and counseling responsibilities have gone a long way in addressing the needs of our students and the challenges of the market. Additional law school wide initiatives that we believe go directly to the heart of the market matter include:

- The expansion and requirement of engaged learning coursework requires students to take an externship, clinic, or skills-based class during their law school career.
• Our office focuses on a targeted job search and interview preparation for individual students, including our mandatory mock interview program for students wishing to participate in our formal interview programs.

• C|M|LAW’s mandatory graduation fair survey, effective Spring 2012, now provides us with a better opportunity to gain accurate information with our graduates and more effectively communicate with them about their post-graduation job search.

• C|M|LAW’s Loan Repayment Assistance Program began in 2006 with a generous donation be an alumnus with the intention of providing forgivable loan assistance to the graduates serving the public sector and the people and causes traditionally under-represented by the bar. This program has remained relatively small and we are in the process of reevaluating the best use of the donated funds for the benefit of our graduates who go into public service.

• A Solo Practice Incubator that will be housed in the law library (see Chapter VII (D)) is being designed and planned for opening in Fall 2013, in order for us to assist our graduates with building their own solo practice with the benefit of being part of a greater legal cohort, receive mentoring and guidance from fellow Cleveland attorneys, and create a business plan to ensure a solid start to their legal future. In Spring 2012 C|M|LAW hosted Fred Rooney, Director of CUNY School of Law’s Community Legal Resource Network and creator of the first law school incubator in the country, in order to get his guidance and advice in the planning stages of our incubator. Dean Boise then visited the CUNY incubator and talked with staff and graduates about their program in order to continue to gain insight on how best to proceed with our incubator plans.

4. Student Groups

The Student Bar Association is the elected student government at C|M|LAW. The officers recommend student appointees to law school standing committees and distribute University funding to the many student organizations at C|M|LAW. See Appendix 80, List and Descriptions of Law Student Organizations. In Fall 2012 we had thirty recognized student organizations. In the past, law students expressed some frustration in working with the University Office of Student Life. As a result, effective for the 2012-13 academic year, all accounts and advising have shifted to the law school and the oversight of the Director of Student Life. Student organizations, particularly programming and the role of faculty advisors, is one of the Director’s top priorities.

The student groups are active participants in the life of C|M|LAW. The Student Bar Association President recommends to the Dean student appointees to the faculty committees that include voting student members. Student groups are active in sponsoring conferences, working with faculty to organize programs, and organizing student activities. For example:

• The Entertainment and Sports Law Association began an annual Entertainment and Sports Law Symposium in 2010, providing relevant panel discussions from the industry, including the NBA, NFL, and MLB, and offering free CLE to lawyers in the community, drawing over 150 attendees in 2011 and 2012.
• C|M|LAW Allies has presented two conferences in recent years (one in conjunction with the Ohio ACLU), drawing 400 attendees in 2009 to discuss the current state of the law affecting LGBT persons locally, nationally, and internationally; and 200 attendees in 2011 to discuss the politicization of judicial elections and its effect on judicial independence and LGBT rights.

• The Student Public Interest Law Organization has coordinated student attendance at the annual Equal Justice Works career fair and conference, hosting nearly a dozen students each year.

• The Black Law Students Association formed the 1L Concerns Committee and assists students in outlining, brief writing, and research; conducts final exam reviews; and hosts an annual scholarship and awards banquet.

• The Employment and Labor Law Association hosts movie nights presenting films on relevant law topics, and presents panels of experts in the field.

5. Communication with and Services to Students

The law school has made significant positive strides in improving our methods for communicating with students and ensuring the accessibility of the services we provide to our students. Since the 2006 Self-Study, e-mail has been the primary mode of communication and the law school has been diligent in streamlining and reducing the e-mail traffic in order to more effectively communicate with students about important matters. With the creation of the new Director of Student Life position, we will continue to streamline communication and provide students with an initial point of contact in order to direct student issues and concerns properly. In addition, the new Director of Student Life is working with the SBA and student organizations on creating a shared calendar in order for students to have one place student organizations can publicize their events and all students can view events occurring at the law school.

Student services are accessible and available to all students, no matter the time of day they are present in the building. Specifically:

• The Student Services Center hours are 8 p.m. on Mondays and Tuesdays, and until 6 p.m. on Wednesdays and Thursdays.

• The Associate Dean for Administration holds extended office hours to address student concerns every Tuesday until 7 p.m.

• OCP and other departments have extended office hours at least two days each week and are available by appointment both before and after the school day.

• Various programs are now digitally recorded and made available on the website for students unable to attend.

• In Fall 2006 we began a 2L counseling program, talking individually with each 2L regarding the bar examination, including a six-point plan for bar success. See infra Section C.1, Bar Passage.
In Fall 2012 we instituted a mandatory 2L/3L orientation which occurs at the start of the school year, at both noon and 5 p.m., to address issues relevant to upper class students (Financial Aid, Career Planning, Bar Exam, and Registration).

In 2012 we created a formal ABA compliant student complaint procedure that we publicize via e-mail and on the law school website. The Associate Dean of Administration is responsible for ensuring the law school community follows this procedure and for maintaining the appropriate records. See Appendix 81, C|M|LAW Policy on Student Complaints Implicating ABA Compliance.

Transcripts are now available online in electronic format.

C. Evaluation of Outputs

1. Bar Passage

The vast majority of our graduates take the Ohio bar exam in July. The percentage of our first-time takers passing the July bar from 2007 through July 2012 has fallen from 90% to 84%. Appendix 82, Bar Passage Rates 2001-2012. Our February results during that same timeframe have varied substantially, ranging from 74% to 95%.\(^\text{39}\) Id. On nine of the twelve bar exams our graduates’ pass rate was over 80%. While we are pleased that more than four out of five C|M|LAW students pass the bar, we are also mindful of how they compare to other Ohio law schools. Our relative bar passage rate on the July bar fell from 2008 through 2011. We ranked fourth in July 2008 among the nine Ohio law schools, fifth in July 2009, sixth in 2010 and seventh in 2011; we moved back up to sixth on the July 2012 bar exam results. More important, among Ohio public law schools, from 2009 to 2011 C|M|LAW was last—in the most recent July 2012 bar results, we improved slightly to fourth among five. See Appendix 82, Bar Passage Rates 2001-2012.

In 2003 we renewed our focus on bar passage. The impetus for this was when, after several years of lackluster performance, the CSU Board of Trustees passed a resolution mandating that we raise our bar passage rate within five years to be in the top one-third of Ohio law schools’ bar passage rates. See Appendix 83, 2010 Annual Report on Improving Cleveland-Marshall’s Bar Passage Rates. In November 2003 the faculty approved an Action Plan for Improving CSU Bar Passage rates, and the President and Provost approved our plan in December 2003. Id.

We recommitted ourselves to improving our graduates’ bar passage rates in April 2007 when we unanimously adopted, as a key component of our Five-Year Strategic Plan, Goal Number 1: “Substantially improve our graduates’ first-time bar passage rate on the Ohio State Bar Exam.” See Appendix 7, Strategic Plan 2007. Throughout this time, the University has

\(^{39}\)One of the reasons for the large range and fluctuation in February bar passage percentage rates compared to July rates is that many fewer students take the exam in February than in July, resulting in each February taker representing a much larger percentage of the whole in February than in July. Accordingly the passage or failure of a handful of graduates in February has a much more significant impact on February rates than it does in July.
continued to recognize the importance of improving and maintaining our graduates’ high bar pass rates and support our efforts in this area.

Our approach to improving our graduates’ bar pass rate is multidimensional and has evolved over time as both our student body and legal education have changed. It begins with the size and credentials of each incoming class, continues with, among other things, mandatory advising, better feedback in courses, and a for-credit bar strategies and tactics course, through to the time our graduates take the bar exam. This year, in cooperation with BarBri, we began a new program that provides our students with access to a full-service bar preparation course and course-related material.

Our 2003 Action Plan called for us to enroll academically stronger and smaller 1L classes and provide them with more scholarships. We achieved our goal of an entering class of 200 in 2009. Since then, as noted in the Admission section, other forces have caused us to reduce the incoming class size even further. Overall, we have consistently maintained the academic strength of our entering class. As an example, in 2003 a student with an LSAT of 153 was in the top of the entering class, by 2007 that score put the student in the bottom of the class. See Appendix 72, Final 2012 Admission Report. Our scholarship dollars have increased over time, but this continues to be a challenge for us. See supra Section A.6, Scholarships. As our incoming classes have gotten smaller, we have maintained our commitment to the diversity of our class, LCOP, and our part-time programs. See supra Sections A.2, Commitment to Diversity, and A.7, Legal Career Opportunities Program (LCOP): an alternate admission program. Also see Appendices 72, Final 2012 Admission Report, and 84, 2008 Implementation Review of Cleveland State University, Cleveland-Marshall College of Law’s 2003 Action Plan to Strengthen Students’ Performance on the Ohio Bar Exam.

We begin talking to students about the bar exam in the 1L orientation sessions. We want students to be aware of the requirements of the bar exam and the importance of their law school studies to their success on the bar. In Fall 2006 we instituted a mandatory 2L advising program in which every 2L meets individually with either the Dean, an Associate Dean, or other administrator or faculty member. See Chapter III, Section K.3, Advising Students, and Appendix 27, 2L Advising Information Sheet. While we talk with every student about our six-point plan for success on the bar exam, the advantage of individual meetings is that we can focus on and discuss each student’s individual circumstances. Counseling a student at the top of the class is different than advising someone near the bottom of the class in terms of bar exam success strategy and how to take a compliment of courses that meets their individual needs and interests. We also added a bar exam component to our Spring pre-registration academic advising sessions for each first year section so that students are aware of bar-related courses when registering for 2L classes.

Our 2003 Action Plan called for the creation of a full-time Bar Coordinator position. From 2004 until 2007, Gary Williams served as both the Assistant Dean for Students and the Bar Coordinator. In 2007 he retired as Assistant Dean and became the full-time Director of Bar Preparation. Director Williams retired from the latter position in 2010. We hired Mary Jane McGinty as the Director of Bar Preparation in 2010. Gary Williams was, and now Mary Jane McGinty is, responsible for all of our bar-related programs: teaching the 3-credit Ohio Bar Exam Strategies and Tactics course and workshops on the MBE and MPT, working with individual students, coordinating faculty review sessions, being on-site at the July and February bar exams, and much more.

Ohio Bar Exam Strategies and Tactics ("OBEST") is a three-credit law school course that provides you with an opportunity to preview some of the substantive law covered on the bar and to become familiar with the modes of testing. Data analysis conducted for a review of our bar preparation program confirms that students who successfully complete the OBEST course and who also participate in other bar preparation programs have higher passage rates than their non-participating counterparts. The data for the last fourteen bar exams indicate that the passing rate for those who took OBEST is 86% compared to 83% for those who did not take the class. The difference in passing rates is even more pronounced for students with a law school GPA below 3.0—those most likely to benefit from the class: 73% of students with a law school GPA less than 3.0 who took OBEST passed while only 49% of students with similar law school GPAs who did not take OBEST passed the exam—a difference of more than 20 percentage points.

In Spring 2009 our Bar Exam Committee considered whether to make OBEST mandatory for all students or those with a GPA below a certain level. After surveying 2009 graduates who did not take OBEST and considering other potentially negative consequences of forcing students to take the class, the committee advised against making the OBEST course mandatory. See Appendix 83, 2010 Annual Report on Improving Cleveland-Marshall’s Bar Passage Rates, at 10. The faculty concurred in this recommendation.

As a faculty, we have changed the way we assess student knowledge in our courses. Faculty surveys in 2006 and 2008 showed that we no longer rely on one final examination at the end of the semester. Rather, we incorporate quizzes, midterm exams, research and writing assignments, problem sets, and other feedback mechanisms. In addition, more of us give closed-book exams and incorporate short-answer and multiple-choice questions into our exams, testing modalities similar to those on the Ohio State Bar Examination. Finally, we provide additional feedback on exams, including more written comments, individual conferences, and in-class reviews of exams. See Appendix 84, 2008 Implementation Review of Cleveland State University, Cleveland-Marshall College of Law’s 2003 Action Plan to Strengthen Students’ Performance on the Ohio Bar Exam.

We have adopted other changes that are not strictly academic, but which affect our students’ ability to pass the bar exam. For example, effective January 2007, we moved the
Spring start date earlier by one week so that our students finish their last exams at approximately the same time as students graduating from the other eight Ohio law schools. This gives students an additional week to study for the July bar examination and prevents the possibility of overlap between the end of final exams and the commencement of the commercial bar preparation classes. From April 2007 to October 2012, we partnered with a private entity, PMBR, to more effectively prepare our students for the Multistate Bar Examination. Under our new arrangement with BarBri, graduates will participate in a MBE program similar to the PMBR. In addition, we offer an MBE Boot Camp in-house.

Beginning Fall 2012, we entered into an arrangement with BarBri that benefits our students in a number of ways. Based on our analysis of the multitude of factors that affect our graduates’ bar passage rates, it became clear that taking a commercial bar preparation course is a critical factor for bar passage.\(^41\) We learned that, unfortunately, many of our students do not take commercial bar preparation courses for financial reasons. To help address this problem, Dean Boise and Associate Dean Robertson negotiated an exclusive agreement with BarBri to provide an enhanced bar preparation course for all of our students.\(^42\) Dean Boise obtained agreement from the Provost to fund the course from increased tuition revenue. Beginning with the 2012 entering class, the BarBri bar preparation course will be a benefit every C|M|LAW student will receive as part of their law school tuition.\(^43\) Our students also receive BarBri course outlines and online study aids and a BarBri representative will provide periodic workshops on essay writing, multiple choice questions, and the multistate performance exam as well as hold weekly office hours.

\(^{41}\)In 2011-12 we built a spreadsheet that included many factors, including 1L GPA, undergraduate GPA, LSAT, whether the student took a review course, whether the student participated in our MPT workshops. We worked with Tom Geaghan, the University Director of Institutional Research, to determine the relative values of each factor. This was not conclusive because of the mixed quality of the data. For example, we could not find out whether students who passed the bar exam had taken a commercial bar review course because we did not have access to that information. We could get the information only by calling graduates individually. We spoke with most of the students who had failed the bar exam over a period of four exams. Although we could not reach all of them, many of those who failed had not taken a bar preparation course because they could not pay the course tuition at the time that it was due.

\(^{42}\)In 2011-12 we met with the three bar preparation companies that had either been serving our students or building a presence in the area: BarBri, Supreme Bar Review, and Kaplan. At that meeting, Associate Dean Robertson described our difficulty in understanding student pass/fail rates and how they relate to commercial bar review courses. BarBri immediately sent us their pass rate data for C|M|LAW: it was 89%. Supreme did not offer the information and would not provide when asked. Kaplan has only two C|M students who had taken their course, and therefore a 50%, unreliable rate. The best we could do was create two categories, BarBri, and Supreme/Kaplan/no course. The second category was not even close to the BarBri passage rate. In the meantime, Supreme went out of the full service bar review course business. We met several additional times with Kaplan and received a proposal from them, but ultimately felt that we could get the best service for our students and success of the exam by working with BarBri.

\(^{43}\)Current upper level students are also receiving a substantial savings on the BarBri bar course. The law school will pay BarBri out of our general fund. The CSU General Counsel approved this arrangement.
Our relationship with BarBri does not mean, however, that we are outsourcing our responsibility to help our students prepare for the bar exam. To the contrary, the addition of the BarBri program enhances rather than replaces our multifaceted program designed to give every student the tools necessary to successfully complete the bar exam.

As we expand and improve the avenues of support that improve our graduates’ bar passage, we remain cognizant of the need to assess our effectiveness. This requires not only the collection and analysis of hard data but also listening to our students about their individual experiences in preparing for and taking the bar exam.

Based on many years of hard data, for example, we know that a student’s 1L GPA is the strongest predictor of success on the bar exam. Based on the close relationships with individual students formed by virtue of our extensive bar preparation interaction with them, we also know that a myriad of other factors plays a role. For example, students who continue to work while preparing for the bar exam, those who cannot afford to take a commercial bar preparation course, and those who experience personal crises (i.e., financial, relationship, health) while preparing for or taking the exam bar often perform poorly.

We have not always been able to systematically gather the kind of information we would like in order to better understand what contributes to our students passing the bar exam. In 2010 we began calling all students who failed the bar exam to both inform them of the services available to them in retaking the bar and to find out factors that may have affected their performance. Spring 2012 we began asking graduating students for permission to obtain detailed information from the Ohio Supreme Court regarding their bar exams—this will help us better analyze success and failure. Perhaps most significantly, in the past year the University has been more willing to allow us access to data in PeopleSoft and to work with us to analyze the data we collect.

We recognize that we must remain vigilant about our efforts to support our students and graduates in preparing for the bar exam, and we remain committed to analyzing the various components of our program and the program as a whole to help ensure their success in this regard.

2. Student Employment upon Graduating

Employment for graduating students has remained relatively consistent from 2007-2011 (last year statistics are available) with some notable drops in positions requiring bar passage or a law degree. Students report employment in accordance with the late February reporting deadline set by the National Association for Law Placement and the ABA, ranging from a recent low of 85.3% for the class of 2011 to a high of 94.8% for the class of 2007. See Appendix 85, Summary of Career Planning Statistics Classes of 2007-2011.

The challenging economy in recent years and the issues related to law school transparency of placement statistics has brought to light many discrepancies in law school
placement data across the country. C|M|LAW has always been, and will continue to be, transparent in our communications regarding placement data with prospective students, current students, and employers. We recognize that law students come to law school to earn a law degree and, no matter the career path they choose, it is important to publicize the employment that allows them to use this degree in a substantive, meaningful capacity. Accordingly, since beginning his tenure, Dean Boise has insisted that the law school focus on publicizing only our full-time J.D.-required job placement statistics.

The percentage of C|M|LAW graduates employed in law firms dropped from 61.3% for the class of 2007 to a low of 48.3% for the class of 2010, but rose to 56.5% for the class of 2011. The number and percentage employed in large law firms (more than 500 attorneys) has remained fairly steady, averaging about 14% for the last several years. In terms of full-time J.D.-required employment percentages for the class of 2011, we surpassed 10 law schools ranked among the U.S. News top 50, and tied 3 schools ranked in U.S. News top 20. We rank 44th nationally in percentage of graduates going to law firms with 100 or more lawyers.

Judicial clerkships have become increasingly competitive with applications up by the thousands and competition from practicing attorneys becoming more and more prevalent. Thus, the number of recent graduates going into these positions has been unpredictable and discouraging (5 in 2010 and 1 in 2011). Public interest funding has challenged recent hiring and, in fact, has reduced the overall number of jobs available in the non-profit sector. C|M|LAW was no exception, as we only have had only 5 students secure these positions in each of the past 2 years. The percentage of students staying in Northeast Ohio has skyrocketed over recent years, topping off at 95% in 2011. See id. All relevant ABA compliant information is also available on the law school website at https://www.law.csuohio.edu/careerplanning/employmentstatistics.

D. Students Strengths and Weaknesses

Strengths

1. C|M|LAW provides an excellent education for the lowest tuition in the state.

2. Students benefit from our strong and involved alumni base and name recognition locally.

3. We provide excellent career counseling and job search assistance to students and alumni.

4. Many of our students come to us with ties to the community and leave with practical experience, all of which benefits them in their job search.

5. C|M|LAW administrators, faculty and staff remain committed to monitoring and improving our multi-faceted bar passage program and our graduates’ bar passage rates.
Weaknesses

1. Although we are able to attract outstanding applicants, we struggle with enrolling the best qualified students.

2. C|M|LAW continues to have insufficient scholarship funds, compared to our competitor law schools, for enrolling the most qualified and diverse students. (Also listed under Chapter IX, Law School Finances and University Support Weaknesses.)

3. Our graduates bar passage rates are not as consistently high as we would like, either in absolute numbers or in comparison to other Ohio law schools.

4. The law school has not dedicated sufficient resources to our Academic Support program which is an integral part of improving our students’ academic success and bar passage rates. (Also listed under Chapter III, Program of Legal Education Weaknesses.)

5. Staffing resources are stretched thinly across student service departments.

6. We must continue to improve the level of financial aid counseling to our students.
VI. Administration

A. Place of Law School in the University Structure

The Dean of the law school, Craig M. Boise, reports to Interim Provost and Senior Vice President of Academic Affairs George Walker, who reports, in turn, to President Ronald M. Berkman. The Board of Trustees oversees the general operations of the University. President Berkman was unanimously selected by the Board of Trustees to serve as President of the University on April 26, 2009. Dr. Berkman came to CSU from Florida International University in Miami where he served most recently as Executive Vice President, Provost and Chief Operating Officer. Dr. Walker began serving as Interim Provost on July 1, 2012. Prior to serving as Interim Provost, Dr. Walker served as the University’s Vice President of Research and Graduate Studies. Prior to joining the University, Dr. Walker served as Senior Vice President for Research Development and Graduate Education as well as Dean of the University Graduate School at Florida International University in Miami. See Appendix 86, CSU Organization Chart.

B. Institutional Context

1. How the University enhances the law school’s programs.

The University enhances the law school’s programs in a variety of ways: distributes a subsidy from the State of Ohio to the law school; helps represent the law school at both the Ohio Board of Regents and the Ohio legislature; monitors the law school’s performance in terms of student quality, bar passage rates, and budgetary management; ensures that the law school will continue its scholarly, research agenda by reviewing faculty promotions and by reassessing any major change in law school policies.

There are several interdisciplinary projects and degrees that benefit law school faculty and students, as well as students and faculty in other areas of the University, including dual-degree programs with the College of Business, College of Science, and College of Urban Affairs. The law faculty also participates in University governance, which provides the opportunity for law faculty to influence University policies and interact with their peers who work in different disciplines.

The relationship between the University and the law school is generally a productive working relationship. Since the Board of Trustees approved our Bar Passage Plan in 2004, the University has continued to support the gradual reduction of our incoming class size. See Chapter V, Students, Section C.1, Bar Passage. In the face of declining applications Fall 2011 as well as the challenging job market for our graduates, Dean Boise proposed, and the Provost and President approved, the law school’s 140 Plan to reduce the incoming 2012-13 class to a target of 140 students versus the target admissions of 200 students in prior years. See Chapter II.C, Strategic Planning. The law school faces additional reductions in budget over the next
three academic years due to the 140 Plan. For further information concerning the law school’s finances and resources, see Chapter IX, Law School Finances and University Support.

2. Separate law school policies

The principal policy distinctions that arise between the law school and the rest of the University do so because the law school faculty, unlike the rest of the University faculty, is not unionized. The law faculty has separate tenure and promotion policies and separate policies for legal writing and clinical professor long-term contracts. See Chapter IV, Faculty Section I.2, Criteria for Selection of Faculty. A document—CSU Personnel Policies and Bylaws (generally referred as the Greenbook)—which states University policies and procedures, has a separate process for law faculty with respect to appeals involving disputes over faculty promotion, tenure, or disciplinary action. During AY11-12 the Provost proposed changes to the Greenbook, some of which would have had a significant impact on the law faculty. As of Fall 2012 it appears that the proposed changes are not priority for the Interim Provost.

The law school distributes faculty salary increases differently from the rest of the University because we are not unionized. The Dean has significant discretion to determine how much of the raise pool should be allocated to merit raises and which faculty members should be rewarded based on their merit.

There are a myriad of other policy differences reflecting the differences between a professional postgraduate school and a predominately undergraduate school. C|M|LAW has its own development program and a separate student services program handling admissions, academic affairs, records, and career planning. C|M|LAW has its own grading guidelines, examination rules, and rules governing academic dismissal. See Appendix 12, Student Handbook 2012-13. The calendar is slightly different from that of the University, and graduation ceremonies occur separately.

C. Law School Administrative Structure

1. Overview

Dean Craig Boise became the C|M|LAW Dean on July 1, 2011. Prior to joining the University, Dean Boise served as Professor of Law and Director of the Graduate Tax Program at DePaul University in Chicago. Prior to that, Dean Boise was first Assistant Professor and then Associate Professor at Case Western Reserve University School of Law. When he joined CSU, he was appointed full Professor with tenure. His resume is attached as Appendix 87, Resume of Dean Craig M. Boise. A description of the search process is provided in Appendix 50, Description of the 2010-11 Dean Search.

Geoffrey S. Mearns served as the C|M|LAW Dean in July 2005-February 2010, when President Berkman appointed him Interim Provost. Then-Dean Mearns joined the law school after a distinguished career in private practice and government service. In August 2010 then-
Dean Mearns was appointed as the University’s Provost. Professor Phyllis L. Crocker, who was Associate Dean for Academic Affairs at the time, served as Interim Dean in March 2010-June 2011.

Two Associate Deans report to Dean Boise. Associate Professor Mark Sundahl is Associate Dean for Administration and is primarily responsible for the daily administration of the law school. Professor Heidi Gorovitz Robertson is Associate Dean for Academic Enrichment. Both Associate Deans are tenured. The resumes of the Associate Deans are found in Appendix 31, Faculty Resumes.

Members of the faculty serve as Directors and report to Dean Boise. Associate Professor Kristina Niedringhaus serves as Law Library Director. Clinical Professor Carole Heyward serves as Director of Engaged Learning. Legal Writing Professor Carolyn Broering-Jacobs serves as Director of the Legal Writing Program. Legal Writing Professor Kelly Curtis serves as Director of Academic Support. See Appendix 31, Faculty Resumes.

The Dean meets with the faculty as a whole on a regular basis to share information, discuss problems and issues, and debate and vote on policies and directions for C|M|LAW. See Appendix 61, Faculty Meeting Minutes and Schedule. The Dean also meets regularly with the Associate Deans, who administer the college on a day-to-day basis and the Directors. In addition, the Dean provides direction by making formal charges to each faculty committee. See Appendix 11, Committee Charges 2012-13.

There are two Assistant Deans, and neither is a faculty member. Jean Lifter serves as Assistant Dean for Academic Affairs. Christopher Lucak serves as Assistant Dean for Admission and Financial Aid.

In addition, C|M|LAW has a Director of Career Planning, Jennifer Blaga; Director of Advancement, Jennifer Nye; Director of Bar Exam Preparation, Mary Jane McGinty; and Director of Budget and Administration, Jeane White. The Executive Director of the C|M|LAW Alumni Association, Mary McKenna, works closely with the administration.

Both faculty and administrators are supported by a variety of clerical and administrative staffs, which are unionized. See Appendix 88, C|M|LAW Organization Charts.

2. External Organizations

C|M|LAW interacts with a wide variety of stakeholders in both formal and informal settings. For instance, then-Dean Mearns began holding a yearly Community Leaders Breakfast in 2009 for the purpose of updating leaders in the legal and business communities, including managing and hiring partners and judges, about the law school’s activities. Interim Dean Crocker and Dean Boise have continued this tradition. The Ad Hoc Curriculum Review Committee sought significant input from outside stakeholders when developing curriculum changes. See Chapter III, Program of Legal Education, Section C.1, 2009-11 Curricular
Reform. The Moot Court teams work with several law firms as they prepare for competitions. See Chapter III, Program of Legal Education, Section D.2, Moot Court, and D.3, Fredrick Douglass Moot Court Competition. We have a Solo/Small Firm Task Force that is working with us on the development of the Solo Incubator. See Chapter V, Students, Section D.3, Career Planning. C|M|LAW regularly consults with three formal groups representing the outside community: National Advisory Council, Visiting Committee, and C|M|LAW Alumni Association.

Each college at CSU is required to have a visiting committee. C|M|LAW’s Visiting Committee is composed of over 30 prominent attorneys, judges, and business and community leaders who serve in an advisory capacity to the law school, the Dean, and the administration. See Appendix 89, Visiting Committee Members. The Committee works to strengthen C|M|LAW by assisting in the areas of admission, advocacy, development, career planning, and reputation. It meets three times each academic year, and members are limited to three-year terms, with the opportunity to serve two terms.

C|M|LAW’s National Advisory Council is composed of over 60 attorneys, judges, and business and community leaders from across the country. See Appendix 90, National Advisory Council members. The Council works to strengthen C|M|LAW’s national reputation and influence. It advises the law school and Dean on state and national issues affecting legal education and provides insight regarding critical topics at C|M|LAW. In 2012 we instituted two-year terms for Council members that can be renewed twice.

The C|M|LAW Alumni Association represents approximately 10,000 C|M|LAW graduates. It supports, serves and promotes C|M|LAW, its alumni, students, faculty, and staff by offering quality educational and professional programs and opportunities designed to enhance the reputation and foster pride and involvement in the C|M|LAW community. The C|M|LAW Alumni Association is a self-supporting organization funded by its membership dues and programs. It employs a full-time Executive Director who is responsible for the educational and professional programs of the organization.

The C|M|LAW Alumni Association is governed by a Board of Trustees consisting of six Executive Officers and 29 Trustees, with representation from most of the major firms in the Cleveland area. There are currently 78 Honorary Trustees, composed of members of the judiciary including the Federal Bench, Court of Appeals, Court of Common Pleas, and Cleveland Municipal Court, as well as a former member of the U.S. House of Representatives, and various corporate counsels. See Appendix 91, Law Alumni Association Officers and Trustees 2012-13.

3. The Appointment of an Interim Dean and the Dean Search Process

After President Berkman appointed then-Dean Mearns as Interim Provost, the faculty, represented by the Faculty Senators, consulted with the President regarding the process for appointing an Interim Dean and Dean. Following established practice, the Senators requested that the appointment processes include consultation with and a vote by the full faculty to approve candidates. After several meetings with the Senators, the President met with the full faculty. At that meeting the President described his view that appointment of interim deans is
an administrative prerogative. Despite this, he agreed to consult with the law faculty and accept a report from the Senators regarding each candidate, although he stated that he would not accept a reported vote ranking the candidates. Five candidates applied for the position: two current law faculty members, one emeritus professor of law, and one local attorney. The faculty met to discuss each candidate and the Senators prepared a report for the President, who ultimately selected Professor Phyllis L. Crocker to serve as Interim Dean.

The law school conducted a successful search for a new Dean in AY10-2011. The 12-person committee included seven faculty members elected by the entire faculty. Bette Bonder, Dean of the College of Science and Health Professions, served as Chair of the Committee, and Professor Alan Weinstein as Vice-Chair. The committee received 43 applications and interviewed 12 people. They reduced that group to 5 finalists. The finalists spent two days interviewing at the law school. Based upon all the information received, the committee brought forth two candidates. On March 3, 2011, the law faculty met and discussed the candidates. The tenured/tenure-track faculty voted their preferences. Two applicants met the threshold requirement of a 60% affirmative vote. President Berkman appointed Dean Boise. See Appendix 50, Description of the 2010-11 Dean Search.

D. Adequacy of Administrative Services and Support

1. Whether the Law school is well-organized

The law school administration is well organized with clear divisions of responsibility and lines of authority. See Appendix 88, C|M|LAW Organization Charts. In general, the administrative burden is distributed evenly.

Each C|M|LAW Dean has strategically made changes to the administrative structure of the law school in order to provide better service to our students. In 2006 then-Dean Mearns made the Director of Bar Preparation a full-time position (first filled by former Assistant Dean of Students Gary Williams, and then, after his retirement, by Mary Jane McGinty). Then-Dean Mearns also created the positions of Manager, Student Affairs (filled by Inga Laurent 2008-10, Valissa Turner 2010-11, and then eliminated in 2011), and Director of Legal Writing (filled by Legal Writing Professor Carolyn Broering-Jacobs).

Since his arrival in July 2011, Dean Boise has made significant organizational changes to the administrative structure of the Law school. He created and filled two academic director positions—Director of Academic Support (Legal Writing Professor Kelly Curtis) (replacing the position of Manager, Academic Excellence Program; see Chapter III, Program of Legal Education, Section K.4, Academic Support), and Director of Engaged Learning (Clinical Professor Carole Heyward). He also created and filled a Director of Student Life position that is held by former Admissions Coordinator Amy Miller. See Chapter III, Students, Sections 4, Student Groups, and 5, Communication with and Services to Students.
The composition and structure of the Development office, now known as Advancement, has been reorganized several times. In 2008 then-Dean Mearns worked with the University’s Office of Advancement to hire a Director of Development (filled by Anne Marie Connors until 2010 and then vacant until we had a permanent dean) and have a University Development Associate assigned to the law school (Megan McFadden). In Fall 2011, when two members of the four-person Advancement Department announced their retirements, Dean Boise reorganized the department to better delineate responsibilities and improve overall donor outreach. Dean Boise hired Jennifer Nye as the Director of Advancement in September 2011 and Megan McFadden became the Manager of Donor Relations. Her salary was assumed by the law school in January 2012 when the University discontinued its development associate program. A new Manager of Annual Giving, Laurie Gettings, was hired in January 2013. Rita Pawlik serves as the Advancement administrative secretary, coordinating many of the acknowledgment letters and event RSVPs.

In Fall 2012 the Dean and Budget Director moved Advancement’s operating budget to soft dollar funding, with a total budget of $158,367. This total does not include salaries or fringe benefits, but does include Advancement-related travel for the Dean.

Since 2006, the structure of the Admission Office has changed three times. In 2006 the office had been staffed by an Assistant Dean, a full-time Coordinator, and two secretaries. Currently, the Admission Office is staffed by an Assistant Dean, an Assistant Director, an Admission Specialist, and two secretaries. Further discussion of these reorganizations may be found in Chapter V, Students, Section A.3, Admission Process and Responsibilities.

Dean Boise has also moved administrative functions to a responsibility-centered management (RCM) model, by giving each department director responsibility for his or her budget.

2. Adequacy of records

Overall, C|M|LAW maintains adequate records documenting its admission process, budgetary decisions, personnel decisions, and education of students. As of Spring 2011 we have an index of significant faculty decisions made at faculty meeting, beginning Fall 1975. The Dean’s Office is responsible for updating the index, which is available to all faculty online at https://www.law.csuohio.edu/facultystaff/resources/meetingminutesindex. Other important documents are on our website: tenure and promotion standards and criteria, standards, and procedures for the appointment of clinical and legal writing professors, the faculty manual, student handbook, exam procedures, and others. See https://www.law.csuohio.edu/facultystaff/pac and https://www.law.csuohio.edu/facultystaff/resources. We need to continue to enhance our record-keeping by creating an official repository for fundamental law school policies, resolutions, and bylaws.
E. Staff Survey Results

We surveyed the staff at the same time as the faculty in 2011. The results of that survey indicated that staff morale is low. See Appendix 1B, Staff Survey Results Charts and Graphs. For example, only 14% of the staff believe that collegiality is a strength of the law school. Id. Staff also expressed dissatisfaction with their interactions with the faculty as opposed to other law school constituencies; only 40% reported satisfactory interactions with faculty. Id. Only 20% of the staff felt that they had strong support from the faculty. Id. Finally, 58.8% of the staff agreed that staff morale was an issue. Id. After receiving the staff survey results, the Dean and the Chair of the Self Study Committee met with the staff to discuss morale. At that meeting, staff expressed dissatisfaction with the level and frequency of communications from the Dean’s Office. In response, Dean Boise initiated a periodic, recurring staff breakfast to provide a forum in which staff members can discuss concerns with the dean.

F. Marketing and Communications

C|M|LAW’s approach to marketing and communications has grown significantly in recent years. In 2009 the school worked with an advertising agency to create a more contemporary, dynamic new brand. All print and electronic publications adhere to color, mark, and brand language to maintain the integrity of the C|M|LAW identity.

Electronic marketing has replaced many of the school’s print pieces for cost and reach effectiveness, and to direct resources toward the broader reach available through the social nature of the Internet and the prevalence of mobile devices that give greater access to e-mail.

The school engages prospective and current students, alumni, faculty and staff through several social media channels, including Facebook, Twitter, and Linked in. Dean Boise also provides thoughtful leadership components through posts on the Dean’s own Twitter and Linked in accounts. The plans for the school’s re-designed website, which is in the process of being created with an outside marketing firm, include optimized social and content marketing strategies that will further extend the school’s message.

The primary method of internal communication is e-mail. Several student groups maintain their own social networks for communication, and they collaborate well with the law school’s official Facebook and Twitter, growing an ever more cohesive communication network. Communications are also broadcast via html e-mail to C|M|LAW alumni via e-mail distribution lists operated by the CSU Advancement Department. The same e-mails are sent to non-alumni constituents through internally maintained lists. The Admission Department sends targeted html e-mails to prospective and admitted students via Aces II software.

Faculty news is communicated both internally and externally through a publicly accessible blog, http://cmlawfaculty.org. The faculty and administration also convey information to each other through e-mail, faculty meetings, and brownbag lunches.
As of 2011 C|M|LAW Advancement produces three major annual print publications: Giving Book, which details annual donations; Stories Book, which features personal narratives of C|M|LAW alumni; and Year Book, which highlights student and faculty accomplishments during the school year.

C|M|LAW has increased advertising, including banner ads at Cleveland International Airport featuring prominent alumni. The school plans to develop more strategic media buys throughout the year.

The school’s organizational structure reflects a new commitment to reaching more audiences, raising the national profile of C|M|LAW, and communicating the value of legal education. As of Fall 2012 a full-time Communications Coordinator handled all communications. We are working toward having a full-time Director of Marketing and Communications and have employed a full-time Communications Specialist who will provide resources to work with a larger group of internal and external constituents, and offer the professional agility to respond strategically to the vastly changing world of communications and law school marketing.

G. Administration Strengths and Weaknesses

Strengths

1. The law school administration thinks strategically about how to ensure that the administrative structure best serves the needs of the law school community.

2. The law school experienced smooth transitions between then-Dean Mearns and then-Interim Dean Crocker and, in turn, to Dean Boise.

Weaknesses

1. The law school needs more effective communication between the administration and faculty and staff.

2. The morale of the law school’s administrative staff is low.

3. The law school needs to create a central repository for fundamental law school policies.
VII. Information Resources—Law Library

A. Support of Teaching, Scholarship, Research and Services

The primary mission of the law library is to serve the educational and research needs of the students, faculty, and staff of C|M|LAW. Other important roles are to be the law library for CSU, and to serve as a continuing resource for alumni, the broader communities of legal practitioners, the citizens of Northeastern Ohio, and faculty and scholars from other universities.

To fulfill its mission, the C|M|LAW Library staff is committed to offering a law library that performs at the highest level of excellence in support of C|M|LAW’s missions and goals. An outstanding law library is an integral part of C|M|LAW’s overall commitment to quality legal education and scholarship.

C|M|LAW Library provides access to a wide variety of information resources in both print and electronic formats. Most of the electronic resources are available through authentication from off-campus. Librarians train users how to locate and use this information through on-demand, informal bibliographic instruction, the library’s Research Certificate Seminars, guest lectures and one-on-one or small group sessions as requested with students, faculty and staff. During the 2011-2012 academic year, librarians conducted seventy-one educational sessions for students, sixty-eight for C|M|LAW classes or student groups, two for Cleveland State University classes, and one tour for paralegal students. The Research Certificate Seminars are a series of, typically, one hour classes on a variety of legal research topics such as Ohio Legal Research, Administrative Law Research, Fastcase, Lexis Advance, Westlaw Next, Managing Research with Zotero, Scholarly Writing, and Research Strategies.

Fourteen of our C|M|LAW sessions were part of the orientation program, and thirteen were Research Certificate seminars. Two sessions were provided at the request of the Black Law Students Association, three sessions were provided for law journal staff and research assistants, two were individual training for faculty, and thirty-seven were guest lectures at the request of faculty. Topics included the effective use of Lexis, Westlaw, and other Internet sources; searching dockets; research techniques in specialized areas such as comparative constitutional law and war crimes; and research strategies in non-law disciplines. The Director of the law library also teaches Advanced Legal Research for 3 credits once a year.

Library staff publish and maintain over 110 research guides on a variety of topics targeted at research and writing, intensive classes, commonly accessed materials, and special events and symposia held at the law school. The library purchased LibGuides and staff have been converting our research guides to this new platform. The research guides can be accessed at https://www.law.csuohio.edu/lawlibrary/guides.

The library is typically open 95 hours per week with extended hours during reading and exam periods and reduced hours during intersessions. The Reference Desk is normally staffed
53 hours per week with a reduced schedule of 45 hours per week during intersessions. Reference services are available in person, by telephone, e-mail, or chat service.

Faculty Services have expanded significantly over the past few years. In February 2009 the faculty was surveyed regarding whether they would use or not use current services and proposed services. The survey was designed to help determine which services would be of the greatest use to the faculty. Based on the survey results, the library, with the financial support of the law school, hired several student Research Assistants to support faculty research projects under the supervision of the Access and Faculty Services Librarian. All Research Services Librarians and Access Services staff also assist with faculty support. The library has been able to expand its faculty support services to include more intensive research support for scholarly projects, copyediting, and cite checking. The library’s RA program is quite popular and faculty requests have been plentiful. Faculty Services continues traditional services such as document delivery, course reserves and course/TWEN page support while increasing research and publication support. Faculty also receive an allowance of $500 per year with which to purchase texts, periodicals, or other research materials for office use.

Librarians and RAs completed 148 faculty research and support requests in AY11-12. These requests included writing research memos, compiling bibliographies, conducting non-legal research and literature reviews for a number of faculty members. Librarians and RAs have also assisted faculty in preparing near-finished articles and books for publication, cite-checking, formatting footnotes in the required styles, and formatting bibliographies for publication.

The law library is responsive to student needs. In September 2008 the previous policy restricting food and drink in the library was lifted. Shortly thereafter, copiers were moved out of a copy room to various points in the library, and the copy room was converted to a student lounge. The new lounge is equipped with tables and sofas, a small refrigerator and a microwave. This space has proven particularly popular with both day and evening students. The library receives input from students in a variety of ways including communication with SBA members, law school town halls, surveys after Research Certificate seminars and, most recently, the LSSSE survey.

Another service that the library provides includes the new Institutional Repository (IR), EngagedScholarship@CSU, on the bepress platform. In 2011 the Director of the law library worked in conjunction with the main campus library director and the Provost to acquire the bepress Digital Commons and Selected Works platforms for CSU. The library has worked extensively on the design and implementation of the IR and populating the C|M|LAW portion of the IR. The goal is to transfer all the records in the library’s Faculty Publications Database, set up faculty Selected Works profiles, use the conference module for law school events, and host the three student journals on the platform. The Access Services staff is assisting the Digital Content Services Librarian with this massive project. The IR can be accessed at http://engagedscholarship.csuohio.edu/ and the C|M|LAW portion can be accessed at http://engagedscholarship.csuohio.edu/law/.
The law library is a selective member of the Federal Depository Library Program, currently selecting 15% which is more than Schwartz Library. With the retirement of the Government Information and Special Projects Librarian in June 2012, we have shifted responsibility for the program to Laura Ray, Instructional Services Librarian. We are reviewing the materials we are currently receiving and investigating the possibility of transitioning to a substantially electronic depository.

Finally, in January and February 2012, the Library hosted the travelling exhibit *Lincoln: The Constitution and the Civil War*, organized by the National Constitution Center and the American Library Association and made possible by a grant from the National Endowment for the Humanities. The library organized programming for the local bench and bar, University community and general public related to the exhibit, and hosted numerous school tours of the exhibit.

More information about law library activities and services can be found in the most recent Information and Technical Services Annual Report FY12. Appendix 92, Information and Technical Services Annual Report FY12.

**B. Current Technology**

The Director directs the operations of both the law library and the law school’s Information Technology department. This provides an important link between the two departments and facilitates technology innovations in the library. The Director and library staff members strive to stay aware of technological developments and understand the imperative to maintain a modern library with materials available in a variety of formats from a variety of locations and devices. In support of this effort, the library sends several staff to the CALI conference each year and librarians also attend technology-focused sessions at AALL.

All databases, except those which have license agreements prohibiting such access, are available off-campus through authentication. A list of databases with information about accessibility is available at https://www.law.csuohio.edu/lawlibrary/databases. While convenient for all students, faculty and staff, this access is particularly vital for the success of C|M|LAW’s part-time students.

The library maintains a blog (on the CALI Classcaster platform) that is prominent on the library’s home page and can be subscribed to via RSS. Blog posts are fed to the Library’s Twitter feed (@CMLawLibrary) and Facebook (http://www.facebook.com/pages/Cleveland-Marshall-College-of-Law-Library/22382136237) page. The Electronic Services Librarian has primary responsibility for these services although most Information Services staff create blog posts. The Digital Content Services Librarian has primary responsibility for the Law portion of new Institutional Repository, EngagedScholarship@CSU (http://engagedscholarship.csuohio.edu/law/) and the faculty Selected Works pages. She is also overseeing the digitization of materials from our recent acquisition of the case files from the *Sheppard* cases and creation of digital exhibits related to that collection.
C. The Collection

Materials that support the teaching program and student/faculty research and scholarship make up the main elements of the law library collection. The law library’s Collection Development Policy dictates that supporting these needs is paramount. Students and faculty are further served by the ability of the library staff to access materials beyond our walls through our membership in the statewide OhioLINK Consortium, through the use of Interlibrary Loan, and via the Internet.

The library has in place a written plan for the development of the collection. See Appendix 93, Law Library Collection Development Policy (revised September 2012). This plan is revised regularly and reflects a thoughtful process ensuring that the library develops its collection in a manner consistent with the curricular and research needs of C|M|LAW. Taking into account the realities of our current financial situation, the Collection Development Policy is guided by the need to be flexible given limited funding for acquisitions, the availability of information in many formats, and ever changing scholarly and teaching needs. The current plan focuses on acquiring information in whatever form works best for patrons, rather than, as was the case with previous plans, on the development of a vast all-inclusive subject-based print collection.

The C|M|LAW Library collection serves the research and instructional needs of C|M|LAW. The collection consists of 521,046 volumes and volume equivalents, of which 127,372 are serials and 1,540 are active subscriptions. The collection has increased over 540,000 volumes and volume equivalents since the last ABA inspection and is now decreasing as we remove serials that have been cancelled for several years, weed the Government Documents collection and prepare for the loss of shelf space due to the construction of the Solo Practice Incubator, see Chapter X, Facilities. Details about the guidelines for building and maintaining the collection are set forth in the Collection Development Policy. See Appendix 93, Law Library Collection Development Policy (revised September 2012).

In addition to print and microform collections, the library also provides law students, faculty, and staff free access to BloombergLaw, Westlaw, Lexis, HeinOnline, BNA, CCH and a variety of other research databases. The CSU community benefits from our membership in the OhioLINK Consortium, which provides students and faculty direct access to the collections of eighty-four member libraries as well as hundreds of research databases. The C|M|LAW Library is a member of OCLC and shares a joint library catalog (SCHOLAR, http://scholar.csuohio.edu) with Michael Schwartz Library, the main University library. The C|M|LAW Library is a selective United States Government Documents (GPO) Depository.

The library budget fluctuated from FY07 to FY10 but has decreased since FY10. The increase in the Acquisitions portion of the budget has been achieved by taking money from other areas of the library budget. At the same time, we have continued to cancel print subscriptions with an annual impact of approximately $340,000 simply to keep pace with the
increase in prices and the need to provide our faculty and staff with adequate access to electronic resources. With the library budget decreasing and acquisitions costs continuing to rise, this solution will not be workable in the future, and our ability to meet curricular and scholarship needs will be severely compromised.

In order to keep pace with a shrinking budget and increasing costs, the library has been making difficult choices such as cutting print copies of many law journals, discontinuing print copies of particular reference sets, and shifting most monograph purchasing from prospective to reactive purchasing.

The chart below shows the library’s total budget and acquisitions budget, along with ABA rank of those budgets, since the last ABA site visit. In FY00, the law library’s total budget was ranked 48th and the Acquisitions budget was ranked 84th amongst all accredited law schools. In FY06, the total budget was ranked 71st and the Acquisitions budget was ranked 129th. In FY11, the library’s total budget was ranked 97th and the Acquisitions budget was ranked 129th among all accredited law schools. Since a recent budget high in FY10, both the total budget and the Acquisitions budget have been cut by nearly 11%.

<table>
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<th>Fiscal Year</th>
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<th>ABA-Rank</th>
<th>Acquisitions Portion</th>
<th>ABA-Rank</th>
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<td>$2,624,814</td>
<td>81st</td>
<td>$937,075</td>
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</tr>
</tbody>
</table>

*FY12 expenditures were reduced by $94,449 reflecting acquisitions rolled over to FY13 in accordance with new University Accounting rules. The total budget would have been $2,397,527 and the Acquisitions portion would have been $977,140.

D. The Law Library Building

The C|M|LAW Library building opened in August 1997. Although a separate building, the library is seamlessly connected to the Law Building by an indoor bridge and atrium. It is a spacious and comfortable facility that has been well-maintained. The majority of the carpet on the main floor as well as the stairwell flooring was replaced in Summer 2012. At the same time, the student lounge was renovated to create more usable space.
The library is home to the law school’s student computer lab. It was updated in Summer 2012 with 35 new workstations. In addition, 12 laptop/iPad/smartphone charging stations were created and power cords were made available for circulation. The computer lab contains two 14-seat training labs which may be used for training sessions by faculty and librarians. These rooms are open to law student use when they are not in use for training.

The building contains 411 “open” seats for patrons. These are seats that are not in rooms that require key access (such as study rooms). Seats in rooms with key access add an additional 88 seats. 214 of the seats are at study carrels. 16 study rooms are available to students on a daily basis, while an additional two special purpose rooms (a room with equipment for the visually-impaired and an audio-visual equipment room) are also used as student study rooms during times of high demand. With a present student body of approximately 500, our open seating is more than adequate for the needs of our students.

Our building is the largest law library space in Ohio, containing 84,670 net square feet. According to the 2011 ABA Annual Questionnaire data, the Law Library ranks 13th in size among the 201 ABA accredited law schools. Many of the carrels and other seats in the law library have electrical power outlets, and the library and law school buildings provide wireless network access for patrons.

In March 2013 the offices of the Education Law Association (ELA) will move into office space previously occupied by the law library administrative offices. ELA’s offices will utilize three individual offices and some storage space and occasionally make use of the law library conference room or law school meeting space.

In May 2013 construction will begin on C|M|LAW’s Solo Practice Incubator. The Incubator will be housed in 3,450 square feet of what is currently law library space on the Atrium level. As already demonstrated, the library has sufficient space to absorb this loss for an important C|M|LAW project. As part of the construction, the library will gain five additional study rooms, space which is always in high-demand by law students.

E. Integration within the College of Law and Autonomy

The C|M|LAW Library is a unit within and of C|M|LAW allowing it to be administered in a manner that best permits it to successfully perform educational and support functions for the law school.

The C|M|LAW Library is autonomous from the administration of the Michael Schwartz (University) Library, although close and active ties of cooperation and support exist between the two libraries. Both libraries have committed to work together in a number of important ways for mutual benefit. The C|M|LAW Library and Schwartz Library work collaboratively on collection development and have worked to fund jointly the purchase of some electronic resources and a discovery layer for the shared catalog. In Summer 2011 the Director of the law
library and the Director of Schwartz Library worked together with the University Provost to purchase and implement an Institutional Repository based on the bepress Digital Commons platform. The current Interim Provost has withdrawn substantial funding from this project and the Law Library and Schwartz Library are working together to seek replacement funding. The C|M|LAW Library Director also serves with the Director of the University Library as an ex officio member of CSU’s Faculty Senate Library Committee.

The C|M|LAW Library Director bears full administrative responsibility for supervision of library personnel and the library’s annual budget. The budget is reviewed by the law school’s Budget Director and the Dean, and is then submitted to the University as part of the law school’s overall budget request. The library budget for FY13 is $2,359,458. The library staff finds this budget tight in some lines, and would benefit from additional funding for items such as staff development and acquisitions.

F. Staff

Professor Kristina L. Niedringhaus, Director of the Law Library since 2008, is a tenured associate professor on the law faculty. Professor Niedringhaus also has primary responsibility for Law School technology.

The law library staff, including the Director, is made up of 19 full-time employees and 1 half-time employee including: eight librarians, four Information Technology staff (two of whom are funded through the Law School budget), and 7.5 support staff. In addition to the Director, five of the librarians hold J.D. Degrees. The backgrounds and job descriptions of all full-time support staff are contained in Appendix 94, Law Library Staff.

The library staff is talented, innovative, energetic, service-oriented and well-directed. The library is organized into four divisions: Administration (Law Library Director and Administrative Secretary Sylvia Dunham); Research Services (Associate Director Jan Ryan Babbit, 6 librarians including the Collection Development and Acquisitions Librarians and the Head of Access & Faculty Services); Access and Faculty Services (one librarian, Amy Burchfield, Head, and 3.5 staff); Technical Services (one librarian, Beth Farrell and three support staff); and Information Technology (Technology Operations Assistant Director Dan Thomas, and three IT staff). For more detail, see Appendix 88, C|M|LAW Organization Charts, Chart 6: Library, and see Chapter VIII, Computer Technology and Information Delivery.

G. User Opinion & Responses

The Self-Study Committee survey of faculty and staff conducted in December 2011 and January 2012 revealed very strong agreement among all constituencies that the law library and its services are one of the top three greatest strengths of C|M|LAW. See Appendices 1A and

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44 Professor Niedringhaus has accepted a new position as the Library Director at Georgia State University College of Law as of July 2013. We will begin a search for a new Law Library Director early in 2013.
1B, Faculty Survey Results Charts and Graphs and Staff Survey Results Charts and Graphs. The law library also received positive responses on the Law School Survey of Student Engagement, conducted in March 2012. Appendix 4, LSSSE 2012 Mean Comparisons Report.

The law library also conducted a survey of faculty in February 2009 seeking information about which services, if offered to faculty, would be most desirable. For more information about this survey and how the law library responded to the results, please see supra Section A, Support of Teaching, Scholarship, Research and Services, in this Chapter.

Attendees at Research Certificate Seminars complete a course evaluation at the end of the session to help determine strengths and weaknesses of the class. In addition, students are asked to indicate what topics they would like to see covered by Research Certificate Seminars in the future. These results are used to help determine future programming.

Survey responses about the law library have been overwhelmingly positive. The law school community believes that the law library is providing excellent support for the teaching and research mission of C|M|LAW. The positive results from the surveys are a tribute to the efforts of the law library staff, all of whom are dedicated to providing the highest possible level of support and service to faculty, students and staff.

H. Conclusion

C|M|LAW has a strong law library that provides excellent support for the mission of C|M|LAW. Our facility has ample space, is effectively organized, comfortable for patrons, and technologically up-to-date. The law library collection meets the research and scholarly needs of faculty and students. The law library staff is capably led, talented, and dedicated to their work. Survey results show that students, faculty and staff are well served by the law library and its staff. The law library is a significant resource to the CSU community, C|M|LAW alumni, the Bench and Bar, and those citizens who desire to conduct legal research. There is one overarching area of concern. The budget, in particular the acquisitions budget, is a continuing problem that is becoming more difficult over time. Difficult cuts to the collection will need to be made, and these cuts will likely reduce the ability of the law library to serve its community.

I. Information Resources—Law Library Strengths and Weaknesses

Strengths

1. The C|M|LAW Library staff provide an exceptional program of library support services including the Research Assistant Program and interdisciplinary support of faculty research.

2. We have an energetic and creative law library staff.
3. We have a cooperative working relationship with Schwartz Library and expanded resources through the OhioLINK consortium.

4. Our expansive and well-lit facility with updated wireless access is conducive to both group and individual study and research.

**Weaknesses**

1. Continuing shortfalls in the acquisitions budget result in an aggressive cancellation program that threatens the core of the collection.

2. The overall budget is tight in all areas, including staff development and training.

3. Decreased staff budget prevents the law library from expanding hours and makes covering staff emergencies extremely difficult.
VIII. Computer Technology and Information Delivery

A. Introduction & Organization

Information Technology support responsibilities and administration are primarily managed by C|M|LAW Information Technology department. The University Information Services and Technology (IS&T) operates the wired and wireless networks that facilitate network access. The University also maintains responsibility for PeopleSoft and other systems for financial data, payroll, human resources, and other administrative computing needs.

C|M|LAW runs Linux and Windows-based server platforms. IT currently operates six servers for the law school: mail, web, student file and print, law school faculty/staff file and print, law library staff file and print, and an exam server. The servers are scalable and protected by multiple firewalls. All servers are regularly backed up on a daily basis with varying retention policies. Within the past year, IT has moved C|M|LAW’s servers from a server room in the law school to the University’s data center. This was done to provide greater security and disaster recovery capabilities. C|M|LAW IT personnel maintain both remote and hands on access to the servers in the data center.

C|M|LAW currently runs its own e-mail system. The University is moving toward the cloud-based Microsoft Office 365 e-mail system. C|M|LAW IT staff have been included in the vetting process for e-mail solutions. C|M|LAW and University IS&T consolidated student e-mail systems on Office 365 in December 2012. IS&T and the C|M|LAW IT will evaluate the migrated student e-mail system. Based on this assessment, faculty and staff e-mail systems may be transitioned and consolidated in either a cloud-based or on-premise solution.

All of the main classrooms are equipped with smart podiums and projectors. The Moot and Trial courtrooms have Mediasite servers that can stream live video and archive sessions for later viewing.

B. Staffing

Assistant Director of Technology Operations, Dan Thomas, and three full-time staff support C|M|LAW technology. The IT department reports to the Law Library Director, Kristina L. Niedringhaus. Eric Domanski provides primary oversight of e-mail, the student computer lab, and student and library staff servers. Greg Golembiski provides desktop support and provides primary oversight of video and audio recording services. Rick Zhang provides support for faculty and staff computing needs, including the operation of the Law Building faculty and staff servers. Rick also provides web design and support services for the C|M|LAW website.

Dan Thomas provides the overall responsibility for the day-to-day supervision of all law school and law library IT operations. He works closely with Kristina Niedringhaus in planning for and implementing technology. He also bears the primary responsibility for supporting
technology in the classroom and coordinating projects run by the University IS&T Department that involve the law school.

Since the last ABA site visit, there have been staffing changes in the IT group. After the last site visit, a fifth position was added and Greg Golembiski was hired. In August 2010 Dan Maynard, Senior UNIX Administrator, resigned his position. This position was then eliminated as part of budget cuts in Spring 2011. In October 2011 Director of Technology Operations, David Genzen, left CSU. This position remained vacant until June 2012 when Dan Thomas, Assistant Director of Technology Operations, was hired. The backgrounds and job descriptions of all full-time staff are contained in Appendix 94, Law Library Staff. For more detail regarding the organization of the department, see Appendix 88, C|M|LAW Organization Charts, Chart 6: Library.

C. Computer Systems

All faculty and staff have computers with a minimum of a Core2Duo CPU. Most users have a desktop or minitower with a 19” monitor; however, some users have a laptop with docking station and external monitor. Subject to budgetary availability, the law school upgrades PCs as individual needs change, technical requirements mandate, or important software changes occur.

D. Computing for Law Journals, Clinics, and Student Organizations

The IT Department provides students organizations with computer support. For example, the three law journals, Moot Court Board, and Student Bar Association are provided with PCs, printers, and technical support. Every student organization has an opportunity to have a web page created on the C|M|LAW website. See https://www.law.csuohio.edu/currentstudents/studentorganizations. Both desktop computers and several laptops are provided in the clinic for students engaged in clinical practice.

E. Administrative Computing: Registration, Financial Aid, and Class Scheduling

PeopleSoft is the main student records database for the University and includes modules for student records, financial aid, and registration.

The University Development Office provides access to Millennium software to facilitate maintaining and tracking giving records. Millennium is used by the C|M|LAW Development staff.

The Office of Career Planning uses Symplicity and OSCAR, web-based programs, to match students with potential employers and for judicial clerkship applications.

The Office of Admission uses ACES2 to track prospective applicants and to monitor the receipt of application materials. The Assistant Dean for Admission uses PeopleSoft to enter
admissions data to satisfy University requirements. The Assistant Dean for Admission and the Director of Student Life use PowerFaids to do financial aid counseling.

F. Classroom Technology

All C|M|LAW classrooms have classroom presentation capabilities and most have power to each student seat for laptop use. The smart podiums in the main classrooms contain several pieces of instructional technology including workstations with presentation software, document cameras, wired and/or wireless lavaliere microphones, etc. Laptops and other device output can be connected through the Extron interface and projected to the class.

The Trial Courtroom contains additional technology via the Crestron control system. This system brings many modern courtroom features to the students, including multiple camera controls with Mediasite recording capabilities, display screens where content can be approved by the judge/bailiff before being displayed, virtual annotation of any screen being displayed, white noise for bench privacy, and direct input control.

G. Budget

In recent years there has been no standing budget for technology purchases. Purchases of technology for faculty and staff have been funded with combined funds from various budget lines and from vacancy savings. Student computing upgrades are mainly accomplished via requests to the University for Student Technology Fee, or House Bill funds earmarked for technology. The College of Law, like other units in the University, gets one opportunity each year to seek funding for specific technology projects that will benefit students. Student Technology Fee funds also provide support for the computer lab and maintenance of technology equipment in classrooms. In the past few years the College of Law has received the following Technology Fee awards: FY13, N/A; FY12, $85,000; FY11, $120,000; FY10, $63,000; FY09, $116,620; FY08, $92,970.

General system upgrades, such as the installation of networks and new servers, are considered on a case-by-case basis and funds are generally found with the approval of the Dean in other parts of the law school budget. Lack of an IT capital budget inhibits rational planning for capital purchases. This encompasses both the cyclical replacement of computer workstations as well as enterprise equipment (servers and server components, battery backup, etc.) and equipment is frequently used past its average life expectancy. While this can be viewed as an economical approach, expensive, unplanned purchases can be required to replace equipment that fails unexpectedly or becomes unstable.

H. User Opinion & Response

The Self Study Committee surveyed the faculty and staff in December 2011 and January 2012 and the students participated in the Law School Survey of Student Engagement (LSSSE) in March 2012. The LSSSE survey indicated significant dissatisfaction with College of Law IT.
Appendix 4, LSSSE 2012 Mean Comparisons Report. There were two major technology problems contributing to this dissatisfaction. The most severe problem was the University wireless system. While C|M|LAW IT personnel are not responsible for the wireless network, the network was outdated and deteriorated quickly over the past 12 to 18 months. Wireless service became nearly impossible to receive in the Law Building and Law Library in Fall 2011 and continued to get even worse in Spring 2012. The University upgraded the wireless hardware and software in Summer 2012, and the network is now working as expected.

The second problem students experienced was the aging of the workstations in the student computer lab. The hardware and software had reached its useful life span and students were experiencing slowness and delays. C|M|LAW had requested Technology Fee funding the previous year to purchase new hardware for the computer lab but did not receive an award. The lab was upgraded in Summer 2012 when Technology Fee funding was secured for FY12. To better accommodate laptop and mobile tablet users, spaces have been designated in the computer lab that contain power outlets on the desktop and USB charging ports. Various charging cables are also now available for students to checkout.

I. Conclusion

The IT Department staff does a good job supporting the technological needs of the law school. Staffing transitions, lack of a defined budget for upgrades and University-controlled technology issues have presented some difficulties for the department over the past several years. However, faculty and staff indicate that they believe they get good service from IT personnel. The new Assistant Director for Technology Operations, Dan Thomas, has implemented a new service plan designed to further improve service request response times and accountability. Wireless network issues have been resolved by the University and the student computer lab has been upgraded. Server hardware and software are being evaluated for upgrade, if funding is available.

While there have been some issues with technology in the law school, these issues are being resolved by a helpful and innovative staff committed to the success of C|M|LAW. One outstanding issue to be resolved is the matter of budgetary planning for hardware and software upgrades.

J. Information Technology Strengths and Weaknesses

Strengths

1. Experienced IT personnel provide a high level of support to the law school faculty, staff, and students.

2. IT staff support both day and evening classes and are available from 8:00 a.m.-9:00 p.m. Monday-Friday.
3. Open source products and other creative solutions are commonly used in place of more expensive options that are cost prohibitive.

Weaknesses

1. Lack of an IT budget inhibits rational planning for capital purchases.

2. Loss of an IT position eliminated standard weekend support.
IX. Law School Finances and University Support

A. Overview of Financial Condition

This chapter provides detail regarding the finances and resources of CSU, in general, and of C|M|LAW, in particular. Before laying out that detail, however, it is important to note more broadly that, like many U.S. law schools, C|M|LAW operates under increasingly difficult financial constraints. C|M|LAW has been required by the University to make substantial budget reductions in each of FY07, FY09, FY11, FY12 and FY13. The reductions in FY07, FY09, FY11, and FY12 were largely due to changes implemented by the Provost’s Office regarding vacant faculty positions. Specifically, the Provost’s Office implemented a policy in 2008, under which funding for all faculty positions that becomes vacant by virtue of departures, retirements or other attrition, is immediately removed from C|M|LAW’s budget and returned to the Provost’s Office. That funding remains with the Provost’s Office unless and until the Provost authorizes a search to fill the vacated position. C|M|LAW has not received authorization from the Provost to fill most vacated faculty positions over the last five years, but did receive authorization to fill two clinical faculty positions.

The budget reductions in FY07 through FY12 were also, in part, the result of a significant decline of subsidy support (State Share of Instruction, or SSI) received by the University from the state of Ohio. The percentage of the University operating budget funded by SSI has fallen from 36% in FY09 to just 29% in FY13. SSI funding to the University fell by approximately 15% in FY12 alone, as the state of Ohio lost federal stimulus funding. As a result, C|M|LAW was required to implement budget reductions of approximately $406,000 (3.3%) in FY12. See Appendix 58, 2011 Budget Proposal and Follow-Up.

Most recently, C|M|LAW’s fiscal circumstances have been adversely impacted by a two-year decline in applications of nearly 45%. The Fall 2011 entering class was 168 students, which fell short of the 200-student target on which the just-reduced FY12 budget was based. C|M|LAW immediately began work on a strategy to address its declining applications that resulted in the adoption of the 140 Plan in Spring 2012, which called for a permanent reduction of the target entering class from 200 to 140 students. The resulting 30% reduction in tuition revenue necessitated a revised budget for FY13 through FY15. That budget reflected FY13 reductions of approximately $800,000, and additional reductions in FY13 through FY15 of $750,000 through faculty attrition. See Appendix 10, The 140 Plan: Towards a Smaller and Stronger Law School.

For Fall 2013 it is not clear whether we will be able to maintain our current LSAT numbers (median, 25th percentile and 75th percentile) given a projected decline in enrollment. Applications currently are down by over 30%. Any decline in entering LSAT numbers will have a deleterious effect on the law school’s bar passage rates and reverse the substantial progress made in that regard over the last decade. University President Berkman has directed the law school to adhere to the 140 Plan and not deviate below an entering class of 140 students, even if this means accepting students with lower entering credentials. Accepting fewer than 140
students would likely trigger immediate budget cuts, in addition to those contemplated by the 140 Plan.

B. University Budget

CSU receives operating revenues from three sources: the state subsidy appropriated by the Ohio General Assembly and distributed by the Ohio Board of Regents’ funding formula, student tuition and fees, and other sources of revenues such as technology fees, other miscellaneous fees, interest income and indirect cost recoveries. 29% of CSU’s FY13 Operating Budget is funded from the state subsidy. In comparison, state subsidy funded 36% of the FY09 Operating Budget, 38% of the FY10’s, 35% of FY11’s, and 29% of FY12’s. In absolute dollars, the FY13 subsidy is approximately $.343 million lower than the subsidy received in FY12.

<table>
<thead>
<tr>
<th>Subsidy Component</th>
<th>FY12 Board Approved Budget</th>
<th>FY12 Actual Appropriation</th>
<th>FY13 Proposed Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Share of Instruction</td>
<td>$62,187,496</td>
<td>$64,074,196</td>
<td>$63,731,440</td>
</tr>
</tbody>
</table>

68% of CSU’s FY13 Operating Budget is funded through tuition and student fees. There has been an average annual increase of 3.75% in the University’s total enrollment over the past 3 years with the majority of the growth coming in undergraduate enrollment. Undergraduate tuition has increased an average of 3.5% per year for the period FY10-FY13, the cap set by the Ohio General Assembly. While no legislative cap is set for the annual percentage increase for graduate and law tuition, the University maintained a 3.5% increase for graduate tuition and authorized a 9.5% tuition increase for law in FY13. Tuition generated for FY12 was $140.7 million dollars. The FY13 budget estimates tuition revenue at $143.4 million. For FY13, the Board of Trustees approved a $265.6 million budget for the entire University, which includes a $219.5 million allocation for operations of the academic and administrative support sectors of the University.

<table>
<thead>
<tr>
<th>FY13 Cleveland State University Budget (Revised Final)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Budget</td>
</tr>
<tr>
<td>General Fee Budget</td>
</tr>
<tr>
<td>Total—Education &amp; General</td>
</tr>
<tr>
<td>Campus Support Services Budget</td>
</tr>
<tr>
<td>Total University Budget</td>
</tr>
</tbody>
</table>

Plante & Moran has served as CSU’s external auditors since FY08, and their financial statements are provided in Appendix 96, Plante & Moran Audited Financial Statement (2012 & 2011). The Chart below is an accounting statement of revenues, expenses and changes in net assets prepared by Plante & Moran in their FY12 Audit.
## Operating Revenues:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net student tuition &amp; fees</td>
<td>$148,869,484</td>
<td>$140,713,140</td>
<td>$126,182,341</td>
</tr>
<tr>
<td>Grants &amp; contracts</td>
<td>22,516,862</td>
<td>19,208,702</td>
<td>20,480,512</td>
</tr>
<tr>
<td>Other</td>
<td>27,360,842</td>
<td>25,643,144</td>
<td>21,103,594</td>
</tr>
<tr>
<td><strong>Total operating revenue</strong></td>
<td><strong>$198,747,188</strong></td>
<td><strong>$185,564,986</strong></td>
<td><strong>$167,766,447</strong></td>
</tr>
</tbody>
</table>

## Operating Expenses:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational and general</td>
<td>$226,748,245</td>
<td>$236,226,386</td>
<td>$226,629,451</td>
</tr>
<tr>
<td>Auxiliary enterprises</td>
<td>29,152,533</td>
<td>31,200,532</td>
<td>23,386,092</td>
</tr>
<tr>
<td>Depreciation &amp; amortization</td>
<td>24,203,824</td>
<td>24,818,443</td>
<td>19,722,338</td>
</tr>
<tr>
<td><strong>Total operating expenses</strong></td>
<td><strong>$280,104,602</strong></td>
<td><strong>$292,245,361</strong></td>
<td><strong>$269,737,881</strong></td>
</tr>
</tbody>
</table>

## Operating Loss

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>(81,357,414)</td>
<td>(106,680,375)</td>
<td>(101,971,434)</td>
<td></td>
</tr>
</tbody>
</table>

## Non-operating Revenues, Net:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>State appropriations</td>
<td>$64,434,747</td>
<td>$63,544,555</td>
<td>$63,692,313</td>
</tr>
<tr>
<td>Other</td>
<td>25,310,529</td>
<td>48,198,477</td>
<td>42,102,246</td>
</tr>
<tr>
<td>Gain (loss) before other changes</td>
<td>8,387,862</td>
<td>5,062,657</td>
<td>3,823,125</td>
</tr>
<tr>
<td><strong>Other changes</strong></td>
<td><strong>3,179,823</strong></td>
<td><strong>4,615,439</strong></td>
<td><strong>19,978,296</strong></td>
</tr>
<tr>
<td>Increase in net assets</td>
<td><strong>11,567,685</strong></td>
<td><strong>9,678,096</strong></td>
<td><strong>23,801,421</strong></td>
</tr>
</tbody>
</table>

## Net Assets

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net assets at beginning of year</td>
<td>346,737,213</td>
<td>337,059,117</td>
<td>313,257,696</td>
</tr>
<tr>
<td>Net assets at end of year</td>
<td>$358,304,898</td>
<td>$346,737,213</td>
<td>$337,059,117</td>
</tr>
</tbody>
</table>

In FY07 the University issued $42.1 million Series A bond to fund the construction of a new Student Center and Series B bond in the amount of $9.2 million to fund the construction of a new building to house the College of Education and Human Services. In September 2011 the University issued Series 2011 Bond to finance a portion of the costs of public improvements identified as the North Campus Neighborhood. During Summer 2012 the University issued Series 2012 General Receipts Bonds in the amount of $152 million. The proceeds of the bonds will be used to (1) cover the costs of constructing a new facility advancing the University’s growing role in health sciences and expand its alliance with Northeast Ohio Medical University (NEOMED); (2) refund portions of the Series 2003A Bonds, Series 2004 Bond and Series 2008 Bonds; and (3) pay costs relating to the issuance of the Series 2012 Bond.

The University’s bonds are rated “A+” by Standard & Poor’s. According to Plante & Moran, “The University’s capacity to meet its financial obligations is considered strong...” See Appendix 96, Plante & Moran Audited Financial Statement (2012 & 2011).

In their most recent audit, Plante & Moran noted the University continues to face significant cost pressures in the future from the declining state support. For FY13, it appears that, barring unforeseen events, CSU should receive its expected FY13 allocation of subsidy from the state.
C. College of Law Budgeting Process

The budgeting process of C|M|LAW begins in the Spring preceding the fiscal year that commences July 1. The budget timeline, as well as the budget itself, is dependent on the health of the state budget, the budget of the University and its other units, projected enrollment, and the expected subsidy and tuition levels.\(^{45}\)

The first stage begins when the Provost’s office provides C|M|LAW with a pool for salary increases for faculty. The Dean, after receiving year-end reports from the faculty and meeting with all faculty members individually, submits across the board and merit increase recommendations to the Provost. In FY13 CSU implemented across the board and merit

\(^{45}\)Within the University, the President has implemented a new budget approach that has three components. First, beginning Spring 2012 the Provost implemented an instructional resource model for allocating faculty positions among colleges. Under this system, all faculty vacancies are controlled by the Provost’s office and reallocated each year based on recommendations generated through a complex 100-point scoring system focused several criteria. Fifty-five of the 100 points rely heavily on factors that disfavor the Law School, including faculty-to-student credit hours, and external metrics that either do not evaluate law programs or evaluate them incompletely. The Provost retains discretion to depart from the recommendations generated by this system, but the system is designed to ensure transparency and strategic consistency in allocating faculty resources across the University. It also is explicitly designed to shift resources over time from underperforming to higher performing colleges as measured by the metrics reflected in the scores.

Second, then-Provost Mearns recommended a new Financial Incentive Model to replace the existing college-based budgeting model. The new model is now in place. This model separates the entire University budget into three sectors, Academic Units (the individual colleges and the School of Nursing); Academic Support Units (Provost, Vice-Provosts, Main Library and the VP for Research and Graduate College); and University Support Units (everything else). Rather than distributing the cost of centralized functions across colleges, the model makes four recommendations for distributing funds remaining at the end of each fiscal year. First, it recommends establishing a $1.5M strategic initiative fund distributed in a competitive proposal process. Second, it recommends returning 100% of “carryover” funds to individual colleges in years where the University does not run a budget deficit. Third, it creates a formula for distributing year-end surpluses in instructional fee revenue based on three criteria: operating margin, enrollment growth and degree completion. Fourth, it creates a pilot program to create incentives for Summer teaching by permitting individual colleges to retain 50% of any total increase over a rolling five-year average in Summer-teaching revenues. The Law School could potentially benefit from the recommendation to return 100% of carryover because in previous years the University has swept some or all carryover surpluses, but this will depend on the University meeting its budget, which it did not this past fiscal year, resulting in the loss of most carryover for colleges. Under the formula for redistributing instructional fee surpluses, the Law School is unlikely to receive a share of any surplus for the foreseeable future based on historical budget patterns and because the decision to reduce the class size both reduces operating margin for the Law School and obviously decreases enrollment—two of the three factors the model uses.

Third, Interim Provost Walker announced that he plans to conduct a comprehensive program prioritization process designed to identify colleges and programs deserving increased funding and others that should have their funding reduced and possibly close. The President rejected a recent proposal from an ad-hoc task force detailing how that process would proceed, and so the Law School does not yet know what criteria the Provost will use in this process. The Interim Provost has not yet provided detailed information on how the administration will implement prioritization.
increases for staff as well. The percentage increases are controlled by the several union contracts. Non-bargaining staff raises parallel those accorded unionized employees.

Subsequently, during Spring the University Budget Office forwards a target budget figure for the new fiscal year, based on last year’s base (including line items such as admissions, postage, supplies, etc.) plus raises, promotions, fringe benefit increases, and financial aid increases, but rarely for new programs and other needs. The figures are then verified by C|M|LAW’s Budget Director.

The Law Library Director monitors the library’s own budget and informs C|M|LAW’s Budget Director regarding changes to be made to the line item budget. The Budget Director then reviews the line item budgets for the rest of C|M|LAW, incorporates the library portion, and finalizes the budget process.

After C|M|LAW’s line item budget is submitted, the Provost’s Office reviews it and works with the Dean and the Budget Director to resolve any questions or problems. The projected law school budget is then incorporated into the University Budget, which is usually approved by the Board of Trustees in late May or early June in order to be in place by July 1.

The actual expenditures by C|M|LAW of the hard line items in the approved projected budget are termed the “Expense Budget.” C|M|LAW strives to keep its Expense Budget at or below the University-approved projected budget.

C|M|LAW pays for additional programs and needs or supplements hard line-items with incidental income, such as seat deposit fees, and with soft money from gifts and endowment income.

D. Income from Tuition and Subsidy

Income for C|M|LAW, as well as for the University, is derived primarily from enrollment in the form of tuition and state subsidy.

Since the last inspection, C|M|LAW’s operating budget increased from $12.7 million in FY07 to $14 million in FY09 and has decreased to $13 million in FY13. Tuition for in- and out-of-state residents increased over the last seven years. For in-state students tuition increased from $16,478 in FY07 to $21,749 in FY13 (an increase of 24%); for out-of-state students it increased from $22,608 to $29,817 (an increase of 32%).

Generally speaking, the increase in

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46 Faculty and staff believe that maintaining an affordable tuition is one of C|M|LAW’s strengths. See Appendices 1A and 1B, Faculty Survey Results Charts and Graphs and Staff Survey Results Charts and Graphs. While our tuition is the lowest in the state for in- and out-of-state students, we need to be mindful of how increases affect the ability of well-qualified students to attend C|M|LAW.

47 In 2004 we instituted a 40% discount on tuition for out-of-state residents based on the theory that a lower tuition would attract more students. This did not happen—our percentage of out-of-state applicants and admitted
tuition reflects the change in the financing of higher education in Ohio. In FY07 the state subsidy proportion of the instruction costs in higher education in Ohio was approximately 35% of the total, while tuition constituted approximately 59%. Today, the state subsidy proportion is 29% and the tuition is approximately 68%.

To obtain University approval of the 140 Plan, C|M|LAW’s substantial budget reduction was accompanied by a 9.5% increase in tuition in each of FY13, FY14 and FY15. When these tuition increases are fully phased in, in-state tuition will have risen to $24,092 per year, but a corresponding increase in C|M|LAW’s scholarship budget will result in the average in-state student paying roughly $15,660 in tuition per year. It is important to note that in determining how much tuition should be increased under the 140 Plan, C|M|LAW’s administration calculated the total discounted cost of attendance (including tuition and fees, room, board and transportation) over three years at various tuition levels, estimated the percentage of that cost financed by students through school loans to determine total indebtedness at graduation, and determined the resulting monthly payments on that debt. The proposed tuition increase was then capped at a percentage that would keep total student law school indebtedness under $100,000 (through FY15).

C|M|LAW receives a small amount of supplemental income from incidental fees and other various sources. In FY08, we eliminated the application fee which reduced the school’s supplemental income by at least $50,000. In FY12 the college collected $33,360 in incidental fees, using approximately 60% to cover the graduation ceremony costs. The University collected $97,659 in Technology Fees from law schools students and transferred $85,000 to us for technology improvements. C|M|LAW student organizations received 29% of the $393,807 in student fees collected from law school students.

E. Income from Gifts

In FY12 as part of an overall restructuring of the Advancement office and for improved clarity when reporting out the law school’s annual attainment, the Director and Development Associate created a new gift structure, where endowment and potential endowment funds are tracked separately from annual and operating funds. This separation allows the Dean and the Advancement Director to better identify trends in giving, without having the College’s annual attainment swayed by large endowment or estate gifts. In the totals described below, endowed (which includes potential endowment) and annual, operating funds are reported separately, unless otherwise indicated.

In FY05, C|M|LAW received a $5 million pledge from the Bert L. Wolstein Fund for the renovation of the law building, and a second pledge of $1.25 million to create the Bert L. and Iris S. Wolstein Endowed Scholarship Fund. The latter pledge was a matching challenge of up to $1.25 million: Iris Wolstein matched gifts to the Scholarship Fund from alumni and friends, up

students increased but students who enrolled remained at about 25%. In addition our out-of-state tuition was significantly lower that other Ohio law schools. In FY12 we eliminated the out-of-state discount.
to $1.25 million. At the time the Wolstein gift was the largest in the University’s history and remains the largest gift in the Law school's history. As part of the Wolstein Challenge, to raise an additional $1.25 million in support of the scholarship fund, a number of individuals, law firms, and other organizations made multi-year pledges, with the majority of pledges ending in FY10 or FY11. Because of the size of the Wolstein pledge payments, the following totals exclude those pledge payments, to provide a more accurate account of the overall totals.

Since FY07 annual operating giving increased dramatically, while endowed and potential endowed giving has decreased, mostly due to the Wolstein Scholarship matching pledges being fulfilled. Excluding the Wolstein’s individual commitment, since FY 2007, the annual amount of total gifts (both endowment and annual fund) to the Law school decreased by 27% from $986,941 (FY07) to $713,916 (FY12). For endowment gifts only, in FY07, $729,120 was raised and in FY12, $128,507 was raised, a decrease of 82%. The majority of these decreases are due to the fulfillment of individuals’, law firms’, and other organization’s multi-year pledges in FY10 and FY11. By comparison, during this same period, gifts to the annual, operating funds increased by 318% from $140,004 (FY07) to $585,409 (FY12). Because annual, operating dollars are expended in the year received and, typically, are not restricted, this growth is particularly beneficial to the College.

Concerning donors, the percent of alumni giving to C|M|LAW has remained relatively static, on average. In FY07, 742 donors made a gift to the college and in FY12, 975 gave, an increase of 31% or 233 donors. When considering overall alumni participation, in FY07, participation was 7.5%, while it was 9.5% in FY12, a gain of 2%. Alumni participation varies significantly over time, though; during the five years between FY07 and FY12, alumni donors varied from the FY07 low to a high of 1,045 in FY09. On average, 923 alumni made gifts to C|M|LAW from FY07-FY12.

Presently, C|M|LAW has 10,241 living alumni. In FY12, 975 alumni made gifts to the college, while 992 made gifts in FY11 (a decrease of 1.7%). In FY12, 1352 donors made a gift, which includes alumni and friends, while in FY11, 1272 donors gave (an increase of 6%). Through segmentation, targeted solicitations, and volunteer engagement, the college seeks to see our alumni participation percentage increase over the next seven years.

Since FY07, the law school has engaged in two notable fundraising campaigns: 1) construction of the Trial Courtroom, and 2) raising support for the Fund for Excellence. Fundraising for the Trial Courtroom, a state-of-the-art trial courtroom, began in FY09 and was completed in FY11, with over $580,000 in new gifts raised for the project. The Trial Courtroom’s construction was completed in Spring 2011, and it is now available for students and invited guests to use. Then-Dean Mearns created the Fund for Excellence in FY09 with the goal of raising $1 million in annual fund dollars to support projects that raise the national profile of the Law school. The target completion date was June 30, 2012. Dean Boise made the Fund a priority upon the commencement of his tenure as dean, and raised over $600,000 in 2011-12, completing the Fund campaign goal of $1 million as of September 15, 2012.
We also receive significant support for key initiatives from the Cleveland-Marshall Fund, an endowed fund that is independent of the University endowment. These include the Visiting Scholar Program, conference support for faculty to attend and host conferences, faculty research support, professional development for faculty and staff, faculty Summer research grants, and faculty library support. As of June 30, 2012, the value of the Cleveland-Marshall Fund was $4,391,182 and the spendable income for FY12 was $219,822.

In FY12, Dean Boise identified scholarship support as a continuing priority and has raised over $250,000 in new scholarship dollars. In FY13 Dean Boise identified construction of the Solo Practice Incubator (see Chapter VII.D, The Law Library Building), a suite of law offices available for rent to recent graduates of C|M|LAW beginning in November 2013, as a fundraising priority for the Advancement office. The Director of Advancement and the Dean are presently engaged in raising $1.5 million for this project from a targeted pool of donors.

F. Expenses

Instructional costs take up the largest share of C|M|LAW’s expense budget. For convenience in categorization, the 2012 site evaluation for the ABA totals Instructional Salaries including Summer salaries at $4,617,166. Administrative and Student Service Salaries total $2,035,005. Library, $926,296, and other salaries (mainly instructional), $162,260. Fringe benefits were $2,489,850. Thus, total personnel costs were $10,230,577. Library operations were $1,063,165, other Law school expenses (supplies, travel, speakers, etc.) were $1,200,056, and financial aid was $1,809,773.

We are a smaller faculty than we were in FY07. A comparison, in current dollars, shows that between FY07 and FY12 Instructional Salaries decreased by $278,396 or a loss of 5.69%. Administrative and Student Service Salaries decreased by $227,319 or a loss of 10.0%. Library and other Salaries decreased $228,255, or a loss of 17.3%. Fringe benefits decreased by $82,970, or a loss of 3.2%. Library operations increased by $2,633 or 0.25%. Other Law school expenses (supplies, travel, speakers, etc.) increased by $211,753, or an increase of 21.4%. Financial aid, on the other hand, has grown by $354,011, or an increase of 24.3%. This increase is also due to increase of tuition.

In terms of proportion of the total budget since FY07, Instructional Salaries dropped by 3%, Administrative Salaries increased by 1%, and Fringes remained the same. Financial Aid rose by 4%. The other items dropped by 2% since FY07.

In meeting the changing needs of C|M|LAW prior to FY08, we were able to retain its vacancy savings giving the Dean more flexibility in supporting or initiating new programs. Vacancy savings were routed to support, among other things, adjunct and emeritus faculty, Summer teaching, research assistants, the library, student services, security, classroom

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48The Cleveland-Marshall Fund was established with funds from the purchase of the former College of Law building in downtown Cleveland when we became part of CSU.

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renovation, and technology replacements. Beginning FY08, vacancy savings from faculty positions are under the scrutiny of the Provost Office but savings from administrative positions may be used to support instructional and operational needs. Carryover policies change from year to year. The amount is determined by the Provost Office. For FY12 the Interim Provost did not authorize the carryover to be transferred back to the Law School. Carryover is another avenue of resources that the law school uses to cover instructional and operational needs.

G. Law School Finances and University Support Strengths and Weaknesses

Strengths

1. Over the last year, C|M|LAW has reorganized its advancement and development functions and is well-positioned to convert strong positive alumni sentiment into an increasing annual fund.

2. C|M|LAW’s historically low tuition has permitted raising of revenue through tuition increases without making a legal education cost-prohibitive.

Weaknesses

1. Current and future budget reductions required in connection with the 140 Plan make it challenging for C|M|LAW to continue to provide the same quality of legal education due to the smaller size of the faculty.

2. As part of a public University, C|M|LAW will face increasing budgetary pressures as both direct and indirect state and federal subsidies for higher education continue to decline.

3. C|M|LAW must increasingly rely on alumni and other contributions in order to continue to provide a high-quality legal education.

4. Our scholarship dollars continue to be insufficient especially in comparison to other Ohio law schools. (Also listed under Chapter V, Student Weaknesses.)

5. C|M|LAW is challenged in its ability to engage in budget planning across fiscal years because of uncertainty in the University’s budgeting process and the size of our future 1L classes.
X. Facilities

Since 2007, the law school has undergone extensive renovations that have transformed the look, feel, and accessibility of the institution. We created a permanent home for our clinics, modernized our moot courtroom, built a state-of-the-art trial courtroom, refurbished common areas and Student Services, and expanded our nascent art collection throughout the law school. Changes at the law school have occurred at the same time as the transformation of the University. Since 2007 the University has built a new Student Center and renovated the adjoining Main Plaza, built a complex of new dorms for undergraduates (Euclid Commons), a new administration building, new Recreation Center, a new building for the College of Education (Julka Hall), two garages, refurbished two other administration buildings (Parker Hannifin and Fenn Tower), and created a new art center, The Allen Theatre Complex in collaboration with Playhouse Square. The law school buildings are an integral part of the new look of the University campus.

In Spring 2008 we completed an $8.8 million renovation project that improved the educational as well as daily experience of the law school for our students, faculty, and staff. We created new offices and work areas for our law clinics, new seminar rooms, a new suite of rooms for our student organizations, a new faculty presentation room, a new main conference room, and a dramatic new entrance on the corner of East 18th Street and Euclid Avenue. The new entrance physically represents our connection to the University and to Cleveland—we are a part of the community.

The new clinic space was long in coming but one with which we, our students, and our clinic clients, are quite pleased. Three of our in-house clinics are located in a spacious, self-contained suite occupying approximately 4,460 square feet. There are seven faculty offices, three meeting/deposition rooms, a resource room, a project room, a work area for support staff and a client waiting area. There is also an open work area for students where students may use their own laptop, or one of the laptops or desktops we provide—all of which share a

49 Construction as of Fall 2012 includes the North Campus Project which is leasing land to a real estate company to build and lease apartments and retail space, the demolition of an old residence hall in order to build a Center for Innovations in Health Professions, and renovation of a building across from the law school that will house some administrative departments as well as be a temporary home for NEOMED (Northeast Ohio Medical School).

50 The renovation was made possible by a $5 million gift from Mrs. Iris Wolstein, in honor of her husband Bert L. Wolstein, as well as $3.8 million from the University. As part of the renovation, the University reconfigured the second floor walkway between the law school and the Music and Communication Building. This part of the project meant that the law school gave up space on the second floor that had once been part of the law school library, and since 1997 had been classrooms shared by the law school and the University. The loss of classrooms has not had any negative effect on the education our students receive.

51 The inadequacy of our clinic space had been noted in the two prior ABA site evaluations. In March 2008 the ABA found we demonstrated compliance with Standard 701, subject to submitting a final report regarding completion, occupation, and use of the new clinic space. It appears we did not submit a final report, nor was it raised again by the ABA.
printer. The suite has computers for students to use and audio and video recording capabilities. There is one dedicated public entrance to the suite and one internal entrance.

The 2007-08 renovation also included our Moot Courtroom. We made the well of the courtroom wheelchair accessible by adding a ramp and wheelchair lift. We installed a new sound system and added a retractable screen for visual presentations. We also added the ability to record all of our public lectures and conferences so that we can immediately post them on our web site for others to view. Finally, we added windows which brighten the room and exemplify our connection to the city. The Moot Courtroom is used extensively by faculty and students for speakers and symposia.

In 2011 we completed the construction of a technologically state-of-the-art trial courtroom on the ground floor of the law school. The courtroom is a unique facility in downtown Cleveland that provides our students, as well as lawyers and judges, the opportunity to learn and hone litigation skills. The courtroom is about 2,000 square feet. It has a Judge’s bench and chambers, witness stand, IT manager/bailiff and court reporter stations, two counsel tables, a main podium for presenting evidence electronically and a movable podium, a twelve seat jury box, jury deliberation room, and gallery. The courtroom has state-of-the-art technology throughout. Students can learn to present still and video evidence that jurors and the Judge will see on monitors as well as a large moveable LCD screen. The Judge and Bailiff control the courtroom technology through an AV control system. Observers in the gallery may view the evidence as well on screens mounted on the side walls. Jurors may review evidence on a LCD screen in the deliberation room. Cameras that pan, zoom, and tilt may be used to digitally record as well as live stream proceedings in the courtroom and the jury deliberation room.

The trial courtroom is used in a variety of way. Faculty teaching Trial Advocacy and Evidence use the courtroom to have students practice trial skills. Students use the courtroom to prepare for moot court appellate and trial competitions, and to work with high school mock trial teams.\footnote{We have not yet realized the full use of the courtroom, especially by lawyers and judges. This is in large part due to our own staffing limitations.}

In addition to these major renovation and construction projects, we have made numerous other improvements to the law school. On the ground floor entrances to the law school and the atrium level we added digital directories. We painted and installed new furniture in the atrium, the legal writing conference room and common area, the student lounge, the staff lounge, and the main secretarial area; painted and installed new lockers in the student locker room; remodeled two classrooms (207 and 208); painted and replaced all of the chairs in the classrooms; added seating for students in faculty hallways by moving file cabinets that had lined the hallways into faculty offices or readily accessible storage rooms; and renovated bathrooms on the ground, first and second floors. In the student lounge we also added a food preparation area and a location for the SBA to sell C|M|LAW clothing.
All of the classrooms have technology accessible for faculty and students. Every classroom is electrified so that students may use laptops. Most of the classrooms have smart podiums for faculty, or the ability to connect laptops to the internet and an LCD screen. See Section XYZ.

The configuration of most classrooms is problematic—for different reasons. In some rooms the location of the technology makes it difficult to use. In other rooms the acoustics, lighting, and/or placement of the podiums often get in the way of being able to engage in the most effective teaching and learning.

In the Student Services area, between 2007 and 2010, we added two new reception areas in the front for Admissions and the Office of Career Planning, three staff offices for our Administrative Coordinator and Bar Preparation, and recarpeted the entire space. In January 2013 we reconfigured the front area of Student Services to make it more user-friendly by adding a large screen for displaying announcements about CSU and the law school, adding privacy screens and installing better signage, and we reconfigured parts of the back of Student Services to add, among other changes, a better seating area for students.

Unfortunately, the changes to the Student Services area have been piece-meal. Student Services is still not configured in a way that makes the best use of the space. For example, we do not have individual rooms that we can use for those students needing ADA accommodations for exams. Instead we must use Library study rooms. This places a premium on study space for our students at the time they most need study rooms—during exams. In addition, we have to use the Library study rooms as interview rooms for employers. And, we do not have separate rooms for Teaching Assistants to meet with students—they must sit at open tables, which is not the most conducive to learning.

In the Library we turned a copy room into a student lounge and recarpeted the first floor. See Chapter VII, Information Resources—Law Library, Section D, The Law Library Building. We also added digital signage outside of the library that allows us to provide up to date information about the library hours and events and faculty and student publications.

Finally, we greatly expanded our art collection. Virtually every wall in the law school has an original work of art—oil paintings, photographs, quilting, and prints. This is the result of diligent and creative work by a committee of faculty and staff.

The University has also renovated key infrastructure at the law school. In 2007 the University installed a new roof. In 2008 and 2010 the University overhauled the HVAC system throughout the law school (except the Library). Despite the reworking of the HVAC, maintaining appropriate temperatures remain uneven throughout the building. Most recently, in 2012 the University upgraded the wireless system throughout the campus.
In the past six years the University has made significant improvements in security for the law school, but security concerns remain. Card access is now required when the law school building is closed. In 2010, in response to student concerns, we made the bathrooms on the ground level that are closest to the Euclid Avenue entrance accessible only with CSU ID cards. As a public University and law school, we value our access to the public. It can, however, be challenging or frightening at times for students, faculty, and staff. This is especially true in the evening prior to the building being closed.

The law school anticipates opening a Solo Practice Incubator Fall 2013. This will be a 3450 square foot suite of law offices on the Atrium level of the Library. The suite will include a lobby, three conference rooms, fifteen offices, a break room and file/storage room. See Appendix 95, Solo Incubator Floor Plan. Although the Library is giving up space for this endeavor, the build-out of the space includes adding five study rooms for students. Practitioners and clients will access the suite through an outside entrance.

A. Facilities Strengths and Weaknesses

Strengths

1. The downtown location of the University and college of law provides our students with access to government offices, judicial chambers and courtrooms, businesses, and private law firms; in turn lawyers and judges are a welcome part of our law school on a daily basis.

2. The recent renovations—including a new entrance on Euclid Avenue, new clinic space, and better areas for students to gather—have made the law school a more inviting and vibrant building.

3. The law library provides students with quiet, accessible, and technologically up-to-date space for individual and group study.

4. The refurbished Moot Courtroom is a well-used space for faculty and students sponsored speakers and symposia.

5. The new technologically state of the art trial courtroom is a unique facility in downtown Cleveland that gives out students the opportunity to learn and hone litigation skills.

6. Classrooms have current technology for use by faculty and students.

Weaknesses

1. We have insufficient security protections throughout the law school and library.

2. We lack a cohesive plan for making the best use of the Student Services area.
3. The physical configuration of most classrooms often gets in the way of effective pedagogy.
1A. Faculty Survey Results Charts and Graphs
1B. Staff Survey Results Charts and Graphs
2. LSSSE 2012 Respondent Demographics
3. LSSSE 2012 Frequency Distributions
4. LSSSE 2012 Mean Comparisons Report
5. LSSSE 2012 Student Comments
6. LSSSE 2012 Summary of Results
7. Strategic Plan 2007
8. Strategic Plan 2010 Update
9. Strategic Plan 2013 Update
10. The 140 Plan: Towards a Smaller and Stronger Law School
11. Committee Charges 2012-13
13. Course Schedules Fall 2011-Spring 2013
14. Ad Hoc Curriculum Review Committee Report to the Faculty
15. Health Law Policy Center Proposal
16. Health Care Compliance Proposal
17. Clinic Descriptions
19. Curriculum Committee Memorandum on Experiential Learning Skills
20A. Externships List
20B. Externship Program Handbook
21. Professionalism Problem Fall 2012
22. New Course Proposals
23. Report of the Special Committee to Evaluate LCOP
24. Faculty Manual 2012
25. Academic Standards Committee Memo Re: Grading System and Related Matters
26. Upper Level Writing Requirements and Independent Legal Research Standards
27. 2L Advising Information Sheet
28. Professor Demographics, Age
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30. Faculty Hires and Departures 2006-12
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32. Full-Time/Part-Time Faculty Credit Hours for All Courses (Fall 2006-Fall 2012)
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43. Annual Faculty Report Form for Legal Writing Faculty
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46. Procedures and Criteria for Promotion and Tenure in the Cleveland-Marshall College of Law and Supplement—Procedures for Mentoring and Evaluation of Faculty in the Years Preceding Application for Personnel Action
47. Summer Teaching Grant Criteria
48. Scholarship All Faculty 2009-2012
49. Scholarship Current Faculty 2009-2012
50. Description of the 2010-11 Dean Search
51. Fall 2012 Lunchtime Lectures
52. Summer Research Grant Criteria
53. Faculty Travel Policy 2012-13
54. Public Lectures Fall 2006-Fall 2012
56. Criminal Justice Forum speakers 2006-2013
57. Labor and Employment Speaker Series 2006-2013
58. 2011 Budget Proposal and Follow-Up
59. Bylaws, CSU, Cleveland-Marshall College of Law
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61. Faculty Meeting Minutes and Schedule
62. CSU Personnel Policies and Bylaws, Section 8.1.3, Academic Freedom
63. Faculty Appointments Advertisements
64. CSU Personnel Policies and Bylaws, Section 8.1.2, Standards and Procedures for Faculty Appointments, Continuation, Promotion and Tenure
65. Subcommittee Report-Matthew Green
66. Subcommittee Report-Candice Hoke
67. Criteria, Standards, and Procedures for the Appointment of Non-Tenure-Track Clinical and Legal Writing Professors
68. CSU Personnel Policies and Bylaws Section 8.1.8, Leaves of Absence (Non-Bargaining Unit Members Only)
69. Report of the Ad Hoc Committee on Legal Writing
70. Sample Materials for Adjunct Workshops
71. Adjunct Faculty Manual 2012
72. Final 2012 Admission Report
73. Fall 2012 Entering Class Profiles Ohio Law Schools
74. Applications, Offers, Enrollment by Ethnicity 2006-12
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76. Admission Admit Letter
| 77. | Average Scholarship Awarded at Ohio Law Schools, 2007-2012 |
| 78. | OCP 2009 Strategic Plan and 2012 update |
| 79. | OCP Multi-Purpose Handbook |
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| 81. | C|M|LAW Policy on Student Complaints Implicating ABA Compliance |
| 82. | Bar Passage Rates 2001-2012 |
| 83. | 2010 Annual Report on Improving Cleveland-Marshall’s Bar Passage Rates |
| 84. | 2008 Implementation Review of Cleveland State University, Cleveland-Marshall College of Law’s 2003 Action Plan to Strengthen Students’ Performance on the Ohio Bar Exam |
| 86. | CSU Organization Chart |
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| 88. | C|M|LAW Organization Charts |
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## Faculty Survey Results

1. **C|M|LAW’s strength lies in its:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
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<td>3.0%</td>
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<tr>
<td>Staff</td>
<td>51.6%</td>
<td>45.2%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Affordable tuition</td>
<td>75.8%</td>
<td>21.2%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Part-time (day and evening) program</td>
<td>73.5%</td>
<td>26.5%</td>
<td>0.0%</td>
</tr>
<tr>
<td>New first year curriculum</td>
<td>50.0%</td>
<td>28.1%</td>
<td>21.9%</td>
</tr>
<tr>
<td>Upper-level curriculum</td>
<td>34.4%</td>
<td>59.4%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Legal writing program</td>
<td>57.6%</td>
<td>30.3%</td>
<td>12.1%</td>
</tr>
<tr>
<td>Clinical programs</td>
<td>41.2%</td>
<td>52.9%</td>
<td>5.9%</td>
</tr>
<tr>
<td>Externships</td>
<td>53.1%</td>
<td>43.8%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Law Reviews and Journal</td>
<td>33.3%</td>
<td>66.7%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Moot court</td>
<td>58.8%</td>
<td>38.2%</td>
<td>2.9%</td>
</tr>
<tr>
<td>Preparation for the bar exam</td>
<td>35.3%</td>
<td>61.8%</td>
<td>2.9%</td>
</tr>
<tr>
<td>Preparation for law practice</td>
<td>39.4%</td>
<td>54.5%</td>
<td>6.1%</td>
</tr>
<tr>
<td>Library and library services</td>
<td>79.4%</td>
<td>20.6%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Employment potential after graduation</td>
<td>51.5%</td>
<td>39.4%</td>
<td>9.1%</td>
</tr>
<tr>
<td>Concentrations</td>
<td>3.1%</td>
<td>65.6%</td>
<td>31.3%</td>
</tr>
<tr>
<td>Lectures by visiting scholars</td>
<td>15.2%</td>
<td>72.7%</td>
<td>12.1%</td>
</tr>
<tr>
<td>Conferences</td>
<td>21.2%</td>
<td>54.5%</td>
<td>24.2%</td>
</tr>
<tr>
<td>Student Organizations</td>
<td>21.9%</td>
<td>78.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Intellectual energy</td>
<td>18.2%</td>
<td>57.6%</td>
<td>24.2%</td>
</tr>
<tr>
<td>Collegiality</td>
<td>39.4%</td>
<td>54.5%</td>
<td>6.1%</td>
</tr>
<tr>
<td>Respect for Differing Viewpoints</td>
<td>55.9%</td>
<td>35.3%</td>
<td>8.8%</td>
</tr>
<tr>
<td>Character of Student Body</td>
<td>50.0%</td>
<td>40.6%</td>
<td>9.4%</td>
</tr>
<tr>
<td>Quality of Student Body</td>
<td>27.3%</td>
<td>54.5%</td>
<td>18.2%</td>
</tr>
</tbody>
</table>

2. **A legal education at C|M|LAW excels in the areas of:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teaching rigorous analysis</td>
<td>51.5%</td>
<td>33.3%</td>
<td>15.2%</td>
</tr>
<tr>
<td>Teaching practical lawyering skills</td>
<td>25.0%</td>
<td>65.6%</td>
<td>9.4%</td>
</tr>
<tr>
<td>Teaching professional ethics</td>
<td>29.0%</td>
<td>67.7%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Teaching written and oral expression</td>
<td>36.4%</td>
<td>45.5%</td>
<td>18.2%</td>
</tr>
<tr>
<td>Teaching legal research skills</td>
<td>51.5%</td>
<td>42.4%</td>
<td>6.1%</td>
</tr>
<tr>
<td>Preparing for the bar exam</td>
<td>15.2%</td>
<td>81.8%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Preparing for law practice</td>
<td>27.3%</td>
<td>66.7%</td>
<td>6.1%</td>
</tr>
<tr>
<td>Instilling intellectual curiosity</td>
<td>12.1%</td>
<td>69.7%</td>
<td>18.2%</td>
</tr>
</tbody>
</table>
### 3. At present, C|M|LAW student services are especially strong in:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attracting &amp; enrolling qualified students</td>
<td>28.1%</td>
<td>53.1%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Attracting &amp; enrolling diverse students</td>
<td>37.5%</td>
<td>50.0%</td>
<td>12.5%</td>
</tr>
<tr>
<td>Bar preparation</td>
<td>25.0%</td>
<td>59.4%</td>
<td>15.6%</td>
</tr>
<tr>
<td>Admission counseling</td>
<td>15.8%</td>
<td>63.2%</td>
<td>21.1%</td>
</tr>
<tr>
<td>First-year orientation</td>
<td>37.5%</td>
<td>43.8%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Financial aid</td>
<td>20.8%</td>
<td>58.3%</td>
<td>20.8%</td>
</tr>
<tr>
<td>Career planning</td>
<td>37.5%</td>
<td>43.8%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Student advising</td>
<td>25.0%</td>
<td>57.1%</td>
<td>17.9%</td>
</tr>
<tr>
<td>Academic advising</td>
<td>29.0%</td>
<td>35.5%</td>
<td>35.5%</td>
</tr>
</tbody>
</table>

### 4. I am generally satisfied at C|M|LAW with the extent to which I am able to:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teach courses I want</td>
<td>67.6%</td>
<td>26.5%</td>
<td>5.9%</td>
</tr>
<tr>
<td>Have appropriate class sizes</td>
<td>70.6%</td>
<td>26.5%</td>
<td>2.9%</td>
</tr>
<tr>
<td>Interact with students outside of the classroom</td>
<td>87.5%</td>
<td>12.5%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Research and write on topics I want</td>
<td>72.7%</td>
<td>24.2%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Serve effectively on law college committees</td>
<td>54.8%</td>
<td>41.9%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Serve effectively on university committees</td>
<td>24.1%</td>
<td>62.1%</td>
<td>13.8%</td>
</tr>
<tr>
<td>Effectively serve the bench and bar</td>
<td>64.3%</td>
<td>35.7%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Engage in legal reform efforts</td>
<td>69.2%</td>
<td>30.8%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Participate in the intellectual life of the faculty</td>
<td>58.8%</td>
<td>26.5%</td>
<td>14.7%</td>
</tr>
<tr>
<td>Be recognized for my teaching</td>
<td>21.9%</td>
<td>53.1%</td>
<td>25.0%</td>
</tr>
<tr>
<td>Be recognized for my service</td>
<td>30.3%</td>
<td>45.5%</td>
<td>24.2%</td>
</tr>
<tr>
<td>Be recognized for my scholarly work</td>
<td>32.3%</td>
<td>48.4%</td>
<td>19.4%</td>
</tr>
</tbody>
</table>

### 5. At present, our students are strong in their:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intellectual aptitude</td>
<td>33.3%</td>
<td>54.5%</td>
<td>12.1%</td>
</tr>
<tr>
<td>Analytical skills</td>
<td>9.1%</td>
<td>72.7%</td>
<td>18.2%</td>
</tr>
<tr>
<td>Substantive knowledge</td>
<td>15.6%</td>
<td>65.6%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Oral expression abilities</td>
<td>15.2%</td>
<td>69.7%</td>
<td>15.2%</td>
</tr>
<tr>
<td>Written expression abilities</td>
<td>15.2%</td>
<td>57.6%</td>
<td>27.3%</td>
</tr>
<tr>
<td>Research skills</td>
<td>16.1%</td>
<td>77.4%</td>
<td>6.5%</td>
</tr>
<tr>
<td>Diligence</td>
<td>25.8%</td>
<td>67.7%</td>
<td>6.5%</td>
</tr>
<tr>
<td>Class attendance</td>
<td>57.6%</td>
<td>42.4%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Class preparation</td>
<td>18.8%</td>
<td>78.1%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Examination performance</td>
<td>16.1%</td>
<td>74.2%</td>
<td>9.7%</td>
</tr>
</tbody>
</table>
6. Our present tenured/tenure-track faculty is strong with respect to:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational background</td>
<td>78.8%</td>
<td>21.2%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Professional experience</td>
<td>43.8%</td>
<td>50.0%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Intellectual Diversity</td>
<td>21.2%</td>
<td>66.7%</td>
<td>12.1%</td>
</tr>
<tr>
<td>Teaching first-year courses</td>
<td>50.0%</td>
<td>46.9%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Teaching upper-level courses</td>
<td>54.8%</td>
<td>45.2%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Staying current in their fields</td>
<td>48.1%</td>
<td>48.1%</td>
<td>3.7%</td>
</tr>
<tr>
<td>Publishing academic research</td>
<td>15.2%</td>
<td>57.6%</td>
<td>27.3%</td>
</tr>
<tr>
<td>Publishing practice-related materials</td>
<td>16.0%</td>
<td>72.0%</td>
<td>12.0%</td>
</tr>
<tr>
<td>Service to the law college</td>
<td>35.3%</td>
<td>55.9%</td>
<td>8.8%</td>
</tr>
<tr>
<td>Service to the university</td>
<td>39.4%</td>
<td>57.6%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Service to the bench and bar</td>
<td>34.5%</td>
<td>55.2%</td>
<td>10.3%</td>
</tr>
<tr>
<td>Legal reform efforts</td>
<td>38.5%</td>
<td>53.8%</td>
<td>7.7%</td>
</tr>
<tr>
<td>Advising students</td>
<td>13.8%</td>
<td>62.1%</td>
<td>24.1%</td>
</tr>
<tr>
<td>National reputation</td>
<td>0.0%</td>
<td>60.6%</td>
<td>39.4%</td>
</tr>
</tbody>
</table>

7. Our present clinical faculty is strong with respect to:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational background</td>
<td>57.7%</td>
<td>38.5%</td>
<td>3.8%</td>
</tr>
<tr>
<td>Professional experience</td>
<td>70.4%</td>
<td>29.6%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Intellectual Diversity</td>
<td>26.3%</td>
<td>57.9%</td>
<td>15.8%</td>
</tr>
<tr>
<td>Teaching Competence</td>
<td>60.0%</td>
<td>40.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Staying current in their fields</td>
<td>83.3%</td>
<td>12.5%</td>
<td>4.2%</td>
</tr>
<tr>
<td>Publishing academic research</td>
<td>12.5%</td>
<td>33.3%</td>
<td>54.2%</td>
</tr>
<tr>
<td>Publishing practice-related materials</td>
<td>28.6%</td>
<td>50.0%</td>
<td>21.4%</td>
</tr>
<tr>
<td>Service to the law college</td>
<td>65.5%</td>
<td>34.5%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Service to the university</td>
<td>36.8%</td>
<td>52.6%</td>
<td>10.5%</td>
</tr>
<tr>
<td>Service to the bench and bar</td>
<td>66.7%</td>
<td>33.3%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Legal reform efforts</td>
<td>62.5%</td>
<td>33.3%</td>
<td>4.2%</td>
</tr>
<tr>
<td>Advising students</td>
<td>62.5%</td>
<td>33.3%</td>
<td>4.2%</td>
</tr>
<tr>
<td>National Reputation</td>
<td>4.3%</td>
<td>52.2%</td>
<td>43.5%</td>
</tr>
</tbody>
</table>
### 8. Our present legal writing faculty is strong with respect to:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational background</td>
<td>50.0%</td>
<td>39.3%</td>
<td>10.7%</td>
</tr>
<tr>
<td>Professional experience</td>
<td>59.3%</td>
<td>33.3%</td>
<td>7.4%</td>
</tr>
<tr>
<td>Intellectual Diversity</td>
<td>19.0%</td>
<td>57.1%</td>
<td>23.8%</td>
</tr>
<tr>
<td>Teaching Competence</td>
<td>48.4%</td>
<td>32.3%</td>
<td>19.4%</td>
</tr>
<tr>
<td>Staying current in their fields</td>
<td>71.4%</td>
<td>28.6%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Publishing academic research</td>
<td>13.0%</td>
<td>34.8%</td>
<td>52.2%</td>
</tr>
<tr>
<td>Publishing practice-related materials</td>
<td>27.8%</td>
<td>44.4%</td>
<td>27.8%</td>
</tr>
<tr>
<td>Service to the law college</td>
<td>55.2%</td>
<td>44.8%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Service to the university</td>
<td>27.8%</td>
<td>50.0%</td>
<td>22.2%</td>
</tr>
<tr>
<td>Service to the bench and bar</td>
<td>50.0%</td>
<td>36.4%</td>
<td>13.6%</td>
</tr>
<tr>
<td>Legal reform efforts</td>
<td>36.8%</td>
<td>42.1%</td>
<td>21.1%</td>
</tr>
<tr>
<td>Advising students</td>
<td>68.0%</td>
<td>32.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>National Reputation</td>
<td>18.5%</td>
<td>40.7%</td>
<td>40.7%</td>
</tr>
</tbody>
</table>

### 9. Our curriculum is particularly strong in the areas of:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>First-year substantive courses</td>
<td>46.9%</td>
<td>50.0%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Perspective courses</td>
<td>31.3%</td>
<td>62.5%</td>
<td>6.3%</td>
</tr>
<tr>
<td>First-year legal writing</td>
<td>54.5%</td>
<td>27.3%</td>
<td>18.2%</td>
</tr>
<tr>
<td>Third semester legal writing</td>
<td>32.3%</td>
<td>51.6%</td>
<td>16.1%</td>
</tr>
<tr>
<td>Upper-level required courses</td>
<td>31.3%</td>
<td>62.5%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Upper-level electives</td>
<td>40.6%</td>
<td>56.3%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Seminars</td>
<td>24.1%</td>
<td>62.1%</td>
<td>13.8%</td>
</tr>
<tr>
<td>Live-client clinics</td>
<td>36.7%</td>
<td>46.7%</td>
<td>16.7%</td>
</tr>
<tr>
<td>Upper-level writing</td>
<td>31.3%</td>
<td>65.6%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Externships</td>
<td>56.7%</td>
<td>43.3%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Independent legal research</td>
<td>28.1%</td>
<td>68.8%</td>
<td>3.1%</td>
</tr>
</tbody>
</table>

### 10. Our faculty has strong support from:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student research assistants</td>
<td>46.7%</td>
<td>30.0%</td>
<td>23.3%</td>
</tr>
<tr>
<td>Clerical staff</td>
<td>57.6%</td>
<td>27.3%</td>
<td>15.2%</td>
</tr>
<tr>
<td>Librarians</td>
<td>90.9%</td>
<td>9.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Associate deans</td>
<td>48.5%</td>
<td>36.4%</td>
<td>15.2%</td>
</tr>
<tr>
<td>Assistant deans</td>
<td>64.5%</td>
<td>25.8%</td>
<td>9.7%</td>
</tr>
<tr>
<td>Dean's office</td>
<td>50.0%</td>
<td>40.6%</td>
<td>9.4%</td>
</tr>
<tr>
<td>Summer research grants</td>
<td>59.4%</td>
<td>37.5%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Summer teaching grants</td>
<td>60.7%</td>
<td>35.7%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Travel funds</td>
<td>21.9%</td>
<td>56.3%</td>
<td>21.9%</td>
</tr>
</tbody>
</table>
### 11. In general, the current Dean’s Office (Dean, the two Associate Deans):

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is well-organized</td>
<td>56.3%</td>
<td>31.3%</td>
<td>12.5%</td>
</tr>
<tr>
<td>Is appropriately staffed</td>
<td>46.9%</td>
<td>34.4%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Exercises appropriate leadership</td>
<td>41.9%</td>
<td>32.3%</td>
<td>25.8%</td>
</tr>
<tr>
<td>Provides sufficient information about budgets and other issues</td>
<td>36.4%</td>
<td>42.4%</td>
<td>21.2%</td>
</tr>
<tr>
<td>Has established good communication and a good relationship with the faculty</td>
<td>39.4%</td>
<td>33.3%</td>
<td>27.3%</td>
</tr>
<tr>
<td>Has established good communication and has a good relationship with the University</td>
<td>43.5%</td>
<td>52.2%</td>
<td>4.3%</td>
</tr>
<tr>
<td>Has established good communication and has a good relationship with the outside community</td>
<td>57.1%</td>
<td>42.9%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Has responded well to outside pressures and criticisms of the Law School</td>
<td>54.2%</td>
<td>29.2%</td>
<td>16.7%</td>
</tr>
<tr>
<td>Has been open to new ideas and programs</td>
<td>37.9%</td>
<td>44.8%</td>
<td>17.2%</td>
</tr>
<tr>
<td>Has helped make faculty and students visible in the local community, region, and nation</td>
<td>46.7%</td>
<td>36.7%</td>
<td>16.7%</td>
</tr>
<tr>
<td>Has successfully developed and implemented the CMLAW brand</td>
<td>42.9%</td>
<td>42.9%</td>
<td>14.3%</td>
</tr>
</tbody>
</table>

### 12. The areas in which C|M|LAW faces infrastructure problems are:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library acquisitions</td>
<td>21.4%</td>
<td>57.1%</td>
<td>21.4%</td>
</tr>
<tr>
<td>Physical plant</td>
<td>15.4%</td>
<td>69.2%</td>
<td>15.4%</td>
</tr>
<tr>
<td>Classroom sizes and number</td>
<td>10.3%</td>
<td>75.9%</td>
<td>13.8%</td>
</tr>
<tr>
<td>Classroom physical conditions</td>
<td>20.7%</td>
<td>58.6%</td>
<td>20.7%</td>
</tr>
<tr>
<td>Faculty office conditions</td>
<td>20.7%</td>
<td>62.1%</td>
<td>17.2%</td>
</tr>
<tr>
<td>General building maintenance</td>
<td>7.1%</td>
<td>64.3%</td>
<td>28.6%</td>
</tr>
<tr>
<td>Building climate control</td>
<td>31.0%</td>
<td>55.2%</td>
<td>13.8%</td>
</tr>
<tr>
<td>Parking</td>
<td>66.7%</td>
<td>30.0%</td>
<td>3.3%</td>
</tr>
<tr>
<td>Security</td>
<td>56.7%</td>
<td>40.0%</td>
<td>3.3%</td>
</tr>
<tr>
<td>IT</td>
<td>46.4%</td>
<td>50.0%</td>
<td>3.6%</td>
</tr>
</tbody>
</table>
13. C|M|LAW faces the following problems in regard to the faculty:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retaining present faculty</td>
<td>48.3%</td>
<td>41.4%</td>
<td>10.3%</td>
</tr>
<tr>
<td>Attracting strong new faculty</td>
<td>75.0%</td>
<td>25.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Course load distribution</td>
<td>34.6%</td>
<td>53.8%</td>
<td>11.5%</td>
</tr>
<tr>
<td>Faculty morale</td>
<td>50.0%</td>
<td>46.4%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Excessive outside activity by faculty</td>
<td>7.7%</td>
<td>46.2%</td>
<td>46.2%</td>
</tr>
<tr>
<td>Insufficient outside activity by faculty</td>
<td>14.8%</td>
<td>51.9%</td>
<td>33.3%</td>
</tr>
<tr>
<td>Divisive faculty cliques</td>
<td>13.8%</td>
<td>51.7%</td>
<td>34.5%</td>
</tr>
<tr>
<td>Portion of evening courses taught by adjunct faculty</td>
<td>15.4%</td>
<td>69.2%</td>
<td>15.4%</td>
</tr>
<tr>
<td>Faculty Scholarship</td>
<td>53.3%</td>
<td>36.7%</td>
<td>10.0%</td>
</tr>
<tr>
<td>Faculty teaching competence</td>
<td>13.8%</td>
<td>51.7%</td>
<td>34.5%</td>
</tr>
</tbody>
</table>

14. C|M|LAW faces the following problems in regard to students:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of faculty accessibility</td>
<td>21.4%</td>
<td>50.0%</td>
<td>28.6%</td>
</tr>
<tr>
<td>Student morale</td>
<td>18.5%</td>
<td>74.1%</td>
<td>7.4%</td>
</tr>
<tr>
<td>Recruiting strong students</td>
<td>89.7%</td>
<td>10.3%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Scholarships</td>
<td>86.7%</td>
<td>13.3%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Curriculum inadequacies</td>
<td>17.2%</td>
<td>58.6%</td>
<td>24.1%</td>
</tr>
<tr>
<td>Bar passage rates</td>
<td>50.0%</td>
<td>46.7%</td>
<td>3.3%</td>
</tr>
<tr>
<td>Excessive work or other outside activity by students</td>
<td>37.9%</td>
<td>62.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Tuition</td>
<td>18.5%</td>
<td>59.3%</td>
<td>22.2%</td>
</tr>
<tr>
<td>Post-graduate employment</td>
<td>58.6%</td>
<td>41.4%</td>
<td>0.0%</td>
</tr>
</tbody>
</table>
15. The programs we should particularly emphasize for students in the future are:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law review, journals, and research and writing</td>
<td>50.0%</td>
<td>46.4%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Moot court competitions</td>
<td>34.5%</td>
<td>62.1%</td>
<td>3.4%</td>
</tr>
<tr>
<td>Live client clinics</td>
<td>53.3%</td>
<td>33.3%</td>
<td>13.3%</td>
</tr>
<tr>
<td>Skills simulation courses</td>
<td>51.7%</td>
<td>37.9%</td>
<td>10.3%</td>
</tr>
<tr>
<td>Externships</td>
<td>57.1%</td>
<td>35.7%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Small seminars</td>
<td>24.1%</td>
<td>69.0%</td>
<td>6.9%</td>
</tr>
<tr>
<td>Concentrations</td>
<td>13.8%</td>
<td>58.6%</td>
<td>27.6%</td>
</tr>
<tr>
<td>Dual-degree programs</td>
<td>16.7%</td>
<td>73.3%</td>
<td>10.0%</td>
</tr>
<tr>
<td>Post graduate programs</td>
<td>11.1%</td>
<td>70.4%</td>
<td>18.5%</td>
</tr>
<tr>
<td>Study abroad opportunities</td>
<td>10.7%</td>
<td>78.6%</td>
<td>10.7%</td>
</tr>
</tbody>
</table>

16. In the future our faculty should seek particularly to improve in the area of:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teaching first-year courses</td>
<td>34.6%</td>
<td>53.8%</td>
<td>11.5%</td>
</tr>
<tr>
<td>Teaching upper-level courses</td>
<td>43.5%</td>
<td>47.8%</td>
<td>8.7%</td>
</tr>
<tr>
<td>Teaching large classes</td>
<td>24.0%</td>
<td>60.0%</td>
<td>16.0%</td>
</tr>
<tr>
<td>Teaching small classes</td>
<td>26.9%</td>
<td>65.4%</td>
<td>7.7%</td>
</tr>
<tr>
<td>Staying current in their fields</td>
<td>48.0%</td>
<td>48.0%</td>
<td>4.0%</td>
</tr>
<tr>
<td>Publishing academic research</td>
<td>67.9%</td>
<td>25.0%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Publishing practice-related materials</td>
<td>25.9%</td>
<td>55.6%</td>
<td>18.5%</td>
</tr>
<tr>
<td>Service to the law college</td>
<td>22.2%</td>
<td>51.9%</td>
<td>25.9%</td>
</tr>
<tr>
<td>Service to the university</td>
<td>3.7%</td>
<td>66.7%</td>
<td>29.6%</td>
</tr>
<tr>
<td>Service to the bench and bar</td>
<td>19.2%</td>
<td>46.2%</td>
<td>34.6%</td>
</tr>
<tr>
<td>Legal reform efforts</td>
<td>12.0%</td>
<td>60.0%</td>
<td>28.0%</td>
</tr>
<tr>
<td>Advising students</td>
<td>48.1%</td>
<td>37.0%</td>
<td>14.8%</td>
</tr>
</tbody>
</table>

17. In appointing future faculty members, we should particularly seek candidates who:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are women</td>
<td>39.3%</td>
<td>53.6%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Are minorities</td>
<td>46.4%</td>
<td>46.4%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Have different intellectual views</td>
<td>50.0%</td>
<td>42.9%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Have non-legal experience</td>
<td>3.6%</td>
<td>53.6%</td>
<td>42.9%</td>
</tr>
<tr>
<td>Are experienced lawyers</td>
<td>42.9%</td>
<td>53.6%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Are beginning law teachers</td>
<td>11.1%</td>
<td>81.5%</td>
<td>7.4%</td>
</tr>
<tr>
<td>Are experienced law teachers</td>
<td>11.5%</td>
<td>80.8%</td>
<td>7.7%</td>
</tr>
<tr>
<td>Have PhDs as well as JDs</td>
<td>3.7%</td>
<td>74.1%</td>
<td>22.2%</td>
</tr>
<tr>
<td>Were outstanding law students</td>
<td>53.6%</td>
<td>46.4%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Have LLMs</td>
<td>7.1%</td>
<td>78.6%</td>
<td>14.3%</td>
</tr>
<tr>
<td>Are accomplished scholars</td>
<td>42.9%</td>
<td>42.9%</td>
<td>14.3%</td>
</tr>
<tr>
<td>Have held judicial clerkships</td>
<td>32.1%</td>
<td>60.7%</td>
<td>7.1%</td>
</tr>
<tr>
<td>Have worked for major firms</td>
<td>28.6%</td>
<td>60.7%</td>
<td>10.7%</td>
</tr>
<tr>
<td>Have worked for public interest groups</td>
<td>21.4%</td>
<td>75.0%</td>
<td>3.6%</td>
</tr>
</tbody>
</table>
18. In preparing future students for the legal profession, we should strive particularly to develop their:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written communication skills</td>
<td>100.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Oral communication skills</td>
<td>96.6%</td>
<td>3.4%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Legal research skills</td>
<td>76.7%</td>
<td>23.3%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Analytical skills</td>
<td>100.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Law practice skills</td>
<td>70.0%</td>
<td>20.0%</td>
<td>10.0%</td>
</tr>
<tr>
<td>Ethical sensitivities</td>
<td>76.7%</td>
<td>23.3%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Commitment to pro bono work</td>
<td>56.7%</td>
<td>30.0%</td>
<td>13.3%</td>
</tr>
<tr>
<td>Ability to pass the bar exam</td>
<td>86.7%</td>
<td>13.3%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Intellectual curiosity</td>
<td>86.7%</td>
<td>13.3%</td>
<td>0.0%</td>
</tr>
</tbody>
</table>
1. C|M|LAW's strength lies in its:

- Location
- Faculty
- Staff
- Affordable tuition
- Part-time (day and evening) program
- New first year curriculum
- Upper-level curriculum
- Legal writing program
- Clinical programs
- Externships
- Law Reviews and Journal
- Moot court
- Preparation for the bar exam
- Preparation for law practice
- Library and library services
- Employment potential after graduation
- Concentrations
- Lectures by visiting scholars
- Conferences
- Student Organizations
- Intellectual energy
- Collegiality
- Respect for Differing Viewpoints
- Character of Student Body
- Quality of Student Body

- Agree/Strongly Agree
- Somewhat Dis/Neutral/Somewhat Agree
- Disagree/Strongly Disagree
2. A legal education at C|M|LAW excels in the areas of:

<table>
<thead>
<tr>
<th>Area</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teaching rigorous analysis</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teaching practical lawyering skills</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Teaching professional ethics</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Teaching written and oral expression</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Teaching legal research skills</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preparing for the bar exam</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preparing for law practice</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instilling intellectual curiosity</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. At present, C|M|LAW student services are especially strong in:

<table>
<thead>
<tr>
<th>Service</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attracting &amp; enrolling qualified students</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Attracting &amp; enrolling diverse students</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bar preparation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Admission counseling</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First-year orientation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial aid</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Career planning</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student advising</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Academic assistance</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4. I am generally satisfied at C|M|LAW with the extent to which I am able to:

- Teach courses I want
- Have appropriate class sizes
- Interact with students outside of the classroom
- Research and write on topics I want
- Serve effectively on law college committees
- Serve effectively on university committees
- Effectively serve the bench and bar
- Engage in legal reform efforts
- Participate in the intellectual life of the faculty
- Be recognized for my teaching
- Be recognized for my service
- Be recognized for my scholarly work

5. At present, our students are strong in their:

- Intellectual aptitude
- Analytical skills
- Substantive knowledge
- Oral expression abilities
- Written expression abilities
- Research skills
- Diligence
- Class attendance
- Class preparation
- Examination performance
6. Our present tenured/tenure-track faculty is strong with respect to:

<table>
<thead>
<tr>
<th>Area</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational background</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional experience</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intellectual Diversity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teaching first-year courses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teaching upper-level courses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staying current in their fields</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Publishing academic research</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Publishing practice-related materials</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the law college</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the university</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the bench and bar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal reform efforts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advising students</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National reputation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7. Our present clinical faculty is strong with respect to:

<table>
<thead>
<tr>
<th>Area</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational background</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional experience</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intellectual Diversity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teaching Competence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staying current in their fields</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Publishing academic research</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Publishing practice-related materials</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the law college</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the university</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the bench and bar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal reform efforts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advising students</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Reputation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
8. Our present legal writing faculty is strong with respect to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational background</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional experience</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intellectual Diversity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teaching Competence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staying current in their fields</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Publishing academic research</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Publishing practice-related materials</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the law college</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the university</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service to the bench and bar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal reform efforts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advising students</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Reputation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9. Our curriculum is particularly strong in the areas of:

<table>
<thead>
<tr>
<th>Course Type</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>First-year substantive courses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perspective courses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First-year legal writing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Third semester legal writing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper-level required courses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper-level electives</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seminars</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Live-client clinics</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper-level writing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Externships</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Independent legal research</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
10. Our faculty has strong support from:

- Student research assistants
- Clerical staff
- Librarians
- Associate deans
- Assistant deans
- Dean's office
- Summer research grants
- Summer teaching grants
- Travel funds

11. In general, the current Dean's Office (Dean, the two Associate Deans):

- Is well-organized
- Is appropriately staffed
- Exercises appropriate leadership
- Provides sufficient information about budgets and other issues
- Has established good communication and a good relationship with the...
12. The areas in which C|M|LAW faces infrastructure problems are:

- Library acquisitions
- Physical plant
- Classroom sizes and number
- Classroom physical conditions
- Faculty office conditions
- General building maintenance
- Building climate control
- Parking
- Security
- IT

13. C|M|LAW faces the following problems in regard to the faculty:

- Retaining present faculty
- Attracting strong new faculty
- Course load distribution
- Faculty morale
- Excessive outside activity by faculty
- Insufficient outside activity by faculty
- Divisive faculty cliques
- Portion of evening courses taught by adjunct faculty
- Faculty Scholarship
- Faculty teaching competence
14. C|M|LAW faces the following problems in regard to students:

- Lack of faculty accessibility
- Student morale
- Recruiting strong students
- Scholarships
- Curriculum inadequacies
- Bar passage rates
- Excessive work or other outside activity by students
- Tuition
- Post-graduate employment

15. The programs we should particularly emphasize for students in the future are:

- Law review, journals, and research and writing
- Moot court competitions
- Live client clinics
- Skills simulation courses
- Externships
- Small seminars
- Concentrations
- Dual-degree programs
- Post graduate programs
- Study abroad opportunities
16. In the future our faculty should seek particularly to improve in the area of:

- Teaching first-year courses
- Teaching upper-level courses
- Teaching large classes
- Teaching small classes
- Staying current in their fields
- Publishing academic research
- Publishing practice-related materials
- Service to the law college
- Service to the university
- Service to the bench and bar
- Legal reform efforts
- Advising students

17. In appointing future faculty members, we should particularly seek candidates who:

- Are women
- Are minorities
- Have different intellectual views
- Have non-legal experience
- Are experienced lawyers
- Are beginning law teachers
- Are experienced law teachers
- Have Ph.Ds as well as J.Ds
- Were outstanding law students
- Have LL.Ms
- Are accomplished scholars
- Have held judicial clerkships
- Have worked for major firms
- Have worked for public interest groups
18. In preparing future students for the legal profession, we should strive particularly to develop their:

- Written communication skills
- Oral communication skills
- Legal research skills
- Analytical skills
- Law practice skills
- Ethical sensitivities
- Commitment to pro bono work
- Ability to pass the bar exam
- Intellectual curiosity

[Bar chart showing agreed/disagreed responses]
## Staff Survey Results

1. **C|M|LAW’s strength lies in its:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>75.0%</td>
<td>25.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Faculty</td>
<td>57.1%</td>
<td>40.0%</td>
<td>2.9%</td>
</tr>
<tr>
<td>Staff</td>
<td>62.2%</td>
<td>35.1%</td>
<td>2.7%</td>
</tr>
<tr>
<td>Affordable tuition</td>
<td>89.2%</td>
<td>10.8%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Part-time day and evening program</td>
<td>88.9%</td>
<td>11.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>New first year curriculum</td>
<td>44.0%</td>
<td>52.0%</td>
<td>4.0%</td>
</tr>
<tr>
<td>Upper level curriculum</td>
<td>48.1%</td>
<td>48.1%</td>
<td>3.7%</td>
</tr>
<tr>
<td>Legal writing program</td>
<td>66.7%</td>
<td>30.3%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Clinical programs</td>
<td>81.8%</td>
<td>15.2%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Externships</td>
<td>75.0%</td>
<td>21.9%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Law Reviews and Journals</td>
<td>64.7%</td>
<td>29.4%</td>
<td>5.9%</td>
</tr>
<tr>
<td>Moot court</td>
<td>76.5%</td>
<td>23.5%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Preparation for the barexam</td>
<td>60.0%</td>
<td>40.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Preparation for law practice</td>
<td>54.3%</td>
<td>45.7%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Library and library services</td>
<td>80.6%</td>
<td>16.7%</td>
<td>2.8%</td>
</tr>
<tr>
<td>Employment potential after graduation</td>
<td>42.9%</td>
<td>57.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Concentrations</td>
<td>32.3%</td>
<td>64.5%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Lectures by visiting scholars</td>
<td>29.0%</td>
<td>67.7%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Conferences</td>
<td>22.6%</td>
<td>74.2%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Student Organizations</td>
<td>46.9%</td>
<td>50.0%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Intellectual energy</td>
<td>39.4%</td>
<td>51.5%</td>
<td>9.1%</td>
</tr>
<tr>
<td>Collegiality</td>
<td>14.3%</td>
<td>71.4%</td>
<td>14.3%</td>
</tr>
<tr>
<td>Respect for Differing Viewpoints</td>
<td>27.8%</td>
<td>61.1%</td>
<td>11.1%</td>
</tr>
<tr>
<td>Character of Student Body</td>
<td>52.9%</td>
<td>47.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Quality of Student Body</td>
<td>54.5%</td>
<td>42.4%</td>
<td>3.0%</td>
</tr>
</tbody>
</table>

2. **At present, C|M|LAW student services are especially strong in:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attracting enrolling qualified students</td>
<td>32.4%</td>
<td>61.8%</td>
<td>5.9%</td>
</tr>
<tr>
<td>Attracting enrolling diverse students</td>
<td>41.2%</td>
<td>52.9%</td>
<td>5.9%</td>
</tr>
<tr>
<td>Bar preparation</td>
<td>37.5%</td>
<td>50.0%</td>
<td>12.5%</td>
</tr>
<tr>
<td>Admission counseling</td>
<td>46.4%</td>
<td>53.6%</td>
<td>0.0%</td>
</tr>
<tr>
<td>First year orientation</td>
<td>40.6%</td>
<td>50.0%</td>
<td>9.4%</td>
</tr>
<tr>
<td>Financial aid</td>
<td>20.7%</td>
<td>72.4%</td>
<td>6.9%</td>
</tr>
<tr>
<td>Career planning</td>
<td>59.4%</td>
<td>37.5%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Student advising</td>
<td>41.4%</td>
<td>51.7%</td>
<td>6.9%</td>
</tr>
<tr>
<td>Academic assistance</td>
<td>67.7%</td>
<td>29.0%</td>
<td>3.2%</td>
</tr>
</tbody>
</table>
### 3. At C|M|LAW, I am satisfied with:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>My interactions with the Deans office</td>
<td>62.5%</td>
<td>37.5%</td>
<td>0.0%</td>
</tr>
<tr>
<td>My interactions with other staff</td>
<td>70.6%</td>
<td>26.5%</td>
<td>2.9%</td>
</tr>
<tr>
<td>My interactions with faculty</td>
<td>40.0%</td>
<td>54.3%</td>
<td>5.7%</td>
</tr>
<tr>
<td>My interactions with students</td>
<td>75.0%</td>
<td>25.0%</td>
<td>0.0%</td>
</tr>
</tbody>
</table>

### 4. Our staff has strong support from:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean</td>
<td>51.4%</td>
<td>40.0%</td>
<td>8.6%</td>
</tr>
<tr>
<td>Associate Deans</td>
<td>60.6%</td>
<td>30.3%</td>
<td>9.1%</td>
</tr>
<tr>
<td>Assistant Deans</td>
<td>66.7%</td>
<td>27.3%</td>
<td>6.1%</td>
</tr>
<tr>
<td>IT Staff</td>
<td>50.0%</td>
<td>47.2%</td>
<td>2.8%</td>
</tr>
<tr>
<td>Managerial Staff</td>
<td>57.6%</td>
<td>42.4%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Students</td>
<td>51.4%</td>
<td>48.6%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Faculty</td>
<td>20.0%</td>
<td>68.6%</td>
<td>11.4%</td>
</tr>
</tbody>
</table>

### 5. In general, the current Dean’s Office (Dean, the two Associate Deans):

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is well-organized</td>
<td>64.5%</td>
<td>32.3%</td>
<td>3.2%</td>
</tr>
<tr>
<td>Is appropriately staffed</td>
<td>58.6%</td>
<td>31.0%</td>
<td>10.3%</td>
</tr>
<tr>
<td>Exercises appropriate leadership</td>
<td>56.3%</td>
<td>34.4%</td>
<td>9.4%</td>
</tr>
<tr>
<td>Provides sufficient information about budgets and other issues</td>
<td>41.2%</td>
<td>47.1%</td>
<td>11.8%</td>
</tr>
<tr>
<td>Has established good communication and a good relationship with the faculty</td>
<td>35.3%</td>
<td>52.9%</td>
<td>11.8%</td>
</tr>
<tr>
<td>Has established good communication and has a good relationship with the University</td>
<td>55.2%</td>
<td>37.9%</td>
<td>6.9%</td>
</tr>
<tr>
<td>Has established good communication and has a good relationship with the outside community</td>
<td>63.3%</td>
<td>33.3%</td>
<td>3.3%</td>
</tr>
<tr>
<td>Has responded well to outside pressures and criticisms of the Law School</td>
<td>53.6%</td>
<td>42.9%</td>
<td>3.6%</td>
</tr>
<tr>
<td>Has been open to new ideas and programs</td>
<td>44.8%</td>
<td>51.7%</td>
<td>3.4%</td>
</tr>
<tr>
<td>Has helped make faculty and students visible in the local community, region, and nation</td>
<td>56.3%</td>
<td>40.6%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Has successfully developed and implemented the CMLAW brand</td>
<td>58.1%</td>
<td>38.7%</td>
<td>3.2%</td>
</tr>
</tbody>
</table>
### 6. The areas in which C|M|LAW faces infrastructure problems are:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Plant</td>
<td>15.6%</td>
<td>56.3%</td>
<td>28.1%</td>
</tr>
<tr>
<td>Staff office conditions</td>
<td>21.2%</td>
<td>48.5%</td>
<td>30.3%</td>
</tr>
<tr>
<td>General building maintenance</td>
<td>25.0%</td>
<td>50.0%</td>
<td>25.0%</td>
</tr>
<tr>
<td>Building climate control</td>
<td>48.5%</td>
<td>42.4%</td>
<td>9.1%</td>
</tr>
<tr>
<td>Parking</td>
<td>43.8%</td>
<td>37.5%</td>
<td>18.8%</td>
</tr>
<tr>
<td>Security</td>
<td>42.4%</td>
<td>42.4%</td>
<td>15.2%</td>
</tr>
<tr>
<td>IT</td>
<td>29.0%</td>
<td>58.1%</td>
<td>12.9%</td>
</tr>
</tbody>
</table>

### 7. Cleveland-Marshall faces the following problems in regard to staff:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retaining present staff</td>
<td>51.5%</td>
<td>30.3%</td>
<td>18.2%</td>
</tr>
<tr>
<td>Attracting new staff</td>
<td>15.2%</td>
<td>54.5%</td>
<td>30.3%</td>
</tr>
<tr>
<td>Staff morale</td>
<td>58.8%</td>
<td>32.4%</td>
<td>8.8%</td>
</tr>
<tr>
<td>Divisive staff cliques</td>
<td>35.5%</td>
<td>41.9%</td>
<td>22.6%</td>
</tr>
</tbody>
</table>

### 8. C|M|LAW faces the following problems in regard to students:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of faculty accessibility</td>
<td>40.7%</td>
<td>55.6%</td>
<td>3.7%</td>
</tr>
<tr>
<td>Student morale</td>
<td>25.9%</td>
<td>55.6%</td>
<td>18.5%</td>
</tr>
<tr>
<td>Recruiting strong students</td>
<td>48.4%</td>
<td>41.9%</td>
<td>9.7%</td>
</tr>
<tr>
<td>Scholarships</td>
<td>55.2%</td>
<td>44.8%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Curriculum inadequacies</td>
<td>8.0%</td>
<td>80.0%</td>
<td>12.0%</td>
</tr>
<tr>
<td>Bar passage rates</td>
<td>56.3%</td>
<td>37.5%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Excessive work or other outside activity by students</td>
<td>19.2%</td>
<td>65.4%</td>
<td>15.4%</td>
</tr>
<tr>
<td>Tuition</td>
<td>6.5%</td>
<td>74.2%</td>
<td>19.4%</td>
</tr>
<tr>
<td>Post-graduate employment</td>
<td>46.9%</td>
<td>46.9%</td>
<td>6.3%</td>
</tr>
</tbody>
</table>
9. The programs we should particularly emphasize for students in the future are:

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law review journals and research and writing</td>
<td>54.5%</td>
<td>45.5%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Moot court competitions</td>
<td>54.5%</td>
<td>45.5%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Live client clinics</td>
<td>84.8%</td>
<td>15.2%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Skills simulation courses</td>
<td>84.4%</td>
<td>15.6%</td>
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<tr>
<td>Externships</td>
<td>75.8%</td>
<td>24.2%</td>
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<tr>
<td>Small seminars</td>
<td>43.8%</td>
<td>53.1%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Concentrations</td>
<td>34.4%</td>
<td>56.3%</td>
<td>9.4%</td>
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<tr>
<td>Dual degree programs</td>
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<tr>
<td>Post-graduate programs</td>
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<tr>
<td>Study abroad opportunities</td>
<td>9.4%</td>
<td>71.9%</td>
<td>18.8%</td>
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</tbody>
</table>

10. In preparing future students for the legal profession, we should strive particularly to develop

<table>
<thead>
<tr>
<th>Item</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
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<tr>
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<td>100.0%</td>
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<tr>
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<td>Legal research skills</td>
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<td>Analytical skills</td>
<td>93.9%</td>
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<tr>
<td>Law practice skills</td>
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<td>Ethical sensitivities</td>
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<tr>
<td>Commitment to pro bono work</td>
<td>72.7%</td>
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</tr>
<tr>
<td>Ability to pass the bar exam</td>
<td>100.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Intellectual curiosity</td>
<td>63.6%</td>
<td>33.3%</td>
<td>3.0%</td>
</tr>
</tbody>
</table>
1. **C|M|LAW's strength lies in its:**

<table>
<thead>
<tr>
<th>Category</th>
<th>0%</th>
<th>10%</th>
<th>20%</th>
<th>30%</th>
<th>40%</th>
<th>50%</th>
<th>60%</th>
<th>70%</th>
<th>80%</th>
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<td>Part-time day and evening program</td>
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<td>Preparation for the barexam</td>
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<tr>
<td>Preparation for law practice</td>
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<td>Intellectual energy</td>
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<td>Character of Student Body</td>
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<td>Quality of Student Body</td>
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</tbody>
</table>

- Agree/Strongly Agree
- Somewhat Dis/Neutral/Somewhat Agree
- Disagree/Strongly Disagree
2. At present, C|M|LAW student services are especially strong in:

Attracting enrolling qualified students
Attracting enrolling diverse students
Bar preparation
Admission counseling
First year orientation
Financial aid
Career planning
Student advising
Academic assistance

3. At C|M|LAW, I am satisfied with:

My interactions with the Deans office
My interactions with other staff
My interactions with faculty
My interactions with students
4. Our staff has strong support from:

- Dean
- Associate Deans
- Assistant Deans
- IT Staff
- Managerial Staff
- Students
- Faculty

![Bar chart showing support from different staff groups, with majority support indicated.]

5. In general, the current Dean's Office (Dean, the two Associate Deans):

- Is well-organized
- Is appropriately staffed
- Exercises appropriate leadership
- Provides sufficient information about budgets and other issues
- Has established good communication and a good relationship...
- Has established good communication and has a good...
- Has established good communication and has a good...
- Has responded well to outside pressures and criticisms of the...
- Has been open to new ideas and programs
- Has helped make faculty and students visible in the local...
- Has successfully developed and implemented the CMLAW brand

![Bar chart showing general satisfaction levels, with majority agreement indicated.]
6. The areas in which C|M|LAW faces infrastructure problems are:

- Physical Plant
- Staff office conditions
- General building maintenance
- Building climate control
- Parking
- Security
- IT

7. Cleveland-Marshall faces the following problems in regard to staff:

- Retaining present staff
- Attracting new staff
- Staff morale
- Divisive staff cliques
8. C|M|LAW faces the following problems in regard to students:

- Lack of faculty accessibility
- Student morale
- Recruiting strong students
- Scholarships
- Curriculum inadequacies
- Bar passage rates
- Excessive work or other outside activity by students
- Tuition
- Post-graduate employment

9. The programs we should particularly emphasize for students in the future are:

- Law review journals and research and writing
- Moot court competitions
- Live client clinics
- Skills simulation courses
- Externships
- Small seminars
- Concentrations
- Dual degree programs
- Post-graduate programs
- Study abroad opportunities
10. In preparing future students for the legal profession, we should strive particularly to develop their:

<table>
<thead>
<tr>
<th>Skill</th>
<th>Agree/Strongly Agree</th>
<th>Somewhat Dis/Neutral/Somewhat Agree</th>
<th>Disagree/Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written communication skills</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oral communication skills</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal research skills</td>
<td></td>
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<tr>
<td>Analytical skills</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Law practice skills</td>
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<tr>
<td>Ethical sensitivities</td>
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<tr>
<td>Commitment to pro bono work</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Ability to pass the bar exam</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Intellectual curiosity</td>
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</table>
### Student Characteristics

**Class Level**

<table>
<thead>
<tr>
<th></th>
<th>1L</th>
<th>2L</th>
<th>3L</th>
<th>4L</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>n</td>
<td>88</td>
<td>91</td>
<td>74</td>
<td>13</td>
<td>266</td>
</tr>
<tr>
<td>%</td>
<td>33%</td>
<td>34%</td>
<td>28%</td>
<td>5%</td>
<td>100%</td>
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</tbody>
</table>

**Gender**

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</thead>
<tbody>
<tr>
<td>Male</td>
<td>51%</td>
<td>43%</td>
<td>57%</td>
<td>46%</td>
<td>50%</td>
</tr>
<tr>
<td>Female</td>
<td>45%</td>
<td>52%</td>
<td>40%</td>
<td>46%</td>
<td>46%</td>
</tr>
<tr>
<td>I prefer not to respond</td>
<td>4%</td>
<td>5%</td>
<td>3%</td>
<td>8%</td>
<td>4%</td>
</tr>
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</table>

**Age**

<table>
<thead>
<tr>
<th></th>
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<th>4L</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>22 or younger</td>
<td>15%</td>
<td>7%</td>
<td>0%</td>
<td>0%</td>
<td>7%</td>
</tr>
<tr>
<td>23-25</td>
<td>43%</td>
<td>45%</td>
<td>56%</td>
<td>0%</td>
<td>45%</td>
</tr>
<tr>
<td>26-30</td>
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<td>23%</td>
<td>29%</td>
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</tr>
<tr>
<td>31-40</td>
<td>11%</td>
<td>22%</td>
<td>13%</td>
<td>31%</td>
<td>16%</td>
</tr>
<tr>
<td>Over 40</td>
<td>5%</td>
<td>4%</td>
<td>1%</td>
<td>15%</td>
<td>4%</td>
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**Transfer Students**

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</thead>
<tbody>
<tr>
<td>4%</td>
<td>5%</td>
<td>3%</td>
<td>8%</td>
<td>4%</td>
<td>0%</td>
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**Joint-degree Students**

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<th>3L</th>
<th>4L</th>
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</thead>
<tbody>
<tr>
<td>7%</td>
<td>6%</td>
<td>6%</td>
<td>5%</td>
<td>16%</td>
<td>5%</td>
</tr>
</tbody>
</table>

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**Response Rate**

- **Adjusted Sample Size**: 164 175 161 29 529 951 996 985 35 2967 6476 6353 5720 220 20884 6059 6290 6068 93 20265 18512 18385 17127 1247 58080
- **Respondents**: 88 91 74 13 266
- **Response Rate**: 54% 52% 46% 45% 50% 53% 53% 52% 57% 53% 45% 43% 42% 37% 44% 48% 46% 45% 46% 47% 45% 44% 43% 37% 44%

---

**Size**

- **500 - 900**: Public

---

**Affiliation**

- **Public**: LSSSE 2012

---

**LSSSE 2012**

- **Comparative data for LSSSE 2012 schools selected by your institution. Comparison group does not include respondents from your law school. See list of selected peer schools on page 3 of this report.**

---

**JD Population = 530**

---

**Cleveland-Marshall**

- **Selected Peers**: d
- **Group**: Public

---

**Affiliation**

- **Public**: LSSSE 2012

---

**LSSSE 2012**

- **Comparative data for LSSSE 2012 schools selected by your institution. Comparison group does not include respondents from your law school. See list of selected peer schools on page 3 of this report.**

---

**Response Rate**

- **Adjusted Sample Size**: 164 175 161 29 529 951 996 985 35 2967 6476 6353 5720 220 20884 6059 6290 6068 93 20265 18512 18385 17127 1247 58080
- **Respondents**: 88 91 74 13 266
- **Response Rate**: 54% 52% 46% 45% 50% 53% 53% 52% 57% 53% 45% 43% 42% 37% 44% 48% 46% 45% 46% 47% 45% 44% 43% 37% 44%

---

**Student Characteristics**

- **Class Level**
  - n: 88 91 74 13 266
  - %: 33% 34% 28% 5% 100%
- **Gender**
  - Male: 51% 43% 57% 46% 50%
  - Female: 45% 52% 40% 46% 46%
  - I prefer not to respond: 4% 5% 3% 8% 4%
- **Age**
  - 22 or younger: 15% 7% 0% 0% 7%
  - 23-25: 43% 45% 56% 0% 45%
  - 26-30: 27% 23% 29% 54% 28%
  - 31-40: 11% 22% 13% 31% 16%
  - Over 40: 5% 4% 1% 15% 4%
- **Transfer Students**: 4% 5% 3% 8% 4%
- **Joint-degree Students**: 7% 6% 23% 6% 4% 6% 5% 16% 5% 4% 6% 7% 10% 6% 4% 5% 6% 13% 5% 3% 5% 5% 5% 4%

---

**Notes**

- a The adjusted sample size does not include students with non-deliverable e-mail addresses and students who were ineligible (e.g. no longer enrolled).
- b Number of respondents divided by adjusted sample size. Response rates by class based on school-reported information (if available). Students for whom this information was not provided are included in the overall response rates, but not class response rates.
- c Within student characteristics, student-reported class level was used when school-reported information was not available. Students for whom class level is unknown are not reported in the 'All' columns.
- d Comparative data for LSSSE 2012 schools selected by your institution. Comparison group does not include respondents from your law school.
- e Comparative data for LSSSE 2012 schools of similar population size (Less than 500, 500-900, or More than 900) based on adjusted sample size (see note a). Comparison group does not include respondents from your law school.
- f Comparative data for LSSSE 2012 schools of similar affiliation (Public, Private Religiously Affiliated, or Private Not Religiously Affiliated). Comparison group does not include respondents from your law school.
### LSSSE 2012 Respondent Characteristics

**Cleveland State University, Cleveland-Marshall College of Law**

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<tr>
<td>Am. Indian/Native American</td>
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- Within student characteristics, student-reported class level was used when school-reported information was not available. Students for whom class level is unknown are not reported in the 'All' columns.
- Comparative data for LSSSE 2012 schools selected by your institution. Comparison group does not include respondents from your law school. See list of selected peer schools on page 3 of this report.
- Comparative data for LSSSE 2012 schools of similar population size (Less than 500, 500-900, or More than 900) based on adjusted sample size (see note a). Comparison group does not include respondents from your law school.
- Comparative data for LSSSE 2012 schools of similar affiliation (Public, Private Religiously Affiliated, or Private Not Religiously Affiliated). Comparison group does not include respondents from your law school.
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| **1b. Pre pared two or more drafts of a paper or assignment before turning it in**                     |    |    |    |    |
| Never                                                                                                   | 10 | 8  | 8  | 2  |
| Sometimes                                                                                               | 23 | 26 | 24 | 5  |
| Often                                                                                                    | 24 | 27 | 21 | 3  |
| Very Often                                                                                                | 31 | 29 | 21 | 3  |
| **Total**                                                                                                | 88 | 90 | 74 | 13 |

| **1c. Worked on a paper or project that required integrating ideas or information from various sources** |    |    |    |    |
| Never                                                                                                   | 1  | 4  | 1  | 1  |
| Sometimes                                                                                               | 10 | 21 | 12 | 1  |
| Often                                                                                                    | 33 | 27 | 32 | 7  |
| Very Often                                                                                                | 43 | 38 | 28 | 4  |
| **Total**                                                                                                | 87 | 90 | 73 | 13 |

| **1d. Included diverse perspectives (different races, religions, sexual orientations, genders, political beliefs, etc.) in class discussions or writing assignments** |    |    |    |    |
| Never                                                                                                   | 8  | 8  | 10 | 2  |
| Sometimes                                                                                               | 44 | 41 | 23 | 4  |
| Often                                                                                                    | 23 | 27 | 26 | 3  |
| Very Often                                                                                                | 12 | 14 | 15 | 3  |
| **Total**                                                                                                | 87 | 89 | 74 | 12 |

| **1e. Come to class without completing readings or assignments**                                         |    |    |    |    |
| Never                                                                                                   | 47 | 26 | 16 | 1  |
| Sometimes                                                                                               | 38 | 45 | 42 | 8  |
| Often                                                                                                    | 1  | 13 | 10 | 2  |
| Very Often                                                                                                | 1  | 7  | 5  | 2  |
| **Total**                                                                                                | 87 | 91 | 73 | 13 |

| **1f. Worked with other students on projects during class**                                               |    |    |    |    |
| Never                                                                                                   | 14 | 20 | 12 | 2  |
| Sometimes                                                                                               | 47 | 55 | 51 | 10 |
| Often                                                                                                    | 22 | 12 | 8  | 1  |
| Very Often                                                                                                | 4  | 2  | 2  | 0  |
| **Total**                                                                                                | 87 | 91 | 73 | 13 |

<p>| <strong>1g. Worked with classmates outside of class to prepare class assignments</strong>                           |    |    |    |    |
| Never                                                                                                   | 8  | 15 | 14 | 6  |
| Sometimes                                                                                               | 47 | 48 | 48 | 6  |
| Often                                                                                                    | 25 | 24 | 8  | 1  |
| Very Often                                                                                                | 12 | 5  | 4  | 0  |
| <strong>Total</strong>                                                                                                | 88 | 91 | 74 | 13 |</p>
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### Law School Survey of Student Engagement

#### Cleveland State University, Cleveland-Marshall College of Law

**Examinations**

Select the circle that best represents the extent to which your examinations during the current school year have challenged you to do your best work.

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**Mental Activities**

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## Writing

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4a. Number of written papers **20 pages or more**

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4b. Number of written papers **between 5 and 19 pages**

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## Enriching Educational Experiences

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## Law School Survey of Student Engagement

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### Student Satisfaction (cont.)

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### Time Usage

#### 7a. Reading assigned textbooks, online class reading, and other course materials

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#### 7b. Preparing for class and clinical courses other than reading (studying, writing, doing homework, trial preparation, and other academic activities)

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#### Reading and preparing for class. (Combines RREADASG and RACADPRP variables.)

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#### Reading on your own (not assigned) for personal or academic enrichment

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### 7e. Working for pay in a law-related job

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### 7f. Working for pay in a nonlegal job

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**Working for pay. (Combines RWORKLEG and RWORKNLG variables.)**

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**Participating in law school-sponsored activities (organizations, journal, moot court, student bar association, etc.)**

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<td>4 4.8%</td>
<td>11 12.9%</td>
<td>9 12.9%</td>
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<tr>
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<tr>
<td></td>
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<td>70 100.0%</td>
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<td>23 32.9%</td>
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<td>70 100.0%</td>
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### Law School Environment

#### 8h. Attending campus events and activities (special speakers, cultural events, symposia, etc.)

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#### 8i. Providing the financial counseling you need to afford your education

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#### 8j. Using computers in academic work

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### Quality of Relationships

#### 9a. Other students

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<td>9b. Faculty members</td>
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### Educational and Personal Growth (cont.)

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</table>

| 10d. Speaking clearly and effectively | Very little | 9 | 9 | 1 | 2 |
| | Some | 23 | 26 | 21 | 4 |
| | Quite a bit | 28 | 30 | 24 | 4 |
| | Very much | 21 | 18 | 23 | 2 |
| Total | 81 | 83 | 69 | 12 |

| 10e. Thinking critically and analytically | Very little | 1 | 1 | 0 | 2 |
| | Some | 4 | 7 | 3 | 1 |
| | Quite a bit | 26 | 40 | 30 | 4 |
| | Very much | 50 | 34 | 36 | 6 |
| Total | 81 | 82 | 69 | 13 |

| 10f. Using computing and information technology | Very little | 9 | 18 | 8 | 4 |
| | Some | 25 | 40 | 29 | 4 |
| | Quite a bit | 31 | 20 | 19 | 4 |
| | Very much | 16 | 5 | 13 | 1 |
| Total | 81 | 83 | 69 | 13 |

| 10g. Developing legal research skills | Very little | 0 | 5 | 2 | 2 |
| | Some | 9 | 15 | 5 | 2 |
| | Quite a bit | 31 | 34 | 31 | 5 |
| | Very much | 40 | 29 | 32 | 4 |
| Total | 80 | 83 | 69 | 13 |

| 10h. Working effectively with others | Very little | 13 | 12 | 10 | 3 |
| | Some | 33 | 39 | 20 | 6 |
| | Quite a bit | 21 | 23 | 28 | 3 |
| | Very much | 14 | 9 | 12 | 1 |
| Total | 81 | 83 | 70 | 13 |

| 10i. Learning effectively on your own | Very little | 0 | 2 | 1 | 3 |
| | Some | 12 | 7 | 4 | 0 |
| | Quite a bit | 26 | 37 | 34 | 5 |
| | Very much | 43 | 37 | 30 | 5 |
| Total | 81 | 83 | 69 | 13 |
### Educational and Personal Growth (cont.)

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<td><strong>100.0%</strong></td>
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<td><strong>100.0%</strong></td>
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<td><strong>100.0%</strong></td>
<td><strong>100.0%</strong></td>
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<tr>
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<tr>
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<td>26.3%</td>
<td>21</td>
<td>25.3%</td>
<td>26</td>
<td>38.2%</td>
<td>6</td>
<td>46.2%</td>
</tr>
<tr>
<td></td>
<td>Very much</td>
<td>15</td>
<td>18.8%</td>
<td>5</td>
<td>6.0%</td>
<td>13</td>
<td>19.1%</td>
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<td><strong>100.0%</strong></td>
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<td>13.0%</td>
<td>3</td>
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<tr>
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<td>4.8%</td>
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<td>7.7%</td>
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<tr>
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<td>2.4%</td>
<td>3</td>
<td>4.3%</td>
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<td><strong>83</strong></td>
<td><strong>69</strong></td>
<td><strong>13</strong></td>
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<td><strong>100.0%</strong></td>
<td><strong>100.0%</strong></td>
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### Overall Satisfaction

#### 11. How would you evaluate your entire educational experience at your law school?

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<td>Fair</td>
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<td>Good</td>
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<td>3</td>
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<tr>
<td>Excellent</td>
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<td>16</td>
<td>24</td>
<td>5</td>
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<td>83</td>
<td>68</td>
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#### 12. If you could start over again, would you go to the same law school you are now attending?

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<td>Probably no</td>
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<td>Probably yes</td>
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<td>27</td>
<td>4</td>
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<tr>
<td>Definitely yes</td>
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<td>30</td>
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<td>5</td>
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### Demographics

#### 13. Age

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<td>15.4%</td>
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#### 14. Sex

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<td>7.7%</td>
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<td>83</td>
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<td>68</td>
<td>100.0%</td>
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#### 15. Are you an international student or foreign national?

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<td>2.4%</td>
<td>2</td>
<td>2.9%</td>
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<td>100.0%</td>
<td>68</td>
<td>100.0%</td>
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### 16. What is your racial or ethnic identification? (Select only one.)

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<td>Asian, Asian American, or Pacific Islander</td>
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<tr>
<td>Black or African American</td>
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<td>8</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>White (not Hispanic)</td>
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<td>66</td>
<td>54</td>
<td>9</td>
</tr>
<tr>
<td>Mexican or Mexican American</td>
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<td>Puerto Rican</td>
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<td>Other Hispanic or Latino</td>
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<td>0</td>
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### 17. What is your sexual orientation?

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<td>2</td>
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### Enrollment Information

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20b. In which joint degree program are you participating?

JNTSPECF
### Enrollment Information (cont.)

**22. Did you begin law school at your current institution or elsewhere?**

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<td>7.7%</td>
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**23. How many years elapsed between earning your undergraduate degree and enrolling in law school?**

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### Grades

**24. What have most of your grades been up to now at this law school?**

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### Expected Debt

**25. How much educational debt from attending law school do you expect to have upon your graduation?**

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### Law School Survey of Student Engagement

LSSSE 2012 Frequency Distributions
Cleveland State University, Cleveland-Marshall College of Law

**Primary Area of Legal Specialization**

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</table>

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Which field best describes your **primary area of specialization or expected area of specialization**? (Select only one.)

26. Which field best describes your primary area of specialization?
### Secondary Area of Legal Specialization

<table>
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Which field best describes your secondary area of legal specialization or expected area of specialization (if applicable)? (Select only one.)
Law School Survey of Student Engagement

LSSSE 2012 Frequency Distributions
Cleveland State University, Cleveland-Marshall College of Law

### Preferred Work Setting

Which setting best describes your preferred work environment once you graduate from law school? (Select only one.)

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## Expected Work Setting

Which setting best describes your expected work environment once you graduate from law school? (Select only one.)

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### Academic and Intellectual Experiences

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<td><strong>1b. Prepared two or more drafts of a paper or assignment before turning it in</strong></td>
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<tr>
<td><strong>1c. Worked on a paper or project that required integrating ideas or information from various sources</strong></td>
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<td><strong>1d. Included diverse perspectives (different races, religions, sexual orientations, genders, political beliefs, etc.) in class discussions or writing assignments</strong></td>
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<td><strong>1e. Come to class without completing readings or assignments (Note: Item has been reverse coded so that 4=Never, 3=Sometimes, 2=Often, 1=Very Often)</strong></td>
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<td><strong>1f. Worked with other students on projects during class</strong></td>
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<td><strong>1g. Worked with classmates outside of class to prepare class assignments</strong></td>
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<td><strong>1h. Put together ideas or concepts from different courses when completing assignments or during class discussions</strong></td>
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* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

Effect size: Mean difference divided by the pooled standard deviation.
## Academic and Intellectual Experiences (continued)

In your experience at your law school during the current school year, about how often have you done each of the following?

1 = Never, 2 = Sometimes, 3 = Often, 4 = Very often

<table>
<thead>
<tr>
<th>Variable Name</th>
<th>Cleveland-Marshall</th>
<th>Selected Peers</th>
<th>500 - 900</th>
<th>Public</th>
<th>LSSSE 2012</th>
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<tbody>
<tr>
<td>1i. Participated in a clinical or pro bono project as part of a course or for academic credit</td>
<td>CLINPROJ</td>
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<td>1j. Used an electronic medium (listserv, chat group, Internet, instant messaging, etc.) to discuss or complete an assignment</td>
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<td>1l. Discussed assignments with a faculty member</td>
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<td>1n. Discussed ideas from your readings or classes with faculty members outside of class</td>
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<td>1.85</td>
<td>2.05</td>
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<td>1o. Received prompt feedback (written or oral) from faculty on your academic performance</td>
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<td>1p. Worked harder than you thought you could to meet faculty members' standards or expectations</td>
<td>WORKHARD</td>
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* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

Effect size: Mean difference divided by the pooled standard deviation.
### Academic and Intellectual Experiences (continued)

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<td>2.95</td>
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<td>different race or ethnicity than your own</td>
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<td>are very different from you in terms of their religious beliefs,</td>
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<td>2.95</td>
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<td>Select the circle that best represents the</td>
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<td>6.12</td>
<td>**</td>
<td>.32</td>
<td>6.16</td>
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<td>.29</td>
<td>6.12</td>
<td>**</td>
<td>.32</td>
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<td>6.06</td>
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<td>**</td>
<td>.23</td>
<td>5.73</td>
<td>**</td>
<td>.25</td>
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<td>have challenged you to do your best work.</td>
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</table>

* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

---

* Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

* Effect size: Mean difference divided by the pooled standard deviation.
# Law School Survey of Student Engagement

## LSSSE 2012 Mean Comparisons Report

Cleveland State University, Cleveland-Marshall College of Law

<table>
<thead>
<tr>
<th>Variable Name</th>
<th>Cleveland-Marshall</th>
<th>Selected Peers</th>
<th>500 - 900</th>
<th>Public</th>
<th>LSSSE 2012</th>
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<td><strong>Mental Activities</strong></td>
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<tr>
<td><strong>Memorizing</strong> facts, ideas, or methods from your courses and readings so you can repeat them pretty much in the same form</td>
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<td>2.54</td>
<td>3.05</td>
<td>2.81</td>
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<tr>
<td><strong>Analyzing</strong> the basic elements of an idea, experience, or theory, such as examining a particular case or situation in depth, and considering its components</td>
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<td><strong>Synthesizing</strong> and organizing ideas, information, or experiences into new, more complex interpretations and relationships</td>
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<td><strong>Applying</strong> theories or concepts to practical problems or in new situations</td>
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* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

* Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

* Effect size: Mean difference divided by the pooled standard deviation.
## LSSSE 2012 Mean Comparisons Report
Cleveland State University, Cleveland-Marshall College of Law

### Writing

<table>
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<th>Mean</th>
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</table>

* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

* Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

* Effect size: Mean difference divided by the pooled standard deviation.

During the current school year, about how much writing will you do? 1=0, 2=1-3, 3=4-6, 4=7-9, 5=10 or more
<table>
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<th>Variable Name</th>
<th>Cleveland-Marshall</th>
<th>Selected Peers 500 - 900</th>
<th>Public</th>
<th>LSSSE 2012</th>
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<tr>
<td>5b. Volunteer or pro bono work</td>
<td>RVOLUNTR</td>
<td>1L: 0.71, 0.80</td>
<td>0.86, ** -0.42, 0.85, ** -0.38</td>
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<td>5c. Student-faculty committee</td>
<td>RSTFACCM</td>
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<td>0.26, 0.27, * -0.20</td>
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<td>5d. Work on a legal research project with a faculty member outside of course or program requirements</td>
<td>RRESEARC</td>
<td>1L: 0.28, 0.41</td>
<td>* -0.26, 0.41, * -0.26</td>
<td>0.41, * -0.25, 0.41, ** -0.27</td>
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<td>5e. Study abroad</td>
<td>RSTUDYAB</td>
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<td>3L: 0.03, 0.15</td>
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<td>5f. Law journal member</td>
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<td>5g. Moot court team</td>
<td>RMOOTCRT</td>
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<td>** -0.29, 0.41, ** -0.31</td>
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Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

Effect size: Mean difference divided by the pooled standard deviation.
### Enriching Educational Experiences

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<th>Mean</th>
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### Student Satisfaction

In your experience at your law school, how satisfied are you with each of these areas? 1=Very unsatisfied, 2=Unsatisfied, 3=Satisfied, 4=Very satisfied

<table>
<thead>
<tr>
<th>Variable Name</th>
<th>Class</th>
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<th>Mean</th>
<th>Sig</th>
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*Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

*Effect size: Mean difference divided by the pooled standard deviation.
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<th>RREADOWN</th>
<th>RPROPBN</th>
<th>RWORKLEG</th>
<th>RWORKNLG</th>
<th>WORK</th>
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* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

Effect size: Mean difference divided by the pooled standard deviation.
### Time Usage

During the current school year, about how many hours do you spend in a typical 7-day week doing each of the following? # = estimated hrs/wk

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<th>Mean 2</th>
<th>Sig</th>
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<th>Mean 2</th>
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<th>Mean 1</th>
<th>Mean 2</th>
<th>Sig</th>
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</table>

* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

* Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

* Effect size: Mean difference divided by the pooled standard deviation.
### Law School Environment

| Variable Name                  | Class | Mean 1L | Mean 2L | Mean 3L | Mean 4L | Mean 500-900 | Mean Public | Mean LSSSE 2012 | Effect Size 1L | Effect Size 2L | Effect Size 3L | Effect Size 4L |
|--------------------------------|-------|---------|---------|---------|---------|--------------|-------------|----------------|----------------|----------------|----------------|----------------|----------------|
| **8a. Spending significant amounts of time studying and on academic work** | ENVSPCHL | 3.46 | 3.47 | 3.19 | 2.77 | 3.57 | 3.39 | 3.27 | 3.45 | 3.53 | 3.31 | .22 | 3.40 | 3.24 |
| **8b. Encouraging the ethical practice of the law** | ENVETHIC | 2.98 | 2.98 | 2.96 | 2.62 | 3.03 | 2.90 | 3.09 | 3.45 | 3.09 | 3.09 | 3.00 | 3.00 | 3.10 |
| **8c. Providing the support you need to help you succeed academically** | ENVSPRT | 3.13 | 2.69 | 2.90 | 3.28 | 2.90 | 2.68 | 2.59 | 3.65 | 2.94 | 2.69 | 2.80 | 2.80 | 3.21 |
| **8d. Encouraging contact among students from different economic, social, sexual orientation, and racial or ethnic backgrounds** | ENVDIVRS | 2.51 | 2.51 | 2.53 | 2.51 | 2.53 | 2.44 | 2.44 | 3.10 | 2.44 | 2.44 | 2.44 | 2.44 | 2.73 |
| **8e. Providing the support you need to succeed in your employment search** | ENVEMPLOY | 2.87 | 2.87 | 2.69 | 2.15 | 2.68 | 2.45 | 2.35 | 2.75 | 2.69 | 2.35 | 2.80 | 2.80 | 2.72 |
| **8f. Helping you cope with your non-academic responsibilities (work, family, etc.)** | ENVACAD | 1.81 | 1.57 | 1.99 | 1.62 | 2.00 | 1.83 | 1.79 | 2.10 | 2.00 | 1.85 | 1.85 | 1.85 | 1.90 |
| **8g. Providing the support you need to thrive socially** | ENVSOCAL | 2.45 | 2.45 | 2.43 | 2.43 | 2.32 | 2.11 | 2.04 | 1.80 | 2.31 | 2.14 | 2.16 | 2.16 | 2.11 |
| **Attending campus events and activities (special speakers, cultural events, symposia, etc.)** | ENVEVENT | 3.02 | 2.88 | 2.97 | 2.54 | 3.06 | 2.83 | 2.78 | 2.35 | 2.96 | 2.80 | 2.76 | 2.70 | 2.79 |

* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

**Note:**
- Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001
- Effect size: Mean difference divided by the pooled standard deviation.
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* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

* Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001
* Effect size: Mean difference divided by the pooled standard deviation.
### Educational and Personal Growth

#### 10a. Acquiring a broad legal education

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#### 10b. Acquiring job or work-related knowledge and skills

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* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

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**a** Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

**b** Effect size: Mean difference divided by the pooled standard deviation.
### Educational and Personal Growth (continued)

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<td>10p. Developing a deepened sense of spirituality</td>
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*Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001

Effect size: Mean difference divided by the pooled standard deviation.
# Law School Survey of Student Engagement

## LSSSE 2012 Mean Comparisons Report

Cleveland State University, Cleveland-Marshall College of Law

<table>
<thead>
<tr>
<th>Variable Name</th>
<th>Class</th>
<th>Mean</th>
<th>Mean</th>
<th>Sig *</th>
<th>Effect</th>
<th>Mean</th>
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<td><strong>Overall Satisfaction</strong></td>
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<td>11. How would you evaluate your entire educational experience at your law school?</td>
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<td>12. If you could start over again, would you go to the same law school you are now attending?</td>
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| **Law School Debt** |       |      |      |       |        |      |       |        |      |       |        |      |       |
| How much educational debt from attending law school do you expect to have upon your graduation? | DEBT | 1L | 4.46 | 4.99 | * -.24 | 5.26 | *** -.35 | 4.70 | 5.37 | *** -.39 | 5.49 | *** -.45 |
| | | 2L | 4.24 | 5.03 | ** -.36 | 5.41 | *** -.51 | 4.88 | * -.28 | 5.51 | *** .54 | 5.39 | *** .54 |
| | | 3L | 4.61 | 5.69 | *** -.49 | 5.57 | ** -.40 | 5.04 | 5.66 | *** -.44 | 5.55 | *** .54 | 5.92 | |

* Comparative statistics are not provided for schools or comparison groups with less than 20 respondents.

** Notes:**
- Independent sample t-tests, 2-tailed: * p<.05, ** p<.01, *** p<.001
- Effect size: Mean difference divided by the pooled standard deviation.
LSSSE Student Comments 2012
Organized by year

1L student comments

1
I feel that the school should describe the grading curve to incoming students.

2
Torts needs an AEP session. Also, I strongly believe that AEP should be open to everyone. Currently it is invitation only- I find this discriminatory.

3
There seems to be a general disconnect between the interests of students and the interests of the faculty and administration here. Students want to learn and get jobs; faculty want to get tenure and be published. There are many great teachers, but the incentive is not to be a great teacher. For example, we had a pretty bad teacher last semester, but he'll still be around next year. If I did some of the things that he did in my job as an engineer, I would have been fired 10 times over (and escorted out of the building). Where's the accountability? We took surveys, and I'm certain his average score would have been 1-2 out of 5, and yet he can still teach? Unbelievable, especially in light of budget issues. Also, a lot of these survey questions were pointless and would tell you nothing about law school experience, or help make positive changes. For example, it doesn't matter if my faculty "cares about me as an individual"! I'm here to learn, they're here to teach. If they can teach well, that shows they care. This isn't 1st grade, and even then I would be suspect of any teacher who "cared" more about students feelings than about their education (which is what that question implies). If someone isn't cut out to be a teacher, but is a really nice person, it isn't really helping me much is it? Some of the other questions were silly as well, and seemed to be pushing an agenda more than really trying to find out if I'm engaged in the school or if the school is meeting my needs. I'd be a whole lot better off with WiFi that lets me actually get on the internet than a lot of what was asked :) Finally, we have a lot of classes offered that might be interesting to faculty, but that don't reflect the needs of students. There are many classes on "diversity" issues (I guess that's the current legal fad in academia?), but almost none on IP law (just 2 that I can tell). I'm biased since that's what I plan on going into, but that's a HUGE area of law that is growing and actually hiring, and we aren't trying to prepare students for it.

4
I would like to make a comment that I hope will be taken seriously. The Academic Support webpage reads: “Cleveland-Marshall's Academic Support Programs help students develop the skills needed to succeed in law school... Academic Support uses diverse teaching methods including small group discussions...” (http://preview.tinyurl.com/6lsl98). The idea of a small group program is very appealing to a person applying to law school. In fact, this was a factor in my decision of applying to Cleveland Marshall. Nowhere in the statement does it say a select group of students will be allowed into these small group discussions. There is no mention of a selection process. There is no mention of an actual group anywhere on the webpage other than this statement. Without such a statement it seems that these group discussions are opened to all
who seek them. However, I have found this not to be the case. The small group program at Cleveland Marshall is deceptive to those who apply to Cleveland Marshall. I have sought access to the small group sessions. My grades are not poor, however I wished to improve. Upon talking to members of the AEP program I have found resistance in joining these programs. The reasoning, as I understand it, is that the groups need to be kept small to be effective and therefore only certain students will be allowed to join. Still, a simple note of the exclusivity regarding these small groups would banish any thoughts that the program is open to all who seek it. To have this statement without such a caveat is deceptive and dishonorable. Additionally, the small group program at Cleveland Marshall has no transparency. As previously mentioned, there is no information on the Cleveland Marshall website other than that it exists. Apparently, not all students are able to join this privileged group. Rumors have swirled that this is for students who were more likely to receive lower grades without its help and were invited. That sounds like a worthy goal; to help those students learn law and live justice when they would otherwise be at a disadvantage. However, these are only rumors and speculation. There is no information on the number of groups or the number of people invited/allowed to join them. There is no information on if these groups change from semester to semester based on performance and need. Students may need help or likely need help in the first semester but no longer need them as much as others. To not base admission into the program on need would be perpetuating favoritism for a small group at the expense of others who may struggle in later semesters. There is no information regarding a selection process. Students can only speculate if grades, LSAT scores, socio-economic status, race, color, national origin, religion, sex, familial status, or handicap are taken into account. For all the students know this selection process is based on if the person wears white the day after Labor Day! Without making this process transparent it leads questions to wonder if certain students are arbitrarily favored while all pay the same tuition. It is simply absurd that there is no information on this. Students who attend these programs do not have to be embarrassed by more transparency. My goal in advocating transparency here is not to have the students in these programs have their names in lights for all to see. My goal is simply for the selection process to be easily found and understood by students. This would not only alleviate concerns of this process but give credibility to the idea that Cleveland Marshall is open and honest with prospective and current students. In conclusion, the current state of the small group program is deceptive and lacks transparency. It is easy to understand that when students see that small groups are available they would assume that they are open to all students. Moreover, when an institution is not transparent regarding a selection process it often

5 I think the faculty at Cleveland Marshall are extremely supportive.

6 I wished there were more scholarship opportunities available, or that the ones offered would not be restricted to only the top of the class.

7 I enjoy attending school here, but there are some aspects of this school which are unacceptable. For example, the fact that there was tutoring program ran for individuals who were selected to participate and any other individual who wanted help was denied the opportunity to attend the
sessions. Individuals not invited to the group were told just to go ask the TA during their office hours what was taught even though very few people attended the TA study sessions. The lack of transparency in how people were selected for these groups angered me and many of my colleagues. I also do not feel that I would be able to give a donation to this school seeing how fiscally irresponsible they are with financing. Money is wasted on a daily basis by having an extra sheet of paper printed out every time a print job is sent to the printer. Also, the way SBA spends funds is fiscally irresponsible. The computer lab also is a disappointment with half of the computer's no longer turning on or those that do operate are very slow. The IT staff is always in their office, but you never see them fixing any of the computers of trying to determine what is wrong with them. Also, the inability to wirelessly print stuff to the printers in the computer lab is outdated. A new system should be put in place in which you can print wirelessly to the printers and then swipe your ID card to retrieve the print job. Overall my experience has been okay at CM law, but there are many ways in which this school could improve.

I have been very disappointed with my overall experience at C|M. One of my concerns is about safety; I think it is inappropriate to have homeless men walking around the library, without anyone around to stop it. The IT people do not perform regular maintenance on the computers in the Law Library computer lab. The e-mail system is slow and inefficient and I do everything possible to not use it. The majority of the faculty I have encountered are completely disrespectful of students. The small study sessions for first-year classes should be open to more students. There is no transparency between the administration and students. Faculty and administrators are unapproachable. Faculty members are not available even during their office hours. SBA mainly plans parties, rather than representing the students' interests and there are no established forums or mechanisms for students to express their concerns. Student feedback is never requested and there are no updates for students about the direction of C|M Law or future plans. In addition, I think it's ridiculous that students receive so many e-mails on a daily basis. Some sort of newsletter format once a day with all the messages from various departments would fix that problem. I have been very disappointed in my experience with C|M and had high expectations that I have realized will never be met by this institution.

2L student comments

I would like to know exactly where the tuition money goes. Why is law school so expensive?

The academic excellence program is an exceptional resource. The computer lab is satisfactory, but could use improvement. The computers are too slow and the keyboards are dirty. The LCOP program is wonderful.
Some professors do not seem to understand the other demands (work, children, other family member dependants) that night students try to balance. Oftentimes, they give us assignments with a day or less notice which is nearly impossible for us to complete given our other responsibilities (most of us have full-time jobs and cant do homework during the day). It is as though they dont respect us or our time which can be disheartening.

Cleveland-Marshall needs to seriously reconsider its motto considering the criminals they not only allow attend the school, but provide financial backing in that pursuit. This is both unethical and demoralizing to those students who take the responsibilities of being an ethical lawyer seriously. With the current status of the convicted felons attending this school, numerous students have regretted choosing to attend Marshall.

This is a great school. Biggest strength is Office of Career Planning. The programs they put on are amazing and all students should be required--or more strongly encouraged--to attend.

In the credits per semester section, one is unable to give notice of half-credits taken. I was/am actually enrolled in 15.5 credits during each semester, so I rounded one up and one down to identify the correct total number of credits for this year.

The school could work on course scheduling as it seems that many bar courses and required courses are scheduled exclusively at night, which is not convenient for those wishing to attend classes during the day.

Overall, I enjoy being a student at CSU and think that I am recieving a quality education, however, I do think that it would be a better law school experience if more of an effort was made to include evening students. Many students work full time and cannot join organizations because all meetings are held at noon. Maybe some meetings could be held at 5pm to allow evening students to attend. Same thing holds true for speakers. The Student Services Center is awful - they only accept checks, they & open during the most inconvenient hours. I want to get my class supplements before class starts and when they are only open until 5pm it is very hard to do without taking time off work. Most professors only have office hours during the day time. If a professor is teaching an evening class they should have some office hours in the evening, or at least in the late afternoon.

I would have appreciated having an academic advisor after first year, I am not happy with the course selections I made on my own and screwed myself GPA wise. I wish I would have shelled out the $2 grand to take an LSAT prep course so I could have gotten into a better school. It would have been more beneficial to my future employment status to be in the middle of my class at a better school.
I have had some great professors, which makes up the majority of my experience at Cleveland-Marshall. I have also had professors like [deleted] who doesn't show up to class and don't teach the law that is on the bar exam, which seems to be a waste of my money and time and a huge disappointment. The school has done nothing to correct this issue, as the school has been notified of her poor performance for several years. The school also allows felons to walk the halls just weeks after release from prison, or even felons sit in class with ankle bracelets for remote monitoring, which further cheapens the value of our Cleveland-Marshall JD.

I transferred here and I have enjoyed my experience so far much better than my previous institution. It has been hard getting to know the administration but my classmates have been very welcoming.

24-hour access to the library is a must. At least open before 8a, especially since some classes start at 8a and use of the lab before class would be nice. Keep up the good work.

Cleveland-Marshall is a decent school if you want to be in Cleveland and do not want to practice in big law or secure a clerkship. Professors are either very excellent or very poor without much in between.

When I was a 1L looking for my first summer internship, I was so disgusted with the rudeness of the Career Services workers that I went back to my undergraduate institution for a resume critique and job search help. Not only was my undergrad school more helpful and more friendly, but they stated that most of their graduates that go on to CM Law come back to get their help, and that they routinely hear complaints about the CM Law Career Services office. Furthermore, I have an issue with the overall administration and feel of CM Law. Law school is challenging enough without the administration trying to turn students against one another, which is what I've experienced in my time here. This fosters unfriendly competition and cutthroat attitudes between the students, which is ridiculous considering this is a third-tier school.

I think that there are some faculty members at this school that are fantastic, are wholly supportive, and show respect for their students. There are others that assign long reading assignments and then expect us to re-read them weeks later since they have cancelled class. They show complete disregard to the life of law students, and completely revolve the class around their schedules instead of scheduled class times (i.e. have a makeup class on Saturday after the professor was on vacation for a week). Overall, I believe the faculty at CSU is very professional and would not change my decision to come here. Additionally, the career services office needs to be honest with students. A lot of us gave up careers for what we thought would be a better path for us to take. We were told that 80% of graduates got job. Although a fact, it was extremely misleading as to the amount of those were legal jobs, or even adequate jobs! I
would hate to give up 3 years of income in a past career to end up somewhere that isn't as good as the job I was AND be $50,000 in debt.

16
The lack of use of career services is not necessarily due to a lack of time but also might be attributed to a sense of distrust or lack of belief in producing results, although the current job market might partly be to blame.

17
Overall, the greatest disappointment at this school has been the Career Services office. The fact that some students are given preferential treatment is absurd. My job is to be a student, not to learn how to kiss up to the Career Services representatives so they remember me enough to pass along my resume when employers call them personally. The Career Services office here perpetuates all of the negative stereotypes surrounding the legal profession, and frankly, I would rather scrounge along by myself that attempt to receive any further "assistance" from that office.

18
I have been very disappointed with the class scheduling each semester. Only a small percentage of the general catalog is ever offered each semester, and the Fall of 2012 has a bar course--Estates and Trusts--offered only once, in the evening. I would highly suggest better opportunities to take bar classes and more opportunities for us to enroll in the classes the school claims to offer.

19
With implementing the legislation and administrative law requirement for 1Ls, I think that there needs to be a legislative and administrative expansion in the curriculum for 2Ls and 3Ls as well. There should also be more support for jobs in administrative law in the career services department. Additionally, I personally seek professors out, and I enjoy engaging in discussion with them, but, especially as a 1L, I wish I had an academic advisor. I loved having that in my undergraduate education.

20
Do not promote an atmosphere where we compete with one another, but one where we need to compete against other schools. Our GPAs hinder us, especially in times where jobs are tough to come by, and so work on the grading scale and the arbitrariness that follows with the grading (because the faculty voted to eliminate certain appeals processes).

21
It's hard to rate my professors this year because one poor experience has soured my time here. Two of my professors have extreme respect for me as a person and for my time. One professor is disrespectful and has zero respect for my time. One semester she cancels half the classes and the next semester she keeps us late every class to make up for her cancellations. I work full time and spend a lot of time earning my law degree -having zero respect for students time is completely disrespectful. Unfortunately, this has made me think less of the institution that employs her.
I think the school's faculty review policy is terribly out of date. While the majority of academic staff members are great, a handful of tenured professors teach very little, but get raises for being published. And this isn't just me complaining about professors who "grade tough." My favorite professors have made me work my ass off for a B+. Please take the student evaluations more seriously.

3L student comments

1
Cleveland-Marshall has been outstanding with regard to public interest career development (resources for conferences, providing information about volunteer opportunities, summer public interest fellowships, etc.).

2
C-M's faculty is very understanding and compassionate for students. They are always available to help. Support staff are also excellent.

3
I came to law school from a liberal arts background and an interest generally in the big picture of society. Many of my heroes were lawyers (or had gone to law school): Thomas Jefferson, Gandhi, Franz Kafka, Theodore Roethke, and so at the completion of my undergraduate studies I thought I might as well try it, knowing that if I didn't like it I could leave after a year and do something else with my undergraduate degree. To be honest I didn't know what to really expect from law school. But over the past three years, I have come to realize that much of my initial idealism and reason for coming to law school has vanished, and it kills me. One of the first things I realized in law school is that in our system, you buy as much justice as you can afford. As I saw the crimes (fraud being the biggest) of entities like Bank of America and Wells Fargo accumulate and decimate our neighborhoods, I realized that the only way they could accomplish such acts was by finding lawyers willing to represent them. Many of these firms are well-respected, lauded even as they assist the wealthiest 1% exert an ever-increasing control over our political, economic, and legal systems. It is very frustrating to learn rules of law that are essentially constructed on a false premise (that everyone has an equal voice in making society's rules, therefore they are fair, and everyone has equal access the legal and legislative systems). It is even more frustrating to be in an environment where most other students were either apolitical or actually defenders of this flawed system. Issues of social justice are often downplayed or ignored, unless they are of the most superficial nature. Actually examining the root causes for our current societal conditions are rarely spoken of, in class or otherwise (see: Citizens United, Santa Clara Railroad). The emphasis of the student body seemed to be on partying, making connections with moneyed alumni, and landing a job defending corporations or prosecuting 'criminals'. That's not what I came to law school for, but based on my experiences attending national conferences and talking to other like-minded law students, I have gathered that it is a similar story at other schools across the country. This is not a comment against the school. I think this law school is providing good instruction. I just wish
more students were less apathetic about the state of affairs in the world into which we are graduating. It is the unsolvable problem: how to cure student apathy? To that, I have no answer.

4
The school’s preoccupation with "community building" is counterproductive. All Sidebar does is encourage classmates to show up to class drunk. The only people I've learned anything from are adjuncts who actually practice law, to the exclusion of Professor [deleted], who should IMMEDIATELY BE TENURED. The "career planning" people avoid giving a straight answer at all costs, especially the two new workers; in fact, [deleted] has been downright rude to me because of my career ambitions. If I had to change something about this school, I'd tap into Cleveland's vibrant legal community more and get more adjunct professors teaching more classes. I would also minimize the SBA; we don't need a glorified student council to play politics and waste money on fliers for events that boil down to middle-school dances with free booze while bickering over nonsense and rewarding each other with inflated titles.

5
I am fortunate to graduate law school with relatively low debt. There is no such thing as over-counseling incoming students about minimizing their future financial burdens. I remember during the admission program three years ago the advice was to take the loans. Three years later, I am very happy I didn't take that advice. The student reaction every time tuition is raised is furiously blogged about on facebook and other social media websites. The outrage also results in students searching their professors' salary information on the Buckeye Institute's website in order to compare recent increases, and then, blogging about this information. While it is appreciated that Cleveland-Marshall has the lowest tuition in the state and the law school is under pressure from the university to bring in revenue, any tuition increases (particularly those more than the average 5% increase) are obviously extremely unpopular. Students get upset because the university computers the undergrads use are much nicer and function better than the computers in the law library, despite law students paying much more for tuition. Law students also get upset when, especially around finals time, the law library is crowded with undergrad students. The Office of Career Planning and librarians at the law library have been extremely helpful the past three years. Dean Boise is a good addition to the law school, and I appreciate his introduction of Side Bar. Generally, I am very satisfied with the education I received at Cleveland-Marshall.

6
Great law school experience so far!

7
The faculty and staff members I work with on a weekly basis are amazing, but others are aloof. Accounting for human nature, it would be nice if there was a little more balance and sincerity without the need to develop a personal on-on-one relationship.

8
I can think of only one professor who created a very negative experience and learning environment for the students during my first year. Although students complained, the school did not take action. This was
extremely disappointing, to the point where I wish to make a note of it here. It has consequently lowered the school's (and the faculty's) overall scores in my survey responses.

9
Your moot court program is one of the few programs that is recognized nationally, every year. Show a little support. I figure I could put a list a mile long here of suggestions, but now that I'm going to be leaving, that is the one true thing I worry about for this school moving forward. It appears as though the current admin. has other areas of interest. Your current ideas are nice and all, but that moot court program has a history of excellence in this school in large part because of the institutional support of past administrations. Also, with the current advisors, I've learned more from them in the 6 months I worked on my problem than I did in my entire 3 years of law school combined about how to be a lawyer. So they deserve whatever you give them and more.

10
It is hard to take these types of surveys because they are so broad. Some of the faculty are great while other faculty are terrible. I hate to give a bad overall rating because of the few that are great.

11
I have had a very positive experience at Cleveland-Marshall and I truly believe I made the most sensible decision when I chose to enroll here, even though I had several other options (including admission and at least some scholarship money to every other law school in Ohio). I point that out not to self-promote, but to show that there was plenty of room for error on my part. And thankfully, I definitely made a good choice. I received an excellent practical education, participated in a Clinic, and had the pleasure of working directly with and for my favorite first-year professor during my latter two years of school. Most importantly, the school gave me the skills I needed to secure a full-time job after graduation. My biggest complaint about the school is that sometimes, it simply doesn't "sweat the 'small' stuff." The school's focus on giving students a practical education is admirable, and it follows through on that goal. But there are perennial student complaints that seem to go unaddressed or even unacknowledged. Two particular areas warrant further explanation. First, the quality and speed of Internet access throughout the building is woeful and has gone unaddressed for at least the 3 years I've spent here. I have some past experience in computing and networking, and there is simply no good practical or economic reason why this problem has persisted despite copious student complaints over the years. Good Internet service is both available and reasonably priced in major metropolitan areas like Cleveland, and it was frustrating to feel these complaints routinely fell on deaf ears. This problem needs to be addressed as legal research and law practice moves increasingly online (in the latter category, through the use of cloud computing, online practice management software, and the like). Second, the perceived lack of accountability for professors who habitually turn in very late grades and cancel multiple classes per semester denigrates the respect for both the school and the mostly excellent professors who do not shirk their obligations. Whether this is an unfortunate byproduct of the tenure system or simply the school not ensuring certain professors pull their weight, I don't know. But I do know that students grow increasingly frustrated (and in some cases, neurotic) when their grades are not posted when they are seeking jobs or when they feel they are not grasping the course material because the professor cancels class several times throughout the semester for no good
reason. This is unfortunate and unnecessary, and something more needs to be done to prevent these practices. Like I've written, there are plenty of great professors here, and I've had the good fortune of taking classes with most of them. But there are more than 1 or 2 professors whose reputations precede them not as being "hard" or "tough," but for "not caring." In other words, there are enough bad apples here to spoil the whole lot, and it's more than the "few" bad ones the traditional aphorism asserts can so spoil it. All in all, though, the quality of class experience, writing education, career services, library services, and administrative services have been nothing short of excellent. Please feel free to contact me. Matt Chiricosta  Class of (May) 2012

12
This education has taught me to think much more critically, which I highly value. However, as a financial matter, choosing to enter the legal field at this time was probably a poor decision. That is not a criticism of the school, but simply a fact about job availability.

13
Will NEVER donate to this law school until Professor [deleted] is no longer associated with this institution. He creates a terrible atmosphere for any student and in fact I am not sure if this man has seen the inside of a court room. 1L's should never be subjected to this individual. Makes the school look terrible as this man cannot teach. What a disappointment and shame on CM Law for employing someone who is such a disservice to this law school.

4L student comments

1
I've been very satisfied with my experience at Cleveland Marshall. The only recommendations I can make thus far is that the law school look at various options/availability of courses for the evening students. Certain concentrations should not be marketed to these students if the requisite coursework will not be made available between 6pm - 9pm.

2
Over the previous four years I have noticed a significant decline in the respect shown to students by faculty. Some Professors are late to nearly every class and compensate by holding it over or adding classes. Also, the late grades situation has been completely out of control for years. I often find myself with the feeling that as long as my tuition is paid there is no need to give me any mind. Half way through my law school experience I would have happily recommend CM to anyone who asked. As I exit the school I would refrain from making a recommendation either for or against the school.

3
This is a good law school with bad professors. This is how I summarize my experience here: "If you can't make judge or partner, become a law school professor." Going to class is a complete waste of time. I learned the hard way that you have to teach yourself - buy the commercial outlines. Exams do not mimic the bar exam. Always some young hot shot practitioner who
decides to be a law professor but can't teach or is terribly disorganized (or both) and thinks that trick questions make for a good professor. It's like they teach only because they want everyone to know that they know so much more than everyone else. Too many egos teaching. This is the mantra that all professors need to adopt regarding students: "When you are successful, I am successful." Bad grades reflect poorly on professors. Professors are ridiculously inconsiderate - no syllabus, constantly changing syllabus, syllabus that doesn't indicate what/how many pages to read each class, reading assignment overload, reading assignments that have no relevance to the class exam/bar exam/potential law practice, not enough notice of assignments, too many last minute assignments, expect us to drop everything to accommodate their lack of organization and lack of professional courtesy, treat students like second class citizens who must bow down to them, often professors themselves are not prepared for class or do not even know the law or misapply the law to the facts, etc. etc.

4
Cleveland Marshall is overly focused on its ranking when it has serious real problems to contend with. Professors have been known to leave the state without notice. Professors that are openly disrespectful of the students and who fail to show up for class are not only retained but granted full professor status. While, prestigious professors with expert knowledge of their subject matter are terminated because of their age.

Courses, that students have already signed up for, are cancelled. At least one course each semester. Some courses are cancelled mere days before the start of the term. Every semester courses are cancelled after they have been placed on the schedule for the coming term. These are usually major courses like estates and trusts or corporations, not merely special interest courses like Ancient Athenian Law.
MEMORANDUM

TO: Faculty and Staff
FROM: Self-Study Committee
RE: Law School Survey of Student Engagement
     Law School Report 2012
DATE: 23 August 2012

Last spring our students participated in the Law School Survey of Student Engagement, a nationwide survey of law students about their experiences in law school. Below is a summary of our results from the 2012 LSSSE.

Participation

81 law schools participated nationally. More than 25,000 students responded. The national student response rate was 44%. A further breakdown of the respondent characteristics nationally is:

- Full-time: 88%, Part-time: 12%
- Day: 89%, Evening 12%
- 1Ls: 45%, 2Ls: 44%, 3Ls: 43%, 4Ls: 44%.

C|M|LAW’s overall student response rate was 50%. A further breakdown of our respondent characteristics is:

- Full-time: 78%, Part-time: 22%
- Day: 79%, Evening 21%
- 1Ls: 54%, 2Ls: 52%, 3Ls: 46%, 4Ls: 45%.

Areas of Inquiry

- Academic and intellectual experiences inside and outside the classroom.
- Exams.
- Mental activities (memorization, analysis, synthesizing ideas, making judgments, and applying theories) emphasized through a student’s coursework.
- Writing.
- Enriching educational activities (e.g., pro bono, co-curricular, clinical/externship).
- Student satisfaction (e.g. academic advising, career counseling, library assistance).
• Ways students use their time (e.g., course preparation, extracurricular activities, work for pay, caring for dependents, volunteer work).
• Law school environment (e.g., academic support, encouraging ethical practice, encouraging contact among students from different backgrounds, use of computers in academic work).
• Quality of relationships with other students, faculty members, and administrative staff.
• Educational and personal growth as a result of their law school experience.
• Overall satisfaction.
• Demographics.
• Expected debt upon graduation.

Highlights of the Responses from C|M|LAW Students

Students’ responses are generally in line with students from other participating law schools. For example, nationally 82% of respondents rated their law school experience as being good (50%) or excellent (33%), while the C|M|LAW response was 83% for these two categories (good 53%, excellent 30%). Also, nationally, most students (79%) were likely to choose the same law school again (43% would probably chose the same school, 37% definitely would). At C|M|LAW, 85% would likely chose us again (41% probably, 44% definitely).

In some areas our results were statistically different enough that they represent a “real’ difference in the quality of the student experience.” Interpreting the Means Comparison Report, LSSSE Law School Report 2012. In some areas they indicate better results than other schools and in other areas we had a less favorable result, suggesting that we lag behind other schools. The latter suggest matters that we may want to address.

We were provided comparisons to all law schools that participated as well as public law school participants, law schools with 500-900 students, and peer schools that we selected (the Ohio schools that participated in the LSSSE this year—Case, Capital, OSU, Cincinnati, ONU and Toledo). Comparisons for 4Ls are not included in the report because fewer than 20 4Ls answered the survey.

More Engaged

Areas where our students are significantly more engaged, do more or feel more positively than students at other schools:

Question 1f. Work with other students on projects during class (1Ls compared to selected peers).
Question 3a. Memorizing facts, ideas, or methods from your courses and readings so you can repeat them pretty much in the same form (2Ls compared to all categories).

Question 6b. Satisfaction with career counseling (3Ls compared to all categories).

Question 6d. Satisfaction with job search help (3Ls compared to all categories).

Question 6f. Satisfaction with library assistance (2 and 3Ls compared to all categories).

Question 7e. Working for pay in a law related job (2 and 3Ls compared to all categories).

Question 7f. Working for pay in a nonlegal job (1Ls compared to peers and public schools)

Question 7k. Commuting to class (1 and 2Ls compared to peers).

Question 8g. Providing support you need to thrive socially (3Ls compared to peers).

Question 10c. Writing clearly and effectively (3Ls compared to all categories).

Question 10l. Solving complex real world problems. (3Ls compared to peers).

Question 12. Would attend the same law school again (3Ls compared to peers).

Question 25. Level of debt (1 and 2Ls have less compared to 500-900 schools; 3Ls less compared to peers, and all less debt compared to all LSSSE schools).

Less Engaged

Areas where our students are significantly less engaged, do less (which is not always a problem, see 4a below), or feel less positively about the topic than students at other schools:

Question 3b. Analyze basic elements of an idea, experience or theory (2Ls compared to all categories).

Question 4a. Number of written papers of 20 pages or more (1Ls compared to all categories).

Question 5g. Study abroad (all classes compared to all categories).

Question 6g. Student Satisfaction with Computer Technology (all classes (especially 1Ls) compared to all categories).

Question 7d. Engage in law-related pro bono not required for course work. (1Ls compared to all but peers, 2Ls compared to all categories).

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1 This probably reflects the conscious decision made by our legal writing professors to have students write shorter documents.

2 This reflects problems last year with wireless and out-of-date computers in the computer lab. Both of these issues were fixed over the summer.
Individual Comments

Responding students could submit comments on any topic. C|M|LAW students submitted 47 individual comments. The areas that received the most comments were academic support, career planning and the quality of teaching.
In Fall 2005, we engaged in strategic planning in connection with the University’s strategic planning process. As a result of that process, we articulated six ways in which the College of Law wanted to improve in order to fulfill our institutional vision. Later that same year, as part of the self-study process, we confirmed the strategic goals that we had set during the University strategic planning process.

Although that process was valuable, the strategic plan we produced last year was lacking in two important respects. First, we did not prioritize our goals. Second, we did not articulate specific tactics we should implement in order to accomplish those strategic goals.

During this past academic year, we have engaged in a collaborative process that addressed these two deficiencies. That process began with a session to review and, if appropriate, revise our strategic goals. During that session, we also ranked those goals in order of their institutional priority. Thereafter, we had a series of planning sessions devoted to each of the strategic goals. The purpose of those sessions was to identify the specific tactics we needed to implement in order to attain the strategic goal. The process was completed in March 2007 with a session to review all of the goals and tactics that had been discussed during the individual sessions.

This strategic and tactical plan is designed to guide the direction and administration of the law school for the next five years. Accordingly, we have selected strategic goals that are capable of being achieved within that time frame. We set six goals, so that we can focus our efforts and resources on the most important objectives.
We developed these goals and tactics with the understanding and expectation that the financial resources available to the law school will remain stable. In that regard, before developing our specific tactics, we reviewed the law school’s budget, so that all members of the law school faculty could have a better understanding of our financial limitations.

I. MISSION

The mission of the Cleveland-Marshall College of Law is to foster a more just society through legal education, service, and scholarship. The Law School provides the opportunity for a rigorous legal education, enabling a diverse population of students to become accomplished, ethical citizen-lawyers who will make significant contributions to the region, the nation, and the world.

II. VISION

The Cleveland-Marshall College of Law will continue to be a major foundation of the legal community in the region, having educated outstanding lawyers, judges, public servants, and business people. For more than a century, the Law School has provided an opportunity to qualified students to improve their own lives by serving others. Towards that end, the Law School will enhance its tradition as an institution committed to excellence in teaching, service, and scholarship and other intellectual inquiry. The Law School will be recognized for the capacity of its graduates to counsel and represent their clients effectively, and for the ability of its students, graduates, and faculty to think critically about our society’s strengths and weaknesses and to have the theoretical, doctrinal, and practical legal expertise to promote social justice, individual freedom, and economic growth. The Law School will be distinguished as an accomplished and highly regarded public law school, renowned for being creative, accessible, and compassionate.

III. STRATEGIC GOALS AND TACTICS

Goal #1: Substantially improve our graduates’ first-time bar passage rate on the Ohio State Bar Exam.

Tactics:

A. Continue the implementation of the Bar Passage Plan approved by the faculty on November 20, 2003, approved the President and Provost on December 9, 2003, and presented to the Cleveland State University Board of Trustees on February 25, 2004. Pursuant to that plan, we will:

(i) reduce our entering class size by at least 10 students per year, with an ultimate target of 200 entering students in 2009;
(ii) continue to increase the number of full-tuition scholarships for entering students;

(iii) continue to apply the full spectrum of grades fairly and rigorously; and

(iv) retain our commitment to diversity, the LCOP program, and the part-time program.

B. Pursuant to the Plan, we will comprehensively review the plan’s effectiveness in achieving bar plan goals during the next academic year.

C. Continue the new mandatory advising program pursuant to which each second-year law student is provided with (i) an individualized assessment of the student’s likelihood of passing the Ohio bar exam on the first attempt, and (ii) guidance to increase the student’s likelihood of passing the Ohio bar exam on the first attempt.

D. Provide financial assistance to students and recent graduates in order to enable them to prepare for the Ohio bar exam (e.g., subsidize the cost of PMBR).

Goal #2: Enhance the quality and diversity of the student body, and expand the professional opportunities available to them.

Tactics:

A. Improve our efforts to recruit an academically stronger and more diverse student body by:

   (i) expanding and enhancing our use of web-based communications;

   (ii) continuing to improve the quality of our written promotional materials;

   (iii) increasing the participation of alumni and other practitioners in our student recruitment efforts;

   (iv) developing strong relationships with pre-law advisors at certain undergraduate institutions;

   (v) emphasizing distinctive features of our law school, such as our close connection with one of the most sophisticated legal markets in the country, our dynamic faculty, and our large and engaged alumni network;

   (vi) identifying and cultivating relationships with employers who subsidize post-graduate education; and

   (vii) identifying employment sectors for which a formal legal education will lead to professional advancement.
B. Increase scholarships, continue to evaluate the academic standards pursuant to which students obtain and retain scholarships, and explore the viability of an honors program or law firm sponsorship of specific scholarship-related programs.

C. Develop national recruiting and employment initiatives for our students by:
   (i) increasing alumni participation in creating placement opportunities for our graduates;
   (ii) marketing our law school to national private law firms and non-profit, public interest organizations; and
   (iii) encouraging our students to seek jobs outside of Northeast Ohio.

D. Expand our externship program by identifying new placements and better promoting the educational and employment benefits of externships.

E. Increase the number of students who obtain judicial clerkships by enhancing our reputation among judges and better promoting the value of judicial clerkships.

F. Increase clinical opportunities and professional skills education for our students.

G. Expand the breadth of our pro bono programs to involve more and different students.

H. Increase funding for our Loan Repayment Assistance Program to enable more students to pursue public interest employment after graduation.

I. Enhance the capacities of the professional staff in the admissions office, in order to strengthen our applicant pool and yield of admitted students, and enhance the capacities of the professional staff in the Office of Career Planning, in order to provide more individualized counseling and greater national outreach.

Goal #3: Improve the scholarly reputation and productivity of our faculty.

Tactics:

A. On an annual basis, conduct a faculty retreat or workshop on improving scholarly productivity.

B. Provide appropriate recognition for faculty scholarship.

C. Improve the training of research assistants who help faculty members with their research.
D. Purchase technology that will support faculty productivity, and provide faculty training to use such technology.

E. Enhance the ability of faculty to engage in scholarship by:

(i) developing a written policy to guide the Dean’s discretion for providing course releases in recognition of exceptional faculty productivity; and

(ii) developing a fair method for faculty to “bank” teaching hours.

F. Increase the number of, and evaluate the terms and benefits of, named professorships.

G. Improve our graduates’ appreciation of and support for scholarly activities by encouraging faculty members to contribute articles to *Law Notes*.

H. Enhance secretarial support for productive faculty.

Goal #4: Develop signature programs or centers of excellence at the law school.

Tactics:

A. Solicit proposals from the faculty for proposed signature programs or centers of excellence.

B. Develop a process by which the administration and the faculty can decide which proposals should be implemented.

C. Provide appropriate support for the development of the selected programs or centers.

D. Develop a means by which the effectiveness and impact of the selected programs or centers can be assessed.

Goal #5: Strengthen our curriculum and expand our teaching strategies to maximize the educational experience for our students in order to prepare them to practice law in the 21st century.

Tactics:

A. Develop programmatic information for students that connect courses of study to specific practice areas by:
(i) identifying course sequences that relate to practice areas, such as family law, criminal prosecution and defense, tax, and business;

(ii) creating a two-year course schedule;

(iii) continuing small group advising sessions for first-year students and individual sessions for second-year students; and

(iv) promoting the value of the joint-degree programs.

B. Support new ways of using technology to educate our students by:

(i) exploring the feasibility and efficacy of distance-learning courses;

(ii) increasing the availability of technology in the classroom (e.g., smart podiums, clicker technology, and Blackboard); and

(iii) increasing the availability of technology to communicate with students outside of the classroom (e.g., Blackboard).

C. Ensure that our curriculum requires the necessary foundational courses, provides an appropriate variety of electives, and uses pedagogical methodologies appropriate to different stages of law school education by:

(i) continuing to consider whether we require the proper upper-level courses;

(ii) examining our upper-level elective course offerings; and

(iii) deciding whether, and if so how, to create small sections in the first-year course schedule, in addition to legal writing.

D. On an annual basis, conduct a faculty retreat or workshop on teaching.

Goal #6: Expand our long-standing commitment to public service.

Tactics:

A. Establish on-going relationships with law firms and appropriate non-profit agencies whereby faculty members would regularly make presentations to lawyers and others at those firms or agencies.

B. Develop an annual speaker series devoted to public service, leadership, and professionalism.

C. Expand faculty involvement in bar associations and the public service activities in which those associations engage.
D. Establish a mechanism to compile on a regular basis the public service activities engaged in by our faculty, students, and staff.

E. Enhance awareness of the public service activities engaged in by our faculty, students, and staff by:

(i) creating a brochure that can be used to promote the law school to prospective students, prospective donors, civic and community leaders, and other law school faculty and administrators;

(ii) developing a dedicated “page” on our website; and

(iii) developing a mechanism for regular internal communication.

F. Identify a faculty member as an externship coordinator, similar to our pro bono coordinator.

IV. CONCLUSION

At a meeting held on April 26, 2007, the faculty voted unanimously to approve this plan. On an annual basis, I will report to the faculty on the status of our implementation of the tactics contained in this plan and on our progress toward achieving the strategic goals.
MEMORANDUM

TO: Geoffrey S. Mearns, Provost & Sr. Vice President for Academic Affairs  
C|M|LAW Faculty  
C|M|LAW Staff

FROM: Phyllis L. Crocker, Interim Dean  
College of Law

DATE: November 18, 2010

SUBJECT: Update on 2007 Strategic Plan for C|M|LAW

In the spring of 2007, C|M|LAW adopted a strategic plan for the next five years (Fall 2007 – Spring 2012). I am pleased to report that, at year three, we are making significant progress on virtually every Goal and Tactic. Attached are two documents: one, the April 2007 memo from Dean Mearns setting forth the strategic planning process and the strategic plan; and two, a Progress Report on the strategic plan as of Fall 2010. As you will see in the Progress Report, many tactics are marked as both underway and ongoing. This underscores the continuing relevance and vitality of the plan.
**Goal 1:** Substantially improve our graduates’ first-time bar passage rate on the Ohio State Bar Exam

**Tactics:**

1. Continue the implementation of the Bar Passage Plan [hereinafter (Plan)] approved by the faculty on November 20, 2003, approved the President and Provost on December 9, 2003, and presented to the Cleveland State University Board of Trustees on February 25, 2004. Pursuant to that plan, we will:
   - reduce our entering class size by at least 10 students per year, with an ultimate target of 200 entering students in 2009;
   - Since 2004 when the entering class was 248, we have reduced the class size each year to 236 in 2005, 227 in 2006, 215 in 2007, 211 in 2008, 203 in 2009, and 195 in 2010.

2. continue to increase the number of full-tuition scholarships for entering students;
   - Since 2004, we have increased the number of full-tuition scholarship offers, but the acceptance rate has declined due to challenges we face from other school offers: higher scholarship offers, added stipends, reduced GPA requirements to retain, and more competition for fewer students. However, our FTE Scholarship averages have increased from $1,200 to over $2,600 per student since the implementation of the Plan.

3. continue to apply the full spectrum of grades fairly and rigorously; and
   - On an annual basis, the Associate Dean for Faculty Development and Student Achievement collects and analyzes data regarding attrition and reports those results to the faculty.
   - Each semester the Associate Dean for Academic Affairs reviews all grades given in every class and discusses distributions when necessary.

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retain our commitment to diversity, the LCOP program, and the part-time program.

- The Admissions Office is strongly committed to our level of diversity, the LCOP program and the part-time program. Since the Plan was implemented in 2004, the admissions numbers in diversity and LCOP have continued to be strong although our part-time numbers are not consistently as strong.
- In 2010, we won the LSAC’s first annual Diversity Matters award in recognition of our commitment to diversifying the legal profession.

B. Pursuant to the Plan, we will comprehensively review the Plan’s effectiveness in achieving bar plan goals during the next academic year.

- In the spring of 2008, Susan Becker, chair of the Bar Committee, wrote a comprehensive review of the Bar Passage Improvement Plan’s effectiveness. This was updated in the summers of 2009 and 2010. In addition, the Director of Bar Preparation has begun to coordinate the gathering and analysis of data concerning students who failed the bar on their first attempt.

C. Continue the new mandatory advising program pursuant to which each second-year law student is provided with (i) an individualized assessment of the student’s likelihood of passing the Ohio bar exam on the first attempt, and (ii) guidance to increase the student’s likelihood of passing the Ohio bar exam on the first attempt.

- Every fall since 2006, the Associate Dean for Faculty Development and Student Achievement has organized individual counseling sessions for each second-year student, which provide (1) an individualized assessment of the student's risk factors for bar passage and (2) guidance for success on the bar exam.

- The Dean, Associate Dean for Academic Affairs, Associate Dean for Faculty Development and Student Achievement, Director of Bar Exam Preparation, Manager of the Academic Excellence Program, Manager of Student Affairs, Director of the Pro Bono Program and Chair of the Bar Committee engage in these counseling sessions. We begin discussing bar preparation in the first year of law school: orientation discussion by Associate Dean for Faculty Development and Student Achievement, followed by presentations in all 1L classes prior to Spring registration.
D. Provide financial assistance to students and recent graduates in order to enable them to prepare for the Ohio bar exam (e.g., subsidize the cost of PMBR).
   - We evaluate our arrangement each year with PMBR, and have renewed each year. We also have provided loans to graduates studying for the bar.

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<th>Goal 2:</th>
<th>Enhance the quality and diversity of the student body, and expand the professional opportunities available to them.</th>
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<td>Tactics:</td>
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<td>A.</td>
<td>Improve our efforts to recruit an academically stronger and more diverse student body by:</td>
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<td>expanding and enhancing our use of web-based communications;</td>
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<td>- We have expanded our use of LSAC's Candidate Referral Service to correspond electronically with prospective students, created an Admitted Student page on the website, increased the number of emails sent to admitted students, created online registration for admission events, and constantly update our website with new information. We are using Facebook and blogs somewhat and are considering how to expand our web presence.</td>
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<td>continuing to improve the quality of our written promotional materials;</td>
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increasing the participation of alumni and other practitioners in our student recruitment efforts;

- Alumni and practicing attorneys are integral to our success and regularly participate in our admission events, such as Admitted Student Days, open houses, our new Multicultural Perspectives Day, as well as communicating directly with students who have specific questions.

developing strong relationships with pre-law advisors at certain undergraduate institutions;

- We now have established relationships with prelaw advisors at over 50 colleges and universities across the country. Many of the advisors now ask us to visit the school to make presentations. We attend the National Association of PreLaw Advisors national meetings. We send updates on C|M|LAW accomplishments every semester. We send prelaw advisors notices of graduates that enroll at C|M|LAW. We are reaching out to the HBCU prelaw advisors.

emphasizing distinctive features of our law school, such as our close connection with one of the most sophisticated legal markets in the country, our dynamic faculty, and our large and engaged alumni network;

- Our message focuses on providing a distinctive, relevant, and flexible education, including our close connection to the Cleveland legal market, our interaction of theory and practice, such as clinic and pro bono programs, and flexibility of study programs.

identifying and cultivating relationships with employers who subsidize post-graduate education; and

- We are engaged in a concerted effort to further identify employers who provide education assistance to employees and have a segment of employees interested in part-time study; at this time we are working closely with the Cleveland Clinic.
7. Identifying employment sectors for which a formal legal education will lead to professional advancement.

- While we are attempting to identify such employment fields where a legal education is beneficial, we continue to emphasize to all students that a legal education is an investment that will pay off in any employment field.

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B. Increase scholarships, continue to evaluate the academic standards pursuant to which students obtain and retain scholarships, and explore the viability of an honors program or law firm sponsorship of specific scholarship-related programs.

- We reevaluate each year whether to maintain the high standards we expect from our scholarship students. Each time we have decided to retain the GPA requirements.

- We engaged in a year long investigation with the assistance of an outside consulting firm, regarding the viability and desirability of an honors program. We consulted faculty, staff, and a number of external groups including our Visiting Committee, National Advisory Committee, and leaders of the legal and business community. We decided not to pursue an honors program.

C. Develop national recruiting and employment initiatives for our students by:

1. Increasing alumni participation in creating placement opportunities for our graduates;

2. Marketing our law school to national private law firms and non-profit, public interest organizations; and

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encouraging our students to seek jobs outside of Northeast Ohio.

- See the Office of Career Planning Strategic Plan, attached. Our ongoing career planning initiatives involve ensuring our current students build their network among professionals and build their resumes with practical experience while they are in law school. These efforts have included the expansion of our externship program into the General Counsel offices of corporations in Northeast Ohio, beginning our fall recruiting program prior to the start of the academic year in response to employer and student feedback, and expanding the timeframe of our spring recruiting program in order to allow employers to recruit throughout the duration of the spring term. In order to expand the geographic scope of opportunities for our graduates, we have begun to visit cities outside of Ohio, in conjunction with our alumni networks, and proactively reach out to out-of-state employers in order to educate them about our students. We also continue to leverage our relationships with the local firms with offices throughout the region and country in order to identify opportunities with those firms in other cities. We continually seek to enhance the awareness and education of our students about the array of opportunities available upon graduation, including judicial clerkships.

### D. Expand our externship program by identifying new placements and better promoting the educational and employment benefits of externships

- Since Fall 2006 we have more than tripled our externship placements: with new Judges and new courts, and in government, public interest, and general counsel offices (business and university).

- Beginning March 2008, we have held a yearly Lawyering Skills Fair for students to learn about clinics and externship programs.

- We have tripled the number of students who we place throughout the calendar year.
E. Increase the number of students who obtain judicial clerkships by enhancing our reputation among judges and better promoting the value of judicial clerkships.

- See the Office of Career Planning Strategic Plan. In the Spring of 2010 the faculty created a Judicial Clerkship Committee to reach out to and work with individual students. Our recently created faculty judicial clerkship committee targets 1Ls and 2Ls to provide counseling and programming on the judicial clerkship process and experience, and has an outreach plan involving contacting judges on benches of the 6th Circuit and Northern District of Ohio in order to discuss hiring processes and gain insight from the chambers in order to more effectively counsel students.

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F. Increase clinical opportunities and professional skills education for our students.

- In Spring 2008, the Employment Law and Urban Development Law Clinics moved into new clinical offices.

- In Spring 2009 we instituted a new clinic, the Community Health Advocacy Law Clinic, directed by Clinical Professor Daiker-Middaugh.

- We added Arbitration to our yearly course offerings and created new externships (see D above).

- Beginning with the entering class of 2008, all students are required to take a professional skills course.

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G. Expand the breadth of our *pro bono* programs to involve more and different students.
   - Each year students contribute more than 10,000 volunteer hours to our community.
   - The Pro Bono Program offers more "big projects" with additional opportunities to volunteer, including the following: Legal Aid Society of Cleveland ProSe Divorce Clinic and Free Advice Clinics; Drivers License Reinstatement Project; Homeless Legal Assistant Project; Cuyahoga County Earned Income Tax Credit Coalition; Election Mobile Legal Volunteers; 3Rs Program; Big Buddies/Little Buddies; Teen Law and Public Policy Forum; City High School Mock Trial Competitions and Cleveland Fugitive Safe Surrender.
   - The Pro Bono Program offers additional educational stipends to support students who are committed to public interest, including the following: Dean's Community Service Awards; Cleveland-Marshall Pro Bono Summer Fellows (increased from 10 to 16 in 2010); William A. Blair Memorial Pro Bono Student of the Year;

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H. Increase funding for our Loan Repayment Assistance Program to enable more students to pursue public interest employment after graduation.
   - In light of the new government loan assistance and forgiveness programs available to students who work in certain government and public interest organizations, we are reworking the parameters of our LRAP funding.

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I. Enhance the capacities of the professional staff in the admissions office, in order to strengthen our applicant pool and yield of admitted students, and enhance the capacities of the professional staff in the Office of Career Planning, in order to provide more individualized counseling and greater national outreach.

- We created the position of Coordinator Law Admissions and Multicultural Recruitment and in the spring of 2008 hired Sandra English to fill that position.

- In July 2009 a new director of the Office of Career Planning, Jen Blaga began reorganizing OCP. One of her first projects was to develop a new Strategic Plan for the office. It is attached. In July 2010 she upgraded the secretarial position to that of Coordinator and hired Jessica Mathewson for that position.

**Goal 3: Improve the scholarly reputation and productivity of our faculty.**

**Tactics:**

**A.** On an annual basis, conduct a faculty retreat or workshop on improving scholarly productivity.

- The Associate Dean for Faculty Development and Student Achievement organized faculty retreats on Research and Scholarship in 2009 and 2010.

- The Associate Dean for Faculty Development and Student Achievement organizes a faculty lunch series where faculty members from Cleveland-Marshall or other universities present their scholarly work.

- The Associate Dean organizes Junior Faculty Exchanges with other law schools including Capital University Law School and Indiana University School of Law.

- We reinstituted the Northeast Ohio Colloquium Series with the University of Akron School of Law and Case Western Reserve University School of Law.

- We have created faculty scholarship support groups comprising 3-6 faculty members, who meet periodically to support each other's research and writing efforts by, for example, discussing topics, reviewing drafts, and setting interim deadlines.
B. Provide appropriate recognition for faculty scholarship.

- In 2008, we published a faculty brochure, The *Cleveland-Marshall College of Law Faculty: Intellect and Inspiration*, highlighting (mainly) the scholarly accomplishments of faculty members. In 2010 we published a brochure on our new faculty and named professorships.

- On a monthly basis, the Associate Dean of Faculty Development and Student Achievement distributes an electronic newsletter, *Faculty Focus*, highlighting, among other things, the scholarly accomplishments of faculty members.

- We post papers and articles on SSRN's Legal Scholarship Network and distribute the Cleveland-Marshall Legal Research Studies Papers on SSRN.

- In 2008, the law school held a ceremony celebrating the appointment of faculty members to the law school's four named professorships; we will do so again in the spring of 2011.

- In the spring of 2009, Dena Davis received the Cleveland State University Distinguished Faculty Award for Research.

- In 2010 the Interim Dean appointed an Ad Hoc Committee on Scholarship giving it a charge to make proposals to the faculty for increasing and improving our scholarly productivity (both quality and quantity) and recognition.

- The Law Library developed and maintains a Faculty Publications Database with unique citation analysis tools.

- The Law Library is developing an Institutional Repository that will electronically archive and provide access to faculty scholarship as well as other Law School materials of historic interest.
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<td>C.</td>
<td>Improve the training of research assistants who help faculty members with their research.</td>
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<td>● The Library provides orientation and specialized research instruction sessions for Law faculty research assistants. The Library continues to advertise these services to faculty and research assistants through faculty information sessions, blog postings and individual meetings. The Library has hired and trained several RAs who work on faculty projects under the supervision of a law librarian.</td>
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<td>D.</td>
<td>Purchase technology that will support faculty productivity, and provide faculty training to use such technology.</td>
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<td>● The Library (Jan Novak) has compiled a document comparing a variety of bibliographic citation software resources. [This document has been given to the Associate Dean for Faculty Development and Student Achievement.] Training for the faculty as a group on one of these resources occurred in Spring 2009. The Library also created a webpage on instructional support materials and a teaching materials archive. Training on citation software and other resource management strategies and web tools can be scheduled at any time through a faculty mini-session.</td>
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<td>E.</td>
<td>Enhance the ability of faculty to engage in scholarship by:</td>
<td>Faculty Affairs Committee</td>
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<td>1 developing a written policy to guide the Dean’s discretion for providing course releases in recognition of exceptional faculty productivity; and</td>
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<td>● The faculty approved a written policy in May 2008.</td>
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<td>2 developing a fair method for faculty to “bank” teaching hours.</td>
<td>Faculty Affairs Committee</td>
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<td>● In Spring 2008 the Faculty Affairs Committee decided not to recommend a banking system.</td>
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### F. Increase the number of, and evaluate the terms and benefits of, named professorships.
- In October 2007 we established a fourth professorship: the Joseph C. Hostetler-Baker & Hostetler Chair in Law.
- The terms and benefits of all of the professorships, as well as criteria for eligibility have been discussed by the faculty and the Dean.

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### G. Improve our graduates' appreciation of and support for scholarly activities by encouraging faculty members to contribute articles to *Law Notes*.

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### H. Enhance secretarial support for productive faculty.

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### Goal 4: Develop signature programs or centers of excellence at the law school.

**Tactics**

**A.** Solicit proposals from the faculty for proposed signature programs or centers of excellence.
- Proposals were solicited in 2008-09.

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**B.** Develop a process by which the administration and the faculty can decide which proposals should be implemented.

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**C.** Provide appropriate support for the development of the selected programs or centers.
- In Spring 2009 the faculty approved the creation of the Center for Health Law and Policy. In August 2010 Associate Professor Browne Lewis was named Director of the Center and we received financial support from the Provost for the Center.

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Goal 5: **Strengthen our curriculum and expand our teaching strategies to maximize the educational experience for our students in order to prepare them to practice law in the 21st century.**

- In Fall 2009 Dean Mearns appointed the Ad Hoc Curriculum Review Committee and charged it as follows: "Over the next two years, this Committee should conduct a comprehensive evaluation of our entire law school curriculum and academic program. During this two-year period, this Committee should also propose appropriate, necessary, and progressive changes to our curriculum and our academic program in order to prepare our graduates to practice law and pursue other professional opportunities in the 21st century."

- The Committee has conducted extensive research on programs at other schools, consulted with our National Advisory Council, Visiting Committee, other groups of law and business leaders in Ohio, created, in coordination with the Dean, a Curriculum Reform Advisory Group, talked with every faculty member, held faculty discussions, conducted a faculty survey, and identified core values and skills students should have when they graduate. We anticipate the committee will introduce proposals to the faculty in spring 2011.

**Tactics**

**A.** Develop programmatic information for students that connect courses of study to specific practice areas by:

1. identifying course sequences that relate to practice areas, such as family law, criminal prosecution and defense, tax, international law, and business;

   - In the Student Handbook and on the web we identify foundational and specialized courses in the areas of business law, civil litigation and dispute resolution, criminal law, employment and labor law; environmental law; family law; health law; international and comparative law; intellectual property, law and public policy.
2. creating a two-year course schedule;

- Associate Dean for Academic Affairs Crocker concluded, after working with the creation of the course schedule for three years, that it was not feasible to create a two-year course schedule due to too many unforeseen changes in the schedule each semester.

3. continuing small group advising sessions for first-year students and individual sessions for second-year students; and

- Beginning in the spring of 2007, the Assistant Dean for Academic Affairs and the Associate Deans conduct section by section advising sessions for first-year students. Individual counseling sessions for second-year students regarding the bar exam are discussed in Goal 1A, Section C.

4. promoting the value of the joint-degree programs.

- Professor Alan Weinstein promotes our dual degree programs with the Levin College (JD/MPA, JD/MUPDD, JD/MAES) and College of Science (JS/MSES) through emails and informational sessions with potential students early in the Spring semester. Associate Dean Robertson assists along with faculty/staff of the Levin College. Professor Sagers promotes the JD/MBA dual degree program in the Fall semester. In addition, our web-based and print materials promoting the dual degree programs have been updated.

B. Support new ways of using technology to educate our students by:

1. exploring the feasibility and efficacy of distance-learning courses;

- In May 2008 the faculty approved courses taught on line or by other means of distance learning as appropriate for law school credit, including courses taught outside of the College of Law. Brian Glassman has taught Art Law through distance learning.
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<td>increasing the availability of technology in the classroom (e.g., smart podiums, clicker technology, and Blackboard); and</td>
<td>Law Library Director/Dir. Tech Operations/Dean</td>
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<td>• The Law School is building a Trial Courtroom to provide students with a hands-on opportunity to practice litigation skills using some of the most current courtroom technology.</td>
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<td>• Technology fee money continues to be spent to improve classroom technology, including the recent approval to purchase a mobile MediSite recording system. As of Summer 2010 all classroom and seminar rooms are equipped with presentation technology. The library staff has provided, and will continue to provide, faulty information sessions about available technologies and how they might be used in teaching. Students and faculty regularly use available classroom technology for presentations and instruction. The technology department provides training and support for the use of this equipment.</td>
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<td>increasing the availability of technology to communicate with students outside of the classroom (e.g., Blackboard).</td>
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<td>• Library staff have provided information sessions and Faculty mini-sessions on using technologies such as TWEN, Blackboard, Camtasia, podcasts, blogs, wikis, etc. to enhance teaching and communication outside the classroom. Technology staff builds and supports course email lists for all interested faculty members. Faculty and staff are provided with access to update online material via Adobe Contribute. Video recordings and web postings of course review and make-up sessions are supported by the technology department.</td>
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<td>C</td>
<td>Ensure that our curriculum requires the necessary foundational courses, provides an appropriate variety of electives, and uses pedagogical methodologies appropriate to different stages of law school education by:</td>
<td>Curriculum Committee</td>
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<td>continuing to consider whether we require the proper upper-level courses;</td>
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<td>• The Curriculum Committee, pursuant to the Dean's 2006-07 charge, discussed this question and concluded that we should not alter our required courses. In May 2008 the faculty voted to add a professional skills course as a requirement.</td>
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<td>• See Report under Goal 5 above.</td>
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<td><strong>Examining our upper-level elective course offerings; and</strong></td>
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<td><strong>See Report under Goal 5 above.</strong></td>
<td>Ad Hoc Curriculum Review Committee</td>
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<td><strong>Deciding whether, and if so how, to create small sections in the first-year course schedule, in addition to legal writing.</strong></td>
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<td><strong>On an annual basis, conduct a faculty retreat or workshop on teaching</strong></td>
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<td><strong>In the fall 2006, Associate Dean Falk organized a Faculty Retreat on Teaching with Professors Gerry Hess and Sophie Sparrow. In the spring of 2008, she organized a Faculty Retreat with Michael Hunter Schwartz.</strong></td>
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**Goal 6: Expand our long-standing commitment to public service.**

**Tactics:**

**A.** Establish on-going relationships with law firms and appropriate non-profit agencies whereby faculty members would regularly make presentations to lawyers and others at those firms or agencies

**B.** Develop an annual speaker series devoted to public service, leadership, and professionalism

**C.** Expand faculty involvement in bar associations and the public service activities in which those associations engage.

   - One faculty member created the Global Gateway Lecture series at the Beachwood Business Development Center to provide monthly lectures from law school and business school faculty on issues relevant to entrepreneurs and small businesses in the community.

11/18/2010  Page 16
D. Establish a mechanism to compile on a regular basis the public service activities engaged in by our faculty, students, and staff.

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E. Enhance awareness of the public service activities engaged in by our faculty, students, and staff by:

1. creating a brochure that can be used to promote the law school to prospective students, prospective donors, civic and community leaders, and other law school faculty and administrators.

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2. developing a dedicated “page” on our website; and

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3. developing a mechanism for regular internal communication.

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   - On a monthly basis, the Associate Dean for Faculty Development and Student Achievement distributes an electronic newsletter, Faculty Focus, which highlights among other things, the public service accomplishments of faculty members.

F. Identify an externship coordinator, similar to our pro bono coordinator.

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   - In 2008 we created the Manager, Student Affairs position that includes, among the responsibilities, being the administrative coordinator of the externships.
Goal 1: Substantially improve our graduates’ first-time bar passage rate on the Ohio State Bar Exam

Notwithstanding our implementation of virtually all of the Tactics described below, over the course of the Strategic Plan our first-time passage rate for the July bar has declined rather than improved in terms of both absolute percentage and as compared with other Ohio law schools. We continue to evaluate how we can make progress on this very critical goal.

Tactics:

A. Continue the implementation of the Bar Passage Plan [hereinafter (Plan)] approved by the faculty on November 20, 2003, approved the President and Provost on December 9, 2003, and presented to the Cleveland State University Board of Trustees on February 25, 2004. Pursuant to that plan, we will:

1. reduce our entering class size by at least 10 students per year, with an ultimate target of 200 entering students in 2009;

   - Since 2004 when the entering class was 248, we have reduced the class size each year to 236 in 2005, 227 in 2006, 215 in 2007, 211 in 2008, 203 in 2009, 195 in 2010.
   
   - A nationwide decline in law school applications (and the resulting deterioration in applicant credentials) led to an entering class of only 168 students in 2011. Anticipating that this trend would continue, the law school sought and received the President’s approval of the 140 Plan, which reduced the entering class size to 140 students for the foreseeable future.
2. continue to increase the number of full-tuition scholarships for entering students;

- Since 2004, we have increased the number of full-tuition scholarship offers, but the acceptance rate has declined due to challenges we face from other school offers: higher scholarship offers, added stipends, reduced GPA requirements to retain, and more competition for fewer students. However, through 2010 our FTE Scholarship averages increased from $1,200 to over $2,600 per student since the implementation of the Plan.

- For strategic reasons, the law school stopped offering full-tuition scholarships in 2010, so that resources could be concentrated on bringing in students closer to our median LSAT score, rather than on high-scoring outliers.

3. continue to apply the full spectrum of grades fairly and rigorously; and

- On an annual basis, the Associate Dean for Faculty Development and Student Achievement collects and analyzes data regarding attrition and reports those results to the faculty.

- Each semester the Associate Dean for Academic Affairs reviews all grades given in every class and discusses distributions when necessary.

4. retain our commitment to diversity, the LCOP program, and the part-time program.

- The Admissions Office is strongly committed to our level of diversity, the LCOP program and the part-time program. Since the Plan was implemented in 2004, the admissions numbers in diversity and LCOP have continued to be strong although our part-time numbers are not consistently as strong.

- In 2010, we won the LSAC’s first annual Diversity Matters award in recognition of our commitment to diversifying the legal profession.

- Although the size of the 2011 entering class fell to 168 students (from 195 students the previous year), the minority enrollment of the class actually increased—to 21%.
B. Pursuant to the Plan, we will comprehensively review the Plan’s effectiveness in achieving bar plan goals during the next academic year.

- In the spring of 2008, Susan Becker, chair of the Bar Committee, wrote a comprehensive review of the Bar Passage Improvement Plan’s effectiveness. This was updated in the summers of 2009 and 2010. (The Bar Passage Improvement Plan did not require a report in 2011.) In addition, the Director of Bar Preparation has coordinated the gathering and analysis of comprehensive data concerning students who failed the bar on their first attempt.

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<td>Bar Committee</td>
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C. Continue the new mandatory advising program pursuant to which each second-year law student is provided with (i) an individualized assessment of the student’s likelihood of passing the Ohio bar exam on the first attempt, and (ii) guidance to increase the student’s likelihood of passing the Ohio bar exam on the first attempt.

- Every fall since 2006, the Associate Dean for Faculty Development and Student Achievement has organized individual counseling sessions for each second-year student, which provide (1) an individualized assessment of the student's risk factors for bar passage and (2) guidance for success on the bar exam.

- The Dean, Associate Dean for Academic Affairs, Associate Dean for Faculty Development and Student Achievement, Director of Bar Exam Preparation, Manager of the Academic Excellence Program, Manager of Student Affairs, Director of the Pro Bono Program and Chair of the Bar Committee engage in these counseling sessions. We begin discussing bar preparation in the first year of law school: orientation discussion by Associate Dean for Faculty Development and Student Achievement, followed by presentations in all 1L classes prior to Spring registration.

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D. Provide financial assistance to students and recent graduates in order to enable them to prepare for the Ohio bar exam (e.g., subsidize the cost of PMBR).

- We evaluate our arrangement each year with PMBR, and have renewed each year. We also have provided loans to graduates studying for the bar.

- In Spring 2012, as part of the 140 Plan, we created a new program that will provide every entering student (beginning in Fall 2012) with the BARBRI bar preparation course at no cost. In addition, every current 2L and 3L will receive the course at a deeply discounted rate.

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<td>Dir., Bar Preparation</td>
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Goal 2: **Enhance the quality and diversity of the student body, and expand the professional opportunities available to them.**

Quality of the student body has largely remained flat. As measured by LSAT scores, it was the same in 2011 as it was in 2007 (154 median), although the median rose to 155 from 2008 to 2010. Median GPA rose from 3.34 in 2007, to 3.45 in 2010 before dropping in 2011 to 3.28.

Minority enrollment has generally trended upward, from a low of 14.5% in 2006 to a high of 18.4% in 2012. Continuing to increase minority enrollment remains a high priority.

Our full-time JD-required placement percentage fell from 73% for the 2007 class to 50% for the 2011 class, largely because of a major contraction in national legal employment. Our 2011 percentage, however, exceeded that of 10 schools ranked in the U.S. News top 50 and tied 3 schools ranked in the top 25. We also now rank 44th among all U.S. law schools in percentage of graduates employed in firms having 100 or more lawyers.
Tactics:

A. Improve our efforts to recruit an academically stronger and more diverse student body by:

1. expanding and enhancing our use of web-based communications;
   - We have expanded our use of LSAC’s Candidate Referral Service to correspond electronically with prospective students, created an Admitted Student page on the website, increased the number of emails sent to admitted students, created online registration for admission events, and constantly update our website with new information. We are using Facebook and blogs somewhat and are considering how to expand our web presence.
   - In Spring 2012, we reorganized the Admissions department and created an Admissions Communications Specialist position dedicated to providing social media and online communications with prospective students.

2. continuing to improve the quality of our written promotional materials;
   - In 2009 we developed a new mark (C|M|LAW) and logo (Learn Law. Live Justice.). We published a new Admissions booklet that incorporates our new look and message. Our Profile information sheet and information sheets for clinics, dual degree programs, concentrations, invitations for Admitted Student events, and flyers for admission events all incorporate our new mark and motto.
   - In Spring 2012, we created a new Communications Specialist position to assist our Communications Coordinator in producing high-quality, high-impact written, photographic and video communications materials.

3. increasing the participation of alumni and other practitioners in our student recruitment efforts;
   - Alumni and practicing attorneys are integral to our success and regularly participate in our admission events, such as Admitted Student Days, open houses, our new Multicultural Perspectives Day, as well as communicating directly with students who have specific questions.
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<td>developing strong relationships with pre-law advisors at certain undergraduate institutions;</td>
<td>Asst. Dean, Admissions &amp; Financial Aid</td>
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<td>• We now have established relationships with prelaw advisors at over 50 colleges and universities across the country. Many of the advisors now ask us to visit the school to make presentations. We attend the National Association of PreLaw Advisors national meetings. We send updates on C</td>
<td>M</td>
<td>LAW accomplishments every semester. We send prelaw advisors notices of graduates that enroll at C</td>
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<td>LAW. We are reaching out to the HBCU prelaw advisors.</td>
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<td>emphasizing distinctive features of our law school, such as our close connection with one of the most sophisticated legal markets in the country, our dynamic faculty, and our large and engaged alumni network;</td>
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<td>• Our message focuses on providing a distinctive, relevant, and flexible education, including our close connection to the Cleveland legal market, our interaction of theory and practice, such as clinic and pro bono programs, and flexibility of study programs.</td>
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<td>• In the wake of the nationwide decline in law school applications that began in 2010 and concern about the escalating cost of a legal education, we have begun to emphasize our low cost of attendance and strong job placement statistics as a compelling value proposition for prospective students.</td>
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<td>6</td>
<td>identifying and cultivating relationships with employers who subsidize post-graduate education; and</td>
<td>Asst. Dean, Admissions &amp; Financial Aid</td>
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<td>• We are engaged in a concerted effort to further identify employers who provide education assistance to employees and have a segment of employees interested in part-time study; at this time we are working closely with the Cleveland Clinic.</td>
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<td>identifying employment sectors for which a formal legal education will lead to professional advancement.</td>
<td>Asst. Dean, Admissions &amp; Financial Aid</td>
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<td>• While we are attempting to identify such employment fields where a legal education is beneficial, we continue to emphasize to all students that a legal education is an investment that will pay off in any employment field.</td>
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B. Increase scholarships, continue to evaluate the academic standards pursuant to which students obtain and retain scholarships, and explore the viability of an honors program or law firm sponsorship of specific scholarship-related programs.

- We reevaluate each year whether to maintain the high standards we expect from our scholarship students. Each time we have decided to retain the GPA requirements.

- We engaged in a year-long investigation with the assistance of an outside consulting firm, regarding the viability and desirability of an honors program. We consulted faculty, staff, and a number of external groups including our Visiting Committee, National Advisory Committee, and leaders of the legal and business community. We decided not to pursue an honors program.

- Per-student scholarship support for entering students has increased over the last five years by more than 57% - from $2,484 in 2007, to $3,916 in 2011.

C. Develop national recruiting and employment initiatives for our students by:

1. increasing alumni participation in creating placement opportunities for our graduates;

   - See the Office of Career Planning Strategic Plan, attached. Our ongoing career planning initiatives involve ensuring our current students build their network among professionals and build their resumes with practical experience while they are in law school. These efforts have included the expansion of our externship program into the General Counsel offices of corporations in Northeast Ohio, beginning our fall recruiting program prior to the start of the academic year in response to employer and student feedback, and expanding the timeframe of our spring recruiting program in order to allow employers to recruit throughout the duration of the spring term. In order to expand the geographic scope of opportunities for our graduates, we have begun to visit cities outside of Ohio, in conjunction with our alumni networks, and pro actively reach out to out-of-state employers in order to educate them about our students. We also continue to leverage our relationships with the local firms with offices throughout the region and country in order to identify opportunities with those
firms in other cities. We continually seek to enhance the awareness and education of our students about the array of opportunities available upon graduation, including judicial clerkships.

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D. Expand our externship program by identifying new placements and better promoting the educational and employment benefits of externships

- Since Fall 2006 we have more than tripled our externship placements: with new Judges and new courts, and in government, public interest, and general counsel offices (business and university).

- Beginning March 2008, we have held a yearly Lawyering Skills Fair for students to learn about clinics and externship programs.

- We have tripled the number of students whom we place throughout the calendar year.

- In summer 2011, Dean Boise led the clinical faculty in a major reorganization of the program that included shifting externship oversight to the clinical faculty.

E. Increase the number of students who obtain judicial clerkships by enhancing our reputation among judges and better promoting the value of judicial clerkships.

- We have seen overall growth in this area with 2 clerkships in 2007, 9 in 2008, 2 in 2009, 7 in 2010, and 2 in 2011.

- See the Office of Career Planning Strategic Plan. In the Spring of 2010 the faculty created a Judicial Clerkship Committee to reach out to and work with individual students. Our recently created faculty judicial clerkship committee targets 1Ls and 2Ls to provide counseling and programming on the judicial clerkship process and experience, and has an outreach plan involving contacting judges on benches of the 6th Circuit and Northern District of Ohio in order to discuss hiring processes and gain insight from the chambers in order to more effectively counsel students.
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<th>F.</th>
<th>Increase clinical opportunities and professional skills education for our students.</th>
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<td>• In Spring 2008, the Employment Law and Urban Development Law Clinics moved into new clinical offices.</td>
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<td>• In Spring 2009 we instituted a new clinic, the Community Health Advocacy Law Clinic, directed by Clinical Professor Daiker-Middaugh.</td>
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<td>• We added Arbitration to our yearly course offerings and created new externships (see D above).</td>
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<td>• Beginning with the entering class of 2008, all students are required to take a professional skills course.</td>
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<td>• We are reorganizing our current clinics to provide a more diverse practice experience for our students and to increase enrollment.</td>
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<th>G.</th>
<th>Expand the breadth of our pro bono programs to involve more and different students.</th>
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<td>• Each year students contribute more than 10,000 volunteer hours to our community.</td>
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<td>• The Pro Bono Program offers more &quot;big projects&quot; with additional opportunities to volunteer, including the following: Legal Aid Society of Cleveland ProSe Divorce Clinic and Free Advice Clinics; Drivers License Reinstatement Project; Homeless Legal Assistant Project; Cuyahoga County Earned Income Tax Credit Coalition; Election Mobile Legal Volunteers; 3Rs Program; Big Buddies/Little Buddies; Teen Law and Public Policy Forum; City High School Mock Trial Competitions and Cleveland Fugitive Safe Surrender.</td>
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- The Pro Bono Program offers additional educational stipends to support students who are committed to public interest, including the following: Dean’s Community Service Awards; Cleveland-Marshall Pro Bono Summer Fellows (increased from 10 to 16 in 2010); William A. Blair Memorial Pro Bono Student of the Year;


- In 2011, Dean Boise created a grant of up to $2,000 to provide support for a public interest project for the student recipient of the Dean’s annual “Learn Law. Live Justice.” Award.

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<td>H. Increase funding for our Loan Repayment Assistance Program to enable more students to pursue public interest employment after graduation.</td>
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- In light of the new government loan assistance and forgiveness programs available to students who work in certain government and public interest organizations, we are reworking the parameters of our LRAP funding.

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<td>I. Enhance the capacities of the professional staff in the admissions office, in order to strengthen our applicant pool and yield of admitted students, and enhance the capacities of the professional staff in the Office of Career Planning, in order to provide more individualized counseling and greater national outreach.</td>
<td>Assoc. Dean for Academic Affairs</td>
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- We created the position of Coordinator Law Admissions and Multicultural Recruitment and in the spring of 2008 hired Sandra English to fill that position.

- In July 2009 a new director of the Office of Career Planning, Jen Blaga began reorganizing OCP. One of her first projects was to develop a new Strategic Plan for the office. It is attached. In July 2010 she upgraded the secretarial position to that of Coordinator and hired Jessica Mathewson for that position.

- In 2011, we eliminated our two Coordinator, Law Admissions positions and replaced them with an Assistant Director of Admissions and an Admissions Communications Specialist.
Goal 3: **Improve the scholarly reputation and productivity of our faculty.**

Tactics:

A. On an annual basis, conduct a faculty retreat or workshop on improving scholarly productivity.

- The Associate Dean for Faculty Development and Student Achievement organized faculty retreats on Research and Scholarship in 2009 and 2010.
- The Associate Dean for Academic Enrichment organizes a faculty lunch series where faculty members from Cleveland-Marshall or other universities present their scholarly work.
- The Associate Dean organizes Junior Faculty Exchanges with other law schools including Capital University Law School and Indiana University School of Law.
- We reinstituted the Northeast Ohio Colloquium Series with the University of Akron School of Law and Case Western Reserve University School of Law.
- We have created faculty scholarship support groups comprising 3-6 faculty members, who meet periodically to support each other’s research and writing efforts by, for example, discussing topics, reviewing drafts, and setting interim deadlines. About half of the tenure and tenure-track faculty participate in these groups.

B. Provide appropriate recognition for faculty scholarship.

- In 2008, we published a faculty brochure, The *Cleveland-Marshall College of Law Faculty: Intellect and Inspiration*, highlighting (mainly) the scholarly accomplishments of faculty members. In 2010 we published a brochure on our new faculty and named professorships.
- On a regular basis, the Associate Dean of Academic Enrichment updates a blog, *Faculty News*, highlighting, among other things, the scholarly accomplishments of faculty members.
• We post papers and articles on SSRN’s Legal Scholarship Network and distribute the Cleveland-Marshall Legal Research Studies Papers on SSRN.

• In 2008, the law school held a ceremony celebrating the appointment of faculty members to the law school’s four named professorships; we will do so again in the spring of 2011.

• In the spring of 2009, Dena Davis received the Cleveland State University Distinguished Faculty Award for Research.

• In 2010 the Interim Dean appointed an Ad Hoc Committee on Scholarship giving it a charge to make proposals to the faculty for increasing and improving our scholarly productivity (both quality and quantity) and recognition.

• The Law Library developed and maintains a Faculty Publications Database with unique citation analysis tools.

• The Law Library has created an Institutional Repository that will electronically archive and provide access to faculty scholarship as well as other Law School materials of historic interest.

• Dean Boise has begun a tradition of opening faculty meetings with a report on faculty scholarship, accomplishments, and speaking engagements over the previous month.

C. Improve the training of research assistants who help faculty members with their research.

• The Library provides orientation and specialized research instruction sessions for Law faculty research assistants. The Library continues to advertise these services to faculty and research assistants through faculty information sessions, blog postings and individual meetings. The Library has hired and trained several RAs who work on faculty projects under the supervision of a law librarian.
### D. Purchase technology that will support faculty productivity, and provide faculty training to use such technology.

- The Library (Jan Novak) has compiled a document comparing a variety of bibliographic citation software resources. [This document has been given to the Associate Dean for Faculty Development and Student Achievement.] Training for the faculty as a group on one of these resources occurred in Spring 2009. The Library also created a webpage on instructional support materials and a teaching materials archive. Training on citation software and other resource management strategies and web tools can be scheduled at any time through a faculty mini-session.

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### E. Enhance the ability of faculty to engage in scholarship by:

1. developing a written policy to guide the Dean’s discretion for providing course releases in recognition of exceptional faculty productivity; and
   - The faculty approved a written policy in May 2008.

2. developing a fair method for faculty to “bank” teaching hours.
   - In Spring 2008 the Faculty Affairs Committee decided not to recommend a banking system.

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### F. Increase the number of, and evaluate the terms and benefits of, named professorships.

- In October 2007 we established a fourth professorship: the Joseph C. Hostetler-Baker & Hostetler Chair in Law.

- The terms and benefits of all of the professorships, as well as criteria for eligibility have been discussed by the faculty and the Dean.

- Dean Boise enhanced the benefits of the named professorships by giving the holders both a stipend and an automatic course release rather than having them choose between the two.

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<td>G.</td>
<td>Improve our graduates’ appreciation of and support for scholarly activities by encouraging faculty members to contribute articles to <em>Law Notes</em>.</td>
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<td>• <em>Law Notes</em> has been discontinued.</td>
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<th>H.</th>
<th>Enhance secretarial support for productive faculty.</th>
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**Goal 4: Develop signature programs or centers of excellence at the law school.**

**Tactics**

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<th>A.</th>
<th>Solicit proposals from the faculty for proposed signature programs or centers of excellence.</th>
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<td>• Proposals were solicited in 2008-09.</td>
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<th>B.</th>
<th>Develop a process by which the administration and the faculty can decide which proposals should be implemented.</th>
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<th>C.</th>
<th>Provide appropriate support for the development of the selected programs or centers.</th>
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<td>• In Spring 2009 the faculty approved the creation of the Center for Health Law and Policy. In August 2010 Associate Professor Browne Lewis was named Director of the Center and we received financial support from the Provost for the Center.</td>
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<td></td>
<td>• Dean Boise has continued to provide support for the Center after the initial funding from the Provost expired.</td>
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D. Develop a means by which the effectiveness and impact of the selected programs or centers can be assessed. | Dean | X |  

| Goal 5: | **Strengthen our curriculum and expand our teaching strategies to maximize the educational experience for our students in order to prepare them to practice law in the 21st century.**  

- In Fall 2009 Dean Mearns appointed the Ad Hoc Curriculum Review Committee and charged it as follows: "Over the next two years, this Committee should conduct a comprehensive evaluation of our entire law school curriculum and academic program. During this two-year period, this Committee should also propose appropriate, necessary, and progressive changes to our curriculum and our academic program in order to prepare our graduates to practice law and pursue other professional opportunities in the 21st century."

- The Committee has conducted extensive research on programs at other schools, consulted with our National Advisory Council, Visiting Committee, other groups of law and business leaders in Ohio, created, in coordination with the Dean, a Curriculum Reform Advisory Group, talked with every faculty member, held faculty discussions, conducted a faculty survey, and identified core values and skills students should have when they graduate. We anticipate the committee will introduce proposals to the faculty in spring 2011.

- In spring of 2011, the faculty approved substantial reform of the curriculum to be implemented beginning in fall 2012, including the semesterization of the core first-year courses; the adoption of a Legislation/Regulation course to introduce first-year students to the legislative process and develop statutory interpretation skills; the imposition of an experiential skills requirement that will require every student to have taken a course prior to graduation that develops practical skills; the introduction of a Professionalism Problem of the Semester; and new emphasis on pro bono and public service work. | Ad Hoc Curriculum Review Committee |  

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Page 15
Tactics
A. Develop programmatic information for students that connect courses of study to specific practice areas by:

1. identifying course sequences that relate to practice areas, such as family law, criminal prosecution and defense, tax, international law, and business;
   - In the Student Handbook and on the web we identify foundational and specialized courses in the areas of business law, civil litigation and dispute resolution, criminal law, employment and labor law; environmental law; family law; health law; international and comparative law; intellectual property, law and public policy.

2. creating a two-year course schedule;
   - Associate Dean for Academic Affairs Crocker concluded, after working with the creation of the course schedule for three years, that it was not feasible to create a two-year course schedule due to too many unforeseen changes in the schedule each semester.
   - Associate Dean for Academic Affairs Mark Sundahl is working to again create two-year scheduling as a result of a University initiative to do so campus-wide.

3. continuing small group advising sessions for first-year students and individual sessions for second-year students; and
   - Beginning in the spring of 2007, the Assistant Dean for Academic Affairs and the Associate Deans conduct section by section advising sessions for first-year students. Individual counseling sessions for second-year students regarding the bar exam are discussed in Goal 1A, Section C.
promoting the value of the joint-degree programs.

- Professor Alan Weinstein promotes our dual degree programs with the Levin College (JD/MPA, JD/MUPDD, JD/MAES) and College of Science (JS/MSES) through emails and informational sessions with potential students early in the Spring semester. Associate Dean Robertson assists along with faculty/staff of the Levin College. Professor Sagers promotes the JD/MBA dual degree program in the Fall semester. In addition, our web-based and print materials promoting the dual degree programs have been updated.

B. Support new ways of using technology to educate our students by:

1. exploring the feasibility and efficacy of distance-learning courses;
   - In May 2008 the faculty approved courses taught on line or by other means of distance learning as appropriate for law school credit, including courses taught outside of the College of Law. Brian Glassman has taught Art Law through distance learning.

2. increasing the availability of technology in the classroom (e.g., smart podiums, clicker technology, and Blackboard); and
   - The Law School is building a Trial Courtroom to provide students with a hands-on opportunity to practice litigation skills using some of the most current courtroom technology.
   - Technology fee money continues to be spent to improve classroom technology, including the recent approval to purchase a mobile MediSite recording system. As of Summer 2010 all classroom and seminar rooms are equipped with presentation technology. The library staff has provided, and will continue to provide, faculty information sessions about available technologies and how they might be used in teaching. Students and faculty regularly use available classroom technology for presentations and instruction. The technology department provides training and support for the use of this equipment.
• In spring 2011, Dean Boise initiated a program that will provide every entering student beginning in Fall 2012 with an iPad. Faculty will be encouraged to use the iPads in the classroom.

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<th>increasing the availability of technology to communicate with students outside of the classroom (e.g., Blackboard).</th>
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<td>Library staff have provided information sessions and Faculty mini-sessions on using technologies such as TWEN, Blackboard, Camtasia, podcasts, blogs, wikis, etc. to enhance teaching and communication outside the classroom. Technology staff builds and supports course email lists for all interested faculty members. Faculty and staff are provided with access to update online material via Adobe Contribute. Video recordings and web postings of course review and make-up sessions are supported by the technology department.</td>
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|   | Law Library Director/Dir. Tech Operations | X |

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C Ensure that our curriculum requires the necessary foundational courses, provides an appropriate variety of electives, and uses pedagogical methodologies appropriate to different stages of law school education by:

1 continuing to consider whether we require the proper upper-level courses;

• The Curriculum Committee, pursuant to the Dean's 2006-07 charge, discussed this question and concluded that we should not alter our required courses. In May 2008 the faculty voted to add a professional skills course as a requirement.

• See Report under Goal 5 above.

2 examining our upper-level elective course offerings; and

• See Report under Goal 5 above.

3 deciding whether, and if so how, to create small sections in the first-year course schedule, in addition to legal writing.

• See Report under Goal 5 above.
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<th>On an annual basis, conduct a faculty retreat or workshop on teaching</th>
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<td>In the fall 2006, Associate Dean Falk organized a Faculty Retreat on Teaching with Professors Gerry Hess and Sophie Sparrow. In the spring of 2008, she organized a Faculty Retreat with Michael Hunter Schwartz.</td>
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<th>Goal 6:</th>
<th>Expand our long-standing commitment to public service.</th>
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<td>Tactics:</td>
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<tr>
<td>A.</td>
<td>Establish on-going relationships with law firms and appropriate non-profit agencies whereby faculty members would regularly make presentations to lawyers and others at those firms or agencies</td>
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<td>B.</td>
<td>Develop an annual speaker series devoted to public service, leadership, and professionalism</td>
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<td>C.</td>
<td>Expand faculty involvement in bar associations and the public service activities in which those associations engage.</td>
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<td>Associate Dean Sundahl created the Global Gateway Lecture series at the Beachwood Business Development Center to provide monthly lectures from law school and business school faculty on issues relevant to entrepreneurs and small businesses in the community.</td>
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<td>D.</td>
<td>Establish a mechanism to compile on a regular basis the public service activities engaged in by our faculty, students, and staff.</td>
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<td>Dean/Assoc. Dean for Fac. Dev. and Student Achievement</td>
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<tr>
<td>E.</td>
<td>Enhance awareness of the public service activities engaged in by our faculty, students, and staff by:</td>
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<td>Creating a brochure that can be used to promote the law school to prospective students, prospective donors, civic and community leaders, and other law school faculty and administrators;</td>
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|   | Developing a dedicated “page” on our website; and | Responsible Person | Not Started | Completed | Not Completed |
|   | | Dean/Assoc. Dean for Fac. Dev. and Student Achievement | X | | |

|   | Developing a mechanism for regular internal communication. | Responsible Person | Not Started | Completed | Not Completed |
|   | | Assoc. Dean for Fac. Dev. and Student Achievement | X | | |

- On a monthly basis, the Associate Dean for Faculty Development and Student Achievement distributes an electronic newsletter, Faculty Focus, which highlights among other things, the public service accomplishments of faculty members.

|   | Identify an externship coordinator, similar to our pro bono coordinator. | Responsible Person | Not Started | Completed | Not Completed |
|   | | Assoc. Dean for Academic Affairs | X | | |

- In 2008 we created the Manager, Student Affairs position that includes, among the responsibilities, being the administrative coordinator of the externships.
MEMORANDUM

To: President Ronald Berkman  
Provost Geoffrey Mearns

From: Dean Craig M. Boise, C|M|LAW

Date: April 10, 2012

Re: The 140 Plan: Towards a Smaller and Stronger Law School

I. Executive Summary

Demand for legal education across the country has dropped dramatically in the last few years. Structural factors in both the legal job market and legal education suggest that this dampened demand for legal education will continue for the foreseeable future. These factors include the high cost of legal education, changes in the way legal education is financed, a significant drop in starting legal salaries, the rise of the technology-driven legal services outsourcing industry, and the fact that law schools graduate roughly twice as many new lawyers as there are legal jobs. As a result, applications for the Fall 2012 entering class at C|M|LAW are down by nearly 30 percent.

As the pool of law school applicants has shrunk, competition for new students has increased. Law schools in the top tier of the U.S. News rankings are accepting students with weaker credentials (LSAT scores and undergraduate GPAs) to fill their entering classes. As a result, the pool of applicants available to lower-ranked law schools like C|M|LAW is not only smaller, but also has such weak entering credentials that many applicants would be unlikely to pass the bar exam if they were admitted to the law school. Even if they were to pass the bar exam, these weaker students would face difficulty finding employment in a highly competitive environment. Lower bar passage rates and job placement percentages would damage C|M|LAW’s reputation and rankings, deter future applications to the law school, and create a downward spiral from which we might not recover.

To address these serious challenges, we believe it is critical that C|M|LAW reduce its target entering class size to 140 students beginning with the Fall 2012 semester. This will permit the law school to be selective in filling each entering class from the weaker applicant pools of the next several years, and help us at least maintain current relative bar passage and job placement levels. It will also permit us to be more agile and responsive in meeting the educational needs of students who will graduate into a starkly different legal practice world.
II. The Current Crisis in Legal Education

Law schools are faced with the confluence of three factors that pose the most serious threat in decades to the viability of the current model of legal education. These factors are a shrinking job market, widespread criticisms of the traditional legal education model, and a bubble in law school student loans.

A. A Shrinking Legal Job Market

According to the National Association for Legal Placement, 45,000 legal jobs have been lost in the U.S. over the last four years. Much of this job loss has been precipitated by the financial crisis of 2008. However, even before the crisis, a decade of growth in legal hiring had begun to taper off as clients became more cost-conscious and began to force law firms to function more efficiently; the number of law firm jobs actually peaked in 2004. Thus, even as some job growth has begun to return across the economy in the wake of the financial crisis, the legal profession continues to contract—losing another roughly 3,000 jobs in 2011, according to the U.S. Bureau of Labor Statistics. Previous levels of legal employment are not likely to return, if at all, for a number of years. It will take several years for the job market to absorb the lawyers who lost their jobs in the wake of the financial crisis. More important, however, is the role of simple economics and technology in the transformation of the legal services sector.

Traditionally, law firms provided what was viewed as a highly customized service. The law firm business model was a pyramid, with large numbers of associates at the bottom and a small number of partners at the top. Associates were trained on the job, their time was billed to clients at high hourly rates, and partners collected the profits. In the late 1990s, this model began to come under pressure as clients refused to pay for associate training. Law firms were forced to find ways to cut costs and a number of entrepreneurial companies emerged to assist them. Legal process outsourcing companies employed contract lawyers—sometimes offshore—to provide routine document review, discovery, and research and drafting services to firms at lower cost. Much of this work is now being done with the aid of highly sophisticated software that greatly reduces the need for lawyers. Additionally, there are a number of online services that provide legal forms and ready-made research solutions at a fraction of the price charged by law firms. The legal jobs lost as a result of these sorts of technology-driven efficiency gains will not return.

The diminished demand for lawyers has not been met with a corresponding reduction in supply. Each year, U.S. law schools graduate some 45,000 new lawyers into a market that Bureau of Labor is projected to create only 25,000 jobs each year from now through 2018. In Ohio, law schools produce roughly twice as many lawyers as there are legal job openings each year. There have been repeated calls for the closing of one or more of Ohio’s public law schools, most recently in a Columbus Dispatch article reprinted in the Cleveland Plain Dealer on Monday, March 26th, entitled “Law grads: lots of debt, few jobs.” See Appendix A.
As a result of the over-supply of lawyers, aggregate starting legal salaries have declined by 20 percent nationwide. The median national starting salary for the class of 2010 fell 13 percent—to $63,000 from $72,000. See Appendix A. An increasing number of law school graduates who do find employment work in low-paying, temporary contract or staff attorney positions. Many law school graduates work as paralegals. C|M|LAW is fortunate to have led all Ohio public law schools in the percentage of 2010 graduates who were employed in full-time legal jobs nine months after graduation. See Appendix B. However, roughly a third of our 2010 graduates still have not found jobs that require their law degrees, and this year’s numbers are worse; nine months after graduation, only 51.5 percent of our 2011 graduates had found full-time jobs that required their JD.

B. Criticisms of the Current Legal Education Model

A second factor in the crisis facing law schools is widespread criticism of the current legal education model. Three recent New York Times articles highlight these emerging complaints. The first, titled “What they Don’t Teach Law Students: Lawyering,” repeats the often-heard claim that law schools don’t train students in the practical skills necessary to function as effective lawyers after graduation. This claim is not new. The 2007 Carnegie Foundation report “Educating Lawyers: Preparation for the Profession of Law” concluded that law schools do a good job of teaching critical thinking and legal analysis but fail to adequately teach students “how to use legal thinking in the complexity of actual law practice.”

Although virtually all law schools now offer students various forms of practical training, such training was not an historical focus of most law schools for two reasons. First, law firms traditionally provided practical training under the pyramid model described above. Second, law school faculty members generally are not well suited to supply such training, as many tenured or tenure-track law professors have not actually practiced law in years, if ever. Nonetheless, this criticism has led to calls for radical changes in legal education, including elimination of the third year of law school, the addition of a fourth year, conversion of the law degree to an undergraduate degree (as in the U.K, for example), and requiring legal apprenticeships. Law schools are wrestling with the extent to which these and other proposed reforms should be part of the future of legal education.

Many such proposed reforms will only exacerbate another frequent complaint about law schools addressed in two other recent New York Times articles—the high cost of legal education. “Law School Economics: Ka-Ching!” and “For Law Schools, a Price to Play the ABA’s Way” note that law school tuition has risen four times faster than college costs. It is clear is that the cost structure for legal education is not sustainable. In 2010, the average debt load of 85 percent of law graduates was $98,500. At twenty-nine schools, the average student debt load exceeded $120,000. In a period of declining legal jobs and declining legal salaries, such debt loads will saddle law students with a heavy financial obligation for decades.
C. Law School Financing

The third factor creating the current crisis for legal education is related to the increasing cost of legal education. This increase in tuition costs has been subsidized (and exacerbated) by a virtually unlimited supply of private student loan dollars guaranteed by the federal government. Beginning in 2008, the federal government began to purchase the loans it had guaranteed, and under the Student Aid and Fiscal Responsibility Act of 2010, ceased guaranteeing loans altogether. Instead, the Act provides that the U.S. government, through the Education Department, now makes student loans directly. The Act also ended the federal subsidy for interest on student loans accrued while a student is in school, thus significantly increasing the cost of financing a legal education.

As legal salaries cease to provide sufficient income to retire heavy law school debt loads, the federal government no doubt will re-examine the wisdom of making tens of billions of dollars in loans to law students each year. Student loan servicing experts fully expect that Congress will impose some type of cap on law school loans in the very near future. The gap between law school tuition and capped federal law school loans may be filled by private lenders, but at higher interest rates that could put the cost of law school out of reach for many students.

III. Consequences: A Diminished Applicant Pool and Bar Passage Risk

Each of the factors discussed above has contributed to the largest decline in law school applications in decades. The most recent report from the Law School Admissions Council shows that applications are in decline for 87 percent of ABA-accredited law schools, with the overall number of applicants for the entering class of 2012 down 16.7 percent. The news is particularly bad at C|M|LAW, where applications currently are down by nearly 30 percent. This section describes how the shrinking applicant pool and the declining quality of the entering credentials of the students in that pool presents a serious bar passage issue for the law school.

A critical objective for C|M|LAW is to ensure that our graduates are able to successfully navigate the bar examination, passage of which is required in order to practice law in the State of Ohio. Graduates who fail the bar exam have dim employment prospects and are faced with the challenge of repaying their law school indebtedness on a salary lower than that earned by practicing lawyers. From 1997 to 2003, C|M|LAW’s bar passage rate ranged from 66 percent to 75 percent, which routinely placed it in the bottom half of all Ohio law schools. The CSU Board of Trustees became concerned about the continuing low bar passage rate of C|M|LAW graduates and, in 2003, passed a resolution requiring C|M|LAW to achieve a bar passage rate that would place it in the top one-third of Ohio’s law schools within five years. The Board’s resolution is attached as Appendix C. In response, C|M|LAW developed its Action Plan for Improving CSU Bar Passage Rates (the “2003 Plan”).

The 2003 Plan noted that C|M|LAW’s low bar-passage rate was attributable in part to declining law school applications in the mid- to late-1990s that prevented us from being more selective in the quality of student admitted and particularly affected the
bottom quarter of the entering class. In addition, the 2003 Plan observed that two of our closest competitors, the University of Akron and the University of Toledo, substantially improved the composition of their entering classes, through a combination of scholarships, reduction in size, or bar passage programs and thereby enhanced their bar-passage scores to C|M|LAW’s relative disadvantage. The 2003 Plan concluded that a much more structured, permanent bar-passage program with adequate funding and personnel was required to move the law school towards the Trustees’ ambitious bar-passage goal. Accordingly, among other matters, the 2003 Plan called for a reduction in entering class size of at least 10 students per year over five years, with a target of 200 entering students in 2009.

Under the leadership of former Dean Geoffrey Mearns, the decrease in entering class size mandated by the 2003 Plan resulted in a significant improvement in Law School Admissions Test (LSAT) scores among our applicants. This, in turn, drove dramatic improvements in bar passage rates. The July bar passage rate of our students rose from 75 percent in 2004 to a high-water mark of 90 percent (2nd highest among the nine Ohio law schools) in 2007. That year’s performance placed C|M|LAW in the top one-third of Ohio law schools within the five year timeframe mandated by the 2003 Board Resolution.

More recently, however, as reflected in the 2010 Annual Report on Improving Cleveland-Marshall’s Bar Passage Rates, the bar passage rate has fallen, with Cleveland-Marshall ranking 4th in July 2008 among Ohio law schools, 5th in July 2009, and 6th in 2010. Our slide continued last year, as C|M|LAW fell to 7th on the July 2011 bar exam. More importantly, among Ohio public law schools, C|M|LAW has been dead last since 2009. A chart of the law school’s relative bar passage performance is attached as Appendix D. The law school’s annual bar report for 2010 observed that the “trend toward growth in the top LSAT score ranges and reductions in the lower LSAT ranges” would not continue for the entering class of 2010 for reasons that were not clear at the time. As it turned out, 2010 marked the beginning of what has become the most dramatic drop in law school applications in decades.

Nationally, law school applications for the entering class of 2011 dropped 11.5 percent from the prior year to the lowest level in a decade. At C|M|LAW, applications dropped 13.5 percent. Just as in the early 1990s, this decline resulted in both a much smaller overall pool of applicants and a decline in the quality of that pool as measured by LSAT scores, particularly within the 25th percentile of the class. To prevent a substantial drop in the median LSAT score of the entering class of 2011, we admitted a class of 167 students, rather than the 200-students targeted in the 2003 Plan. Notwithstanding a reduction of 33 students, the median LSAT for the entering class of 2011 dropped from 155 to 154, a significant decline given the compression in LSAT scores among the nation’s law schools.

Entering class LSAT scores are important because they are the strongest predictor of success on the bar exam. Based on analysis of entering LSAT scores of students
taking the bar exam in prior years, CSU Institutional Research & Analysis director Tom Geaghan has concluded that students with LSAT scores at or below 152 are at significant risk of failing the bar exam. Had we admitted 200 students in Fall 2011, more than a quarter of the class would have had an LSAT of 149 or below and been at substantial risk of bar failure. Unfortunately, the law school application pool for 2012 is worse than that for 2011. Law school applications presently are down by nearly 30 percent from last year. See Appendix E. If these figures hold through the admissions season, admitting an entering class of even 168 students, as we did last fall, would produce another drop in our median LSAT score and likely unravel all the progress we’ve made in bar passage rates since the 2003 Plan was implemented.

IV. Toward a Smaller, Stronger Law School

Notwithstanding the bleak outlook for legal employment and legal education over the next few years, C|M|LAW is well positioned not only to survive, but also to thrive in this environment, if we adopt a strategy that again substantially reduces the size of the law school entering class. To borrow from the language of the 2003 Plan, we need to be “a smaller and stronger law school.”

A. The Goal: 140 Students

We propose that beginning in the fall of 2012, the target entering class size at C|M|LAW be 140 students. We recognize that the law school downsized significantly from 2004 through 2009. As noted above, the entering class size was reduced over those five years from 250 to 200. However, our law school competitors were smaller than we were in 2004 and have continued to downsize over the intervening years. Even with 200 entering students, we are larger than all other Ohio public law schools except Ohio State, and are third-largest among the nine Ohio public law schools. A target entering class size of 140 would make us the sixth-largest among the nine Ohio law schools and third-largest among Ohio public law schools based on current enrollments. See Appendix F.

We considered a stepped decrease to achieve the 140 target but rejected that approach because the decline in application volume is concentrated among prospective students with the best LSAT scores and UGPAs. This means that enrolling a class any larger than 140 for this fall would cause an immediate significant drop in our entering class credentials and pose a serious threat to our bar-passage rates. By immediately reducing our target class size to 140 students—rather than simply playing catch-up again—we will be able to take advantage of the benefits of a smaller class described in the following section, and also make progress in overtaking our peer schools in critical performance metrics.

B. The Benefits of a Smaller Class

There are a host of benefits that will result from admitting a class of 140 students. These include improvement in the quality of our entering class as measured by LSAT and undergraduate GPA scores, improved bar-passage rates, larger student scholarship
awards, better job-placement statistics, enhanced experiential learning opportunities for
our students, and likely improvement in our U.S. News and World Report ranking.

**Entering Class Quality.** The most important benefit of reducing the target
entering class size to 140 students will be the maintenance of the quality of the class as
measured by both LSAT scores and undergraduate GPA. As noted above,
notwithstanding a reduction of 32 students in the 2011 entering class size (from 200 to
167), the median LSAT score for the 2011 entering class fell from 155 to 154. Adding
even one additional student to the 2011 entering class would have caused a further one-
point drop in median LSAT, and filling a class of 200 would have meant that 25 percent
of the class would have had an LSAT of 149 or below. This reflects the extremely low
LSAT scores in the overall applicant pool and the need to reduce class size further in
order to maintain or see improvement in our entering LSAT scores.

Had our entering class for 2011 been 140 students, rather than 168, our median
LSAT would have increased by at least one point—to 156. Our 25th and 75th percentile
scores would also have increased by one point each—to 153 and 158, respectively. See
Appendix G. Our median undergraduate GPA also would have been higher. This would
have likely had a significant positive impact on each of the following areas, which
comprise a significant portion of the U.S. News and World Report rankings factors.

**Improved Bar Passage Rates.** According to Institutional Research and Analysis
director Tom Geaghan, each one-point gain in LSAT translates to roughly a 15 percent
increase in our bar passage rate, or an increase of 1.53 percentage points. Improving the
entering credentials of our students will have a positive effect on our bar passage rate,
which, as noted above has fallen to the point that we now place 7th among the nine Ohio
law schools and last among Ohio public law schools. If our entering median LSAT were
157 rather than 155 (for the 2008 class taking the July bar exam), we could reasonably
expect a bar passage rate of close to 90 percent, rather than 85%.

**Larger Scholarship Budget.** With an entering class of 140 students and a 9.5
percent increase in our hard-dollar scholarship budget resulting from a tuition increase of
that percentage, we will finally be competitive with our peer regional schools in the
scholarship dollars per student that we will be able to offer. Currently, 36.7 percent of
our full-time students receive scholarship assistance, the lowest percentage among Ohio
law schools. See Appendix H. The school with the next lowest percentage is Toledo,
with 53.8 percent—significantly higher than C|M|LAW. At $8,238, our average
scholarship award is also the lowest among Ohio law schools, with the exception of
Cincinnati, which because of its top-50 U.S. News ranking does not need to offer as
much scholarship support to attract students. See Appendix I.

Reducing the entering class size to 140 students not only will increase our
scholarship budget, it also will permit us to spread those scholarship dollars over a
smaller number of students. Thus, we will have the strategic flexibility to either increase
our average scholarship award from $8,238 to as much as $13,688 per student to compete
for students with the highest entering credentials, or make somewhat smaller scholarship
awards to a larger percentage of students. See Appendices I and J.
**Better Job Placement Percentages.** Closely related to improved bar passage rates will be an increase in the percentage of our students who find employment in jobs. We did well in placing the graduating class of 2010 in full-time jobs that required a law degree within nine months of graduation; we led all Ohio public law schools with just over 67 percent. However, for the graduating class of 2011, our placement numbers fell dramatically—to just over 51 percent. This drop in placement percentage reflects, in part, the fact that roughly 20 percent of the graduating class of 2011 had not passed the bar exam nine months after graduation.

Reducing entering class size and the attendant improvement in our bar passage rates will have a positive impact on our job placement percentages. It is important to note that in the current legal employment environment both bar passage and job placement statistics are critical considerations for prospective students choosing among law school options.

**Experiential Learning for All Students.** C|M|LAW strives to be a model of experiential education by offering a broad array of “Engagement Experiences” that provide real-world learning opportunities to the law school’s students. These Engagement Experiences consist of clinics, in which students represent clients under the supervision of clinical faculty, and externships, which allow students to gain legal experience by working off-campus with judges, in government offices, and in various non-profit and for-profit organizations. The practical skills acquired in these Engagement Experiences make C|M|LAW students attractive to employers and are therefore a critical part of the law school’s plan to raise its job placement rate.

Unfortunately, only a small number of students currently are able to participate in an Engagement Experience because the number of students that the clinical faculty is able to supervise is limited, as is the number of externship placements. Although the law school is moving aggressively to expand the number of Engagement Experiences, it still will not be possible to offer an Engagement Experience to every student with current enrollment numbers. However, a reduction in the size of the student body to 140 students coupled with an expansion in the number of Engagement Experiences will enable the law school to reach its goal of having every student participate in a clinic or externship prior to graduation.

**Improvement in U.S. News and World Report Rankings.** There are a multitude of flaws in the U.S. News Rankings. However, we ignore the rankings at our peril because many students rely heavily upon them in selecting a law school. Improved entering class quality, bar passage rates and job placement are important independent goals, but they also are significant components of the rankings, and as we improve in each of these categories our overall U.S. News ranking should rise as well. Implementation of the 140 Plan will also positively affect other critical components of the U.S. News rankings, including direct and indirect expenditures per student, faculty-student ratio, and acceptance rate (selectivity).

How well a law school performs in the U.S. News rankings depends on whether it improves relative to other law schools. To date, only two of the nine Ohio law schools
have indicated that they will reduce class size in response to declining applications. The six Ohio law schools and five Ohio public law schools other than C|M|LAW have stated that they do not intend to change their entering class sizes in 2012. Thus, by adopting the 140 Plan, C|M|LAW has an opportunity to make significant gains in the U.S. News rankings relative to our peer schools. This upward movement in rankings will bring with it an increase in future applications from students with better entering credentials, which in turn improves each of these components in an upward cycle.

V. Financing a Smaller Class: Increasing Tuition

Reducing class size obviously decreases tuition revenue and will require an increase in tuition. However, C|M|LAW is fortunate relative to other law schools facing application decline challenges because our tuition currently is the lowest in the state of Ohio. This will permit us to raise our tuition and still provide a legal education for our students that will be among the two least expensive among Ohio law schools in 2013. See Appendix K. (This assumes that other schools will not raise tuition. Several schools have indicated that they will raise tuition for FY13, as well. See Appendix L.) At the same time, we have the opportunity to eliminate the inevitable negative perception associated with being the “cheapest” law school in the state of Ohio and will likely see a higher yield from the prospective students we admit.

We don’t believe we should take increasing our students’ tuition lightly. In setting the appropriate upper limit on tuition, we calculated the total discounted cost of attendance (including tuition and fees, room, board and transportation) over three years at various tuition levels, estimated the percentage of that cost financed by our students through school loans to determine total indebtedness at graduation, and determined the resulting monthly payments on that debt. These calculations are set forth in Appendix M. We then capped our proposed tuition increase at a percentage that would keep total student law school indebtedness under $100,000.

Graphing the distribution of starting law salaries produces a bimodal curve, as illustrated in Appendix N. This means that although a small percentage of law graduates earn starting salaries that cluster around $160,000 per year, a much larger percentage of starting salaries range from $40,000 to $65,000. If we keep law school indebtedness below $100,000, students will be able to retire their debt whether they obtain employment in either salary range. We believe this gives us a competitive advantage relative to private law schools in Ohio that have higher tuition structures and rely more heavily on placing their students in the diminishing number of jobs available in large law firms.

To keep average student indebtedness under $100,000, we can increase current tuition by no more than 9.5 percent in each of the next three years. This will raise tuition from the current level of $18,350 to $24,092. The University’s budgeting process assumes an annual law school tuition increase of 3.5 percent. We believe that this ongoing expectation is high, given the general state of the legal education market over the next 3 to 5 years, and we would encourage the administration to reconsider this target. However, assuming that the 3.5 percent baseline increase remains in place, we will be
able to count only a 5.5 percent tuition increase as additional revenue in attempting to close the budget gap that will result from an entering class of 140 students. Appendix O contains a calculation of the tuition revenue that the law school will generate from FY13 through FY16 assuming a 9.5 percent tuition increase in each of FY13, FY14, and FY15.

VI. Financing a Smaller Class: Budget Reductions

In addition to increasing tuition, reducing target entering class size to 140 students will require significant budget cuts. Based on the assumption of an entering class size of 140 students and a tuition increase of 9.5 percent in each of FY13, FY14 and FY15, the Provost has asked the law school to propose budget cuts at three alternative levels: $500,000, $900,000, and $1.3 million. To develop these budget cut models, I formed a Budget Advisory Committee to evaluate the current budget and identify potential cost savings. The members of the Committee are Associate Professor Brian Ray, Director of the Office of Career Planning Jen Blaga, Office Manager Laverne Carter, Law Library Director and Professor Kristina Niedringhaus, Associate Dean of Administration Mark Sundahl, Associate Dean of Academic Enrichment Heidi Gorovitz Robertson, Budget Director Jeane White and Director of the Legal Writing Program and Legal Writing Professor Carolyn Broering-Jacobs.

Our goals in developing these alternatives included enhancing experiential learning, improving our graduates’ bar passage rates; efficiently expanding our public relations, communications and admissions functions; increasing our development capacity to raise greater resources from alumni and friends of the Law School; and improving the quality of services to students, particularly in the areas of financial aid counseling and career placement. Not everyone on the Committee agreed on the order of these goals, but we agreed on their importance.

[The following reflects actual budget cuts required by the Provost and implemented in connection with the 140 Plan.]

On May 9, 2012, Provost Geoffrey S. Mearns sent a memo to Dean Craig M. Boise regarding the proposed 140 Plan. He stated that after consulting with President Berkman he had decided to approve our request. In order to offset the decline in tuition revenue, he required us to make the following adjustments to the law school’s annual operating budget.

1. The Provost will propose to the Board of Trustees that the law school tuition be increased by approximately 9.5% in each of the next three academic years (i.e., FY 13, FY 14, and FY 15). The Board approved this tuition increase.

2. The law school’s operating budget will be decreased in FY13 by $800,559. This was achieved by:

   Non-renewal of Visiting Legal Writing Professor position $75,174

This would leave a legal writing faculty of six professors, including the Director of Legal Writing. Five professors would teach the Legal Research, Writing and Advocacy course to a reduced class of 140 students. The Director of Legal writing would teach in the
upper-level writing courses and develop a uniform curriculum for the use of adjuncts teaching those upper-level courses.

**Elimination of Government Information Librarian** $88,941
This will require the Law Library to withdraw from the Federal Depository Library Program as well as end our cooperative service to Michael Schwartz Library in support of their government documents program. The position also performs reference and instructional support service as one of a team of six. Eliminating the position would require a nearly 20 percent reduction in those services, assuming the library is permitted to fill two current pending vacancies.

**Non-replacement of Professor Veronica Dougherty Position Savings** $140,775

**Non-replacement of Professor Tom Buckley Position Savings** $178,598

**Conversion of Professor Heidi Robertson to 9-month Contract** $40,539
Professor Robertson currently is Associate Dean for Academic Enrichment on a 12-month contract. She would be switched to a 9-month contract, paid an administrative stipend, and be eligible for summer research grants. This would shift a significant portion of her compensation from hard dollars to soft dollars.

**Conversion of Professor Alan Weinstein to 9-month Contract** $29,685
Professor Weinstein currently is Director of Dual Degree Programs and the Law and Public Policy Program, and is on a 12-month contract. He would be switched to a 9-month contract, paid an administrative stipend and be eligible for summer research grants. This would permit us to shift a significant portion of his compensation from hard dollars to soft dollars.

**Other position savings from New Hires** $76,585

**Instructional Maintenance Reductions** $5,000

**Dean’s Supplies Reductions** $4,000

**Savings from Reorganization of Academic Excellence/ Bar Passage, Admissions, and Student Life Functions** $25,843
These savings result from a broad reorganization of several functions within the law school that include the elimination of the Manager of Academic Support position held by Daniel Dropko; the addition of a stipend paid to legal writing professor and new Director of Academic Excellence, Kelly Curtis; the elimination of two Admissions Manager positions and the creation of new Assistant Director of Admissions and Admissions Specialist positions; the elimination of the Manager of Student Affairs position and creation of a new Director of Student Life and Financial Aid position; and the creation of a new Communications Specialist position.

**Elimination of a Secretary for Legal Writing Professors** $53,242
Terri Collier retired from this position and her duties will be assigned to another member of the secretarial staff.

**Reductions in Operations Budget** $70,382
**Savings from Replacement of IT Director**

$11,795

If the current IT Director position is filled, these savings would result from hiring a replacement at a lower starting salary.

3. Over the following three years (FY 14, FY15 and FY16), the law school will also be required to reduce the tenure track salary expenses by $750,000. These savings will be achieved through attrition (i.e., retirement or resignation). The cumulative total is the sum of salary and fringe benefits.

**VII. Conclusion**

At this critical juncture in the evolution of legal education, C|M|LAW faces serious challenges. Reducing our entering class size to 140 will help us survive these challenges by maintaining the critical admissions selectivity that will ensure that our admitted students are capable of passing the bar examination and becoming practicing lawyers. More importantly, coupled with some of the curricular and programmatic changes outlined above, a smaller class size will enable us to thrive as we continue to anticipate the direction that the evolving legal services industry will take and respond in ways that will best prepare our students to build meaningful and fulfilling careers in the law.
The number of people taking the law-school admission test spiked after the Great Recession hit in 2007. But it has dropped more than 16 percent this year, the largest decline in more than a decade.

Many think the drop is an indication that prospective students have realized that the job market for law-school graduates hasn’t been this bad since the mid-1990s. Others think law schools should be taking steps to stop churning out more graduates than the market can bear while at the same time saddling them with huge debt.

"Things have really collapsed in the last two to three years," said Peter Koltak, 24, of Upper Arlington, who is a second-year law student at Ohio State University. "Paid summer positions for law-school students have gone from 20 to 30 openings to just two or three in some cases.

"And the number of jobs available for new graduates has dropped exponentially."

This school year, nearly 130,000 people took the LSAT, compared with about 155,000 a year ago and more than 171,000 in the peak year of 2009-10, according to the Law School Admission Council.

Ohio has five public law schools, more than any other state except California, which also has five.

"It doesn’t make any sense. California’s population is more than three times as large as Ohio’s," said Jason Dolin, an adjunct professor at Capital University Law School who is concerned about the overabundance of law-school graduates.

In 2009, Ohio had 1,194 people pass the bar exam, compared with an estimated 686 job openings — resulting in a surplus of 508 lawyers, the Ohio Board of Regents said.

"We have too many lawyers," regents Chancellor Jim Petro said.

Petro would like to shift some of the state funding that is currently earmarked to help subsidize the cost of teaching law students to Ohio’s medical schools to help fill a national shortage of doctors. The Association of Americas Medical Colleges estimates that the U.S. is short 13,700 doctors in all specialties. That number is predicted to hit 63,000 by 2015 and more than double by 2025.

Lawmakers rejected Petro’s recommendation during the last state budget process, but he is considering introducing a similar measure in the future. The state needs to help the medical schools increase their enrollments to bolster Ohio’s prosperity, he said.

The overall employment rate for new law-school graduates across the country was 87.6 percent in 2010, the lowest it has been since 1996, according to the National Association for Law Placement. And only 68 percent of the graduates obtained jobs requiring a law degree: 27 percent
of the jobs were temporary, and 11 percent were part time, said James
Leipold, the association’s executive director.

“There is likely more bad news to come,” Leipold said, although he
disagrees that the U.S. has too many lawyers.

Despite perceptions that lawyers all make six-figure salaries, the national
median starting salary for the class of 2010 was $65,000, down almost 13
percent from the previous class. The median salary in Ohio is just below
that.

Most new graduates also are still paying off their law-school education,
often into middle age, advocates for fewer lawyers said. In the 2009-10
school year, public law-school students averaged $68,827 of debt, and
private law-school students $106,249, according to the American Bar
Association.

“Many students are gambling the equivalent of a home mortgage on their
legal educations,” Dolin said.

Ohio would be better served by having one or two fewer public law
schools, he said. “If law schools were at all sensitive to market forces, they
would be shutting their doors or at least reducing their head count.”

He said law schools often give students misleading information about
employment and starting-salary prospects to entice more students to
apply and increase the schools’ rankings.

“They categorize employment as any post-law-school job — from a U.S.
Supreme Court clerkship to flipping burgers at a fast-food restaurant — in
the same manner, saying a job is a job, when it clearly is not,” Dolin said.

But Alan C. Michaels, dean of OSU’s Moritz College of Law, said the school
provides prospective students with straightforward facts about their job
prospects.

The legal profession is just one of many fields hit hard by the recession, he
said. “Law-school applications go up and down all the time. They are
down right now as part of a market response.”

To better prepare students to work, Ohio State has added several courses
in which students simulate trials, negotiations, settlements and other legal
procedures to bring what they’ve learned in theory to life, Michaels said.

The university has also increased fieldwork placements and added a law
and leadership program, several practical problem-solving courses for
third-year students and a new one-year fellowship that matches new
graduates with the general-counsel offices of several leading national
corporations.

“Right now, Ohio State has the most strongly credentialed student body in
the history of the law school, and they are graduating and going out there
and making a difference,” he said.

Sara Smith, 23, of Athens, who is a second-year law student at Ohio State,
expects to graduate next year with $100,000 in undergraduate and law-
school loans. But she still wouldn’t choose another career, even though
she knows she will be on the lower end of the pay range when she finds a
job.
"Public-defense work is my passion," she said.

Nonetheless, Smith can't imagine why anyone who isn't absolutely sure they want to become a lawyer would go to law school in this incredibly tight job market.

"That would be crazy," she said.

cpyric@dispatch.com
## APPENDIX B

### Results for individual law schools

<table>
<thead>
<tr>
<th></th>
<th>Akron</th>
<th>Cincinnati</th>
<th>Cleveland State</th>
<th>Ohio State</th>
<th>Toledo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total graduates of class of 2010</td>
<td>134</td>
<td>129</td>
<td>178</td>
<td>202</td>
<td>161</td>
</tr>
<tr>
<td>Number of 2010 graduates whose status is known 9 months after graduation</td>
<td>134</td>
<td>127</td>
<td>170</td>
<td>202</td>
<td>161</td>
</tr>
<tr>
<td>Number of 2010 graduates employed at anything</td>
<td>123</td>
<td>112</td>
<td>149</td>
<td>179</td>
<td>145</td>
</tr>
<tr>
<td>NALP overall employment percentage for 2010 graduates (Nat'l avg. = 87.6%)</td>
<td>123/134</td>
<td>112/127</td>
<td>149/170</td>
<td>179/202</td>
<td>145/161</td>
</tr>
<tr>
<td>Percentage of 2010 Grads Employed By, or in jobs Funded By, their Law School (Nat'l avg. = 2.7%)</td>
<td>No info available</td>
<td>No info available</td>
<td>No info available</td>
<td>No info available</td>
<td></td>
</tr>
<tr>
<td>Percentage of 2010 graduates employed at full-time/JD-required jobs (Nat'l avg. = 64%)</td>
<td>53%</td>
<td>52.68%</td>
<td>67.1%</td>
<td>61.45%</td>
<td>40.34%</td>
</tr>
<tr>
<td>Percentage of 2010 graduates employed at full-time/JD-required jobs that were non-temporary (the &quot;real&quot; employment rate)</td>
<td>No info available</td>
<td>48.21%</td>
<td>67.1%</td>
<td>59.22%</td>
<td>No info available</td>
</tr>
<tr>
<td>The &quot;gap&quot; between NALP/law school reported rate and full-time/JD-required rate</td>
<td>38.80% (91.8% - 53%)</td>
<td>35.51% (88.19% - 52.68%)</td>
<td>20.5% (87.6% - 67.1%)</td>
<td>27.16% (88.61% - 61.45%)</td>
<td>49.76% (90.06% - 40.34%)</td>
</tr>
<tr>
<td>Percentage of graduates in private law practice (Nat'l avg. = 50.9%)</td>
<td>39.8%</td>
<td>33.33%</td>
<td>48.32%</td>
<td>51.84%</td>
<td>46.22%</td>
</tr>
<tr>
<td>Of graduates in private law practice, the percentage in solo practice (Nat'l avg. = 5.7%)</td>
<td>10.2%</td>
<td>8.57%</td>
<td>15.3%</td>
<td>4.17%</td>
<td>14.38%</td>
</tr>
<tr>
<td>Of graduates in private law practice, the percentage in firms of solo through 25 attys (small practice)</td>
<td>75.51%</td>
<td>57.14%</td>
<td>72.22%</td>
<td>34.72%</td>
<td>81.25%</td>
</tr>
</tbody>
</table>
| Of graduates in private law practice, the percentage in "mega" firms of 501+ (Nat'l avg. = 20.3%) | 4.0%    | 2.86%      | 4.1%            | 19.4%      | 0.00%
| Number of 2010 graduates with at least one law school loan | 83.7%   | 89.14%     | 90.24%          | 90.24%     | 90.24% |
| Average amount borrowed in law school by 2010 graduates (Nat'l public law school avg. = $66,827) | 113/135 | 115/129   | 147/179         | 185/205    | 139/161 |

$60,149 | $58,455 | $71,477 | $81,408 | $76,898
APPENDIX C

The Board of Trustees’ Resolution Regarding Law School Bar Passage

At its June 25, 2003 meeting, Cleveland State University’s Board of Trustees approved the following resolution:

RESOLUTION 2003-36
STANDARDS FOR ADMISSION TO THE COLLEGE OF LAW
AND CURRICULUM REVIEW

BE IT RESOLVED, that the Provost and the President, with all reasonable speed, be directed to work with the faculty to establish admissions standards for the College of Law to include undergraduate academic performance, LSAT scores, and other appropriate criteria designed to achieve a passage rate of the Ohio State Bar Examination, which would place the College of Law in the top one-third of such colleges with regard to the bar passage rate annually; and that they inform the Board of Trustees of said standards, and that the Provost and/or the President report to the Board of Trustees on an annual basis the results of said standards with the goal of achieving the top one-third standard within five years.

BE IT FURTHER RESOLVED, that the Provost and the President are instructed to meet with the Dean of the College of Law and appropriate members of the law faculty to review curriculum and other support mechanisms for achieving the goal of reaching the top one-third standards.
APPENDIX D

July Ohio Bar Pass Rate
1st Time Takers: 2007 - 2011

Of 5 Ohio Public Law Schools

Of 9 Ohio Law Schools
### APPENDIX E

Admissions Report For Week Ending Mar 30, 2012

<table>
<thead>
<tr>
<th></th>
<th>Year 2011-12</th>
<th>Year 2012-13</th>
<th>% Inc. (Dec)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Applications</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day</td>
<td>1173</td>
<td>831</td>
<td>(29.16)%</td>
</tr>
<tr>
<td>Eve</td>
<td>141</td>
<td>104</td>
<td>(26.24)%</td>
</tr>
<tr>
<td>PT Day</td>
<td>39</td>
<td>26</td>
<td>(33.33)%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1353</td>
<td>981</td>
<td>(28.97)%</td>
</tr>
<tr>
<td><strong>Application Status</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offers Extended</td>
<td>489</td>
<td>383</td>
<td>(21.68)%</td>
</tr>
<tr>
<td>Rejections Extended</td>
<td>186</td>
<td>129</td>
<td>(30.65)%</td>
</tr>
<tr>
<td>Applications Withdrawn</td>
<td>5</td>
<td>3</td>
<td>(40.00)%</td>
</tr>
<tr>
<td><strong>Waiting List</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pending Complete</td>
<td>562</td>
<td>373</td>
<td></td>
</tr>
<tr>
<td>Pending Incomplete</td>
<td>111</td>
<td>73</td>
<td></td>
</tr>
<tr>
<td><strong>Total Pending</strong></td>
<td>673</td>
<td>446</td>
<td>(33.73)%</td>
</tr>
<tr>
<td><strong>Total Applications</strong></td>
<td>1353</td>
<td>981</td>
<td>(28.97)%</td>
</tr>
<tr>
<td><strong>Day Admits</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offers Extended</td>
<td>448</td>
<td>354</td>
<td>(20.98)%</td>
</tr>
<tr>
<td>Offers Confirmed</td>
<td>21</td>
<td>49</td>
<td>(133.33)%</td>
</tr>
<tr>
<td>2nd Seat Deposit</td>
<td>2</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Offers Declined</td>
<td>28</td>
<td>29</td>
<td></td>
</tr>
<tr>
<td>Offers Expired</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Conf. Withdrawals</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Declined</td>
<td>28</td>
<td>29</td>
<td>3.57%</td>
</tr>
<tr>
<td><strong>Offers Outstanding</strong></td>
<td>399</td>
<td>276</td>
<td>(30.83)%</td>
</tr>
<tr>
<td><strong>Eve Admits</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Offers Extended</td>
<td>41</td>
<td>29</td>
<td>(29.27)%</td>
</tr>
<tr>
<td>Offers Confirmed</td>
<td>10</td>
<td>10</td>
<td>0.00%</td>
</tr>
<tr>
<td>2nd Seat Deposit</td>
<td>3</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Offers Declined</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Offers Expired</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Conf. Withdrawals</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Declined</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td><strong>Offers Outstanding</strong></td>
<td>28</td>
<td>16</td>
<td>(42.86)%</td>
</tr>
<tr>
<td><strong>Total Admits</strong></td>
<td>489</td>
<td>383</td>
<td>(21.68)%</td>
</tr>
<tr>
<td>Offers Extended</td>
<td>31</td>
<td>59</td>
<td>90.32%</td>
</tr>
<tr>
<td>Offers Confirmed</td>
<td>5</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>2nd Seat Deposit</td>
<td>31</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>Offers Declined</td>
<td>31</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>Offers Expired</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td><strong>Conf. Withdrawals</strong></td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Total Declined</td>
<td>31</td>
<td>32</td>
<td>3.23%</td>
</tr>
<tr>
<td><strong>Offers Outstanding</strong></td>
<td>427</td>
<td>292</td>
<td>(31.62)%</td>
</tr>
<tr>
<td><strong>Transfers</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Applications</td>
<td>12</td>
<td>4</td>
<td>(78.95)%</td>
</tr>
<tr>
<td>Offers Extended</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offers Confirmed</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rejections</td>
<td>3</td>
<td>2</td>
<td>(33.33)%</td>
</tr>
<tr>
<td>Withdrawals</td>
<td>2</td>
<td></td>
<td>(100.00)%</td>
</tr>
<tr>
<td>Pending</td>
<td>11</td>
<td>2</td>
<td>(81.82)%</td>
</tr>
<tr>
<td><strong>Minority Applications</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offers Extended</td>
<td>515</td>
<td>355</td>
<td>(31.07)%</td>
</tr>
<tr>
<td>Offers Confirmed</td>
<td>98</td>
<td>80</td>
<td>(18.37)%</td>
</tr>
<tr>
<td>Rejections</td>
<td>4</td>
<td>14</td>
<td>250.00%</td>
</tr>
<tr>
<td>Applications Withdrawn</td>
<td>118</td>
<td>95</td>
<td>(19.49)%</td>
</tr>
</tbody>
</table>
## FY13 Proposed Class Sizes

<table>
<thead>
<tr>
<th>Institution</th>
<th>Class Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Pittsburgh</td>
<td>230</td>
</tr>
<tr>
<td>Ohio State</td>
<td>212</td>
</tr>
<tr>
<td>Capital</td>
<td>211</td>
</tr>
<tr>
<td>Duquesne</td>
<td>195</td>
</tr>
<tr>
<td>Case Western</td>
<td>192</td>
</tr>
<tr>
<td>Northern Kentucky</td>
<td>180</td>
</tr>
<tr>
<td>Dayton</td>
<td>177</td>
</tr>
<tr>
<td>Akron</td>
<td>175</td>
</tr>
<tr>
<td><strong>Cleveland-Marshall (proposed)</strong></td>
<td><strong>140</strong></td>
</tr>
<tr>
<td>Toledo</td>
<td>137</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>119</td>
</tr>
<tr>
<td>Ohio Northern</td>
<td>112</td>
</tr>
</tbody>
</table>
APPENDIX H

% of full-time students receiving scholarships

<table>
<thead>
<tr>
<th>Institution</th>
<th>% FT Scholarships</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ohio State</td>
<td>78.8%</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>70.3%</td>
</tr>
<tr>
<td>Akron</td>
<td>60.9%</td>
</tr>
<tr>
<td>CWRU</td>
<td>57.9%</td>
</tr>
<tr>
<td>Capital</td>
<td>56.8%</td>
</tr>
<tr>
<td>Dayton</td>
<td>54.4%</td>
</tr>
<tr>
<td>Ohio Northern</td>
<td>54.4%</td>
</tr>
<tr>
<td>Toledo</td>
<td>53.8%</td>
</tr>
<tr>
<td>Pitt</td>
<td>53.5%</td>
</tr>
<tr>
<td>N. Kentucky</td>
<td>37.4%</td>
</tr>
<tr>
<td>CM/LAW</td>
<td>36.7%</td>
</tr>
<tr>
<td>Duquesne</td>
<td>35.9%</td>
</tr>
</tbody>
</table>
APPENDIX I

Median Scholarship $

<table>
<thead>
<tr>
<th>University</th>
<th>Scholarship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ohio Northern</td>
<td>$20,000</td>
</tr>
<tr>
<td>Akron</td>
<td>$15,440</td>
</tr>
<tr>
<td>Toledo</td>
<td>$12,152</td>
</tr>
<tr>
<td>N. Kentucky</td>
<td>$12,000</td>
</tr>
<tr>
<td>Duquesne</td>
<td>$11,000</td>
</tr>
<tr>
<td>Pitt</td>
<td>$10,800</td>
</tr>
<tr>
<td>Capital</td>
<td>$10,000</td>
</tr>
<tr>
<td>CWRU</td>
<td>$9,000</td>
</tr>
<tr>
<td>Ohio State</td>
<td>$8,500</td>
</tr>
<tr>
<td>Dayton</td>
<td>$8,500</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>$6,500</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Craig Boise, Dean
FROM: Christopher Lucak, Assistant Dean for Admission and Financial Aid
DATE: April 4, 2012
REGARDING: Scholarships and the 140 Plan

Based on the assumptions of the 140 plan that include increased hard-dollar scholarship at 9.5% and that we continue to award scholarships to generally 40% of the incoming class, I project that the average scholarship award will increase to $13,688 per student. Though this dollar amount will not provide greater depth in the scholarship pool, it will make our offers increasingly competitive for the most desirable students.
## APPENDIX K

### FY13 Tuition at Regional Law Schools

<table>
<thead>
<tr>
<th>Institution</th>
<th>Tuition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Western</td>
<td>$41,400</td>
</tr>
<tr>
<td>Dayton</td>
<td>$34,155</td>
</tr>
<tr>
<td>Capital</td>
<td>$33,120</td>
</tr>
<tr>
<td>Duquesne</td>
<td>$33,120</td>
</tr>
<tr>
<td>Ohio Northern</td>
<td>$32,085</td>
</tr>
<tr>
<td>University of Pittsburgh</td>
<td>$26,910</td>
</tr>
<tr>
<td>Ohio State</td>
<td>$24,840</td>
</tr>
<tr>
<td>Akron</td>
<td>$21,735</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>$20,700</td>
</tr>
<tr>
<td><strong>Cleveland-Marshall</strong></td>
<td><strong>$20,000</strong></td>
</tr>
<tr>
<td>Toledo</td>
<td>$19,665</td>
</tr>
<tr>
<td>Northern Kentucky</td>
<td>$15,525</td>
</tr>
</tbody>
</table>
# APPENDIX L

<table>
<thead>
<tr>
<th>Law School</th>
<th>% tuition increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital</td>
<td>1.80%</td>
</tr>
<tr>
<td>Dayton</td>
<td>3.00%</td>
</tr>
<tr>
<td>Ohio Northern</td>
<td>4.00%</td>
</tr>
<tr>
<td>Duquesne</td>
<td>4.50%</td>
</tr>
<tr>
<td>University of Akron Law School</td>
<td>5.00%</td>
</tr>
<tr>
<td>University of Cincinnati College of Law</td>
<td>6.00%</td>
</tr>
<tr>
<td>Ohio State University College of Law</td>
<td>7.00%</td>
</tr>
<tr>
<td>University of Toledo College of Law</td>
<td>No decision reached as of 3/20/12</td>
</tr>
<tr>
<td>CWRU</td>
<td>No decision reached as of 3/20/12</td>
</tr>
<tr>
<td>University of Pittsburgh</td>
<td>No decision reached as of 3/20/12</td>
</tr>
<tr>
<td>Northern Kentucky</td>
<td>No decision reached as of 3/20/12</td>
</tr>
</tbody>
</table>
**Appendix M**

### Total Current Cost

<table>
<thead>
<tr>
<th></th>
<th>FY2015</th>
<th>FY2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition &amp; Fees</td>
<td>19,914</td>
<td>19,914</td>
</tr>
<tr>
<td>Room &amp; Board</td>
<td>13,482</td>
<td></td>
</tr>
<tr>
<td>Personal &amp; Misc</td>
<td>2,500</td>
<td></td>
</tr>
<tr>
<td>Transportation</td>
<td>1,800</td>
<td></td>
</tr>
<tr>
<td>Books &amp; Supplies</td>
<td></td>
<td>19,282</td>
</tr>
<tr>
<td></td>
<td>1,500</td>
<td>19,282</td>
</tr>
<tr>
<td></td>
<td></td>
<td>39,196</td>
</tr>
</tbody>
</table>

### Average Three Year Student Debt

<table>
<thead>
<tr>
<th></th>
<th>Current</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avg 3 Yr Stdt Debt</td>
<td>71,477</td>
</tr>
</tbody>
</table>

### Discount Rate

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Scholarship Budget</td>
<td>2,079,509</td>
</tr>
<tr>
<td>Tuition Revenue</td>
<td>5,298,125</td>
</tr>
<tr>
<td>Discount Rate</td>
<td>39%</td>
</tr>
<tr>
<td>Discount Amount</td>
<td>35%</td>
</tr>
<tr>
<td></td>
<td>35%</td>
</tr>
</tbody>
</table>

### Estimated Total Cost Comparison

<table>
<thead>
<tr>
<th>Headcount</th>
<th>FY2015</th>
<th>FY2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>% of Increase</td>
<td>3.5%</td>
<td>9.5%/9.5%/9.5%</td>
</tr>
<tr>
<td>In-State Tuition Only (Fall &amp; Spring)</td>
<td>18,350</td>
<td>20,345</td>
</tr>
<tr>
<td></td>
<td>24,092</td>
<td></td>
</tr>
<tr>
<td>Discount Rate</td>
<td>35%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>35%</td>
<td></td>
</tr>
<tr>
<td>Discount Amount</td>
<td>6,423</td>
<td></td>
</tr>
<tr>
<td></td>
<td>7,121</td>
<td></td>
</tr>
<tr>
<td></td>
<td>8,432</td>
<td></td>
</tr>
<tr>
<td>Tuition Only with Discount</td>
<td>11,928</td>
<td>13,224</td>
</tr>
<tr>
<td></td>
<td>15,660</td>
<td></td>
</tr>
</tbody>
</table>

**Fees:**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus Fee</td>
<td>50</td>
</tr>
<tr>
<td>Instructional Fee</td>
<td>1,412</td>
</tr>
<tr>
<td>General Fee</td>
<td>102</td>
</tr>
<tr>
<td>Bar Review Fee</td>
<td>800</td>
</tr>
<tr>
<td>Total Fees</td>
<td>1,564</td>
</tr>
<tr>
<td></td>
<td>2,534</td>
</tr>
<tr>
<td></td>
<td>2,534</td>
</tr>
</tbody>
</table>

| Total Discounted Tuition & Fees | 13,492 | 15,758 |
|                                | 18,194 |
| Boarding/Books/Misc*           | 19,282 | 22,127 |
| Total Cost Per Year            | 32,774 | 37,885 |
| Three Years                    | 3      | 3      |
| Total Three Year Cost          | 98,321 | 113,656 |
| Debt Rate @ 72.70%             | 72.70% | 72.70% |
| Debt Amount                    | 71,479 | 82,628 |
| Debt Rate @ 80.00%             | 80.00% | 80.00% |
| Debt Amount                    | 78,656 | 90,925 |

*Assuming 3.5% increase for none tuition expenses for three years.*

Calc tuition target option 11.xlsx, 4/5/2012
APPENDIX N

Distribution of Reported Full-Time Salaries

Note: The graph above is based on 18,398 salaries. A few salaries above $200,000 are excluded for clarity. The left-hand peaks of the graph reflect salaries of $40,000 to $65,000, which collectively accounted for about 48% of reported salaries. The right-hand peak shows that salaries of $160,000 accounted for about 18% of reported salaries. However, more complete salary coverage for jobs at large law firms heightens this peak and diminishes the left-hand peaks — and shows that the unadjusted mean overstates the average starting salary by about 9%. Nonetheless, as both the arithmetic mean and the adjusted mean show, relatively few salaries are close to either mean figure. For purposes of this graph, all reported salaries were rounded to the nearest $5,000.
<table>
<thead>
<tr>
<th>FY12</th>
<th>FY13</th>
<th>FY14</th>
<th>FY15</th>
<th>FY16</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>% Resident Students</td>
<td>82%</td>
<td>93%</td>
<td>93%</td>
<td>93%</td>
<td>93%</td>
</tr>
<tr>
<td>% Non-Resident Students</td>
<td>18%</td>
<td>7%</td>
<td>7%</td>
<td>7%</td>
<td>7%</td>
</tr>
<tr>
<td># of Resident Students</td>
<td>135</td>
<td>156</td>
<td>179</td>
<td>187</td>
<td>192</td>
</tr>
<tr>
<td># of Non-Resident Students</td>
<td>30</td>
<td>12</td>
<td>13</td>
<td>55</td>
<td>47</td>
</tr>
<tr>
<td>Instructional Fee Rate (Fall &amp; Spring)</td>
<td>$19,956</td>
<td>$19,956</td>
<td>$19,956</td>
<td>$19,956</td>
<td>$19,956</td>
</tr>
<tr>
<td>Yield-Banding Effect Factor</td>
<td>0.9350</td>
<td>0.9350</td>
<td>0.9350</td>
<td>0.9350</td>
<td>0.9350</td>
</tr>
<tr>
<td>Total Instructional Fee Revenue (Fall &amp; Spring)</td>
<td>$382,015,177</td>
<td>$382,015,177</td>
<td>$382,015,177</td>
<td>$382,015,177</td>
<td>$382,015,177</td>
</tr>
</tbody>
</table>

### Notes
- Tuition increase by 9.5% for FY15 and FY16.
- Resident students increased by 8% in FY15 and FY16.
- Non-resident students increased by 7% in FY15 and FY16.
- Instructional fee rates remained constant from FY11 to FY16.
- Yield-banding effect factor was consistent at 0.9350 throughout.

### Additional Information
- Estimated student credit hours: 992
- Instructional fee rate: $604.50
- Total instructional fee revenue: $9,905,732

**APPENDIX O** - Budget Cal. 140 Plan A-L.xlsx, 4/13/12
Curriculum Reform Initiative

C|M|LAW has adopted a curriculum reform initiative that we believe will better prepare our students for the current demands of an evolving legal profession. This curricular reform was a result of a multi-year process in which the faculty studied the current nature of the profession, the needs of the legal market, and the realities of legal practice in the 21st century. We consulted with practitioners and other members of the C|M|LAW community to determine how our curriculum should develop to best serve our students. The components of these changes are summarized here:

First, to correct an academic overload problem in the spring of the current 1L curriculum, and to provide space for a Legislation and Regulation course, the 1L curriculum will be "semesterized." This means that Torts, Contracts, Property and Civil Procedure will become 4 credit-hour semester-long courses. Legal Writing will continue to be a year-long course and Criminal Law will remain unchanged.

Second, a new course, Legislation and Regulation, will be added to the first semester of the 1L curriculum. This course will introduce our students to the institutions and procedures used by the modern administrative state to make law. The faculty voted to add this course to the 1L curriculum in light of the expanding role played by regulatory agencies in many aspects of society.

Third, C|M|LAW will infuse greater skills training into the curriculum by allowing students to satisfy the existing "skills course" requirement only by taking courses that offer students a truly experiential approach to skills development. The law school will also embark on a new effort to expand our experiential learning opportunities by increasing the number and variety of externships and clinics.

Fourth, a Professionalism Problem of the Semester will be released every semester to infuse professionalism into the curriculum. This aspect of the new curriculum is already in effect. As part of this increased emphasis on ethics and professionalism, we are encouraging students to participate in the C|M|LAW Pro Bono Program so that they are introduced to the pro bono ethic that distinguishes the legal profession.

Reorganization of Academic Support

C|M|LAW is restructing our Academic Support function, which provides academic assistance to at-risk students. Currently, academic support is assigned to a Manager of Academic Excellence, who is supervised by our Director of Bar Preparation and Academic Support. Based on careful analysis of the academic problems faced by our at-risk, incoming students as they move from admissions, through law school, and ultimately to the bar exam, we believe it is desirable to move academic support from a staff managed position to a faculty supervised function. Under the new model, the Manager of the Academic Excellence Program position will be eliminated, and one of our Legal Writing professors will assume the counseling and
individual academic support functions previously handled by the Manager of the Academic Excellence Program. The Legal Writing professor will assume the title, Director of Academic Support, and will report directly to the Associate Dean for Academic Enrichment, rather than to the Director of Bar Preparation.

The new Director of Academic Support will devise and carry out various academic support initiatives, including development and teaching of a special section of Legal Writing to which our most at-risk students will be assigned upon admission to the law school based on an index comprised of LSAT scores and undergraduate GPAs. The section will be smaller than our standard legal writing sections, allowing the Director of Academic Support time to work intensively and individually with these students. The Director also will select a few outstanding second-year students, known as AEP Fellows, and deploy them in assisting at-risk students.

By moving the academic support function to the faculty, from the staff, C|M|LAW believes it can better prepare our most at-risk students for success in law school, and ultimately, on the Ohio Bar Examination. In addition, because the associated functions will become faculty functions, they will be subject to more direct oversight by the Dean of the College of Law through the Associate Dean for Academic Enrichment. This will free up our Director of Bar Preparation to focus more closely on the many facets of bar preparation.

**Bar Preparation Project**

A critical part of the educational mission of C|M|LAW is preparing students to be licensed to practice law in the State of Ohio. For the last several years, we have collected information from C|M|LAW graduates who took the Ohio Bar Exam to help us identify factors and circumstances that place students at risk of failing the bar exam. The risk factors for bar failure we have identified to date include:

- low LSAT score
- low 1st year GPA
- failure to take a commercial bar preparation course
- failure to participate in the MPT workshops
- failure to take the first exam following graduation
- working during the bar preparation period.

The selectivity risk factors here--low LSAT and low 1L GPA will continue to be addressed through creative admissions strategies, the efficient use of scholarships, and by a renewed focus on raising scholarship funds as part of a revamped development effort at C|M|LAW.

Apart from the selectivity measures, each of the risk factors above relates to students’ failure adequately to prepare for the bar. Our strategy for addressing preparation-related risk factors is to insure that no student takes the bar exam without having first taken a bar preparation course. Accordingly, we are in final negotiations with the leading bar preparation company, BAR/BRI, to provide a bar preparation course for all of our graduating students. C|M|LAW will pay for this through a portion of a general tuition increase, so that students will not have to struggle to obtain tuition for the bar preparation course as they approach graduation. In addition, BAR/BRI will teach the Ohio Bar Exam Strategies and Tactics course periodically; offer
specialized workshops for all graduating students on bar essays, performance tests, and other related topics; and provide data on which students are completing the bar preparation course requirements, and which are not, so that we can follow up with the students and encourage full course participation. BAR/BRI will provide bar training for students who take the bar exam in Ohio, as well as those who choose to go to other states.

Reorganization of Admissions Office and Student Services

With continued declines in law fair attendance, the number of students visiting the law school, and in national application volumes, it is important to strategically direct our staff resources to better attract and enroll talented and diverse students. While our traditional model of extensive recruitment travel and hosting various open house events has been generally successful, prospective students are increasingly technology savvy and are approaching their law school search aided by emerging technologies and social media. The recent Law School Admission Council’s Electronic Services Conference made evident the advances our competitors are making in their electronic presence through blogs, chats, electronic newsletters, Facebook, Twitter, You Tube, flickr, Scribd, and slideshare. Technology is transforming the recruitment process and setting the expectations of our prospective students.

Accordingly, the admissions function at C|M|LAW will be reorganized by eliminating one Admissions Coordinator and creating a salaried Assistant Director position responsible for recruitment and counseling services; and replacing the other Admissions Coordinator with an Admissions Specialist having technology and social media expertise who will be responsible for all electronic communication, social media presence, and the identification and implementation of emerging technology and media trends. Each of these staff positions will have responsibilities in file review, yield activities, and other duties as assigned.

To fulfill some of the duties of the Manager of Student Affairs position that was vacated last fall, we will create a new Director of Student Life position and fill the position internally. The Director will assume a variety of student-related responsibilities including oversight of SBA funding and administration, which will be shifted to the Law School from the University; liaison with student organizations; financial aid counseling; management of our Loan Repayment Assistance Program (LSAP); various diversity and inclusion initiatives; and general oversight of student experiences at C|M|LAW.

Reorganization of Advancement Function

The advancement function at C|M|LAW in 2010 was comprised of an Assistant Dean of External Affairs and a Development Officer, both funded by the law school budget, and a Director of Development and a Development Associate both funded by the University. The Director of Development position was vacated in June of 2010 and never filled, and both the Assistant Dean and Development Officer positions were vacated in December of 2011. The University defunded the Development Associate position and the law school assumed budgetary responsibility for that position in January of 2012. A new Director of Advancement position was created and filled in September of 2011. As a result of these changes, the law school’s advancement function was effectively reduced from four positions to two. We will add a new, entry-level Development Operations Coordinator position as part of the reorganization of the
advancement function, thus achieving both significant cost-savings and what we expect to be much more effective advancement efforts.

**Reorganization of Communications Function**

Over the last year, it has become clear that the role of communications, marketing and public relations is of increasing importance in the extremely competitive recruitment environment in which the law school must operate. We have had a single Communications Coordinator position to meet the growing demand for online and social media content; graphic art for flyers, posters, and three major annual alumni publications; graphics support for professional presentations; photography; website design; admissions office publication support; publications and online support for development; and other needs.

To meet the challenges for a better communications function, the law school is in the process of creating a Director of Marketing and Communications position to be staffed by our current Communications Coordinator and supported by a Marketing and Communications Specialist position to be filled by shifting an administrative support person with considerable online skills from the Admissions Office and replacing him with a temporary hire. This will better align key personnel with the emerging workload associated with marketing and communications for the 21\textsuperscript{st} century.

**Revenue-Generating Programs**

In order to meet the financial challenges in the current environment, C|M|LAW has been developing new revenue-generating programs that promise to not only attract new streams of revenue, but simultaneously strengthen the curriculum at the law school. Three new programs are being launched this summer and next fall: (1) a Master of Legal Studies program, (2) a Health Care Compliance Certificate program, and (3) the Great Lakes Sports and Entertainment Law Academy.

The Master of Legal Studies (MLS) program will be a degree designed for individuals who seek a better understanding of the law in order to advance their career, but who are not interested in obtaining a J.D. The MLS program will require students to complete the equivalent of one year of full-time study, consisting of 30 semester credit hours. The type of student who will likely pursue the MLS will be an individual who works regularly with lawyers or works in a highly regulated field (*e.g.*, health care professionals, government employees, corporate managers, accountants, auditors, real estate agents, educators, court employees, law enforcement personnel, human resource professionals). In the early stages of the program we intend to target our marketing of the program to professionals in the health, law enforcement, and education fields.

The Health Care Compliance Certificate program was designed to enable law students, practicing lawyers, and non-lawyers to gain expertise in the field of health law compliance, which is one of the fastest-growing areas of employment. In addition to our current J.D. students, the program will attract practicing attorneys as well as other professionals such as doctors, social workers, MBA students, nurses and health care administrators. Upon accreditation of this program by the Compliance Certification Board, holders of the certificate will be eligible to sit for the CHC (Certified in Healthcare Compliance) exam and the CCEP
(Certified Compliance and Ethics Professional) exam. The certifications received upon passing these exams will make our certificate holders highly attractive in a competitive job market. Upon accreditation, C|M|LAW would be one of only five law schools in the country to offer this type of certificate program – and will be the only such program in Ohio.¹

The Great Lakes Sports & Entertainment Law Academy is an intensive three-week summer program in the field of sports and entertainment law that is open to law students from across the country. The program is a joint venture between C|M|LAW and Case Western Reserve University College of Law, although the program will be housed at C|M|LAW. The co-directors of the program are C|M|LAW professor Peter Carfagna, and CWRU professor Craig Nard. They will be joined by high-profile adjunct professionals in the fields of music and entertainment law. Select participants in the program can also earn the opportunity to take part in nine-week externships with local sports and entertainment organizations, such as the Cleveland Browns, to further develop their knowledge of these areas of law. In this inaugural year of the program approximately 70 students have enrolled (at a tuition of $2500 per student) – a number that exceeded our expectations and suggests that the program will be a successful revenue engine for years to come.

¹ Presently, only four law schools in the country, Hamline University, Quinnipac University, Seton Hall and Widener, are accredited by the Compliance Certification Board to issue a certificate in health care compliance.
TO:       Colleagues

FROM:    Craig M. Boise

RE:      Committee Charges for 2012-13 Academic Year

DATE:    September 10, 2012

Below are the charges that I have provided to each law school committee. In order to maintain an accurate record of the work of each committee, chairs of Fall semester committees must provide me with a written report of the disposition of committee charges by December 21, 2012. Chairs of Spring semester and full-year committees must provide their reports by May 10, 2013. Thank you for your service to C|M|LAW!

Full Academic Year Committees

Academic Standards Committee  Michael Davis

In addition to reviewing student petitions, continuing its ongoing review of the academic regulations, and bringing to the attention of the administration grading practices that need to be examined, the Academic Standards Committee should

1. Prepare an annual report to the faculty describing its work on student petitions.

2. At the request of, and in consultation with, the Graduate Studies, International Programs & Dual-Degree Programs Committee, consider a recommendation to the faculty that LL.M students be exempt from the advisory grading guidelines.

3. Consider drafting a new Academic Regulation providing for the administrative withdrawal of a student who is consistently disruptive in class or exhibits threatening behavior to faculty or other students. This new regulation would be similar to Academic Regulation 1, which allows for the involuntary withdrawal of a student for excessive absences.

4. Consider (at the request of the Bar Exam Committee) raising the required minimum GPA at C|M|LAW from 2.0 to 2.25.
Bar Exam Committee

Susan Becker

The Committee should

1. Develop more comprehensive data analysis tools for identifying our students’ strengths and weaknesses related to the bar exam.
2. Gather and analyze data relevant to strengthening the bar pass program.
3. Prepare a summary report on bar exam outcomes for the benefit of the faculty.

Building Committee (not populated for 2011-12)

Curriculum Committee

Jonathan Witmer-Rich

The Curriculum Committee should

1. By October 31st, 2012, determine which courses currently offered will satisfy the experiential skills standards approved by the faculty in Spring 2012, and identify ways to expand our offerings, if necessary, to ensure that students are able to satisfy this requirement.
2. Solicit and evaluate proposals for new courses and proposals to make experimental courses permanent.
3. Consider the revision of our policy on externships to permit a student to engage in an externship with a non-faculty lawyer (whether in private practice, in-house, or in public service) with the approval of the Director of Engaged Learning and under the supervision of a member of the clinical faculty.
4. Clarify for every concentration the lowest grade a student may obtain in the concentration’s foundational courses (see 2010-2011 Student Handbook at 19 – Graduation Requirements and Course Selection Information, VIII.D. Concentrations).
5. Evaluate and, if appropriate, propose clarification whether the paper requirement for seminars (set forth in the Criteria for Designation of a Course as a seminar (see id. at 21)) satisfies the upper level writing requirement.
6. Evaluate and propose modifications if appropriate to the number and type of externships in which a student may enroll (see Academic Regulation 4.8 and 4.3).

Faculty Appointments Committee (not populated for 2011-12)

Updated 11/29/12.
Faculty Scholarship Committee
Christopher Sagers

The Faculty Scholarship Committee should

1. Using the Law Library's existing database as much as possible, conduct an evaluation of the scholarly productivity of faculty at C|M|LAW compared to peer schools. This evaluation should be specific and benchmark the influence of our faculty through books, book chapters, law review articles, essays, book reviews, citations, national media quotes, blogs, etc.

Graduate Studies, International Programs & Dual-Degree Programs Committee
Milena Sterio

The Graduate Studies, International Programs & Dual-Degree Programs Committee should

1. Evaluate each of the international programs and initiatives that C|M|LAW has been engaged in over the last 10 years (including Westminster, Brunell University, St. Petersburg, and our new status with the Bar Council of India); determine the one(s) from which we can derive the most benefit in terms of (a) faculty interest and professional development, (b) faculty and student research and scholarship collaboration; (c) student interest (for both our students traveling abroad and LL.M students coming here); (d) employment opportunities; (e) entrepreneurial programs; (f) faculty and University contacts and networks, and similar factors; recommend to the faculty what program(s) should continue, given the current and anticipated budget conditions and the need to concentrate our resources; and outline a strategy for that proposed program(s).

2. Identify, explore and develop with specificity all possible concentrations that might be part of our Master of Legal Studies program and develop an aggressive marketing strategy to grow enrollment in the program, making sure that any administrative or programmatic approval hurdles are identified and accounted for;

3. Serve as the admissions committee for the LL.M. Program, provide oversight for the Program, and implement efforts to increase enrollment;
The Health Law and Policy Center Committee should

1. Obtain accreditation for the health care compliance certificate program by the Compliance Certification Board (CCB).
2. Devise a marketing strategy for the health care compliance certificate program.
3. Increase the number of attorneys in our health law mentorship program, so each student enrolled in the program will have a mentor.
4. Develop additional experiential learning opportunities for the students enrolled in the program.
5. In conjunction with the Health Law Advisory Council, draft a budget for the Center, and a plan for making the Center self-funding.
6. Submit the necessary request or proposal to host the health law professors conference within the next five years.
7. Confirm details and dates and secure speakers for HLPC programming for 2013-14.

The Honor Council should

1. Adjudicate alleged violations of the Honor Code
2. Continually review the process to assure that students accused of honor code violations receive prompt hearings and decisions
3. Consider drafting new Honor Code provisions addressing the dismissal of, or other disciplinary action to be taken with respect to, a student who has been convicted of a crime during the pendency of the student’s application to, or while a student at, C|M|LAW. The committee should consider whether such dismissal or disciplinary action should only apply for a certain category of crimes, such as crimes involving moral turpitude. The committee also should confer with the University general counsel regarding the legal issues associated with such a regulation.
4. Review and revise, if necessary, the definition of “plagiarism” in the Honor Code in light of recent technological developments.
5. As required by faculty resolution, prepare a year-end report for the faculty describing the activities of the committee, including penalties imposed for honor code violations.
Self-Study Ad Hoc Committee  Phyllis Crocker

The ABA Self-Study Committee should

1. In consultation with the faculty, the Budget Task Force, and appropriate staff, prepare the College of Law’s self-study report as required by the ABA.
2. In preparing the self-study report, focus particularly on the steps necessary for, and the factors relevant to, reducing the enrollment of the College of Law in order to maintain the quality of the incoming class in the face of a potential long-term decline in law school applications. Particular attention should be given to faculty size, course coverage, curricular and programmatic modifications, and scholarship resources necessary for an entering law school class of 140 students.

Fall 2012 Committees

Awards Committee  Patricia Falk

The Awards and Competitions Committee should

1. Make decisions on student awards.
2. Work to assure that the awards program properly recognizes the academic and public service accomplishments of our students.
3. Work with the administration to assure good attendance at the ceremony.

Clerkship/Fellowship Committee  John Plecnik

The Committee should

1. Work with the Office of Career Planning to identify post-graduation clerkship and fellowship opportunities for our students and develop programs to encourage and facilitate students applying for clerkships and fellowships.
Spring 2013 Committees

Admissions Committee

The Admissions Committee should

1. Provide oversight for the admissions program.
2. Provide full-file review of applications for the LCOP Program.
3. Work with the Assistant Dean for Admissions to devise an admissions strategy that focuses on effectively marshalling our resources to attract the best and brightest students from local and regional undergraduate institutions.
4. Work with the Assistant Dean for Admissions and the administration to expand faculty, student, and alumni involvement in the admissions process, especially in activities designed to increase the number of highly qualified and diverse admits, including non-residents, who enroll.
5. Determine whether the revised policy approved by the committee last year for transferring LL.M. course credits (either from our own institution or from another institution, including foreign institutions) to our J.D. program from the Graduate Studies, International Programs & Joint-Degree Committee requires a change to Academic Regulations and faculty action.

Cleveland-Marshall Fund/Baker & Hostetler

Scholars Committee

This Committee should

1. Select Visiting Scholars for the Cleveland-Marshall Visiting Scholars Program for the 2013-14 academic year as well as plan and implement the visiting scholar events in the current year.
2. Select lecturers for the Joseph C. Hostetler-Baker & Hostetler Lecture for the 2013-14 academic year as well as plan and implement the Joseph C. Hostetler-Baker & Hostetler lecture events in the current year.
3. Develop a proposed budget for the Cleveland-Marshall Fund for submission to the faculty at the January 10, 2013 meeting, with particular focus on student support through increased scholarship spending or underwriting of student activities.
Cleveland-Marshall Summer Research Grants Committee  
Patricia Falk

The Committee should review summer research grant applications and make recommendations to the Dean as to which applicants should be funded.

Criminal Law Faculty Group  
Phyllis Crocker

Confirm dates of, and secure speakers for, Gilbert and Friedman Lecturers for 2013-14.

Employment Law Faculty Group  
Matthew Green

Confirm dates of, and secure speakers for employment-related programming for 2013-14.

Teaching Committee  
Kevin O’Neill

The Teaching Committee should

1. Evaluate the semesterization of first-year courses, and make appropriate recommendations for better implementation and outcomes.

2. Create a new form for student evaluation of faculty teaching performance that encompasses best practices in eliminating biases that might affect the evaluation. The committee should consider the use of electronic survey tools, such as Survey Monkey, to better collect and evaluate data.

3. Provide oversight and encouragement for the system of collegial review of teaching.

4. Review applications for summer teaching grants and make recommendations to the Dean for the award of such grants.

5. Consider how to assist faculty to introduce more practical, simulation-based, or experiential learning opportunities into the curriculum—particularly the first-year curriculum.
Elected Committees

Faculty Senate Committee

The Faculty Senate Committee should meet periodically with the Dean and with the law school representative on the University Faculty Affairs Committee to review issues that are coming before the Faculty Senate. This Committee should also review proposals for professional leave.

Faculty Affairs Committee

Pursuant to a resolution of the faculty, the Faculty Affairs Committee is responsible for

- Representing College interests to the University Administration in the event that the faculty believes that special representation of those interests is required.
- Considering and making recommendations to the faculty or to the Dean regarding all College-related concerns brought to it by any member of the faculty or the Dean.
- Initiating recommendations on College-related concerns to the faculty or to the Dean.

In addition, the Faculty Affairs Committee should consult with the Dean on such matters as law school-university relations, the law school budget, and accreditation issues. For 2012-13, the Committee should

1. Draft recommendations to the Dean regarding what constitutes low enrollment in a course, and the action to be taken when a course receives low enrollment. The committee should consider whether the course should be canceled and what the faculty member’s obligations should be in the event of cancellation.

2. Draft recommendations to the Dean regarding actions that should be taken when faculty members consistently receive poor teaching evaluations.

3. Draft recommendations to the Dean regarding actions that should be taken when faculty members are consistently late in submitting grades.

4. Consider what the impact of faculty absence from the law school has on the student learning experience and consider recommending to the Dean a policy requiring faculty members to be at the law school a specified number of days each week.

5. Draft a proposal to the faculty regarding the rights of faculty members from other colleges who hold a joint appointment at the law school.
Strategic Priorities Committee

This committee will consist of six faculty members, elected by the faculty. There will be at least one Full Professor, one Associate Professor, one Assistant Professor, one Clinical Professor and one Legal Writing Professor on the committee. Faculty members who presently serve in an administrative role are not eligible to serve on this committee. The Chair of the Curriculum Committees will serve ex-officio on this committee.

According to a proposal voted on and approved by the faculty on November 9, 2012, the mandate for the Strategic Priorities Committee will be

1. The committee will examine the effects of the 140-plan on student enrollment, the size and structure of the faculty and the Law School’s budget. The committee will examine whether possible future application declines warrant seeking faculty approval for a further reduction in the entering class, the effect of any such reduction on the Law School’s budget and potential cost savings in that budget and other possible revenue sources to offset revenue losses. The committee should consult with the Budget Task Force Committee in this process. Any recommendation to reduce next year’s entering class size should be made to the Dean and the Faculty no later than April 1, 2013.

2. The committee will examine whether the Law School should consider other measures, in addition to the 140-plan, to address the issues that Dean Boise raised in his recent State-of-the-Law-School presentation, including the overall decline in Law School applications, the effects of tuition on student debt burden and applications to Cleveland-Marshall, and the bar-passage and job placement prospects of our graduates. The committee will work with the Curriculum Committee and the Bar Passage Committee to consider recommendations to the Dean and the Faculty for addressing these issues.

3. The committee will work with the Faculty Affairs Committee to examine past Law School initiatives that recommended major changes in Law School policies and the role of shared governance in those initiatives, including the Bar Passage Plan, the recent curriculum changes and the 140-plan.
Using this Handbook

The information provided here, including but not limited to graduation and degree requirements, academic regulations, and honor code provisions, is subject to change and applies to all students after the effective date of the change.

The Contents page reflects the structure of this Handbook. Course descriptions outline the aims and content of courses offered. They are arranged alphabetically and provide the course number for reference. Graduation requirements and other information intended to assist students in making elective course choices are also provided.

Specific information is provided for the following programs: the Law and Public Policy Program, the Health Law Certificate Program, the law school’s dual degree programs, and LL.M. The Academic Regulations and Honor Code of Cleveland-Marshall College of Law are also reproduced here. All students are expected to review these materials and be familiar with them. Questions concerning the application of any Regulation or Honor Code provision should be addressed to an appropriate dean or faculty member.

Information about a variety of student services is available directly from the offices providing the services. In particular, students are directed to the following offices:

<table>
<thead>
<tr>
<th>Department</th>
<th>Contact</th>
<th>Office</th>
<th>Phone</th>
</tr>
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<tbody>
<tr>
<td>Dean</td>
<td>Craig M. Boise</td>
<td>LB108</td>
<td>687-2300</td>
</tr>
<tr>
<td>Associate Dean</td>
<td>Heidi Gorovitz Robertson</td>
<td>LB 130</td>
<td>687-9264</td>
</tr>
<tr>
<td>Associate Dean</td>
<td>Mark Sundahl</td>
<td>LB 111</td>
<td>687-2300</td>
</tr>
<tr>
<td>Director of the Law Library</td>
<td>Kristina Niedringhaus</td>
<td>LL 212A</td>
<td>687-3547</td>
</tr>
<tr>
<td>Academic Affairs</td>
<td>Jean Lifter</td>
<td>LB 143</td>
<td>687-4557</td>
</tr>
<tr>
<td>Academic Support</td>
<td>Kelly Curtis</td>
<td>LB 54</td>
<td>687-2359</td>
</tr>
<tr>
<td>Admissions</td>
<td>Christopher Lucak</td>
<td>LB 137A</td>
<td>687-2304</td>
</tr>
<tr>
<td>Alumni</td>
<td>Mary McKenna</td>
<td>LB 121</td>
<td>687-2368</td>
</tr>
<tr>
<td></td>
<td>Jill McDonnell</td>
<td>LB 120</td>
<td>523-7357</td>
</tr>
<tr>
<td>Bar Exam Preparation</td>
<td>Mary Jane McGinty</td>
<td>LB 147</td>
<td>687-2297</td>
</tr>
<tr>
<td>Budget/Administration</td>
<td>Jeane White</td>
<td>LB 112</td>
<td>687-2306</td>
</tr>
<tr>
<td>Career Planning</td>
<td>Jennifer Blaga</td>
<td>LB 137B</td>
<td>687-2540</td>
</tr>
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<td></td>
<td>Francie Fields</td>
<td>LB 137D</td>
<td>687-2260</td>
</tr>
<tr>
<td></td>
<td>Kristen Rutter</td>
<td>LB 137D</td>
<td>687-2264</td>
</tr>
<tr>
<td>Event Scheduling</td>
<td>Sandra Natran</td>
<td>LB 145</td>
<td>687-2354</td>
</tr>
<tr>
<td>Pro Bono Program</td>
<td>Pamela Daiker-Middaugh</td>
<td>LB 59C</td>
<td>687-6878</td>
</tr>
<tr>
<td>Student Life</td>
<td>Amy Miller</td>
<td>LB 23</td>
<td>687-5317</td>
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<tr>
<td>Student Records /</td>
<td>Marcie Rechner</td>
<td>LB 142</td>
<td>687-2289</td>
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<td>Supreme Court &amp; Bar</td>
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<td>Examination Registration</td>
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<tr>
<td>Student Services Center</td>
<td>Israel Payton</td>
<td>LB 138</td>
<td>687-2344</td>
</tr>
<tr>
<td>Information Desk</td>
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</tbody>
</table>

Note: All staff and faculty may be contacted through email addresses in the following format: firstname.lastname@law.csuohio.edu

Note: LB designates Law Building; LL designates Law Library

Note: Current and updated information for students, including the law school calendar, book and first class assignments, current news and anonymous posting of course grade distributions, may be found on the Cleveland-Marshall College of Law website – [https://www.law.csuohio.edu/currentstudents](https://www.law.csuohio.edu/currentstudents) and [https://www.law.csuohio.edu/academics](https://www.law.csuohio.edu/academics).
Law School Services

Student Services Center

The Student Services Center is located off the law school atrium, near the elevator to the right of the passageway into the Cleveland-Marshall Law Library. The offices for Admissions, Career Planning, Financial Aid, Student Life, Student Records, and Academic Affairs are all here, making it convenient for students to find the assistance they need in these areas of law school life.

At the entrance to the Student Services Center is the law school Information Desk, where students can pick up course handouts, purchase photocopied course materials, view exams during specified exam review periods, and pick up scheduling, registration, and other information, such as student insurance applications, graduation applications, transcript request forms, and address and name change forms. The Receptionist is Israel Payton, 216/687-2344.

The Center is open from 8 a.m. to 8 p.m., Mondays and Tuesdays, 8 a.m. to 6 p.m., Wednesdays and Thursdays, and 8 a.m. to 5 p.m., Friday. Extended hours are scheduled during periods of peak student demand and by appointment. Please check individual offices for their hours of operation.

Academic Affairs

The Assistant Dean for Academic Affairs is Jean Lifter; she may be reached at (216) 687-4557 or via email at jean.lifter@law.csuohio.edu. The Office of the Assistant Dean for Academic Affairs is located in LB 143 in the Student Services Center. The office is a source of information regarding:

- Registration, including adding/dropping courses
- Academic advice and counseling
- Accommodations for disabilities
- Transfer and transient credit evaluations
- Academic Standards Committee petitions
- LL.M. program

Academic Support

Legal Writing Professor Kelly Curtis is the Director of Academic Support. She can be reached at (216) 687-2359 or via email at kelly.curtis@law.csuohio.edu. Her office is located in LB 54 in the Legal Writing Suite. The goal of academic support is to provide students with the skills and resources necessary to achieve academic success in law school. Specifically, the academic support program is designed to (1) assist students in the transition from college to law school and (2) help student strengthen their analytical reasoning, critical thinking, study, and exam-taking skills. Our academic support programs include:

- **The Academic Excellence Program** - An academic support program conducted by upper level students (known as Fellows) under the supervision of the Director of Academic Support. The Fellows conduct large group workshops on subjects such as reading and briefing cases, classroom preparation and note taking, outlining, exam preparation, and exam performance. In addition, the Fellows meet with specified students in small group sessions once a week. The purpose of the Academic Excellence Program is to help students strengthen analytical reasoning, critical thinking, and exam-taking skills. The Fellows also hold regular office hours to give one-on-one assistance to the small group members or others seeking help.
- **One-on-one Assistance** – Professor Curtis is available to provide one-on-one assistance in essay writing whether or not the students are participants in the Academic Excellence Program.
- **Legal Career Opportunity Program (LCOP)** – Professor Curtis will assist the LCOP class make the transition from undergraduate school to law school. Participants are given a head start in the development of legal and analytical skills.

Bar Exam Preparation

Mary Jane McGinty is the Director, Bar Exam Preparation. She may be reached at (216) 687-2297 or via email at maryjane.mcginty@law.csuohio.edu. Her office is located in LB 147 in the Student Services Center.

- **Ohio Bar Strategies & Tactics (OBEST)** – This three credit hour class meets once a week and concentrates on helping the participants hone their essay writing, analytical and exam-taking skills. Over the course of the term, participants will answer and analyze Multistate Bar Exam (MBE) questions; write essay answers to bar exam questions and receive individual critiques on their essays; and, write and receive individual feedback on practice MPT problems. The course will focus on heavily tested areas on the MBE and Ohio essay portions of the bar exam.
- **Bar Preparation Workshops** – Prior to each administration of the bar exam, Mary Jane McGinty presents workshops...
covering topics such as the applications required to take the Ohio Bar Exam, the MBE Boot Camp, and the Multistate Performance Test (MPT) Workshops. In addition, faculty presentations on subject areas tested on the bar exam are scheduled for the weeks before each exam.

- **Individual Counseling**—Mary Jane McGinty is available for individual meetings with students. She provides counseling and assistance to students during the bar application and examination process.

**Financial Aid**
The Director of Student Life is prepared to address financial aid questions and provide guidance to all law students and will call upon the expertise of the University Financial Aid Office and will assist students in navigating financial aid procedures to find solutions to any financial aid matters.

The main source of financial aid assistance for all Cleveland State University students—including law students—is Campus411. Cleveland State University has centralized all financial aid functions and services in a convenient, one-stop center, Campus411, located in room 116 of the Main Classroom Building. Campus411 is prepared to assist you with:

- General information about financial aid
- Requesting a FAFSA pin and Filing the FAFSA
- Completing verification
- Printing and signing of your award letter
- Completing the loan entrance/exit counseling and the master promissory note
- Determining eligibility and disbursement of all financial aid

When calling Campus411, dial 216-687-5411, or simply 5411 from a campus phone. To speak with a financial aid specialist, press 0, then 2. Remember to:

1. Identify yourself as a law student. Financial Aid rules and procedures may not be the same for every student at the University.
2. Make sure you know your CSU ID and social security number; prepare your questions before the call so you get a quicker resolution of your financial aid issues.
3. Ask for the name of the specialist with whom you are dealing. If you are pleased with the service you receive, ask for that person again and work with that specialist exclusively. If you do not receive excellent customer service, please bring that information to the Director of Student Life to resolve your issue.

Financial Aid policies and procedures for new and continuing law students, links to required forms, and announcements about scholarships for which you can apply are available online. From the law school’s homepage, click on “Current Students” and then follow the link to “Financing Your Education.”

**Office of Career Planning**
The Director of the Office of Career Planning is Jennifer Blaga; she can be reached at (216) 687-2540 or via email at jennifer.blaga@law.csuohio.edu. The Assistant Director position is shared by Francie Fields and Kristen Rutter. Francie can be reached at (216) 687-2260 or via email francie.fields@law.csuohio.edu. Kristen can be reached at (216) 687-2264 or via email at kristen.rutter@law.csuohio.edu. Our coordinator, Jessica Mathewson, can be reached at (216) 687-6871 or via email at jessica.mathewson@law.csuohio.edu. The Office of Career Planning (OCP) is located in LB 137 in the Student Services Center.

- **Planning Services, Resources, and Programs:** The OCP staff will provide you with assistance and resources in order to facilitate your job search. We will be helping you build your resume all through your law school career. Some of the strong building blocks that you should seriously consider include externships, clinic courses, course concentrations, creative employment opportunities for summers, and networking every chance you can. The OCP has various handbooks to help you with your job search (e.g., interviewing tips, resume/cover letter writing) and many online resources that are available on the OCP website—http://www.law.csuohio.edu/careerplanning/. Take advantage of the career-boosting programs that the OCP provides for you. Typical programs include topics such as informational programs on our recruiting programs, volunteer opportunities, solo practice, judicial clerkships, and preparation for law clerk positions, as well as interactive programs such as our mock interviews and networking programs.
• **SympliCity Web Site** ([https://law-csuohio-csm.symplicity.com/students](https://law-csuohio-csm.symplicity.com/students)): SympliCity is a web-based service which manages our resume approval process, job postings, and interview programs. You will be emailed passwords for the service along with directions for use. All of the job postings we receive are placed in this database.

• **Out-of-State Job Searches**: No matter where in the country your job search takes you, the OCP is here to assist you, be it through networking opportunities, alumni connections, or other job search resources. The OCP has reciprocity with the career planning offices in other law schools around the country. The OCP also receives electronic newsletters and job postings from other schools for positions out of state which are linked to our website and made available in hard copy for your perusal in our office.

* The National Association for Law Placement (NALP) employment guidelines prohibits first-year full-time students from speaking with the career planning staff about specific legal employment prior to Nov. 1, and prohibits first-year students from having contact with employers prior to Dec. 1. Part-time students, however, may seek assistance with job searches during the school term. First year students are urged, along with other C|M|LAW students, to attend our many programs highlighting career planning, the different settings in which lawyers work, and the organization and responsibilities of the legal profession.

**Student Life**

The Director of Student Life is the first point of contact for students at C|M|LAW, providing advice about academic and extracurricular opportunities in law school, financial counseling, and oversight and operational guidance to all student organizations, serving as advisor to the Student Bar Association, overseeing programs to enhance and support student diversity, and maintaining a vibrant, supportive, and highly communicative environment for students.

**Student Records Office**

The law school Records Officer is Marcie Rechner; she may be reached at (216) 687-2289 or via email at marcie.rechner@law.csuohio.edu or at student.records@law.csuohio.edu. The Student Records Office is located in LB 142 in the Student Services Center. This office is your source for:

• Graduation Applications
• Out-of-state Bar Certifications
• Exam numbers, grades, including Change of Grading Status (law school pass/fail) and Class Ranks
• Verification of registration for loan deferments and insurance coverage
• Applications for Legal Intern status from the Ohio Supreme Court
• Enrollment Verification/Good Standing Letters
• Unofficial Transcripts

Official transcripts may be ordered online at [http://www.csuohio.edu/enrollmentservices/registrar/transcripts/index.html](http://www.csuohio.edu/enrollmentservices/registrar/transcripts/index.html). You should submit any forms requiring a dean’s certification/signature to this office.

**Cleveland-Marshall Law Alumni Association (C|M|LAW Alumni Association)**

The Executive Director of the C|M|LAW Alumni Association is Mary McKenna. She can be reached at (216) 687-2368 or via email at mary.mckenna@law.csuohio.edu. The Law Alumni office is located in LB 121.

The Cleveland-Marshall Law Alumni Association serves the entire law school community. Long before you are a C|M|LAW alumnus or alumna, the Association will be an important part of your life. Among the most valuable services the Association offers students is its Mentor Program, through which students are matched with an accomplished attorney who serves as a mentor and provides assurance and counsel throughout law school. In order to help students think seriously about career options, the Association annually presents its Pathways to Practice program. In this program veteran attorneys with expertise in a variety of practice areas conduct sessions regarding their legal specialties. The Association also awards scholarships to deserving students who have completed their first year of law school. Law Notes, the alumni publication, is published annually. Students are invited to attend the Association’s Saturday morning Continuing Legal Education Programs throughout the year. Stop by the Alumni Office to learn how to take advantage of all the C|M|LAW Alumni Association has to offer the students of the College of Law. Additional information is available at [http://www.cmlaa.org/](http://www.cmlaa.org/).
Computers, Internet and Miscellaneous Information

**Academic Calendar**

The law school academic calendar is accessible on the web at [https://www.law.csuohio.edu/academics/calendar/](https://www.law.csuohio.edu/academics/calendar/). The current calendar contains information regarding registration, deadlines for fees, and dropping and adding courses. There is also a law school events calendar at [http://www.law.csuohio.edu/newsevents/calendar/](http://www.law.csuohio.edu/newsevents/calendar/). This calendar includes information about lectures and conferences, financial aid, career planning and other important dates relevant to students.

**Booklists & Class Assignments**

Each term assignments for the first classes and additional information on course materials will be posted on the law school’s website at [https://www.law.csuohio.edu/currentstudents/resources](https://www.law.csuohio.edu/currentstudents/resources). Links to this site and other information of interest to students can be found at [https://www.law.csuohio.edu/currentstudents](https://www.law.csuohio.edu/currentstudents) or [https://www.law.csuohio.edu/academics](https://www.law.csuohio.edu/academics). Information on books and other materials required or recommended for courses is also available on the CSU Bookstore’s site at [http://www.csuohiobookstore.com/](http://www.csuohiobookstore.com/). You can purchase books from the CSU Bookstore on line via the “Order Textbooks” link on the CampusNet homepage, [https://campusnet.csuohio.edu/logout.jsp](https://campusnet.csuohio.edu/logout.jsp).

**Law School News**

Students should check the Information Desk in the Student Services Center for administrative announcements and other law school news. Students should also check the College of Law web site at [http://www.law.csuohio.edu/](http://www.law.csuohio.edu/) and the law school events calendar at [http://www.law.csuohio.edu/newsevents/calendar/](http://www.law.csuohio.edu/newsevents/calendar/) for important information. Finally, as detailed below, many administrative offices, faculty and student groups use law school email as the primary method of contacting students, both individually and with generally applicable information. Students should expect to receive important communications in this way and should access their law school email on a regular and frequent basis.

Student organizations have their own bulletin boards. These boards are used to post information regarding meetings, events, writing contests, items for sale, as well as many other kinds of information. Students should check these boards regularly for items of interest. Students must abide by the posting regulations set by the Student Bar Association (SBA).

**Internet**

Students will have access to electronic mail, the WorldWideWeb, and more through the law library. You may access your student internet accounts from school computers or a remote computer that has a modem and communications package. You should register for your account in the law library with your student ID. **The administration and faculty use email to advise students of matters regarding the law school and specific courses. Students should set up and use the internet accounts available through the law library, and should access both email and the law school’s website for online information on a regular basis.**

Faculty and staff email addresses are in the following format: firstname.lastname@law.csuohio.edu

**Library Computers**

Computers are available in the law school library for student use. They run computer legal research programs such as Westlaw and Lexis, word processing programs, E-mail, and are connected to the Internet. Westlaw and Lexis provide free software programs on CD-ROM that students can take home to do computer research from their own computers.

**Lockers**

The SBA provides lockers in the lower level for students at a cost of $40.00 per year. Lockers may be purchased at any time of the year at the SBA office in LB 62. Locker rentals terminate at the end of summer session, but may be renewed for the following year prior to that time.

**Smoking Policy**

Cleveland State University is a smoke-free institution. Students may smoke outside the buildings but must be a minimum of 20 feet from the nearest doorway entrance.

**Vending Machines and Food Service**

Vending machines are located in the student lounge as are a refrigerator and microwave for student use. The Link, a coffee cart serving coffee and light food selections including soup, yogurt, salads, sandwiches, and pastry, is located in...
the InnerLink between the law building and the Arts & Communication Building. Hours are currently 8:30 a.m. to 6:00 p.m., Monday through Thursday, and 8:30 a.m. to 2:00 p.m., Friday. Additional information on dining services on campus is available online at http://www.dineoncampus.com/csul.

**Wireless Network**

Cleveland State University has installed a wireless network in the College of Law. This network will allow you to access the Internet in any area of the law building as well as from many of the surrounding green spaces. Cleveland State University Information Services & Technology has created a special website with information on the wireless network which can be found at http://www.csuohio.edu/offices/ist/getconnected/internet_access_on_campus.html. The law school automation staff, located in the Law Library, can assist you – stop in or contact through https://www.law.csuohio.edu/lawlibrary/technology.
Athletic Facilities
A multitude of athletic facilities are available for student use in the Recreation Center, located at 2420 Chester Avenue. Law students enrolled for a minimum of 1 credit hour will be entitled to free use of all facilities. The facilities offer squash and racquetball courts, weight and fitness equipment, basketball courts, swimming pool in the adjacent Bushey Natatorium, and an indoor track. A variety of classes are offered each term. The Recreation Center is connected to the rest of the campus by the InnerLink walkway and limited parking is available beneath the building and a new 400-car garage next door. Hours of the Recreation Center will be Monday through Thursday, 5:45 a.m.-11 p.m.; Friday, 5:45 a.m.-9 p.m.; Saturday & Sunday, 9 a.m.-6 p.m. The pool closes one hour before the building closes. Guests of students may use the facilities for a fee of $9, payable at the Recreation Center. Information about the Recreation Center, including summer hours, is available online at http://www.csuohio.edu/services/recreationcenter/.

Cashier’s Office
Located in Main Classroom (MC) 115, all fees such as tuition, transcripts, etc., may be paid here. The Cashier’s Office will also cash personal checks of up to $10.00 for students with a valid ID card. Inquiries about tuition refunds or financial aid checks should be directed to this office. Additional information is available at http://www.csuohio.edu/offices/treasuryservices/.

Conference Services
Located in Room 140 of the CSU Student Center (2121 Euclid Avenue), this office is responsible for scheduling and setting up the numerous meetings and conferences held on campus. In addition, if a law student is interested in reserving a room in the Law Building, a schedule book is maintained by Sandra Natran in LB 145.

Counseling and Testing Center
Currently located in Rhodes Tower 1235 but moving to 1836 Euclid Avenue in mid-October 2012, the Counseling Center offers, free of charge, self-help groups and personal and career counseling to all students, faculty, and staff at CSU. Licensed staff counselors, psychologists and social workers are always available for “drop-in” or crisis counseling. For more information call 687-2277 or get information online at http://www.csuohio.edu/offices/counselingcenter/. Visits are confidential.

The Testing Center offers computer-scored tests of all kinds, including the Miller’s Analogies, and intelligence tests. In addition, the Center makes available applications and literature for a wide variety of entrance examinations, including the SAT, LSAT, and GRE. For more information, call 687-2272 or get information online at http://www.csuohio.edu/offices/testingcenter/.

A student may sometimes encounter difficulties from chemical or alcohol dependency that affects her/his law school performance. We encourage any student in that situation to seek professional assistance. Two resources are: the C.S.U. counseling service (see contact information above) and the Ohio Lawyers’ Assistance Program, a program specifically designed to help lawyers and those preparing to become lawyers (1-800-348-4343 or 1-800-618-8606).

Health and Wellness Services
Cleveland State University Health and Wellness Services are available to all actively registered students, faculty, and staff. The Health and Wellness Services Center is nationally accredited and staffed by nurse practitioners and physicians. The center offers a wide variety of services including primary and same day care, women’s health care, counseling, limited in-house pharmacy and laboratory services, allergy shots and immunizations, free anonymous HIV testing, health educational programming and more. The Center also provides screening tests for things like cholesterol, and wellness, diet and weight reduction education. Visits are by APPOINTMENT ONLY (there are no walk-in facilities) and can be scheduled by calling (216) 687-3649. There are a limited number of “same day” appointments available for acute illnesses that can be made by calling at 8:10 a.m. on that morning. These appointments go quickly so it is important to call early. CSU Health and Wellness Services is currently located in the Science & Research Building room 153 at 2351 Euclid Avenue. The office will be moving to 1836 Euclid Avenue, 2nd floor, in mid-October 2012. During the academic year, hours are 8 a.m. until 5:30 p.m. on Monday and Tuesday, and 8 a.m. until 5 p.m. on Wednesday, Thursday, and Friday. Summer hours are 8 a.m. – 5 p.m. Monday through Friday. A nurse help line, 1-877-643-5130, is
available 24 hours per day. The Center sees patients regardless of whether or not they have any form of insurance as long as they are actively registered students at Cleveland State University or faculty/staff. They will see you over the summer if you were registered for Spring and will be coming back in the Fall Semester. Visit the Health and Wellness Services Center website at [http://www.csuohio.edu/offices/health/](http://www.csuohio.edu/offices/health/).

The Center bills outside health insurance carriers but there are NO office visit co-pay charges. If you have no insurance or the student health insurance, there is no charge for the visit itself, but a small charge for medications and/or laboratory tests.

Cleveland State University provides students with an affordable health insurance plan and students are encouraged to consider enrolling in the Student Health Insurance Plan if they do not have other insurance or if their current health insurance plan is with an HMO or restricted PPO out of the Cleveland area. Additionally, this plan covers students studying abroad. The Plan complements the services available through the Health & Wellness Center. For students with the student health insurance, all services performed in the Center are covered at 100% with a very low co-pay for prescription medications carried in the Center. The policy is subject to an annual deductible and co-pays. Students can review the complete list of benefits by going to the Health & Wellness Services webpage at [www.csuohio.edu/offices/health](http://www.csuohio.edu/offices/health) and clicking on the insurance link or through the insurance company website at [https://www.uhcsr.com/SelfServiceSupport/Students/CollegeStudents.aspx](https://www.uhcsr.com/SelfServiceSupport/Students/CollegeStudents.aspx). Students may sign up for health insurance through CampusNet, the University’s online information system.

NOTE: In the event of a major medical emergency, immediately dial 911, or 8911 from a campus phone. From a cell phone, call 911 and ask to be connected to the CSU police.

**Housing**

Information regarding on campus housing is available online at [http://www.csuohio.edu/services/reslife/options](http://www.csuohio.edu/services/reslife/options) and information regarding off campus housing is available at [http://www.csuohio.edu/services/commuterstudent/](http://www.csuohio.edu/services/commuterstudent/). Additional information on off campus housing is available at [https://www.law.csuohio.edu/prospectivestudents/housing](https://www.law.csuohio.edu/prospectivestudents/housing).

**Parking and Transportation Services**

Parking & Transportation Services manages and operates the campus parking areas with the purpose of providing accessible parking with flexible options for students, faculty, staff and visitors on campus. The Office of Parking & Transportation Services is located on the first floor of Euclid Commons (EC 160), on the southeast corner of E. 24th and Euclid Avenue. Office hours are 8 AM to 5 PM Monday through Friday with extended hours available at the start of each semester. Parking Services can be reached by email at parking@csuohio.edu or by phone at (216) 687-2023.

Vehicles parked on university property are required to be registered with Parking Services and display a valid prepaid Green or White parking hangtag from the rearview mirror. Registration does not guarantee the holder a specific parking space or lot, but rather provides the holder the opportunity to park within an area designated for a specific type of hangtag. A valid hangtag and/or proof of payment are always required when parking on campus.

Prepaid Green or White hangtags ($225.78 or $190.88 per each Fall or Spring term, depending on which area of campus you choose to park) allow daily parking in Prepaid Green or White garages/ lots (overnight not included. Another option, Prepaid Green or White Daily Usage Scratch-off hangtags, will cost $8 (Green) or $6 (White) per day. Parking in Visitor lots is $10 per day.

Active CSU students must register for parking through their CampusNet account. Purchases may be charged to your Student Account or payment by Visa, MasterCard, Discover, or a bank debit card can be used. Purchased hangtags are mailed to the tag holders home address unless otherwise stated in the CampusNet purchase confirmation. For updated operating hours, parking rules and regulations, campus map, and additional information please visit the Parking Services website at [http://www.csuohio.edu/parking/](http://www.csuohio.edu/parking/).

**Registration**

Registration for Spring Semester normally takes place in early November. First year students must register for the
continuation of Legal Writing and for the core courses scheduled for their division (full-time or part-time day and part-time evening). Registration for Summer Term and Fall Semester normally takes place in during Spring Semester.

Once the original registration for a term has taken place, students may register late or adjust their schedules through add/drop. This schedule adjustment period lasts through the first week of each term. No adjustments in the first year schedule can be made without the approval of a dean.

Schedule information and registration instructions will be posted on the law school website and will be available in the Student Services Center and other locations in the law school.

Security
Cleveland State University Security Department provides comprehensive police services to the community on a 24-hour basis. The police officers patrol on foot, bicycle and in marked patrol cars and respond to calls for service in addition to those of a criminal nature. In case of emergency inside a University building, call 8911 on any campus phone or 911 on a cell phone and ask for the CSU police department. For information or general business, call 216/687-2020 or dial ext. 2020 on a campus phone. Additional information is available online http://www.csuohio.edu/offices/police/ and at http://www.csuohio.edu/offices/police/crimestats.

In the event that an emergency arises while someone is at home and needs to contact a student in class, the person calling must provide the name of the student, the building name, and the class room number in order for that student to be reached.

A network of Blue Light Emergency Phones dot the exterior of the campus. The emergency phones have no dials; when the receiver is picked up, a contact is immediately established with the police dispatcher.

Important - Community Service Officers are specially trained students who provide escort services to members of the campus community to and from any point on or near campus. These officers wear bright orange jackets, vests, or shirts with ESCORT printed on them, and carry two-way radios to summon help if necessary. To call for an escort, dial 216-687-2020, or 2020 on any campus phone. It is highly recommended that you utilize this service whenever leaving the building alone, late at night, or have to walk some distance to your vehicle.

Transcripts
All students have the right to review their college transcripts and to request an investigation if they think any material contained therein is incorrect. Students may view their transcripts on the Cleveland State University CampusNet. You will need to know your CSU ID and Web Access Password to access your record on the web. With proper identification, students may review their transcripts with the Records Officer in LB 142.

A student may request an official copy of his or her transcript using a form available at Campus411, MC 116, 216-687-5411. Forms are also available at the law school Information Desk in the Student Services Center. A fee of $4.00 is assessed for each transcript requested. Normally, transcripts are available three to five working days after the request is made. Official transcripts may be ordered over the web at http://www.csuohio.edu/enrollmentservices/registrar/transcripts/index.html.

U-Pass
Law students registered for 1 or more credit hours may obtain a U-Pass that allows them to ride free of charge on all Greater Cleveland Regional Transit Authority buses and rapid trains during the Fall or Spring Semesters; a new pass is needed for each term. The fee for the pass is included in University fees. Information on getting the U-Pass from the University Cashier’s Office, MC 115, is available at http://www.csuohio.edu/services/u-pass/.

VikingCard (ID) Center
All students, faculty, and staff must have a valid CSU ID card (VikingCard) to cash checks, use athletics facilities, or check out materials from the libraries. The ID Center is located in MC 112 and hours vary depending on the time of the year. Students should check prior to visiting. To obtain an ID, a student must present a valid schedule for the current semester. If the ID is lost or stolen, a fee is assessed for replacement. Students must be registered in the semester that they apply for the card. For more information call 216-875-9888 or visit their web site at http://www.csuohio.edu/services/vcard/.

A. CREDIT HOURS REQUIRED = 90 hours

B. RESIDENCY REQUIREMENTS, see Academic Regulation 4.4 (page 64, herein)

C. COURSES

1. Required Core Curriculum (RCC)
The RCC must be substantially completed before students undertake electives. Students should take particular care in choosing electives prior to completing the core courses.

   a. Civil Procedure, L505 (L513, beginning F’12)
   b. Contracts, L501 (L511, beginning F’12)
   c. Criminal Law, L506
   d. Legal Research, Writing & Advocacy, L504
   e. Property, L508 (L514, beginning F’12)
   f. Torts, L502 (L512, beginning F’12)
   g. Constitutional Law, L516
   h. Legislation & the Regulatory State, L515 (for students beginning 2012 and after)

2. Other Course Requirements

   a. Evidence, L661
   b. Code of Professional Responsibility Course

   This requirement may be satisfied by the course Legal Profession, L643.

   Note: Applicants for admission to the Ohio bar and those of most other states must pass the Multistate Professional Responsibility Exam (MPRE). You may sit for the Ohio bar exam without having passed the MPRE, but cannot be admitted to practice until you have passed both exams. The MPRE is administered three times per year. Students frequently take Legal Profession, L643, before taking the MPRE. The Legal Profession course is not, however, designed to fully prepare students for the MPRE exam. Additional information about the MPRE, including a Study Guide and a practice exam, is available at http://www.ncbex.org/multistate-tests/mpre/. Some of the bar review courses offer free (online) MPRE preparation classes as well.

   c. Administrative Law Component – for students entering law school prior to 2012. See below
d. Perspective Requirement. See below
e. 3rd Semester Course in Legal Writing. See below
f. Upper Level Writing. See below
g. Skills Course Requirement (for students entering Summer 2008-2011) See below
h. Experiential Skills Requirement (for students entering 2012 and after) – Details to be provided by Spring 2013.

Perspective Requirement -- To be completed from the following list. Additional courses may be approved from time to time and will be so designated on the appropriate course schedule.

   a. American Legal History, L550
   b. Ancient Athenian Law, L570
c. Biomedical Ethics, L602, beginning Fall 2008
d. Church & State, L560
e. Comparative Law, L687
f. Comparative Constitutional Law, L567
g. Comparative Law: Islamic Law, L551
h. Comparative Law: Canon Law, L581
i. Federal Indian Law, L627
j. International Criminal Law, L610
k. International Law, L553
l. Judaic Law, L561
m. Jurisprudence, L554
n. Law, Literature & Film, L569
o. Ohio Constitutional Law, L572
p. Psychiatry & Law, L558
q. Race, Racism & Law, L565
r. Sexual Orientation & Law, L563
s. Social Science & the Law, L585
t. Theories of the Business Firm in Critical Perspective, L762
u. Theories of Justice, L559
v. Women & Law, L631
w. Additional courses as designated on the course schedule

Administrative Law Component – for students entering law school prior to 2012. The following courses satisfy the Administrative Law Component.

   a. Administrative Law, L623
   b. Banking Regulation, L641
c. Election Law, L727
d. Employment Law, L684
e. Environmental Law, L671
f. Fair Labor Standards Act, L739
g. Health Care Law, L686  
h. HIPAA and Privacy, L690  
i. Immigration & Nationality Law, L734  
j. Labor Law, L629  
k. Labor Law Seminar, L709  
l. Public Sector Labor Law, L675  
m. Regulatory Law, L638 (formerly Regulatory Federalism)  
n. Securities Regulation, L655  
o. Tax Procedures, Penalties & Crimes, L647, beginning Fall 2011  
p. Workers’ Compensation, L651, beginning Fall 2008  
q. Additional courses as designated on the course schedule  

Third Semester of Legal Writing -- Each student is required to take at least one legal writing course in addition to the core Legal Research, Writing and Advocacy Course, L504. Students may choose from a group of courses to be designated by the faculty. Such courses will be designated with the number (12) on the course schedules and in the course descriptions. Normally, the third semester course in Legal Writing will be taken during the Fall or Spring of the second year for full-time students or the Spring of the second year or the Fall or Spring of the third year for part-time students.

Skills Course Requirement – Each student who entered law school as a beginning student in Summer 2008 through 2011 is required to take at least one course designated as a Skills Course. Beginning Summer 2009, such courses have been designated with the number (16) on the course schedules and in the course descriptions. Students admitted through Fall 2011 may satisfy both the skills course and third semester of legal writing requirements with a course designated with both a (12) and a (16) on the schedule. As of August 2012, the following courses have been approved as satisfying the skills course requirement:
   a. Advanced Brief Writing, L615  
   b. Alternate Dispute Resolution, L696  
   c. Arbitration, L633  
   d. Community Health Advocacy Law Clinic, L824  
   e. Employment Law Clinic, L802  
   f. Environmental Law & Policy Clinic, L808  
   g. Externships – including  
      i. Judicial, L815  
      ii. US Attorney, L882  
      iii. Gov’t/Public Interest, L817  
      iv. Independent, L805  
      v. General Counsel, L827  
   h. Fair Housing Clinic, L886  
   i. Jessup International Moot Court, L820  
   j. Law & Public Policy Clinic, L825  
   k. Law Practice Management, L674  
   l. Legal Drafting: General, L778  
   m. Legal Drafting: Special Topics, L798  
   n. Legal Drafting: Employment, L788  
   o. Legal Writing & Litigation, L792  
   p. Mediation, L673  
   q. Moot Court I & II, L806 & L809  
   r. Transactional Law Clinic (formerly Urban Development Law Clinic), L826  
   s. Trial Advocacy, L663  
   t. Trial Advocacy Competition, L863  
   u. Trial Advocacy Competition: Advanced, L864  
   v. Additional courses as designated on the course schedule  

Experiential Skills Course Requirement – Students entering law school in Summer 2012 and after will be required to fulfill to take a course designated as fulfilling the Experiential Skills Requirement. The initial list of courses that will satisfy this requirement will be provided Spring 2013. In no event may a student satisfy both the 3rd semester legal writing requirement and the experiential skills requirement with a single course, even if the course could satisfy either of those requirements individually.

Upper Level Writing Requirement -- The purpose of the Upper Level Writing requirement is to have each student undertake at least one extensive research and writing experience (in addition to Legal Writing, Research and Advocacy) prior to graduation. The goal of the requirement is for each student to demonstrate his or her writing, research, analytical, and organizational skills by producing one substantial written product under the direction of a faculty supervisor.

The Upper Level Writing requirement may be met by satisfactory completion of a seminar or specified upper level course for which a substantial paper is required or satisfactory completion of an appropriate two or three semester-hour Independent Legal Research, L860, project.

Satisfactory completion of courses denoted with the number (5) on the course schedule or by completion of the optional research paper in courses denoted with the number (5a) on the schedule will meet the Upper Level Writing Requirement. Some courses may be offered with a paper option in one term and not in another or not when offered by a different instructor. Do not assume that a particular course has a paper option merely because the course was offered with a paper option in the past. If the denotation (5) or (5a) does not
appear on the schedule, and, for some reason you think the course might satisfy the requirement, check with Assistant Dean Jean Lifter.

A two or three semester hour Independent Legal Research, L860, project may also satisfy the requirement. A full-time faculty member must supervise every Independent Legal Research project. An Associate Dean must approve any project to be supervised by an adjunct faculty member. The faculty member must sign a form, available in the Student Services Center, indicating that he or she is willing to supervise the project and specifying how many hours of credit are involved. The completed form must be returned to law school Records Officer or Dean Lifter, who will approve registration for the Independent Legal Research credit.

A maximum of three semester hours of Independent Legal Research credit may be elected to count toward the J.D. degree.

Students who are invited, either on the basis of grades or on the basis of the Summer Writing Competition, to join the staff of the Cleveland State Law Review, the Journal of Law and Health, or the Global Business Law Review are required to complete a student note as staff members. This is often done in conjunction with an Independent Legal Research project - the paper is ultimately turned in to both the law review (or journal) editors and to the faculty member supervising the project. Students may sign up for this credit during the Fall or Spring semester that they are serving on the review or journal staff.

Normally, students produce a paper of a minimum of 24 pages, excluding footnotes, for two hours and a minimum of 36 pages, excluding footnotes, for three hours for Independent Legal Research credit.

Note: Supervising faculty may exercise discretion in awarding credit but withholding upper level writing certification for a project whether completed for Independent Legal Research or in a course or seminar in which a paper is required or is an option.

II. SUBJECTS TESTED ON THE OHIO BAR EXAMINATION
See Bar Exam Resources at https://www.law.csuohio.edu/lawlibrary/bar.

Following graduation specialized bar examination review courses are available to prepare a student to take the bar examination. Students should plan ahead to take one – saving money for the tuition and arranging for adequate study time. Law school courses are designed to prepare one for the lifetime practice of law and are usually not specifically directed to topics that may be tested on the bar exam.

For the most accurate and up-to-date information on the Ohio Bar Examination, see the Ohio Supreme Court website at http://www.supremecourt.ohio.gov/AttySvcs/admissions/default.asp. NOTE: The Ohio Bar Examination currently includes the Multistate Bar Examination, 12 essay questions, and the Multistate Performance Examination.

Multistate Bar Examination Subjects: Contracts, Constitutional Law (including First Amendment Rights), Criminal Law, Criminal Procedure, Evidence, Property, and Torts.


Note: Other states may test other subject areas and may require applicants for the bar to have taken specific law school courses. If you are planning to take the bar examination in another state, check the requirements for that state as soon as possible.

Note: Applicants for admission to the Ohio bar and those of most other states must take and receive a satisfactory score on the Multistate Professional Responsibility Exam (MPRE), which may be taken while you are in law school. The exam is administered three times per year and you may want to register to take it following completion of Legal Profession, L643. Information about the exam and online registration is available at http://www.ncbex.org/multistate-tests/mpre/.

III. INTERDISCIPLINARY COURSES

Law students are permitted to take up to 2 graduate level courses for up to a total of 8 semester hours of credit in other parts of Cleveland State University.
These courses should be in subject areas related to your legal interests. You must obtain permission in advance of registering for such courses from an assistant dean. To receive credit for interdisciplinary courses, a law student must earn at least a “C”, in which case the credit hours will count toward the J.D. degree but the grade will not be included in computation of the student’s grade point average.

Students enrolled in the joint JD./M.B.A., J.D./M.P.A., J.D./M.A.E.S., J.D./M.S.E.S., or J.D./M.U.P.D.D. programs must comply with the requirements of the particular program.

A course taught online or by other means of distance education may be approved if the course is otherwise appropriate for credit at the College of Law. Distance education courses, including such course taught outside the College of Law, may not exceed the limits of American Bar Association Law School Standard 306, restricting such courses to four credit hours a semester and twelve credit hours total.

IV. COURSE PREREQUISITES

A number of upper-level courses have prerequisites in addition to the Required Core Curriculum. This information is included in the course description appearing in this Handbook. Occasionally, extremely important prerequisites are noted on the course schedules. However, the course schedules do not indicate all prerequisites and students should consult the Course Description section of this Handbook for complete information concerning prerequisites.

V. UPPER LEVEL ELECTIVES

Courses are listed below by practice area for two reasons. One, students may be curious about what kinds of courses are relevant to a certain area of practice. For example, if a student is interested in international law or corporate law, these lists will identify the courses related to those practice areas. Two, students may find a particular course sounds interesting and want to know what other courses are related to that course and what area of practice is relevant to that course. For example, a student may be fascinated by the topic of White Collar Crime; these lists will show the student that a course on that topic is relevant both to a business practice as well as one in criminal law. See Course Descriptions for substantive descriptions of every course. We offer concentrations in some practice areas, as noted. See Concentrations for more information.

Business Law
(See Business Law Concentration Checklist (scroll to checklist link) for completing a concentration in this area.)

Foundational Courses
Agency, Partnership, & Limited Liability Associations
Commercial Law
Corporations
Secured Transactions
Tax I
Tax II

Specialized Courses
Advanced Corporate Tax
Antitrust
Banking Regulation
Bankruptcy
Copyright, Patent & Trademark
Corporate Law & Governance Seminar
Cyber Law
Employment Law
Employee Pension & Benefits (ERISA)
Entertainment Law
Insurance Law
International Aspects of Intellectual Property
International Business Transactions
Mergers & Acquisitions
Non-Profit Corporation Law
Patent Law and Practice
Real Estate Law
Securities Regulation
White Collar Crime

Experiential Courses
Externship (Placements could include the Cleveland Clinic or University Hospitals, many of the General Counsel Externship placements, the U.S. Bankruptcy Court, the Federal Reserve Bank of Cleveland, the Federal Trade Commission, the White Collar Crime Section of the U.S. Attorney’s Office, or any other governmental agency that is primarily involved the regulation of business.)
Legal Drafting (General, Arts, Employment or Intellectual Property
Transactional Law Clinic

Civil Litigation and Dispute Resolution
(See Civil Litigation & Dispute Resolution Concentration Checklist (scroll to checklist link) for completing a concentration in this area.)

Foundational Courses
Civil Procedure
Evidence
Legal Profession

**Specialized Courses**
Advanced Brief Writing
Advanced Trial Advocacy
Alternate Dispute Resolution
Arbitration
Civil Rights Litigation
Conflict of Law
Evidence: Scientific
Federal Courts
Federal Jurisdiction Seminar
Interviewing, Counseling & Negotiation
Lawyers Strategies
Legal Writing & Litigation
Mediation
Medical Malpractice (3-credit course)
Ohio Civil Procedure
Psychology of the Courtroom
Remedies
Transnational Litigation
Trial Advocacy
Trial Team Competition

**Experiential Courses**
Employment Law Clinic or Fair Housing Clinic
Externship (placements could include a Judicial Externship, U.S. Attorney Externship – Civil Division, or Independent Externship in an ADR or litigation-intensive setting)
Moot Court

**Clinics and Externships**
Community Health Advocacy Law Clinic
Employment Law Clinic
Environmental Law and Policy Clinic
Fair Housing Clinic
Independent Externship
Judicial Externship
Public Interest Externship
Transactional Law Clinic
United States Attorney Externship

**Criminal Law**
(See [Criminal Law Concentration Checklist](#) (scroll to checklist link) for completing a concentration in this area.)

**Foundational Courses**
Criminal Law
Criminal Procedure I
Criminal Procedure II

**Specialized Courses**
Capital Punishment & the Law
Computers & Law: Criminal
Criminal Felony Sentencing
Criminal Law Seminar: Advanced Topics
International War Crimes Tribunal Seminar
Juvenile Law Seminar
Tax Procedures, Penalties & Crimes
Trial Advocacy
White Collar Crime

**Experiential Courses**
Externship (for example, a Judicial Externship, or externship with the U.S. Attorney’s Office, Federal Public Defender’s office, a county prosecutor or public defender office, a Juvenile Court, or other setting that has a criminal law focus)
Moot Court (criminal law competition)
Trial Team Competition

**Employment and Labor Law**
(See [Employment and Labor Law Concentration Checklist](#) (scroll to checklist link) for completing a concentration in this area.)

**Foundational Courses**
Employment Discrimination Law
Employment Law
Labor Law

**Specialized Courses**
Alternative Dispute Resolution
Arbitration
Employee Pension & Benefits Law (ERISA)
Employment Law Clinic
Employment Law Seminar
Fair Labor Standards Act Seminar
Labor Law Seminar
Legal Drafting: Employment Law
Mediation
Public Sector Labor & Employment Law
Sexual Orientation & the Law
Sports & Entertainment Law
Sports Law
Workers Compensation Law

**Experiential Courses**
Employment Law Clinic
Externship (with, e.g., EEOC or NLRB or General Counsel or Independent Externship with employment or labor law focus)
Moot Court (labor and/or employment competition)

**Environmental Law**
Energy Policy & Law (Current Legal Issues offering)
Environmental Law and Policy Clinic
Environmental Law and Regulation
Environmental Law in Bus. and Real Estate Trans.
Environmental Law Seminar
Land Use Control

**Family Law**
Aging and the Health Care System
Children, Parents & the State
Estate Planning
Estates & Trusts
Family Law
Juvenile Law
Sexual Orientation and the Law
Tax: Wealth Transfer

**Health Law (General)**
(see [https://www.law.csuohio.edu/academics/hlcertificate](https://www.law.csuohio.edu/academics/hlcertificate))

**Foundational Courses**
Biomedical Ethics
Health Care Law
Law and Medicine

**Specialized Areas and Courses**
(*courses are offered at the College of Business*)

- Health Law Regulation
- Administrative Law
- Health Care Compliance
- HIPAA and Privacy
- Insurance Law
- Psychiatry and Law
- Workers’ Compensation
- Medical Care Organization*

- Health Law Policy and Ethics
  Aging and the Health Care system (seminar)
  **Disability Law**
  Health Law Seminar
  Legislation
  Psychiatry & Law
  Public Health Law Seminar (proposed course)

- Health Law Business and Litigation
  Antitrust Law
  Employment Law
  Health Care Finance
  Health Care Fraud & Abuse
  Insurance Law
  Medical Malpractice
  Mergers & Acquisitions
  Non-Profit Corporation Law
  Patent Law and Practice
  Scientific Evidence

- Research and Experiential Courses
  Community Health Advocacy Law Clinic
  Externship – Health Law Setting
  Journal of Law and Health

- **Health Care Compliance**
  (see [https://www.law.csuohio.edu/academics/chlp](https://www.law.csuohio.edu/academics/chlp))
  (*course offered at the College of Business)
  Health Care Compliance
  Health Care Finance
  Health Care Fraud & Abuse
  Health Care Law
  Health Law & Ethics*
  HIPAA & Privacy
  Health Care Compliance Skills:
  Auditing, Investigating & Reporting
  (proposed course)

- **International and Comparative Law**
  (see [International and Comparative Law Concentration Checklist](https://www.law.csuohio.edu/academics/chlp) (scroll to checklist link) for completing a concentration in this area.)
  Advanced Business Immigration Law
  Alternate Dispute Resolution*
  Ancient Athenian Law
  Asylum Law
  Comparative Constitutional Law
  Comparative Law
  Comparative Law: Canon Law
  Comparative Law: Islamic Law
  Conflict of Laws*
  Doing Business in China
  Environmental Law Seminar*
  European Union Law
  Global Business Law Review
  Immigration and Nationality Law
  International Aspects of Intellectual Property Law
  International Business Transactions
  International Criminal Law
  International War Crimes Tribunal Seminar
  International Law
  International War Crimes Tribunal
  Judaic Law
  Legal Responses to Terrorism
  Race, Racism & Law*
  St. Petersburg Summer Law Institute
  Summer Abroad Program**
  Space Law
  Tax – International Transactions
  Transnational Litigation
  * when so indicated on the course schedule
  ** sponsored by ABA-approved law school
**Intellectual Property**
Copyright, Patent and Trademark
Cyberlaw
Information Technology and the Law
Intellectual Property Seminar
International Aspects of Intellectual Property Law
Legal Drafting: Patent Preparation & Prosecution
Patent Law and Practice
Trademark Law

**Research and Writing**
Foundational Courses
Legal Writing, Research and Advocacy

Specialized Courses
Advanced Brief Writing and Advocacy
Advanced Legal Research
Legal Drafting: General and Specific Topics
Legal Writing and Litigation
Scholarly Writing

(These courses require special permission for registration.)
Independent Legal Research
Jessup Moot Court Competition
Global Business Law Review
Global Business Law Review Editor
Journal of Law and Health
Journal of Law and Health Editor
Law Review
Law Review Editor
Moot Court I & II

**Sports & Entertainment Law**
Entertainment Law
Negotiating Strategies in Sports Management
Representing the Musical Artist
Representing the Professional Athlete
Sports & Law: Evolution of Major League Sports
Sports Law

**Tax**
Foundational Courses
Tax I
Tax II
Wealth Transfer Tax

Specialized Courses
Advanced Corporate Tax
ERISA Law
Estate Planning
Tax Policy Seminar
Tax Procedures, Penalties & Crimes
Tax: Federal. Taxation of International Transactions
Tax: Tax Exempt Organizations

**Experiential Courses**
Externship with IRS

**VI. SPECIAL CURRICULAR PROGRAMS**

**A. Dual Degree Programs**
The College of Law offers five dual degree programs that allow students to earn both a Juris Doctor and a Masters degree in just four years of full-time study. Students may earn a J.D. along with an M.B.A. (Master of Business Administration) from the John J. Nance College of Business Administration; one of three degrees offered in conjunction with the Maxine Goodman Levin College of Urban Affairs - an M.A.E.S. (Master of Arts in Environmental Studies), an M.P.A. (Master of Public Administration) or an M.U.P.D.D. (Master of Urban Planning, Design & Development); or an M.S.E.S. (Master of Science in Environmental Science) with the College of Science.

The law faculty has approved a change to the dual degree programs that would allow a law student who has completed all J.D. degree requirements including a minimum of 82 semester credits in law courses to receive the J.D. prior to completion of the requirements of the joint degree. The change requires University approval as well.

1. **J.D./M.B.A.**
Cleveland-Marshall College of Law and the College of Business Administration offer students the opportunity to earn the J.D. and M.B.A. degrees in four years of full-time study. A part-time student has eight years to complete both programs. Because each school will grant credit for courses taken in the other, both degrees may be completed in less time than would otherwise be required. Students in the dual degree program are required to fulfill all specific course requirements for the J.D. A maximum of 10 semester hours of credit from the College of Business Administration may be included in the 90 semester hours required for the J.D. degree. Interested students should contact Professor Christopher Sagers, (216) 687-2319, for further information.

[Law students interested in being admitted to the J.D./M.B.A. program should follow the procedures for admission to the College of Business Administration, including submission of an application, available online at http://www.csuohio.edu/gradcollege/admissions/apply.html, to the College of Graduate Studies.](http://www.csuohio.edu/gradcollege/admissions/apply.html)

Cleveland-Marshall College of Law and the Maxine Goodman Levin College of Urban Affairs offer students the opportunity to earn the J.D. and M.P.A. (Master of
Public Administration) or M.U.P.D.D. (Master of Urban Planning, Design and Development) degrees in four years of full-time study. Part-time students should contact Alan Weinstein, Director of the J.D./M.P.A. and J.D./M.U.P.D.D. Programs, for further information.

Because each school will grant credit for courses taken in the other, both degrees may be completed in less time than is otherwise required. Students in the dual degree program must fulfill all specific course requirements for the J.D.; however, 10 semester hours from the College of Urban Affairs will be applied towards the 90 semester hours required for the J.D. degree.

Applicants who are not currently enrolled in either degree program may apply for admission to both programs independently. Students who enroll in this manner will spend their first year exclusively in the J.D. program, their second year primarily in the M.P.A. or M.U.P.D.D. program, and their third and fourth years taking courses in both programs. Students already enrolled in one of the degree programs should contact Alan Weinstein, Director of the J.D./M.P.A. and J.D./M.U.P.D.D. Programs, LB 230, 216/687-3758. Law students interested in either program will have to submit an application, available online at http://www.csuohio.edu/gradcollege/admissions/apply.html, to the College of Graduate Studies.

3. **J.D./M.A.E.S.**

The Cleveland-Marshall College of Law and the Levin College of Urban Affairs jointly offer students the opportunity to pursue both a J.D. and a M.A.E.S. (Master of Arts in Environmental Studies) in four years of full-time study. Because each college will grant credit for courses taken in the other college, students may complete the two degrees concurrently in less time than would be required to do the degrees sequentially. Students in this dual degree program must fulfill all specific course requirements for the J.D.; however, 10 semester hours from the College of Urban Affairs will be applied towards the 90 semester hours required for the J.D. degree.

Applicants who are not currently enrolled in either individual degree program must apply for admission to both programs independently. Students who enroll in this manner will spend their first year taking courses exclusively in the College of Law and their second year primarily in the College of Urban Affairs. Students already enrolled in either individual degree program should contact Associate Dean Heidi Gorovitz Robertson, LB 130, 216/687-9264, to discuss a course of study. Law students seeking admission to the dual degree program should call the Graduate Studies Academic Advisor at the College of Urban Affairs at (216) 687-7522 for information about the program and admissions procedures and will need to submit an application, available online at http://www.csuohio.edu/gradcollege/admissions/apply.html, to the College of Graduate Studies.

4. **J.D./M.S.E.S.**

The Cleveland-Marshall College of Law and the College of Graduate Studies jointly offer students the opportunity to pursue both a J.D. and a M.S.E.S. (Master of Science in Environmental Science) in four years of full-time study. Because each college will grant credit for courses taken in the other college, students may complete the two degrees concurrently in less time than would be required to do the degrees sequentially. Students in this dual degree program must fulfill all specific course requirements for the J.D.; however, 10 semester hours from the College of Graduate Studies will be applied towards the 90 semester hours required for the J.D. degree.

Applicants who are not currently enrolled in either individual degree program must apply for admission to both programs independently. Students who enroll in this manner will spend their first year taking courses exclusively in the College of Law and their second year primarily in the College of Science, Department of Biological, Geological & Environmental Sciences. Students already enrolled in either individual degree program should contact Associate Dean Heidi Gorovitz Robertson, LB 130, 216/687-9264, to discuss a course of study. Law students seeking admission to the dual degree program should call the Department of Biological, Geological, and Environmental Sciences at (216) 687-2440 for information about the program and admissions procedures and will need to submit an application, available online at http://www.csuohio.edu/gradcollege/admissions/apply.html, to the College of Graduate Studies.

B. **Pro Bono Program**

The law school’s Pro Bono Program is designed to (1) engage students in the delivery of legal assistance in cooperation with local attorneys and community agencies serving the poor and certain other groups; (2) introduce students to the difficulties of the under-represented and the rewards of public service; and (3) encourage students after graduation from law school to discharge the lawyer’s professional responsibility to render public interest service.

The Pro Bono Program also offers monthly community service opportunities such as building homes with Habitat for Humanity, serving lunch at a local soup kitchen, and planting a garden in the inner city of Cleveland.
Volunteer activity is not a graduation requirement and students do not receive academic credit for participating in the program. However, students who volunteer a minimum of 40 hours (in the course of one or more placements) will be recognized by the College of Law by inclusion in the annual awards ceremony at the College of Law.

Information about the Pro Bono Program and current Placements is available from Pamela Daiker-Middaugh, LB 59c, 216/687-6878.

C. St. Petersburg Summer Law Institute
Cleveland-Marshall, in cooperation with the University of Arkansas School of Law, the University of the Pacific McGeorge School of Law, and the Law Faculties of the Novgorod State University and St. Petersburg State University, conducts a Summer Law Institute at St. Petersburg State University in St. Petersburg, Russia. Housing and dining facilities are provided on site. Courses, generally those with a comparative or international law perspective, are taught in English by Cleveland State law faculty as well as experts from other law schools and international agencies. Students from St. Petersburg State University and Novgorod State University attend classes with their American counterparts, making this a unique experience for students interested in gaining an international perspective on the law. Interested students should contact Associate Dean Mark Sundahl, LB 111, 216/687-2335.

D. Concentrations
Cleveland-Marshall offers students the opportunity to pursue an academic concentration several areas of legal practice: Business Law, Civil Litigation and Dispute Resolution, Criminal Law, Employment and Labor Law, and International & Comparative Law. The information sheets following the Graduation Requirements Worksheet detail the requirements for each of the concentrations.

Each concentration has required foundational courses, advanced and specialized courses, and a project requirement. In addition, students must attain a minimum cumulative GPA of 3.0 in concentration courses and may not earn below a C+ in more than one non-foundational course. Moreover, a student who transfers to Cleveland-Marshall after his or her first year at another law school (or second year in the case of a part-time student), may apply up to two courses taken at the other law school toward the fulfillment of requirements for a Concentration here, provided that: (a) the course is a foundational course for the relevant concentration here and (b) the faculty teaching in the concentration approve the course as equivalent to the relevant foundational course taught here. The student shall bear the burden of persuading the concentration faculty that the course taken at the other school is equivalent to the relevant foundational course and shall provide those faculty with (a) a catalogue description of the course taken, (b) a syllabus for the course, where available, and (c) such other information as the concentration faculty shall request. The grade obtained in the course at the other school shall be computed as part of the student’s GPA in the concentration for purposes of determining if the student has attained the requisite 3.0 GPA in the concentration. The course shall be allowed toward fulfillment of concentration requirements only if credit for the course would otherwise transfer to Cleveland-Marshall (i.e., the student has achieved a grade of 2.0 or the equivalent or better).

A student who matriculates at Cleveland-Marshall and who is a degree candidate here, who takes for credit at another law school a course that he or she wishes to apply toward fulfillment of concentration requirements here, may apply no more than one such course toward the concentration, provided that (a) the same or an equivalent course is not offered here and (b) the faculty teaching in the relevant concentration approve the course for purposes of meeting the concentration course requirements. The grade obtained in the course at the other school shall be computed as part of the student’s GPA in the concentration for purposes of determining if the student has attained the requisite 3.0 GPA in the concentration. The course shall be allowed toward fulfillment of concentration requirements only if credit for the course would otherwise transfer to Cleveland-Marshall (i.e., the student has achieved a grade of 2.0 or the equivalent or better). See generally https://www.law.csuohio.edu/academics/curriculum/concentrations.

See the following web pages for information on the individual concentrations:

Business:
https://www.law.csuohio.edu/academics/curriculum/concentrations/business

Civil Dispute Resolution:
https://www.law.csuohio.edu/academics/curriculum/concentrations/civil

Criminal Law:
https://www.law.csuohio.edu/academics/curriculum/concentrations/criminal

Employment and Labor Law:
https://www.law.csuohio.edu/academics/curriculum/concentrations/employment
E. Center for Health Law & Policy

Health Law Certificate
Cleveland-Marshall College of Law’s Center for Health Law & Policy offers J.D. students the opportunity to earn a general Health Law Certificate. In order to earn the certificate, students must complete the following required courses: Biomedical Ethics, Health Care Law and Law and Medicine. Students must also complete three health law electives and an experiential learning experience. Students have the option to focus on courses in a particular area or take a variety of classes across three groups: Health Law Regulation, Health Law Policy and Ethics and Health Law Business and Litigation. In order to satisfy the experiential learning requirement, students may enroll in the Community Health Advocacy Law Clinic (CHALC) or complete one of the following externships: Medicare Hearings and Appeals, MetroHealth General Counsel’s Office, Cleveland Clinic General Counsel’s Office, University Hospital General Counsel’s Office and Medical Mutual General Counsel’s Office.

In order to enroll in the Health Law Certificate Program, students must schedule an entrance interview with Professor Browne Lewis, the Director of the Center by contacting Diane Adams at (216) 687-6884 or diane.adams@law.csuohio.edu. For additional information, please see the Center’s webpage at https://www.law.csuohio.edu/academics/chlp.

Health Care Compliance Certificate
A Health Care Compliance Certificate Program has been approved beginning Fall Semester 2012. The program is open to JD candidates at Cleveland-Marshall and to individuals who have earned an undergraduate degree with a cumulative grade point average of 3.0 or better. Individuals with an undergraduate GPA of less than 3.0 may still be considered and admitted based on other admission criteria, including professional experience and graduate coursework. To earn the certificate, students must complete all of the following courses: Health Care Compliance, L617; Health Care Law, L686; Health Care Fraud & Abuse, L682; HIPAA and Privacy, L690; Health Care Finance, L627; Health Law & Ethics, HCA 640; and an anticipated skills course entitled Health Care Compliance Skills: Auditing, Investigating & Reporting (to be offered through the college of law).

For additional information, please see the Center’s webpage at https://www.law.csuohio.edu/academics/chlp.

VII. GRADING GUIDELINES

The grading guidelines at Cleveland-Marshall College of Law are advisory. However, the guidelines serve as prima facie evidence of what constitutes a reasonable distribution of grades in Required Core Curriculum courses (other than Legal Writing and Constitutional Law) and other law courses. Following are the guidelines currently in effect.

<table>
<thead>
<tr>
<th>Grade</th>
<th>Standard %</th>
<th>Range Permitted %</th>
<th>Standard %</th>
<th>Range Permitted %</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>10</td>
<td>8 – 12</td>
<td>14</td>
<td>11 – 17</td>
</tr>
<tr>
<td>A-</td>
<td>10</td>
<td>8 – 12</td>
<td>12</td>
<td>9 – 15</td>
</tr>
<tr>
<td>B+</td>
<td>11</td>
<td>9 – 13</td>
<td>18</td>
<td>15 – 21</td>
</tr>
<tr>
<td>B</td>
<td>16</td>
<td>14 – 18</td>
<td>19</td>
<td>16 – 22</td>
</tr>
<tr>
<td>B-</td>
<td>10</td>
<td>8 – 12</td>
<td>11</td>
<td>8 – 14</td>
</tr>
<tr>
<td>C+</td>
<td>13</td>
<td>11 – 15</td>
<td>11</td>
<td>8 – 14</td>
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<tr>
<td>C</td>
<td>13</td>
<td>10 – 14</td>
<td>9</td>
<td>6 – 12</td>
</tr>
<tr>
<td>C-</td>
<td>5</td>
<td>3 – 7</td>
<td>2</td>
<td>0 – 6</td>
</tr>
<tr>
<td>D+</td>
<td>5</td>
<td>2 – 10</td>
<td>2</td>
<td>0 – 7</td>
</tr>
<tr>
<td>D</td>
<td>5</td>
<td>2 – 8</td>
<td>2</td>
<td>0 – 7</td>
</tr>
<tr>
<td>F</td>
<td>3</td>
<td>0 – 6</td>
<td>0</td>
<td>0 – 5</td>
</tr>
</tbody>
</table>

VIII. CORE CURRICULUM

Students will complete the core curriculum during the first two years of law school. For Academic Year 2012-2013, the first year curriculum is as follows:

Full-Time Program

<table>
<thead>
<tr>
<th>Fall Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracts, LAW 511 (4 credit hours)</td>
</tr>
<tr>
<td>Torts, LAW 512 (4 credit hours)</td>
</tr>
<tr>
<td>Legal Writing, LAW 504 (3 credit hours)</td>
</tr>
<tr>
<td>Legislation &amp; the Regulatory State, LAW 515 (4 credit hours)</td>
</tr>
</tbody>
</table>
Spring Semester
Civil Procedure, L513  (4 credit hours)
Property, L514  (4 credit hours)
Legal Writing, LAW 504  (3 credit hours)
Criminal Law, LAW 506  (3 credit hours)

Part-Time Program

Fall Semester
Torts, LAW 512  (4 credit hours)
Legal Writing, LAW 504  (3 credit hours)
Legislation & the Regulatory State, LAW 515  (4 credits hours)

Spring Semester
Contracts, LAW 511 (evening students)  (4 credit hours)
Civil Procedure, LAW 513 (day students)  (4 credit hours)
Legal Writing, LAW 504  (3 credit hours)
Criminal Law, LAW 506  (3 credit hours)

Full-time students will complete the core curriculum by taking Constitutional Law, LAW 516, in their second year of law school. Part-time students will complete the core curriculum in the second year as follows:

Fall Semester
Contracts, LAW 511
(day students)  (4 credit hours)
Civil Procedure, LAW 513
(evening students) (4 credits hours)
Constitutional Law, LAW 516  (2.5 credit hours)
Elective course(s) up to 5 credit hours

Spring Semester
Property, LAW 514 (day & evening students)  (4 credit hours)
Constitutional Law, LAW 516  (2.5 credit hours)
Elective course(s) up to 5 credit hours
Course Descriptions

The course descriptions included here answer many of the questions you may have about course content and expectations. New courses are added from time to time and descriptions are distributed to students with registration materials and on the College of Law website. Students are encouraged to speak with faculty teaching specific courses. In some cases it is noted that a course is “offered infrequently.” This means that there has been insufficient student or faculty interest to warrant offering the course on a regular basis but that the course may be scheduled if an appropriate opportunity is presented. Course information in red was added after the start of the 2012-2013 academic year.

*Required Core Curriculum

The Required Core Curriculum (RCC) is comprised of seven courses normally taken at the beginning of a student’s law school career – Contracts, Torts, Legal Writing, Criminal Law, Civil Procedure, Property, and Constitutional Law. The RCC must be substantially completed before students undertake electives. Students should take particular care in choosing electives prior to completing the core courses. **Note:** The preceding statement should be considered when electing courses for which the RCC is listed as a prerequisite. Students should consult an academic dean or faculty member with questions concerning specific courses and prerequisites.

Seminars

Note that the faculty has adopted the following criteria for designation of a course as a seminar. Courses listed as seminars on the final schedule for the term will meet these requirements.

Criteria for Designation of a Course as a Seminar (passed by faculty, Oct. 21, 2004)
1. A seminar is a small class, enrollment in which should normally not exceed fifteen students, that is designed to examine intensively a single topic or a limited range of topics within a general area of law. A seminar is not designed to offer a comprehensive survey of a field of law.
2. A seminar is designed to foster maximum interchange in discussion between students and instructor and among students.
3. A seminar shall require a substantial paper or equivalent written product.
4. A grade in a seminar may be based entirely on the paper, or on some combination of a paper, class participation, final examination, or other relevant factors.
5. A seminar may be given for two or three credits.

Although a seminar must require a “substantial paper or equivalent written product,” it may not satisfy the upper level writing requirement if the paper requirement is not a substantial research project as anticipated by the latter requirement. The designation {5} or {5a} in the notes column identifies those seminars that will require or provide an option to complete a paper that will satisfy the upper level writing requirement. Courses other than seminars may also satisfy the upper level writing requirement, and the designation {5} or {5a} on the schedule again indicates that a course will require or offer an option to complete a paper that will satisfy that requirement.

Administrative Law
LAW 623
(2 or 3 Credit Hours)
Prerequisites: RCC*. This course will focus on the function, procedure, and powers of administrative agencies; constitutional and statutory limitations; judicial review and relief from orders and decisions; the administrative process and its role in the development of public policy. Satisfies the administrative law requirement.

Advanced Brief Writing
LAW 615
(2 Credit Hours)
Prerequisites: RCC*. A course designed to sharpen the student’s ability to research complex legal issues, to prepare appellate briefs and to engage in oral argument. Required of students who wish to try out for interscholastic Moot Court Competition. Satisfies third semester of legal writing requirement and skills course requirement.
Advanced Business Immigration Law
Law 737
(1 Credit Hour)
Prerequisites: RCC*; Immigration & Nationality Law, LAW 734. This course will focus on specific immigration issues that arise in the business context.

Advanced Legal Research
LAW 677
(3 Credit Hours)
Prerequisites: RCC. This course is designed to build upon basic knowledge of legal resources and provide the foundation needed for advanced legal research. Sources emphasized will include legislative and statutory law, administrative law, judicial authority, and secondary sources. In addition, the course will examine research strategies, cost-effective research techniques, practitioner materials, and interdisciplinary research associated with business, scientific, and technical information. The goal of the course is not only to familiarize the student with particular legal research resources but to also instill in the student how to think about conducting research and to critically analyze research sources. Students will complete a variety of exercises, a mid-term, and a final research project.

Agency, Partnership, and Limited Liability Associations
LAW 691
(3 Credit Hours)
Prerequisites: RCC*. This course provides an introduction to business associations. Employers and business entities, whether sole proprietorships, partnerships, or large corporations, utilize agents—especially employees—to effectuate their business objectives. Agency relationships can be formed intentionally or inadvertently, but regardless how they originate, the law imposes strict duties of conduct on both agents and their principals, and exacts severe penalties for their breach. The course examines the law of agency closely, including vicarious liability for wrongs of another and authority to bind another by assent or representation. Second, the course focuses on the law governing partnerships and addresses the complex intersection of agency and partnership law (i.e., the legal consequences of partners simultaneously being agents for the partnership as well as principals). Because the Uniform Partnership Acts impose numerous legal and economic risks for partners and partnerships, many business entities have reorganized to limit their liability consistent with the structures newly created by state statute, e.g., as a limited liability partnership or limited liability company. These diverse new statutory options for business organization constitute the final focus of the course.

Aging and the Health Care System
LAW 786
(2 Credit Hours)
Prerequisites: RCC*. This 2-credit seminar will focus upon the legal issues the elderly face when interacting with the health care system, including dying with dignity decisions, nursing home abuse and paying for health and long-term care. There are no upper level prerequisites for the course. The grade in the course will be determined by a paper and class presentation.

Alternate Dispute Resolution
LAW 696
(3 Credit Hours)
Prerequisites: RCC*. Judicial, court-centered processes are neither the only nor, necessarily, the best methods of resolving disputes. This course surveys the range of dispute resolution processes that are alternatives to litigation and adjudication. These include detailed study of the primary dispute resolution processes -negotiation, mediation, and arbitration - as well as some of their hybrid variants. The course also examines noteworthy applications of these litigation alternatives, the context for which ranges from the personal to the global. The ethical issues surrounding effective client advocacy in non-litigation situations will be explored in depth. When coverage includes international dispute resolution systems will count as an elective in the International and Comparative Law concentration. Satisfies skills course requirement.

American Legal History
LAW 550
(2 or 3 Credit Hours)
Prerequisites: RCC*. Lectures and discussions exploring various topics in American legal history from colonial times to the twentieth century. Topics may include legal control of “deviants” (criminals, juvenile delinquents, paupers, political dissidents), the growth of legal institutions and the legal profession, developments in substantive private law, law and the economy, the problem of freedom of speech and press, the law of slavery, and the changing status of women and children. Other topics may be substituted or added from time to time. Satisfies perspective elective requirement.

Ancient Athenian Law
LAW 570
(3 Credit Hours)
Prerequisites: RCC*. The ancient Athenians have been widely celebrated for their contributions to literature, philosophy and political thought. However, the genius of the Athenian people was also reflected in their legal innovations – which include the concepts of trial-by jury and judicial review. This course will provide
students with a basic understanding of the structure and procedures of the Athenian legal system. Topics covered in the course include the Athenian constitution, the Athenian jury system, the resolution of commercial disputes, adultery, the torture of witnesses, and the sentencing of criminals. From their readings, students will gain an understanding of a legal system that struggled with many of the same issues that face modern society and which often provided thoughtful and creative solutions. In lieu of a final exam, students will write a 10-page research paper regarding an aspect of Athenian law. Students may choose to fulfill their Upper Level Writing Requirement with this course by writing a 20-page research paper. The course will satisfy the perspective elective requirement.

**Animal Law**  
**LAW 715**  
(2 Credit Hours)  
Prerequisites: RCC*. Animal Law focuses on the legal, social and biological nature of nonhuman animals, including companion animals, wildlife, and animals raised for food and research. The course will consider such topics as:

1. Areas of national concern and statutory interpretation such as the Americans with Disabilities Act, the Endangered Species Act, federal cruelty laws, the Animal Welfare Act, the Marine Mammal Protection Act and the Humane Slaughter Act;
2. State and federal constitutional issues, e.g., exemptions from laws involving the use of animals, "hunter harassment" laws, federal constitutional standing issues involving animal interests, and state constitutional provisions regarding the protection of natural resources; and
3. Local and state law concerns, including common law property as applied to animals, state cruelty laws, agricultural treatment of animals and protection of livestock, municipal regulations of pets, and the changing status of animals in society.

Students will write a paper in the course and make a presentation to the class. Satisfies upper level writing requirement.

**Arbitration**  
**LAW 633**  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. The nature, law and practice of arbitration of disputes and claims of various types with an emphasis on labor arbitration. Satisfies skills course requirement.

**Art Law**  
**LAW 659**  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. This course reviews both policy issues and practical applications of selected areas of the law that relate to the creation, display, reproduction, sale, resale and taxation of works of fine art. The areas we will explore are: limitations on the freedom of visual expression, in the form of both government regulation and private causes of action; copyright and trademark law and the fair use doctrine as they apply to visual images and distinctive artistic style; artists' right to protect their artistic reputation by preserving the integrity and attribution of their works of recognized stature (i.e., droit moral); commercial law issues relating to auctions, consignment sales, and secondary market resales of works of art; limitation of actions against bona fide purchasers of stolen art; and tax considerations relevant to artists, dealers and art collectors.

**Asylum Law**  
**LAW 744**  
(1 Credit Hours)  
Prerequisites: RCC*; Immigration & Nationality Law, LAW 734. The course will examine Asylum Law, including an examination of overseas refugees; the meaning of persecution; issues relating to race, religion, nationality, political opinion, social group, sexual orientation, gender; non state actors; standards of proof; exceptions to eligibility; and the convention against terror.

Students will be evaluated through a written project, requiring them to analyze a fact pattern according to the principles studied during the semester. The course will not satisfy the upper level writing requirement.

**Antitrust Law**  
**LAW 646**  
(3 Credit Hours)  
Prerequisites: RCC*. This course provides an overview of legal and economic problems in the public control of corporate market power, focusing on the legal (and occasionally economic) significance of price fixing, boycotts, monopolization, franchising restrictions, and mergers. Students will examine how courts evaluate business practices and/or corporate structure.

**Banking Regulation**  
**LAW 641**  
(3 Credit Hours)  
Prerequisites: RCC*. This course will explore all aspects of federal banking regulation, from standards for obtaining a bank charter and federal deposit insurance to restrictions on bank activities and bank failure. It will not canvass the commercial law governing bank transfers or payments already covered
by Commercial Law, L601. Satisfies the administrative law requirement.

Bankruptcy
LAW 624
(3 Credit Hours)
Prerequisites: RCC*. A survey of the fundamentals of bankruptcy law, including the “Automatic stay” of creditor collection activity, the creation of the debtor’s bankruptcy “estate,” the treatment of “executory contracts,” the trustee’s “avoiding” powers, the nature of “claims” against the debtor’s estate, the individual debtor’s right to a “discharge,” “exemptions,” the powers and jurisdiction of the bankruptcy court, and the processes of “liquidation,” “adjustment” of debts of an individual debtor, and “reorganization” of a business.

Biomedical Ethics and the Law
LAW 602
(3 Credit Hours)
Prerequisites: RCC*. This course will cover legal and ethical values and doctrines in the context of current issues in health science decision-making including, e.g., a) death and dying; b) informed consent and other aspects of the doctor patient relationship; c) artificial reproduction (e.g., artificial insemination, surrogate motherhood, in vitro fertilization, embryonic transfer); d) organ transplants; e) research and experimentation on human subjects. Beginning Fall 2008, satisfies perspective requirement.

Business Bankruptcy
LAW 637
(2 Credit Hours)
Prerequisites: RCC and Bankruptcy (LAW 624); Secured Transactions (LAW 603) is recommended but is not a prerequisite. A survey of bankruptcy and other laws that affect the business decisions to put a business into a Chapter 11 Reorganization and the decisions necessary after the company has filed its Chapter 11 proceedings, including the decisions to file bankruptcy, the DIP financing, jurisdiction and venue, obtaining credit, treatment of executory contracts, review of operating issues, management decisions ethics, claims issues, sale of assets, drafting the disclosure statement, confirmation of the reorganization plan, and post confirmation issues.

Capital Punishment and the Law
LAW 679
(3 Credit Hours)
Prerequisites: RCC*. This course examines the theory, jurisprudence, and practice of the modern death penalty system in the United States. It focuses on constitutional and statutory issues surrounding death sentences, including: limitations on imposing the death penalty based on factors such as the type of crime, and the role and age of the defendant; pretrial and trial issues such as prosecutorial discretion in charging, jury selection, psychiatric experts, aggravating and mitigating circumstances; right to counsel at trial and on post-conviction review; processes available for judicial and executive review of death sentences; and, limits on carrying out the death penalty such as a defendant’s competency to be executed.

Children, Parents and the State
LAW 771
(2 or 3 Credit Hours)
Prerequisites: RCC*. Family Law, LAW 618. This course builds on students’ understanding of the issues covered in the basic Family Law course (marriage, divorce, distribution of property upon divorce, and child custody issues) and asks students to think about how the law allocates power and responsibility for children in our society and how it should do so. In addition, the course addresses the extent to which the law should recognize the autonomy of older children - i.e., to what extent the law should give older children the power to decide for themselves. Finally, the course addresses the appropriate role of the government vis a vis children and their families.

Civil Litigation Clinic
LAW 803
(3 or 4 Credit Hours)
Prerequisites: RCC. The Civil Litigation Clinic is designed to provide students with real-client experience across a wide variety of cases. It provides students with the opportunity to apply the skills they acquired in their law school classes to actual cases or controversies. Supervised by clinical professors, the students may represent clients in administrative hearings, trial courts, appellate procedures and more. Students may appear before state and federal tribunals. They may engage in issues relating to consumer protection, landlord-tenant, employment law, and asylum. They may represent directly parties to the dispute, or file Amicus briefs to assist courts on principled matters.

In addition to the case work, the Clinic includes a weekly seminar component, providing instruction in trial and representation skills, and requiring the students to present their cases to their peers and to give and receive constructive criticism - much like in real life.

Permission of the instructor(s) is required.
Civil Procedure
LAW 505
(6 Credit Hours; 2 Semesters)
In Civil Procedure we study the process by which legal disputes of a civil nature are decided in an adversarial system of justice. This includes how a civil lawsuit begins, which courts may hear the dispute, where the lawsuit may be filed, who may be a party, how parties gather facts to support their claims and defenses, what law applies to cases filed in federal court, how cases are resolved, procedural remedies, and the binding effect of a final judgment. Specifically we study pleadings, joinder of claims and parties, subject matter jurisdiction, personal jurisdiction, venue, choice of law, discovery, resolution without trial (including summary judgment, default judgments, dismissals), trials, and issue and claim preclusion. The course involves close examination of the Federal Rules of Civil Procedure as well as statutes and constitutional provisions that govern civil litigation. A grade is entered on the student’s transcript for each semester of the course. Required for graduation. Offered through 2011-12 academic year.

Civil Procedure
LAW 513
(4 Credit Hours)
In Civil Procedure we study the process by which legal disputes of a civil nature are decided in an adversarial system of justice. This includes how a civil lawsuit begins, which courts may hear the dispute, where the lawsuit may be filed, who may be a party, how parties gather facts to support their claims and defenses, what law governs a case that is filed in federal court, how such a case is resolved, procedural remedies, and the binding effect of a final judgment. Specifically, topics covered may include pleadings, joinder of claims and parties, subject matter jurisdiction, personal jurisdiction, venue, choice of law, discovery, resolution without trial (including summary judgment, default judgment, and dismissal), trials, and issue and claim preclusion. The course involves close examination of the Federal Rules of Civil Procedure as well as statutes and constitutional provisions that govern civil litigation. A grade is entered on the student’s transcript for each semester of the course. Required for graduation. Offered beginning Fall 2012.

Class Actions
LAW 635
(2 or 3 Credit Hours)
Prerequisites: RCC*. Whether sued in federal or state court, whether considered rightly or wrongly initiated, class-action lawsuits are more popular today than ever. Indeed, Congress’ highest-profile litigation reform effort of late—its recently-enacted Class Action Fairness Act—goes directly to this sensation’s heart. Given class actions’ prevalence, well-rounded lawyers need to understand class actions’ substantive, procedural, political, societal, economic, and constitutional nuances and effects. This course will examine multiple substantive class-action areas, such as consumer fraud and deceptive-business practices; price-fixing and market-allocation schemes; and securities and commodities fraud. While considering these various substantive areas, we’ll analyze Federal Rule 23 and its state-court counterparts. We’ll study class-certification procedure in federal and state courts; the requirements necessary for class certification; and the defenses and tactics typically (and not so typically) asserted to defeat it. We’ll also consider competing class certifications’ Due Process, Commerce, and Full Faith and Credit Clause implications; class-action coordination among various competing or complimentary federal and state class-action cases; and class-action settlement issues, such as proper notice, damages allocation, opt-out procedures, and objections.

Commercial Law
LAW 601
(4 Credit Hours)
Prerequisites: RCC*. A survey of the Uniform Commercial Code (UCC), except for Articles 8 and 9, with emphasis on Articles 2, 3, and 4 dealing with sales, negotiable instruments and bank collections. In addition, some consumer laws and federal regulations on sales and bank collections are addressed. Lesser emphasis is given to UCC Articles 2A, 4A, 5 and 7 on leases, wire transfers, letters of credit and documents of title; UCC Article 6 on bulk transfers is also covered briefly.

Community Health Advocacy Law Clinic
LAW 824
(3 Credit Hours)
Prerequisites: RCC; approval of clinical faculty. The Community Health Advocacy Law Clinic offers students the opportunity to provide representation to real clients who are patients at one of four MetroHealth outpatient hospitals. Students, under the supervision of clinical faculty, will work with doctors, nurses, social
workers and Legal Aid lawyers to address the legal issues of people seeking medical treatment. Patient/clients will be low-income, and often one of the following: children, first generation Americans, people recently released from incarceration, Spanish speaking, or the elderly. Any area of law could be handled by students, but the following are the most common: special education law, housing law, public benefits law, employment law, juvenile law, and family law.

Students will meet once a week in a group for a seminar class and once a week for an individual meeting with the clinical faculty. Each student will be assigned to an outpatient hospital and serve as a member of that hospital’s Legal Team that decides which patients to interview and ultimately take as clients. Students will also conduct intake, perform research and represent the clients in the community. The two goals of the Community Health Advocacy Law Clinic are to improve the legal skills of students and to address the unmet legal issues of the poor.

Students interested in the clinic will be interviewed by the clinic faculty and selected on the basis of a number of factors, including public interest background and future legal career objectives. Satisfies skills course requirement.

**Comparative Constitutional Law**

**LAW 567**

(2 or 3 Credit Hours)

Prerequisites: RCC*. This course examines and compares constitutional law and structure of governance of different countries of the world. Questions explored include: Why have constitutions? How do the structures of constitutional courts and the practice of judicial review differ in different countries? How do different constitutions deal with separation of powers, legislative process, regime changes, federalism, individual rights and social welfare? The course aims at helping students think systematically about different structures for organizing a government, and different approaches to establishing just, effective and stable forms of governments. Satisfies perspective requirement.

**Comparative Law: Canon Law**

**LAW 581**

(2 Credit Hours)

Prerequisites: RCC*. This course examines the legal system of the Latin Catholic Church. In addition to an historical overview of the science of canon law, lectures address specific canons of the 1983 Code of Canon Law and selected canonical issues. Subjects to be considered include: structures of governance, general norms of canon law, ecclesiastical rights, ecclesiastical sanctions (criminal law), trial procedures, marriage law, and temporal goods (i.e., property law, contracts, wills, and monetary issues). Satisfies perspective requirement.

**Computers and the Law: Criminal**

**LAW 665**

(2 or 3 Credit Hours)

Prerequisites: RCC* The course will cover the growing area of computer crimes. Students will learn about the different types of criminal offenses, which include but are not limited to economic, gambling, child exploitation, and fraud offenses. Further, the student will study the different investigative techniques utilized by the government in curbing such offenses as well as methods of defense explored on behalf of the accused. The student will also be exposed to the various Constitutional provisions contemplated during the processing of a computer crime and/or investigation.

**Conflicts of Laws**

**LAW 632**

(3 Credit Hours)

Prerequisites: RCC*. The law relating to actions having elements in more than one jurisdiction; choice of law; enforcement of foreign judgments; jurisdiction of courts in such cases; constitutional questions involved; application to contracts, torts, marriage and divorce, family relations, property, and procedure. Offered infrequently.

**Constitutional Law**

**LAW 516**

(5 Credit Hours; 1 or 2 Semesters)

General principles of the law of the United States Constitution; judicial function in constitutional matters; federal authority, separation of powers and the powers of the states; particular attention to the commerce clause, due process, and equal protection. A grade is entered on the student’s transcript for each term of the course. Required for graduation.

**Constitutional Law Seminar**

**LAW 707**

(2 or 3 Credit Hours)

Prerequisites: RCC*. Discussion of selected current constitutional issues (with consideration given to areas of particular student interest). Information regarding the focus of a particular section of the course will be provided with course schedules. May include preparation of appropriate student research papers, which will satisfy the upper level writing requirement. Interested students should consult the New and Revised Courses information for the term in which the course is
offered for information on the focus of the course in that term.

**Consumer Law**  
**LAW 644**  
(3 Credit Hours)  
Prerequisites: RCC. Consumer Law will examine debtor-creditor rights under the Ohio Consumer Sales Practices Act, the Fair Debt Collection Practices Act, and case law dealing with consumer issues. The course will offer students the opportunity to study and discuss debtor-creditor rights under Ohio and federal law from the filing of the lawsuit to executing upon the judgment. The course will include observing consumer cases in court and role playing the cases in class. The students will also draft consumer pleadings. The course will examine legal theories and apply them to the practice of law from the creditor's and debtor's perspective. The skills exercises occupy 10 to 20% of the class time. Grading will be based on class participation and a final exam.

**Contracts**  
**LAW 501**  
(6 Credit Hours through 2004-2005; 2 Semesters)  
(5 Credit Hours beginning Fall 2005; 2 Semesters)  
Formation, offer, acceptance, and consideration; performance and excuse for nonperformance; breach and damages; third party beneficiaries; assignment of rights and delegation of duties; statute of frauds; contract integration rule; illegal contracts and public policy; unconscionability; discharge. A grade is entered on the student’s transcript for each semester of the course. Required for graduation. Offered through 2011-12 academic year.

**Contracts**  
**LAW 511**  
(4 Credit Hours)  
The Contracts course covers the basic components of contract law: contract formation (offer, acceptance, and consideration/promissory estoppel), contract interpretation and performance, defenses to enforcement, and remedies. A grade is entered on the student’s transcript for each semester of the course. Required for graduation. Offered beginning Fall 2012.

**Contracts Seminar**  
**LAW 741**  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. Examination of the contract as the legal method for allocation of risk by self-legislation between the parties; contracts jurisprudence from the vantage point of an upper level law student; typical and atypical contract problems. Satisfies upper level writing requirement.

**Copyright, Patent and Trademark Law**  
**LAW 658**  
(3 Credit Hours)  
Prerequisites: RCC*. This course is designed for the general practitioner as well as for those who intend to specialize in the practice of intellectual property law. It is directed to the study of the patent, trademark and copyright laws, to the procedures undertaken before the various federal and state administrative agencies for obtaining patents, trademarks and copyrights, and to the protection and enforcement afforded such intellectual property by the federal and state laws and the courts.

**Corporate Law and Governance Seminar**  
**Law 772**  
(2 or 3 Credits Hours)  
Prerequisites: RCC*; Corporations, LAW 692, or permission of the instructor. This research seminar will allow you to explore a topic in corporate law in more depth than is possible in the basic Corporations course. The course will provide an opportunity to step back and consider the theoretical and policy aspects of basic business law doctrine. Though the readings and preliminary discussions will focus on governance issues, the range of potential topics for your research and writing is very broad. Grades will be based on class participation (including a class presentation) and a final paper. The paper can be used to satisfy the Upper Level Writing Requirement and/or the project requirement for the Business Law concentration.

**Corporations**  
**LAW 692**  
(4 Credit Hours)  
Prerequisites: RCC*. The course concentrates on the following aspects of the modern business corporation: formation; financing; state and federal regulations respecting the issuance of securities and insider trading; governance of the corporation; powers and duties of directors and officers; rights and remedies of shareholders and creditors; dividends and other distributions; and corporate law suits and derivative actions. It also assesses the public policy and social responsibility implications of large scale business enterprises.

**Criminal Felony Sentencing**  
**LAW 626**  
(2 Credit Hours)  
Prerequisites: RCC*. This course will explore the evolution of sentencing systems in the United States since 1787, culminating in the determinate systems adopted in recent years by the State of Ohio and the
U.S. Congress and Federal Sentencing Commission. These will be contrasted with the indeterminate systems that were previously employed. The uncertainty created by the Supreme Court’s recent decision in Blakely v Washington will be a significant topic of discussion. Particular attention will be devoted to the allocation of power and discretion, the role of plea bargaining, the role of appellate review, the impact of mandatory minimum sentences, and issues of race. Satisfies Upper Level Writing requirement. Offered infrequently.

Criminal Law
LAW 506
(3 Credit Hours; 1 Semester)
General concepts of the criminal law; the purposes of punishment; general principles of criminal responsibility; other topics may include attempts; parties; conspiracy; specific crimes against the person, against the habitation, and against property; and, defenses available to the accused. Required for graduation.

Criminal Law: Advanced Topics
LAW 706
(2 or 3 Credit Hours)
Prerequisites: RCC*. An in-depth study of one or more selected topics in substantive criminal law. Interested students should consult the New and Revised Courses information for the term in which the course is offered for information on the focus of the course in that term. Offered infrequently.

Criminal Procedure I
LAW 621
(3 Credit Hours)
Prerequisites: RCC*. This course focuses for the most part on police investigation techniques, such as searches, interrogations, undercover activities, electronic eavesdropping, and lineups. Closely studied will be constitutional limitations on these practices, flowing from the 4th, 5th, 6th, and 14th Amendments. Other topics covered may include the right to counsel, the entrapment defense, bail, and/or plea bargaining.

Criminal Procedure II
LAW 678
(3 Credit Hours)
Prerequisites: RCC*; Criminal Procedure I, LAW 621, is recommended but not required. This course focuses on the criminal trial process from the charging decision through trial and sentencing including: case theory and role of counsel; grand jury proceedings; pretrial release and detention; discovery and other pretrial motions; plea bargaining and guilty pleas; jury selection and deliberation, sentencing procedures and guidelines.

Particular emphasis is given to the protections provided by the U.S. Constitution in criminal proceedings. State and federal rules of criminal procedure may be studied.

Cyber Law
LAW 735
(2 or 3 Credit Hours)
Prerequisites: RCC*. This seminar considers the interaction between information technology (i.e., computer hardware, software, networks and electronic or digital content), particularly as manifest in the Internet, and the law. We will examine substantive areas of the law which bear directly on information technology (particularly, e.g., intellectual property, contract), as well as ways in which information technology is itself shaping and transforming the law (regarding, e.g., privacy, jurisdiction), economics and culture. Classes will encourage open discussion of readings (from text and select online sources) and students should expect one or more written exercises and class presentations in addition to a substantial project (e.g., research and writing) due at the end of the term. Students are encouraged to have some background training or experience (undergraduate studies, employment, other law school courses, etc.) that reflects basic knowledge of/interest in information technology and/or issues arising from its contemporary applications. Satisfies Upper Level Writing requirement.

Disability Law
LAW 676
(2 Credit Hours)
Prerequisites: RCC. Disability Law examines laws prohibiting discrimination on the basis of disability with particular emphasis on Titles I, II, and III of the Americans with Disabilities Act, the Rehabilitation Act of 1973, The Fair Housing Act Amendments of 1988 and Amendments to the Individuals with Disabilities Education Act. Substantive areas that will be covered include efforts to combat discrimination on the basis of disability in employment, housing, and education, as well as efforts to curb disability-based discrimination in the provision of health care services, in accessing places of public accommodation and by public entities. Students will explore the ways in which the law has attempted to protect individuals against disability discrimination as well as examine continued challenges individuals with disabilities encounter despite existing legal protections. The course will be an elective course in the Health Law Certificate program.
Election Law
LAW 727
(3 Credit Hours)
Prerequisites: RCC*. This course explores regulation of the political process and voting rights, at both the federal and state levels. We consider constitutional and statutory law constraining who is qualified to vote; election administrative procedures (including specified voting technologies and days for voting, voter IDs and registration requirements); reapportionment and redistricting of legislative districts under the Equal Protection Clause (one person, one vote and political gerrymandering in particular); political parties' legal roles in the electoral system; campaign finance regulation; and the Voting Rights Act. We will devote significant attention to Ohio's election law and election administrative difficulties that resulted in a successful constitutional challenge to Ohio's election system. We will also consider remedies for "defective" elections with Bush v. Gore a prime focus. Course requirements include an experiential learning component of a wide range of possibilities. Satisfies the Administrative Law Requirement.

Employee Pension and Benefits (ERISA) Law
LAW 685
(2 or 3 Credit Hours)
Prerequisites: RCC*. Pension and benefit funds are currently the largest single source of capital in the nation (over $3 trillion). Their collection, administration, distribution, and other key aspects are regulated in private sector employers by the federal Employee Retirement Income Security Act of 1974 (ERISA). ERISA provides complex tax and other incentives to businesses to create and administer pension and benefit funds. The course focuses primarily on ERISA and its impact on a host of employment and business-related problems, including collective bargaining, tax planning, multi-employer bargaining arrangements, mergers, acquisitions, leveraged buyouts, plant closings, layoff, bankruptcies, divorce and probate, preemption of state law, fiduciary relations, and fiscal policy.

Employment Discrimination Law
LAW 639
(3 Credit Hours)
Prerequisites: RCC*. This course affords students an opportunity to delve deeply into the problems and legal solutions to employment discrimination, one of the most publicly contested areas of the law. While its primary focus is Title VII, which forbids discrimination on the basis of race, sex, religion, and national origin, the course also examines the more recently enacted remedial statutes, particularly those proscribing age and disability discrimination. The course also explores sexual orientation discrimination, constitutional protections, 42 USC sections 1981 and 1983, and the Equal Pay Act. Students will master the substantive law of discrimination, the special procedural requirements for administrative claims, and the array of remedies available to aggrieved parties, including affirmative action. This course is a foundation requirement for the Employment and Labor Law Concentration. It is recommended that students planning to take the Employment Law Clinic take either this course or Employment Law, LAW 684, prior to or in conjunction with the Clinic. Beginning Fall 2010, the course no longer satisfies the administrative law requirement.

Employment Law
LAW 684(AR)
(3 Credit Hours)
Prerequisites: RCC*. This course functions as an introduction to Employment and Labor law. It primarily focuses on the law governing the non-unionized workforce. Three broad areas of inquiry constitute its subject matter. First, we study the newly developing law often referred to as common law wrongful discharge, by which an employee can assert claims of unlawful termination of employment because the employer violated fundamental public policy, contractual provisions, duties imposed by tort law (which can result in defamation, intentional infliction, invasion of privacy, and fraud cases) or the covenant of good faith and fair dealing. Second, we examine the duties the law imposes on employees that run to the benefit of the employer, including non-competition and the duty of loyalty. Third, we study the law of compensation and benefits, focusing on two pivotal federal states that govern the workplace – the Fair Labor Standards Act (which includes minimum wage regulation) and the Family and Medical Leave Act – as well as the federal pension and benefits law (ERISA) and the law of unemployment insurance. Finally, we will study issues surrounding workplace safety and workers’ compensation. Discrimination law is generally not covered in this course, as it is the sole subject of Employment Discrimination Law, LAW 639. It is recommended that students planning to take the Employment Law Clinic take either this course or Employment Discrimination Law, LAW 639, prior to or in conjunction with the Clinic. Satisfies the administrative law requirement.

Employment Law Clinic
LAW 802
(2-5 Credit Hours)
Prerequisites: RCC*; approval of the Clinic faculty; Employment Discrimination Law (LAW 639) or
Employment Law (LAW 684) recommended (may be taken concurrently). Students, supervised by Clinic faculty, provide representation to real clients with employment cases in federal and state courts and administrative agencies. Students participate at all stages of representation from client interviewing through settlement, trial, and appeal. A weekly seminar is devoted to in-depth discussion of the cases (including case evaluation, strategy, legal, factual and ethical issues); and instruction in litigation and lawyering skills, using assigned readings, written assignments and simulations. Through both casework and the seminars, students learn such representation skills as: interviewing clients and witnesses, investigating facts, counseling, drafting pleadings, planning and conducting discovery, negotiation, motion practice, brief writing and oral argument. Normally, students enroll over the course of two semesters, registering for 3-5 credit hours each semester. With permission of Clinic faculty, may be taken for a third semester for additional credit hours. Satisfies the project and/or advanced course requirement of Employment and Labor Law Concentration. Satisfies skills course requirement.

Employment Law Seminar
LAW 750
(2 or 3 Credits)
Prerequisites: RCC; additional pre- or co-requisites may be listed depending on the course focus. The Employment Law Seminar provides an opportunity to study a critical area of employment law in great depth. The specific topic may vary with the instructor and students should consult the New and Revised Courses information for the term in which the course is offered for information on the focus of the course in that term. Students will be required to submit a substantial research paper for the course. Satisfies the upper level writing requirement.

Entertainment Law
LAW 636
(2 or 3 Credit Hours)
Prerequisites: RCC*. Entertainment Law surveys the issues affecting performers, practitioners, and producers in the music, motion picture, television, theatre, print, and multimedia industries. Special attention will be given to those areas most predominant in the Cleveland metropolitan area. Issues such as copyright, licensing, contract, compensation, and impact of unions on the industry will be addressed.

Environmental Law and Regulation
LAW 671
(3 Credit Hours)
Prerequisites: RCC*. This course will address both the substantive and procedural aspects of environmental law and regulation. It will include discussion of the common law grounding of environmental law, as well as analysis of several federal environmental laws, and their state counterparts. It will address the interactions of federal, state, and local law and regulation as they pertain to environmental compliance and enforcement, and will attempt to apply those laws in a practical way to case studies. Coverage may include aspects of the National Environmental Policy Act, the Clean Air Act, the Federal Water Pollution Control Act, the Resources Conservation and Recovery Act, Comprehensive Environmental Response, Compensation, and Liability Act, and other pertinent federal, state, and local laws. Satisfies administrative law requirement.

Environmental Law and Policy Clinic
LAW 808
(2-4 Credit Hours)
Prerequisites: RCC*; Environmental Law (LAW 671); permission of the instructor. The Clinic provides students with the opportunity to learn environmental law through practical experience including litigation support as well as participating in drafting legislation and reports on environmental needs and solutions in the greater Cleveland area and the midwest. Students provide legal support on environmental issues to citizens, environmental organizations, legislators and government officials. This includes investigation, counseling, research, drafting of legal documents, reviewing and drafting legislation, and negotiating. The Clinic is normally elected for four (4) credit hours but may, with permission of the instructor, be taken for 2 or 3 credits. Satisfies skills course requirement.

Environmental Law Seminar
LAW 711
(2 or 3 Credit Hours)
Prerequisites: RCC*; Environmental Law (LAW 671). The Environmental Law Seminar presents an opportunity to study current issues in environmental law in a directed manner. The seminar topic will vary according to current events. In a given semester, for example, it may cover “toxic torts,” “climate change” or “international environmental law.” Interested students should consult the New and Revised Courses information for the semester in which the course is offered for information on the focus of the course in that semester. Offered infrequently.

Estate Planning
LAW 689
(3 Credit Hours)
Prerequisites: RCC*; Tax I (LAW 607); Estates and Trusts (LAW 609); Wealth Transfer Tax (LAW 606).
An analysis, primarily from a tax perspective, of basic devices used in estate planning, including maximum marital deduction formula clauses, revocable and irrevocable trusts, charitable trusts, insurance trusts, grantor and beneficiary trustees, freezing estate values and valuation, inter-vivos gift giving and generation skipping transfers.

**Estates and Trusts**  
**LAW 609**  
(4 Credit Hours)  
Prerequisites: RCC*. This course will include analysis and discussion of the law of wills, testamentary capacity; the execution, revocation, and republication of wills; construction of wills, lapsed legacies, ademption and satisfaction of bequests; incorporation by reference and independent legal significance. Other topics include planning and creation of a trust; obligations of trustee to beneficiaries and third persons; rights and remedies of beneficiaries; resulting and constructive trusts; termination and modification of trusts; and problems in the administration of trusts, charitable trusts and cy pres.

**Evidence**  
**LAW 661**  
(4 Credit Hours)  
Prerequisites: RCC*. This course introduces students to the rules that determine what information can be introduced by lawyers in trials. It is based on the Federal Rules of Evidence. The course covers basic evidentiary issues including relevance and prejudice, hearsay and hearsay exceptions, character evidence, and privileges. Other matters covered may include inferences, burden of proof, judicial notice, and expert testimony. Required for graduation.

**Externships**

Please note that more complete information about the externship program and specific externship placements can be found at https://www.law.csuohio.edu/currentstudents/externships.

For the most current information concerning our externship offerings, please visit our Current Semester course and Exam Schedules webpage.

**Judicial, LAW 815** (Fall or Spring: 4 or 6 Credit Hours; Summer: 3 or 5 Credit Hours)

**United States Attorney, LAW 882** (Fall or Spring: 4 Credit Hours; Summer: 5 Credit Hours)

**General Counsel, LAW 827** (Fall or Spring: 4 or 6 Credit Hours; Summer: 3 or 5 Credit Hours)

**Public Interest/Government, LAW 817.** (Fall or Spring: 4 or 6 Credit Hours; Summer: 3 or 5 Credit Hours)

**Independent, LAW 805** (Fall or Spring: 4 or 6 Credit Hours; Summer: 3 or 5 Credit Hours)

Externships provide students the opportunity to learn the law outside of the classroom by participating in and observing the legal system in action while earning course credits. Students work in settings where, under close supervision of an attorney or judge, they contribute to the ongoing work of the office. Students have the chance to learn the law by being active participants in the legal process. Externs also get to observe legal proceedings—e.g., depositions, settlement conferences, trials—so that they receive broad exposure to the legal system. A key aspect of every externship is close supervision by an attorney or judge who will review and comment on the student’s work throughout the term so that the student hones professional skills and expands one’s understanding of professional responsibilities.

Externships are with judicial and governmental offices, other organizations that serve the public interest and general counsel offices of corporations and other entities including public interest, governmental, nonprofit or for-profit organizations. Student work depends on the office. When working in a judge’s chambers, a student may research and write bench memos in preparation for hearings on cases or draft orders and opinions. In other offices they may conduct client or witness interviews, engage in discovery and document review, or other types of fact investigation. Brief descriptions are provided below. For more information see https://www.law.csuohio.edu/currentstudents/externships/generalinformation.

Prerequisites: For any externship, a student must have substantially completed the RCC*, completed 29 credits and have a cumulative G.P.A. of 2.5 or better. Some externships have additional requirements, as noted. Please also note that some externships require background clearances that may take six weeks or longer. Placements that currently require this kind of clearance are the U.S. Attorney’s Office, the Immigration and Customs Enforcement Chief Counsel Office, the U.S. Department of Justice Immigration Court, the Cuyahoga County Prosecutor’s Office and
the Cleveland Metropolitan School District Law Department. For these you need to apply well in advance of the term in which you wish to extern because you cannot begin your externship until you are cleared. The site supervisor makes the final decision approving students for the placement.

Credits: For every externship, a student must commit to work a certain number of hours and participate in the Externship Seminar. The number of credits you may receive depends on the semester and the externship placement. In the fall or spring 14-week term a student must commit to work 16 hours/week to receive 4 credits and 24 hours/week to receive 6 credits. In the 7-week summer term a student must commit 24 hours/week to receive 3 credits and 40 hours/week to receive 5 credits.

Please see the specific terms and number of credits available under the listing for each externship below. Students may not receive compensation for their work as an Extern.

The Externship Seminar is taught by a full-time faculty member at the law school. Students submit weekly written journals and make a presentation about their externship experience. The course is graded Pass/Fail. This grade is based on four factors: completion of the required number of hours and assignments given by the site supervisor, the site supervisor’s written evaluation of the extern’s work, timely and thoughtful journal entries, and attendance and participation in the externship seminar including a presentation on the extern’s experience.

Third-year full-time and fourth-year part-time students may be eligible to represent clients in court. See Ohio Internship Rule (for state court eligibility) and Federal Internship Rule (for federal court eligibility).

For more information about externships, contact Jessica Mathewson at (216) 687-6871 or jessica.mathewson@law.csuohio.edu.

Judicial Externship
LAW 815
(Fall or Spring: 6 Credit Hours (24 hours/week); Summer: 3 Credit Hours (24 hours/week) or 5 Credit Hours (40 hours/week))

Students may work for a federal district court judge or magistrate, a federal appellate court judge, or a state appellate court judge. Students may only participate in one judicial externship experience during their law school career. Externs are integrated into the work of the chambers: writing bench memos, drafting opinions, researching issues during trials, observing settlement conferences and mediations. Students also have the opportunity to observe proceedings in the courthouse which may include trials, sentencing hearings or oral arguments. We also have externships with specialized courts, including The U.S Department of Justice Immigration Court and The Office of Medicare Hearings and Appeals.

For more information about a judicial externship, contact Jessica Mathewson at (216) 687-6871 or jessica.mathewson@law.csuohio.edu.

U. S. Attorney’s Office Externship
LAW 882
(Criminal Division—Fall; Civil Division—Spring)
(Fall or Spring: 4 Credit Hours (16/hours/week); Summer: 5 credit hours (40 hours/week))

This placement is in the Cleveland office of United States Attorney. Students work in the Civil Division during spring semester and the Criminal Division during fall semester. Students will be introduced to the range of activities and types of cases, including appeals, handled by the division in which they are placed. For more information about this externship and the prerequisites, see https://www.law.csuohio.edu/currentstudents/externships/placements.

Government/ Public Interest Externship
LAW 817
(Fall or Spring: 4 Credit Hours (16 hours/week) or 6 Credit Hours (24 hours/week) or 5 Credit Hours (40 hours/week))

The Government/Public Interest externships are placements with public interest, governmental, nonprofit or for-profit entity (but not a law firm engaged in the private practice of law). These externships are in numerous subject areas: civil, criminal, education, health, immigration, labor/employment, and tax. They are also in wide variety of types of legal practices: litigation, in-house counsel, court. During an externship a student may have the opportunity to delve into substantive areas of law, investigate claims, research and write motions or briefs, draft contracts, and participate in hearings, observe trials, settlement conferences, and negotiations. For more information about our current externship placements, students should refer to the externship placement website: https://www.law.csuohio.edu/currentstudents/externships/placements.
For more information about a government or public interest externship, contact Jessica Mathewson at (216) 687-6871 or jessica.mathewson@law.csuohio.edu.

General Counsel Externship
LAW 827
(Fall or Spring: 4 Credit Hours (16 hours/week) or 6 Credit Hours (24 hours/week); Summer: 3 Credit Hours (24 hours/week) or 5 Credit Hours (40 hours/week))

General Counsel externships are placements in the general counsel offices of corporations and other entities including public interest, governmental, nonprofit or for-profit organizations. General Counsel offices advise their organizations on legal issues that arise. Externs experiences will vary depending on the particular organization or entity. Their duties generally will include researching legal issues, participating in strategy meetings, and assessing alternative approaches to the legal problems presented.

For more information about a general counsel externship, contact Jessica Mathewson (216) 687-6871 or jessica.mathewson@law.csuohio.edu.

Students interested in an externship placement not listed above should see the following section on Independent Externships (LAW 805).

Independent Externship
LAW 805
(Fall or Spring: 4 Credit Hours (16 hours/week) or 6 Credit Hours (24 hours/week); Summer: 3 Credit Hours (24 hours/week) or 5 Credit Hours (40 hours/week))

The Independent Externship allows a student to propose externing in an office where we previously have not had an externship. The student is responsible for the following: (1) finding a placement in a government, public interest, nonprofit or for-profit legal environment (but not a law firm engaged in the private practice of law). Generally, students are not permitted to arrange an externship with a judge with whom we do not have an existing relationship. There have been some exceptions made for this rule, for instance where a student wants to extern with a judge outside the greater Northeastern Ohio area; (2) arranging for an attorney at the site to supervise directly his or her work; and (3) submitting a written proposal for the externship to the Associate Dean for Academic Affairs.

The decision as to whether a proposed placement meets the goals, objectives and requirements of a Cleveland-Marshall externship shall be within the discretion of the Associate Dean for Academic Affairs. Procedures for obtaining approval of an Independent Externship are outlined in section II.B. of the Externship Policies and Procedures, online at: https://www.law.csuohio.edu/currentstudents/externship/policiesandprocedures

Fair Housing Clinic
LAW 886
(4 to 8 Credit Hours; 1 or 2 Semesters)
Prerequisites: RCC*, Evidence LAW 661 (may be taken concurrently); completion of 45 semester credit hours; permission of the instructor. The Housing Advocates, Inc., operates a Fair Housing Law Clinic in cooperation with Cleveland-Marshall College of Law. Students in the clinic will work on fair housing cases referred from a number of fair housing organizations in Cuyahoga, Summit, Lake, Portage, Stark and Columbiana counties. The cases will be in both state and federal courts. Under Ohio Supreme Court Rule II students who have earned 60 semester credit hours will be eligible to participate in state court proceedings as Legal Interns. Under U.S. District Court Local Rule 83.6, students who have completed 45 semester credit hours will be eligible to participate in federal court proceedings as Legal Interns with permission of the Judge. Satisfies skills course requirement.

Fair Labor Standards Act Seminar
LAW 739
(2 Credit Hours)
Prerequisites: RCC*. This course will provide students with a thorough understanding of the Fair Labor Standards Act of 1938 (“FLSA”), the Ohio Minimum Fair Wage Standards Act (“OMFWSA”) (the FLSA’s Ohio Counterpart), and the practical and tactical use of these laws in litigation. While the course will focus on the historical and substantive components of the laws, the course will not be a series of lectures about the law. Instead, the thrust of the course will be the application of the law in prosecuting or defending FLSA/OMFWSA litigation. The course will also necessarily cover some aspects of civil procedure due to the complex nature of this type of litigation. As a result, students will gain a basic understanding of class action and collective action procedure.

Grades will be based on class participation, short quizzes, and a final paper to be submitted at the conclusion of the semester. This course will satisfy the administrative law and upper level writing requirements.

Family Law
LAW 618  
(3 Credit Hours)  
Prerequisites: RCC*. History and development of the law of marriage and divorce; rights and duties arising out of the relations of husband and wife, parent and child, guardian and ward; the role of the state in defining and enforcing such rights and duties; law of alien and insane persons.

Federal Courts and the Federal System  
LAW 625  
(3 Credit Hours)  
Prerequisites: RCC*. During the past ten years, many of the U.S. Supreme Court's most controversial decisions have fallen within the doctrinal areas encompassed by this course. By mandate in both constitutional and statutory law, the federal courts are courts of "limited," not general, jurisdiction and are subject to numerous restrictions on the exercise of their power. Purposes asserted for these restrictions include protecting the constitutional allocation of power between the National and State governments -- federalism -- and the allocation of power between the coordinate branches of the National government -- separation of powers. These two foundational, organizing principles repeatedly surface as justifications for judicial outcomes. In particular, we examine closely the jurisdictional prerequisites of maintaining a case in federal court, including the doctrines requiring proper standing and forbidding the presentation of an unripe or moot suit. We inquire into the complicated interrelationship of federal and state law, including: federal common law, the obligation of state courts to apply and obey governing federal law, the weight of state courts' decisions on federal law questions, and the appellate power of the U.S. Supreme Court over State courts. We delve into the various legal strategies that can be employed to oust an otherwise properly filed case from federal court, including abstention and the Eleventh Amendment, and examine the Eleventh's intersection with the Tenth Amendment and the Supremacy Clause. And we explore procedural aspects of suing the governments – States (under s. 1983) and the Federal Government via a Bivens action. The course is strongly recommended for those seeking a litigation career, and for those desirous of serving as federal judicial law clerks.

Financial System Integrity Seminar  
LAW 743  
(3 Credit Hours)  
Prerequisites: RCC; Secured Transactions (LAW 603) and Tax I (LAW 607) are recommended but not required. This seminar will consider a broad range of financial sector integrity issues but will focus on the prevention of money laundering and the financing of terrorism. International standards, US law, and examples from various countries will be considered. The grade for the seminar will be based on class participation and a final paper. Satisfies the upper level writing requirement.

First Amendment Rights and Responsibilities  
LAW 680  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. A study of the content of the First Amendment. Subjects to be studied include the regulation and prohibition of verbal and nonverbal expression, political speech, obscenity, sedition, expressions in public places and government-owned for a, use of “fighting words,” selected aspects of the law of libel, “hate” speech, and commercial speech. Also to be examined is the development of the law relating to the Establishment Clause and the Free Exercise Clause, as well as freedom of association.

Global Business Law Review  
LAW 818  
(1 Credit Hour; may be elected twice)  

Global Business Law Review: Editor-in-Chief  
LAW 821  
(1 Credit Hour)  

Health Care Compliance  
LAW 617  
(2 Credit Hours)  
Prerequisites: RCC*; Health Care Law, LAW 686, highly recommended but not required. Compliance professionals, most of whom are lawyers, are among the most sought-after professionals in the country, with more positions available than persons with the training and expertise to fill those positions. This course will provide an introduction to compliance with statutes, regulations and internal requirements generally with an emphasis on compliance in the health care industry. This course will cover the following topics: defining and understanding compliance, the essential elements of
an effective compliance program, organizational steps necessary to achieve compliance and understanding where compliance fits into the various aspects of the health care industry. The course will also touch on the major substantive areas that require intense compliance activity, although the students will be presumed to have a basic working understanding of those statutes and regulations from a previous health care law course. Students will learn how to ensure that clients comply with the appropriate laws and regulations including: the CMS Regulations, the False Claims Act, the Patient Protection and Affordable Act, HIPAA, the Stark Law, and the federal sentencing guidelines. Grades will be based on (1) a final exam and (2) class participation.

Health Care Finance
LAW 627
(3 Credit Hours)
Prerequisites: RCC*; Health Care Law, LAW 686 (may be taken concurrently). The law of health care finance is fast advancing as a field of legal study because of the urgency of health care attorneys to understand how health care providers are paid; what their clients must know, do and go through to get paid; the regulatory challenges their clients face; and their financial and budgetary realities. The purpose of this three (3) credit hour course is to empower students to become and be practical health care lawyers, taking into account the aforementioned matters of health care finance. This course employs a client-centric approach for students to learn and then contemporaneously apply their knowledge of the definition of "health care finance"; the moral, political and economic considerations that drive health care finance policy; U.S. health care insurance reform; health law finance regulation and oversight; and the realities of business facing health care providers.

Health Care Fraud and Abuse
LAW 682
(3 Credit Hours)
Prerequisites: RCC*. In this course students will explore the large body of law governing the financial arrangements between health care providers and payors. Students will participate in a detailed examination of (i) The Federal False Claims Act; (ii) The Federal Anti-Kickback Statute; (iii) The "Stark" laws; (iv) the Civil Monetary Penalty Statutes; (v) the Patient Protection and Affordable Care Act (PPACA); (vi) the impact of health care reform legislation on these statutes; (vii) current trends in enforcement; and (viii) cases recently decided as examples of the application of these laws, their prosecution and defense.

Health Care Law
LAW 686
(3 Credit Hours)
Prerequisites: RCC*. This course will address the legal and business issues facing health care institutions and health care providers, including the business structure of institutions; payment issues, including Medicare, Medicaid and third party reimbursement; state and federal regulations as applied to health care institutions and providers; not-for-profit tax issues arising in the health care context; and business relationships between health care institutions and providers. Satisfies administrative law requirement.

Health Law Seminar
LAW 790
(3 Credit Hours)
Prerequisites: RCC*. This seminar will provide an opportunity for students to examine in detail special, topical issues in health law. Topics covered may include issues related to malpractice liability, reproductive issues, delivery of health services, regulation of health care institutions, modern bioethical questions, and legal regulation of pharmaceutical companies. Because course content may vary from term to term, students should contact the professor regarding the focus of the course for any particular offering of the course. This is a writing seminar in which students will complete and defend a major paper. Satisfies the upper level writing requirement.

HIPAA and Privacy
LAW 690
(2 Credit Hours)
Prerequisites: RCC*. The course will focus on the laws pertaining to confidentiality and disclosure relative to patient medical documents and information. Most of the course will be based on the Health Insurance Portability and Accountability Act (HIPAA) but Ohio laws that govern medical information privacy will also be examined as will relevant administrative regulations and processes. Satisfies Administrative Law requirement.

Immigration and Nationality Law
LAW 734
(2 or 3 Credit Hours)
Prerequisites: RCC*. Origin, social background, and constitutional foundations of the immigration and naturalization laws; the concept and nature of citizenship and limits to the state’s right to discriminate between citizens and aliens; rights and liabilities of aliens; variations of alien status; criteria for entry, exclusion, deportation, naturalization; adjustment of status and other discretionary relief; administrative procedure, judicial review, and other recurring problems in the representation of aliens. Satisfies
administrative law requirement.

**Independent Legal Research**

**LAW 860**

(1, 2 or 3 Credit Hours)

Prerequisites: RCC*; approval of Academic Dean. Independent study in a specialized area of the law, under the supervision of a faculty member; may be taken for 1, 2 or 3 credit hours, depending upon the nature of the research study involved, but in no event will more than three credit hours be applied toward the J.D. or LL.M. degree. Approval to register given upon a showing that a legitimate independent research study project has been approved by a faculty member, that the faculty member believes the amount of study time and effort likely to be involved in the project is commensurate with the number of contemplated credit hours, and that the faculty member will provide adequate supervision during the course of the project to justify the award of academic credit. It is the responsibility of any student seeking to enroll in Independent Legal Research to submit a written statement, signed by the supervising faculty member, indicating compliance with the criteria set forth above. Completion of an appropriate 2 or 3 credit hour project will satisfy the Upper Level Writing requirement. Faculty may exercise the discretion to award credit but to withhold upper level writing certification for a project.

**Independent Moot Court Competition**

**LAW 804**

(1 Credit Hour)

Prerequisites: RCC*; Advanced Brief Writing (LAW 615); permission of the Dean and the Faculty Advisor to Moot Court. Credit for participation in interscholastic moot court competition outside of the College's Moot Court Program. May be elected a maximum of two times. Graded Pass/Fail.

**Information Technology and The Law**

**LAW 797**

(3 Credit Hours)

Prerequisites: RCC*; Copyright, Patent & Trademark Law, L658, or permission of the instructor. This class will examine proprietary rights in information technology (i.e., computer hardware and software, databases, multimedia, networks, the Internet, etc.) and related content. An introductory course in intellectual property is encouraged, absent which students should demonstrate other appropriate background in the subject area (e.g., meaningful IT-related educational or vocational experience).

Substantive topics to be covered will include treatment of proprietary rights in Information Technology and related content through various forms of intellectual property law (trade secret, patent, copyright, trademark and trade dress) and newly-evolving issues presented by Information Technology (e.g., linking, framing, cybersquatting); growth of e-commerce and other Internet activities and the evolution of governing legal regimes; and liability, jurisdiction and sovereignty in cyberspace.

Students will be expected to do substantial reading and some independent research in order to contribute to class discussion and complete assignments. At the Instructor’s discretion, there may be an option to complete a research and writing project in lieu of a final exam. Offered infrequently.

**Inheritance Rights of Children Seminar**

**LAW 759**

(2 Credit Hours)

Prerequisites: RCC*; Estates & Trusts (LAW 609). This seminar will provide students with a basic understanding of the treatment of different classes of children under the modern inheritance system. For various reasons, a substantial number of persons in the United States die without executing wills. Thus, a significant portion of the seminar will be dedicated to exploring the right of children to inherit under the current intestacy regime in place in the different states. The seminar will be of particular interest to those persons considering careers in family law, estate planning, or child advocacy.

The seminar will focus upon the manner in which the development of the intestacy system has been influenced by public policy and societal values. For example, we will explore the correlation between society’s acceptance of non-marital children and their ability to inherit property under the intestacy system. Instead of just understanding the current intestacy system, the students will be encouraged to critically analyze the effectiveness of the system in light of the changing structure of the American family. For instance, we will explore questions like “Should stepchildren be considered the heirs of their stepparents who die intestate?”

The final grade in the seminar will be assigned based upon the preparation of substantial research paper and an in-class presentation. This course satisfies the Upper Level Writing requirement.

**Insurance Law**

**LAW 613**

(3 Credit Hours)

Prerequisites: RCC*. A study of the principles of insurable interest, indemnity, subrogation; interests of third parties, beneficiaries, and assignees; the insuring
agreement, exclusions, and conditions; warranties, representations, and concealment; making and terminating the insurance contract; waiver, estoppel, and election by the insurer; agents and brokers; the adjustment of claims; practical exercises in reading and interpreting policy language.

**Intellectual Property: Advanced Topics**

**LAW 758**

*(2 or 3 Credit Hours)*

Prerequisites: RCC*; Copyright, Patent, and Trademark Law (LAW 658). This course explores emerging issues in the area of intellectual property that result from, as well as in, social and political changes. Selected topics, including the economic basis for selected areas of IP, the role of Congress, the courts and private parties in the evolution of IP, federal preemption of state laws, constitutional limits, and the role of international law, will help illustrate changes driven by, and sometimes resulting in, new technology and globalization. Students will be called upon to consider solutions to problems that have arisen as a result of new technologies and to discuss various policy initiatives being pursued by Congress, the international community, and trade associations to address such problems. Students will be required to complete and defend a modest paper on a subject selected from the topics to be covered by the class. Grading will be based equal upon the quality of each student’s paper, its presentation, and class discussion and criticism of others’ papers. The course will generally not satisfy the upper level writing requirement but the professor may approve it as such on a case by case basis.

**International Aspects of Intellectual Property Law**

**LAW 650**

*(3 Credit Hours)*

Prerequisites: RCC*; Copyright, Patent & Trademark Law (LAW 658). This course is an advanced study of so-called “intellectual property,” at the international level. It starts with a survey of issues that are quite important at the international level but which are not always addressed in introductory or survey-level so-called IP courses. The course then reviews the basic theories and problems of so-called intellectual property, such as the continuing debate between utilitarian and natural law justifications for these regimes. From there, the course proceeds to the various international agreements which address these issues and which, consequentially, derive explicitly or implicitly from the justificatory theories. These agreements include the Paris Convention, the Berne Convention, the EEC Treaty, the Universal Copyright Convention, the Patent Cooperation Treaty, the EC Harmonization Directive, NAFTA, TRIPS, the Madrid (Trademark) Protocol, and the Trademark Registration Treaty. The rest of the course is devoted to examining the most significant portions of those international agreements as well as a study of their economic bases and consequences. Finally, the course will examine how these arrangements affect the present and future distribution of resources between the developed and undeveloped countries in light of the justificatory theories.

**International Business Transactions**

**LAW 688**

*(3 Credit Hours)*

Prerequisites: RCC* This course provides students with a broad overview of the various legal issues that arise in the context of international business transactions. The course begins with an introduction to the basic nature of international law. Classes are then dedicated to international arbitration, the extraterritorial application of U.S. laws and regulations, anti-bribery laws, export controls, payment methods, and issues in commercial law. The class then turns its focus to specific types of transactions, including direct sales, sales agents, distributorships, licensing of intellectual property, joint ventures, and mergers and acquisitions of existing foreign firms. Finally, the course examines some basic issues in international trade in the context of the WTO and NAFTA.

**International Law**

**LAW 553**

*(3 Credit Hours)*

Prerequisites: RCC*. This course focuses on the force of international law today, particularly as applied by international tribunals and the courts of the United States and other nations; law of the sea, jurisdiction recognition, breach of U.S. antitrust laws, international agreements, expropriation and compensation. Satisfies the perspective elective requirement.

**International War Crimes Tribunal Seminar**

**LAW 717**

*(3 Credit Hours)*

Prerequisites: RCC*. In this course students will study and work on issues that international courts are confronting in creating and operating war crimes tribunals. Students will research and write legal memoranda for officers in tribunals such as the Special Court for Sierra Leone, the International Criminal Court, the International Criminal Tribunal for the former Yugoslavia, and the International Criminal Tribunal for Rwanda. Satisfies upper level writing requirement.
Journal of Law and Health  
LAW 813  
(1 Credit Hour; may be elected twice)  
Prerequisites: RCC*; approval of Journal of Law and Health Editorial Board. Course credit for participation as a member of the Board of Editors of the Journal of Law and Health. Students may not work on or receive academic credit for participation on the Journal and the Law Review during the same semester. Graded on a pass-fail basis. May be elected twice.

Journal of Law and Health Editor-in-Chief  
LAW 814  
(1 Credit Hour)  
Prerequisites: RCC*; approval of the Journal of Law and Health Editorial Board. Service as editor-in-chief of the Journal of Law and Health for two semesters entitles a student to one Pass/Fail credit in addition to that earned in LAW 813. Journal of Law and Health students may not work on or receive academic credit for participation on the Journal and the Law Review during the same semester.

Judaic Law  
LAW 561  
(3 Credit Hours)  
Prerequisites: RCC*. No background in Jewish Studies or Hebrew Language is required for this course. The Torah (Genesis, Exodus, Leviticus, Numbers, and Deuteronomy), as interpreted and codified by Jewish scholars over the centuries, provides the foundation for laws and a legal system that permits this ancient source to present viable solutions to twenty-first century issues including abortion, homosexuality, cloning and end-of-life decisions as well as selected core curriculum subjects. This course compares Judaic law to modern American law with a focus on both differences and how Judaic law solutions parallel or preceded American law. In lieu of a written examination, each student submits a paper on a topic selected by the student with the approval of the professor. Satisfactory completion of the course will satisfy the upper level writing and perspective elective requirements.

Jurisprudence  
LAW 554  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. A survey of historical and modern Western attempts to define the essence of law. Course topics may include both the secular and non-secular natural law traditions, including representative writings from the ancient, classical and modern eras, and the various theses of legal positivism, including English utilitarianism, analytical jurisprudence, legal science, sociological jurisprudence and American Legal Realism, post-Realism, critical legal studies, and modern rights theory. The course does not presuppose a background in philosophy. Satisfies perspective elective requirement.

Juvenile Law  
LAW 736  
(3 Credit Hours)  
Prerequisites: RCC*. Inquiry into the theory and practice of the juvenile justice system, including its historical development and current proposals for reform. Topics include the rationale of a separate system for children, the different bases of the juvenile court’s jurisdiction (delinquency, neglect, and abuse, status offenses), procedural issues in juvenile hearings, medical and reproductive rights of children (including abortion bypass, treatment of children, confidential relationships with professionals, sex change operations at birth, special needs). The complex interrelationship between the rights of children, parents, and the state is explored. Emphasis on constitutional issues.

Labor Law  
LAW 629  
(3 Credit Hours)  
Prerequisites: RCC*. The basic course on private-sector collective bargaining under the National Labor Relations Act. Topics include issues arising in union organizing campaigns, NLRB election procedure, the duty to bargain, and strikers and replacements. Satisfies administrative law requirement.

Labor Law Seminar  
LAW 709  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. Selected problems in labor law, with a focus on new and emerging issues. Topics may include union organizing in the “new economy” (e.g., doctors and nurses’ attempts to organize, recent rulings allowing graduate teaching assistants and medical interns and residents to unionize, use of email in organizing campaigns, and employer attempts to ban all non-business use of email), the epidemic of labor disputes in the airline industry and presidential intervention in those disputes, and the application of labor law to professional sports. Interested students should consult the New and Revised Courses information for the term in which the course is offered for information on the focus of the course in that term. Satisfies administrative law and upper level writing requirements. Offered infrequently.

Land Use Control  
LAW 608  
(3 Credit Hours; 4 Credit Hours for JD/MUPDD)
Prerequisites: RCC*. Topics include the nature and purpose of planning and zoning; comparison with other systems of land use control; constitutional bases and limitations; zoning legislation and regulations; urban redevelopment; eminent domain and takings. The course provides an option to satisfy the upper level writing requirement.

Law and the American Political Economy
LAW 755
(3 Credit Hours)
Prerequisites: RCC*. The seminar will explore the uneasy relationships between republicanism, private power, and the “rule of law.” Students will read passages from a political philosopher/economist, a case/treaty provision/statute/or regulation, and a current example of the underlying issue, all of which will form the basis for a discussion of the issues raised in context and will explore how the works of some of the most influential moral and political philosophers (ranging from Aristotle and Marx to Ayn Rand) reveal the basic policies and competing ideologies that influence our legal institutions. By seeing the issues—fought over for thousands of years—replay themselves in the common law, constitutional law, trade treaties, labor law, corporate law, tax law, and spending allocations, the students would have a more integrated, informed view of the political economy. Students will complete a substantial research paper for the course. Satisfies the upper level writing requirement.

Law and Economics
LAW 555
(2 or 3 Credit Hours)
Prerequisites: RCC*. An introduction to microeconomic analysis and its applicability to issues of public policy. The purpose of the course is to develop an understanding of the interplay between economic reasoning and legal analysis. Overall, the course provides a basis for understanding economic issues in other courses, as well as insight into policy arguments based on efficiency and equity, risk bearing and competitive markets. No prior work in economics is presumed. Beginning Spring 2009, satisfies perspective elective requirement. Offered infrequently.

Law, Literature & Film
LAW 569
(3 Credit Hours)
Prerequisites: RCC*. The class covers a variety of topics in legal literature and film. We will look at examples of law in both literature and film in order to consider a number of questions about the relationship between law and justice, the creation of rule regimes, and the role of courts and trials in a social system. Other issues which may arise in the course of these discussions are race/class/gender and the law, legal ethics, legal education, the adversarial system, the relationship between law and popular culture. Satisfies the perspective elective requirement.

Law and Medicine
LAW 605
(2 or 3 Credit Hours)
Prerequisites: RCC*. Subjects examined include medical education; medical licensing; establishing and terminating the doctor-patient relationship; medical records (access and confidentiality); health care as a regulated industry; legal obligations of hospitals; the legal bases of public health policies (e.g., quarantine, vaccination); liability of health care professionals to patients (contract, intentional torts, negligence, lack of informed consent); defenses; damages; insurance; expert witnesses; special problems of medical proof; psychiatric malpractice; special problems in medical treatment of minors; drugs and the law (e.g., malpractice in prescribing, dispensing, product liability); special problems raised by modern medical technology (e.g., in birth, death and dying, transplants, human experimentation).

Law and Public Policy Clinic
LAW 825
(3-5 Credit Hours)
Prerequisites: RCC*; approval of Law and Public Policy Program Director. The Law and Public Policy Clinic offers students the opportunity to work on real-world legal and public policy issues. Clients, including state and local governments, citizens’ groups, and not-for-profit agencies, seek analysis of, and proposed solutions for, a variety of critical governmental and social issues. Projects have included a study of "ethics in government" legislation in other states and recommendations for changes in Ohio law for the Ohio Ethics Commission; a study of policy alternatives for abatement of lead paint in residential housing for the Cleveland Health Department; and an analysis and an evaluation of foreclosure prevention programs for the Cuyahoga County Board of Commissioners. Satisfies the skills course requirement. Offered infrequently.

Law Practice Management
LAW 674
(3 Credit Hours)
Prerequisites: RCC*. This is a course in the substantive, procedural, professionally responsible, and practical aspects of operating a small to medium size law office. The course is designed to present students with the knowledge and skills to operate a small law practice properly and responsibly. Some of the topics
to be covered include lawyer associations (partnership law, professional corporations, limited liability companies), retainers and other service contracts, fees, marketing and advertising, trust accounts, financial management, law office technology, and some basics on renting, staffing, and equipping an office. Satisfies skills course requirement.

Law Review
LAW 810
(1 Credit Hour; may be elected twice)
Prerequisites: RCC*; approval of Law Review Editorial Board. Writing and editing for publication in the Cleveland State Law Review. Course credit for participation as a member of the Law Review Board of Editors for two semesters. Graded on a Pass/Fail basis.

Law Review Editor-in-Chief
LAW 811
(1 Credit Hour)
Prerequisites: RCC*; approval of Law Review Editorial Board. Service as editor-in-chief of the Cleveland State Law Review entitles a student to one credit in addition to the credit earned in Law Review (LAW 810).

Legal Developments in Housing
LAW 725
(2 or 3 Credit Hours)
Prerequisites: RCC*. This course will provide an introduction to legal developments in housing and community development. Selected contemporary policies, programs and issues at the federal, state and local levels will be examined. These topics include: landlord-tenant relations, homelessness, the Community Development Block Grant (CDBG) program, public housing, displacement (public and private), regulation of condominium conversions, municipal exaction of housing from commercial developers, housing courts and code enforcement, discrimination, and exclusionary zoning. The role of lawyers and courts in formulating and implementing housing policy will be analyzed. This course is cross-listed as UST 554 by the College of Urban Affairs.

Legal Drafting: General
LAW 778
(2 Credit Hours; 1 semester)
Prerequisites: RCC*. This course is designed to serve as a transition from law school to law practice. The course focuses on drafting of numerous non-analytic documents used in law practice such as wills, contracts, and pleadings. The course provides the student with process for drafting, and the requisite skill to master the process. Concurrently, the course considers the audience and goals of each specific document. The course brings the student back to and reinforces the principles of good writing. Lastly, the course will help develop the lawyer skill of fact-gathering, which is a prerequisite to effective legal drafting of any type of document. The course is intrinsically designed to serve as excellent preparation for the Bar Exam section on performance, which focuses on document drafting—the Multistate Performance Exam-MPT. Satisfactory completion of the course will satisfy the third semester of legal writing requirement and the skills course requirement.

Legal Drafting: Special Topics
LAW 798
(2 Credit Hours)
Prerequisites: RCC*. Sections of this course will focus on a variety of areas including, but not limited to, the arts, business transactions, family law, and intellectual property. Writing assignments will be varied. Students should consult the New and Revised Courses information for the term in which the course is offered for information on the focus of the course for that term. Satisfactory completion of this course will satisfy the third semester of legal writing requirement and the skills course requirement.

Legal and Policy Issues in Education
LAW 721
(2 or 3 Credit Hours)
Prerequisites: RCC*. Prerequisites: RCC*. This course will focus on a variety of legal issues that arise in the context of education and may include sections on historical perspectives; the structure of educational systems in the U.S.; employment issues with respect to administrators, teachers, non-teaching staff and unions and collective bargaining; issues affecting students, including desegregation, Title IX, compulsory attendance, discipline, curriculum and textbooks, measuring success, special education, religion and the schools, search and seizure in schools, freedom of expression, and student privacy; and school funding. Satisfies the upper level writing requirement.

Legal Process
LAW 556
(2 or 3 Credit Hours)
The course examines the making of law through the development of the common law and legislative and administrative processes.

Legal Profession
LAW 643
(2 or 3 Credit Hours)
Prerequisites: RCC*. This course focuses on issues of
legal ethics and professionalism that arise in the practice of law. Instructors use either the American Bar Association’s Model Rules of Professional Conduct or the Ohio Rules of Professional Conduct as a starting point for discussing these issues. Specific topics covered vary by professor but generally include competency, confidentiality and attorney-client privilege, conflicts of interest, fees, advertising and solicitation of clients, communicating with clients, ethical constraints in civil and criminal litigation, the attorney disciplinary system, and potential civil and criminal liability. Professionalism issues cover conduct that may not be required or prohibited by the Rules of Professional Conduct but are directly related to the values and traditions of a learned profession. Required for graduation.

Note: Students frequently take Legal Profession before taking the MPRE. The course is not, however, designed to fully prepare students for the MPRE exam. Additional information about the MPRE, including Study Guides and a practice exam, is available on the National Conference of Bar Examiners’ website, http://www.ncbex.org/multistate-tests/mpre/.

Legal Responses to Terrorism
LAW 622
(2 Credit Hours)
Prerequisites: RCC*. This course will examine legal and policy perspectives on how to deter, prevent and respond to acts of terrorism both domestically and abroad. Students will study and explore both black letter law (e.g., the Patriot Act and the Foreign Intelligence Surveillance Act) as well as policy debates (e.g., balancing national security against personal liberties) connected with the problem of terrorism. Topics will include: (1) defining terrorism and identifying who commits acts of terrorism; (2) the Patriot Act and other American legal responses to September 11; (3) the efficacy of international laws and treaties on the “war on terror”; (4) interrogation and torture techniques; (5) detainees, tribunals and the problem of where to hold and try terrorists; (6) wiretapping, surveillance and prevention measures and privacy interests; (7) challenges related to criminal prosecution of terrorists in the United States courts; and (8) compensation to victims of terrorism.

Legal Writing and Litigation
LAW 792
(2 or 3 Credit Hours)
Prerequisites: RCC*. The primary emphasis of this course is advanced legal writing and research within the litigation context. The course structure and substantive material will parallel the litigation process from the receipt of a complaint in a factually and legally complex civil case through the motion for summary judgment. Students will gain a refined understanding of the organizational, analytical, creative and critical research and writing experience beginning with the initial exposure to the legal causes of action and culminating with the dispositive motion and response thereto. Course may be offered with a particular substantive focus (e.g., Family Law). Course requirements are fulfilled by research and writing assignments and class participation. There will be no final examination. Satisfies third semester of legal writing and skills course requirements.

Legal Writing, Research and Advocacy
LAW 504
(5 Credit Hours through 2004-2005; 2 Semesters)
(6 Credit Hours beginning 2005-2006; 2 Semesters)
A two-semester course with instructional components directed at writing, research and advocacy skills. Students will concentrate on writing and case analysis and will be introduced to basic bibliographic materials and research techniques. Legal research and writing exercises are designed to introduce basic legal writing forms. Beginning Fall 2009, a grade is entered on the student’s transcript for each semester of the course. Required for graduation.

Legislation and the Regulatory State
LAW 515
(4 Credit Hours)
Most of what we today term "law" is made, not in common law courts, but by legislatures (e.g., Congress) enacting legislation, and regulatory agencies (e.g., the Environmental Protection Agency) adopting regulations and standards to implement that legislation. Legislation and the Regulatory State introduces students to the institutions and procedures used by the modern administrative state to make law. It examines how Congress and agencies work together to make law, and then examines how the agencies and the courts work together to apply them. The course also examines the justifications for modern regulation, the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts, including the role of courts in interpreting statutes and reviewing administrative actions when they are challenged by parties affected by those regulations. Required for graduation.
Local Government Law
LAW 645
(2 or 3 Credit Hours)
Prerequisites: RCC*. The course examines the sub-federal system, including the taxonomy of local government units and their relationships inter sese and to the state and federal governments; internal organization and structure; legislative and administrative process; powers, nature, and construction; the police power; liability in contract and quasi-contract; municipal finance; and property rights of municipal corporations; and municipal liability for injuries to persons and property. Offered infrequently.

Master of Laws (LL.M.) Thesis
LAW 890
(1 or 3 Credit Hours)
Prerequisites: Admission to the LL.M. program and completion of 20 credit hours of course work (or commencement of student’s seventh semester in the program, whichever occurs first). Three credits elected upon commencement of work on the LL.M. thesis; and one additional credit elected each fall or spring until thesis is completed. Must be elected the fall or spring semester immediately following completion of 20 credit hours of course work in the LL.M. program or during the student’s seventh semester in the LL.M. program, whichever occurs first. With approval of the student’s graduate adviser, a student may enroll earlier, concurrently with completion of the required course work. Graded on a Pass / Fail basis upon completion of the thesis and its acceptance or rejection by the Graduate Studies Committee. Grading note: A grade of “T” shall be entered each semester for LAW 890 while work on the LL.M. thesis is in progress. Upon acceptance or rejection of the thesis by the Graduate Studies Committee, a grade of “P” or “F” shall be entered for those credits, but such grades shall not be included in the computation of the candidate’s final G.P.A.

Mediation
LAW 673
(2 or 3 Credit Hours)
Prerequisites: RCC*. Mediation is a process in which an impartial third party—a mediator—facilitates the resolution of a dispute by promoting voluntary agreement by the parties. This course focuses on mediation advocacy, including the role of the advocate, as well as the skills needed by an advocate to achieve a satisfactory mediation outcome. Students will practice the skills needed by the mediation advocate—negotiating, persuading, framing alternatives on behalf of a client in neutral language, navigating perceived deadlocks, and drafting competent mediation agreements. Throughout the course, issues of confidentiality and ethics will be explored through a variety of legal settings, such as family law, labor law, commercial law, environmental law and community disputes. Satisfies the skills course requirement.

Medical Malpractice
LAW 664
(2 or 3 Credit Hours)
Prerequisites: RCC*. Evidence (LAW 661) and Trial Advocacy (LAW 663) recommended but not required for the 3-credit version of the course. Focusing specifically on medical malpractice, this course offers students the opportunity to delve deeply into the substantive law, litigation practices, and policy implications of medical negligence and related litigation. Malpractice cases involve unique pleading requirements, pretrial procedures, standard of care issues, causation challenges, expert witness burdens, jury selection considerations, discovery practices and investigational techniques. The course also examines Ohio and federal statutes relating to medical liability, immunity from suit, privacy rights, testimonial privileges, limitations on actions, damage caps and tort reform. When offered as a 3-credit course, approximately one-half of the course will consist of practical litigation skill exercise, including motion practice, witness examinations, opening statements, and summations specific to medical malpractice. The 3-credit version of the course will satisfy the Skills requirement.

Mergers and Acquisitions
LAW 693
(2 or 3 Credit Hours)
Prerequisites: RCC*; Corporations (Law 692). This course will discuss the major legal issues and strategic considerations raised by corporate mergers, takeovers and acquisitions. Topics will include securities law compliance, state corporate law issues, antitrust implications, tax incentives and accounting treatment.

Moot Court I and II
LAW 806 and 809
(3 Credit Hours for each)
Prerequisites: RCC*; open only to students selected to participate in interscholastic moot court competitions following first year or upper level tryout. Students will register for Moot Court I in their first year of interscholastic competition and Moot Court II in their second year of competition. With the exception of interscholastic competitions whose rules mandate that participants be members of specific student organizations, absent permission of the Dean and the
Faculty Advisor to Moot Court, no student may participate in interscholastic moot court competitions unless the student is registered in this course or is invited to do so by the Moot Court Board of Governors as a result of achievement in an intramural competition. Satisfies upper level writing requirement and the skills course requirement.

**Negotiating Strategies in Sports Management**  
**LAW 754**  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. This course will provide students the opportunity to negotiate and draft agreements that a lawyer advising a sports team would encounter. Students will learn about the various components of complex deal documents and have the opportunity to then draft these documents. Students will also explore and experiment with negotiating strategies. Overall, the goal of the course is to have students master skills related to negotiating, drafting, and analyzing the various “moving parts” of complicated agreements. The class will begin with a unit on stadium lease agreements. From there, we will discuss naming rights agreements and proceed to discuss some more specific agreements: presenting sponsorship agreements, media rights agreements, food and beverage agreements, agreements with a provider of hospital and medical services, a provider of financial services, a state-operated entity, and, finally, purchase and sale agreements for sports teams. Previously called Negotiating & Drafting Sports Marketing and Venue Agreements.

**Non-Profit Corporation Law**  
**LAW 722**  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. Corporations (LAW 692) or permission of instructor. This course considers the legal problems and current issues involved in the structuring and operation of non-profit organizations and includes practical exercises in drafting legal memoranda and corporate documents. Satisfies the upper level writing requirement.

**Ohio Civil Procedure**  
**LAW 667**  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. This course consists of an in-depth study of the Ohio Rules of Civil Procedure. A comparison of Ohio and Federal Rules with particular emphasis on Ohio rules relating to venue and process, summons, methods of service, local and out-of-state service, discovery, pleadings, motions.

**Ohio Local Government Seminar**  
**LAW 784**  
(2 Credit Hours)  
Prerequisites: RCC*. This course will focus on the home-rule powers of Ohio municipalities. The first several weeks of the course will be given over to a discussion of photocopied materials consisting of Ohio cases. The last few weeks will be used for the presentation of student papers. Grading will be based primarily upon the quality of each student’s paper on some topic of Ohio municipal law. The course satisfies the upper level writing requirement.

**Oil and Gas Law**  
**LAW 662**  
(3 Credit Hours)  
Prerequisites: RCC. Oil and Gas Law provides students with a survey of the law governing interests in oil and gas, including classification of property interests; conservation and administrative regulation of drilling and production; an examination of the oil and gas lease; conveyance; and pooling and utilization. The rights and responsibilities of the parties to the transaction and other affected persons during the various stages of the development process will also be examined. In the course of the semester, students will be exposed to documents and instruments that are integral to oil and gas transactions with attention given to their practical application. Grading will be based on class participation and a final examination.
Patent Law and Practice  
**LAW 642**  
(3 Credit Hours)  
Prerequisites: RCC*; Copyright, Patent & Trademark (LAW 658) (recommended but not required). This course explores the U.S. patent system, including the regulatory framework that governs the procurement and maintenance of patents. The course will also consider various aspects of the burgeoning practice of patent law before federal courts and administrative agencies, such as enforcing patents and seeking available remedies from infringers. The course will also cover some of the distinctions that exist among patent, trademark, copyright, and trade secrets protection. There are no upper level prerequisites for this course and a technical undergraduate degree is not required.

Pretrial Practice  
**LAW 668**  
(3 Credit Hours)  
Prerequisites: RCC*; Evidence (LAW 661). This course will cover the role of an attorney in representing clients from initial interview up to the time of trial. Topics covered will include interviewing clients and witnesses, fact development, scene investigation, obtaining tangible evidence, interrogatories, depositions and negotiations. Ethical concerns will be discussed in the context of pretrial practice as they confront the students in the preparation of their cases.

Property  
**LAW 508**  
(6 Credit Hours through 2004-2006; 2 Semesters)  
(5 Credit Hours beginning 2005-2006; 2 Semesters)  
This course covers the definition and classification of property problems concerning acquisition of title; history of land law; estates; introduction to future interests; rule against perpetuities; statute of frauds; concurrent ownership; methods of conveyance; mortgage; recording; and landlord and tenant relationship. A grade is entered on the student’s transcript for each semester of the course. Required for graduation. Offered through 2011-12 academic year.

Property  
**LAW 514**  
(4 Credit Hours)  
Property Law involves the study of the creation and allocation of rights to resources in varied forms. These resources include real property (land and things permanently attached to land such as houses or other structures). Property law also addresses rights to tangible personal property (such as books or furniture) and intangible personal property (such as author or investor’s rights to control use of his creation, or shares in a company.) The major goal of the course is to familiarize students with the foundations and norms of both historic Property Law formulations and contemporary Property Law concepts. Required for graduation. Offered beginning Spring 2013.

Psychiatry and Law  
**LAW 558**  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. This course examines the relationship between law and psychiatry, including commitment procedures, the attorney’s role in commitment hearings, delivery of legal services to patients confined to mental institutions and the substantive rights of such patients. Satisfies perspective elective requirement. A paper option may be made available in this course.

Psychology of the Courtroom  
**LAW 694**  
(3 Credit Hours)  
Prerequisites: RCC*. The objective of this course is to examine social science research about the legal system and to identify ways in which lawyers can benefit from social science insights about the adjudicatory system. The five major topics of classroom focus will be: (1) a general discussion of strategies and techniques for achieving the goals of adjudication; (2) an exploration of the ways we go about selecting and preparing fact finders (most particularly the jury); (3) the ways the legal system attempts to inform fact finders (and whether these are a success or failure—with a particular focus on eyewitness testimony, attorney behavior and expert testimony); (4) the methods our system uses to control fact finders (the effectiveness of rules controlling judicial conduct, the admissibility of evidence, and legal instructions); and (5) the nature of jury deliberation and decision making.

Public Sector Labor and Employment Law  
**LAW 675**  
(3 Credit Hours)  
Prerequisites: RCC*. The law governing the public employment relationship (i.e., state, local and federal employees) in both non-union and union settings. Covers constitutional issues in the workplace (e.g., employee free speech and privacy rights and procedural due process); Section 1983 and various immunities from suit (e.g., Eleventh Amendment and sovereign immunity); and public sector collective bargaining under the Ohio statute administered by “SERB” (State Employee Relations Board). Satisfies administrative law requirement. Offered approximately every other year.
Race, Racism and the Law
LAW 565
(2 or 3 credit hours)
Prerequisites: RCC*. Through a focus on standard legal materials (cases, statutes and so on), selected archival materials and scholarly writings, this seminar seeks to examine the ways in which the law has both (a) reflected societal attitudes about race and (b) generated racial identities for society. In examining these two mutually constitutive poles, we will attempt to arrive at an understanding of the relationship between law and identity. The course will emphasize the historical construction of racialized identities—those of European-Americans, African-Americans, Asian-Americans, native Americans and others—by and within the law in such diverse contexts as slavery, immigration, the settlement of the United States and civil rights. Satisfies perspective elective requirement.

Real Estate Law
LAW 648
(2 or 3 Credit Hours)
Prerequisites: RCC*. This course covers both practice and procedure, emphasizing actual current practices in purchase, sale, tax treatment and financing of commercial, residential and government-owned real estate. We will study the relationships among and between the buyer, seller, financing institutions, title companies, brokers, and public authorities. We will focus on issues that impact the greater Cleveland real estate market including foreclosures, urban renewal, and government financial assistance.

Regulatory Law
LAW 638
(3 Credit Hours)
Prerequisites: RCC*. A vast body of contemporary law seeks to reduce or manage risks, including those that arise from pollution, food and drug products, the Internet, imported toys, and other endeavors. This course develops the legal knowledge and analytic skills needed by lawyers who represent business entities or public interests before administrative agencies and legislative bodies, including in efforts to revise regulatory structures and standards, or to deregulate for greater market control. Using case studies of particular regulatory programs designed to protect public health and safety, consumer welfare, market competition and other objectives, the course critically assesses particular agencies’ record and capacity for redressing their assigned problematic. Cutting-edge regulatory issues for class discussion include, for instance, cell phone radiation, Internet access and cost, polluted drinking water, drivers’ texting, climate change, and cyber-terrorism. The course considers the forces and analyses that underpin legislative decisions to regulate or deregulate an industry or product/service; the array of regulatory tools that legislation can authorize (including price controls, product output, credentials for licensure, qualitative or scientific standards); and the types of critiques that can facilitate regulatory law revision. Thus, the course provides an advanced, integrated analysis of regulatory systems and the legal rules they authorize. Satisfies the Administrative Law requirement.

Requirements: A class presentation (either solo or in pairs) on a student-selected regulatory problem; and a final exam or paper option (that may suffice for upper division writing credit). The paper may be written on the same topic as the class presentation. Students electing the paper option may satisfy the Upper Level Writing requirement.

Remedies
LAW 619
(3 Credit Hours)
Prerequisites: RCC*. Students will study monetary damages, restitution and equitable relief in the context of contract, property and torts with an examination of the goals behind remedial rules and whether our system is accomplishing these goals. The course provides insight into the integrated nature of our legal system across the different subject areas by focusing on the impact of the merger of law and equity and the many public policy implications underlying statutory and common law efforts to provide appropriate redress to an injured party.

Representing the Musical Artist
LAW 752
(2 Credit Hours)
Prerequisites: RCC*. The subject matter of the course will be the practical legal issues that arise when counseling the musical artist. The class will follow the artist from the early days as a "baby band" to when the artist becomes "classic" or "heritage." The course will focus on practical aspects of counseling the burgeoning artist including song/sound recording creation, sample clearances, band partnership agreements, the producer agreement, band management, shopping for a label, negotiation the label agreement, getting an agent, applying for copyrights and trademarks, and going on tour. In addition, the course will focus on the "classic" or "heritage" artist, which involves termination of transfer, the artist as a brand, film scoring opportunities, synch licensing and master use licensing, other licensing opportunities, a documentary film about the artist's career and selling the publishing catalog.
Representing the Professional Athlete  
**LAW 753**  
(2 or 3 Credit Hours)  
**Prerequisites:** RCC*. This course will begin with an overview of the sports marketing industry and then proceed to discuss some of the more important legal doctrines relating to that industry, involving intellectual property law, labor law and contract law. In that context, the course will explore the skills necessary to conduct a series of “hypothetical” sports-related contract negotiations. The students will then participate in group-based contract-drafting exercises with an emphasis on client representation. Contracts to be drafted include a “product endorsement agreement,” and a “name, image and likeness” lithograph poster agreement. Simulated depositions and “oral arguments” will also be conducted. Next, in the context of a mock litigation, students will assume a “contract breach” of the agreements they have drafted. In turn, they will draft document requests, deposition questions and legal briefs in support of the contractual positions taken during the contract drafting exercise. Class participation and successful completion of weekly assignments will count for a significant portion of the student’s final grade.

Scholarly Writing  
**LAW 791**  
(2 Credit Hours)  
**Prerequisites:** RCC*. This course is intended to help students make the transition from instrumental to critical writing. The seminar will guide students through the drafting of some common legal documents as well as a long scholarly paper. Students will build on the first year foundation of legal research skills by exploring many other research sources. The course is designed to provide specific guidance, strategies and techniques for each stage of the writing process, from citation to inspiration. The seminar will deal with editing, proofreading, and, ultimately, advice on achieving publication of the scholarly work. Satisfies third semester of legal writing requirement.

Scientific Evidence  
**LAW 660**  
(3 Credit Hours)  
**Prerequisites:** RCC* and Evidence (LAW 661) (may be taken concurrently). This course concentrates on issues dealing with the introduction of expert testimony with particular focus on testimony involving scientific and technical matters. These are among the most interesting and complex evidentiary issues confronting courts today. Experts testify in a wide variety of criminal and civil cases. Their testimony is crucial to determinations of malpractice, competence, identification, valuation of goods and property, causation and to psychological evaluations. During the semester, a number of experts in various fields will address the class, commenting on their area of expertise and discussing cases in which they have given testimony.

Secured Transactions  
**LAW 603**  
(2 or 3 Credit Hours)  
**Prerequisites:** RCC*. The course surveys Article 9 of the Uniform Commercial Code (UCC) dealing with the use of personal property as collateral security. In addition, the parts of the bankruptcy code which affect the enforcement of security agreements in bankruptcy are addressed, as are the sections in UCC Article 8 which deal with security interests in investment securities, and UCC Article 2 dealing with consignments. Problem solving and legal analysis and reasoning are involved.

Securities Regulation  
**LAW 655**  
(2 or 3 Credit Hours)  
**Prerequisites:** RCC*. Strongly recommended: Corporations (LAW 692). This course offers a consideration of the state and federal regulation of securities and transactions involving securities, with emphasis upon the creation of a “security,” distributions of securities in the formation of capital, trading in securities, and rights associated with being the holder of a security. Careful attention is also given to specialized liabilities associated with transactions involving securities as a matter of both state and federal law. Satisfies administrative law requirement.

Sexual Orientation and the Law  
**LAW 563**  
(3 Credit Hours)  
**Prerequisites:** RCC*. Persons with nontraditional sexual orientations face a variety of challenges that their heterosexual friends and family members do not. These include different legal standards being applied to them in employment, marriage, custody, adoption, property rights, health benefits, tax issues, and other situations. This course will explore the historic roots of sexual orientation discrimination and examine the success and failure of legislative and judicial efforts to overcome this discrimination. The role of the social sciences (including anthropology, sociology and psychology) and of popular culture (books, plays, movies, television, etc.) in both creating and breaking down barriers based on sexual orientation will also be explored. Students will be required to research and write a 10-15 page paper and may be required to take a final exam. This paper will NOT satisfy the upper level writing requirement.
requirement. Satisfies perspective elective requirement.

**Social Science and the Law**

**LAW 585**

(3 Credit Hours)

Prerequisites: RCC*. Lawyers, judges, and legislators increasingly draw upon social science data purporting to reveal information about human behavior. The course considers some social science data and seeks to help the law student understand, employ, and challenge the data of this "science." Satisfies perspective elective requirement.

**Space Law**

**LAW 787**

(3 Credit Hours)

Prerequisites: RCC*. This seminar will provide a survey of the international and domestic laws that govern outer space activity. Students will be introduced to the existing space law treaties that address the use of force in space, liability for damage caused by space objects, jurisdiction, the rescue and return of astronauts, remote sensing, property rights, and other matters. Attention will also be given to national space laws, as well as to the regulatory aspects of space activity, such as the allotment of orbital slots and export controls on space technology. The class will also explore the evolution of private industry in space and the effect that the shift from public to private activity has had on the law of outer space. The course is a seminar and students will be required to write an original research paper. Students may also choose to satisfy the Upper Level Writing requirement by engaging in a lengthier research project. Note: the course meets for 2 class hours per week; students will enroll for 3 credits hours to reflect the work on the required paper.

**Sports & Entertainment Law Academy Externship**

**LAW 819**

(3 Credit Hours)

Prerequisites: Participation in the Sports & Entertainment Law Summer Academy and permission of the Academy faculty. Externship placement in a sports or entertainment industry setting arranged through the Sports & Entertainment Law Summer Academy.

**Sports & Law: Evolution of Major League Sports**

**LAW 656**

(3 Credit Hours)

Prerequisites: RCC*. The course will explore the legal evolution of America’s three major sports leagues (Major League Baseball, the National Football League, and the National Basketball Association). The course will devote approximately equal time to each of these three major leagues, and compare/contrast the similarities and differences among them from an historical legal perspective. Specifically, the course will evaluate the evolution of the three leagues, and examine how Supreme court and other courts’ landmark decisions have affected the path of their progress.

**Sports Law**

**LAW 683**

(2 Credit Hours)

Prerequisites: RCC*. Sports Law is the study and application of legal issues and problems relating to the sports management industry. This course focuses on issues and tensions surrounding the industry through an examination of various legal doctrines, such as intellectual property law, labor law, and contract law. Emphasis will be placed on negotiation tactics and drafting through the use of in-class exercises. Specific topics to be addressed during the semester will include client representation agreements, athlete agreements (appearance, endorsement and license), and rights of publicity, among other topics.

**Tax Policy Seminar**

**LAW 748**

(2 or 3 Credit Hours)

Prerequisites: RCC*; Tax I (LAW 607). This course examines principles and criteria of taxation and the economies of public finance, the various tax bases, the taxable unit, tax rates, tax incentives, the tax expenditure budget and proposals for tax reform and relief. Satisfies the upper level writing requirement.

**Tax Procedures, Penalties and Crimes**

**LAW 647**

(3 Credit Hours)

Prerequisites: RCC*; Tax I (LAW 607). This course will provide a survey of tax procedure, including the rules for practice before the IRS under Circular 230 and various tax litigation issues. The course will also provide a survey of the tax penalties and tax crimes that transactional and controversy tax practitioners must regularly consider and manage in representing private and government clients. Transactional tax advisors need to consider penalties and crimes when structuring deals and preparing opinion letters to support those deals. Without an understanding of opinion letters and the penalty or crime risks to a client’s proposed deal structure, a transactional tax attorney fails to represent his client’s interests adequately. Indeed, this lawyer and the relevant law firm may themselves be at risk. Likewise, tax controversy attorneys must have a comprehensive understanding of penalties and crimes to represent clients effectively, whether in settlement negotiations, court or administrative proceedings.
These attorneys must be able to identify the range of applicable penalties and crimes, address proof convincingly and understand relevant defenses.

Students in this class will examine relevant statutes, regulations and case law. The course will cover both the substantive law and procedural issues. Penalties addressed will include tax shelter, return preparer, responsible person, accuracy-related, delinquency and civil fraud. Methods of proof and defenses to these penalties and crimes are, of course critical to client representation and will, therefore, be covered. Satisfies the Administrative Law requirement.

**Taxation I**
LAW 607  
(4 Credit Hours)
Prerequisites: RCC*. This course provides an introduction to Federal income taxation of the individual, including the concepts of income, deductions, capital transactions, income splitting and tax accounting; use of the Internal Revenue Code and Treasury Regulations; and principles of statutory interpretation, including use of legislative histories, court decisions and administrative rulings.

**Taxation II: Taxation of Business Enterprises**
LAW 697  
(4 Credit Hours)
Prerequisites: RCC*; Tax I (LAW 607), or permission of instructor if concurrently registered for LAW 607. This course examines the basic rules in Subchapters C, S, and K of the Internal Revenue Code, regarding the Federal income taxation of business enterprises, whether the enterprise is organized as a corporation, partnership, or limited liability company. It includes discussion of the formation of corporations and partnerships, distributions of profits from the entity, termination of the enterprise, choice-of-entity concerns, and other related topics. It is recommended for anyone who will engage heavily in either a tax or business practice.

**Tax: Advanced Corporate Tax**
LAW 698  
(3 Credit Hours)
Prerequisites: RCC*; Tax I (LAW 607); Tax II (LAW 697). This course focuses primarily on the Federal income tax consequences of corporate ownership reorganizations. It explores corporate combinations, including taxable and tax-free mergers and acquisitions, corporate divisions (spin-offs, split-offs, and split-ups), as well as rearrangements of the capital structure of a single corporation, such as through recapitalizations and stock dividends. It also explores the carryover of tax attributes after corporate combinations.

**Tax: Federal Taxation of International Transactions**
LAW 628  
(3 Credit Hours)
Prerequisites: RCC*; Tax I (LAW 607). This course examines the U.S. Federal Income Taxation of both inbound transactions (the U.S. income tax consequences of business and investment activities in the U.S. by foreigners) and outbound transactions (the U.S. income tax consequences of foreign business and investment activities by U.S. taxpayers). It will examine, in particular, (1) the jurisdictional rules regarding the right to tax income in the international context, (2) the “source” rules (domestic or foreign) for income and deductions, (3) the foreign tax credit, (4) problem of “deferral” of foreign income earned by subsidiaries of U.S. parents, and (5) the U.S. tax consequences of using foreign currency.

**Taxation: Tax Exempt Organizations**
LAW 604  
(2 or 3 Credit Hours)
Prerequisites: RCC*; Tax I (LAW 607). Topics covered include organizational structure of tax exempt and charitable organizations; policy and practice of preferred tax treatment for selected organizations and gifts to them; statutes, regulations, and IRS practice; legislative origins, judicial interpretations, and policy consideration; tests of qualification, disqualification, and limited tax preference; mechanics of securing and retaining exemption; qualified exemption; unrelated business income; private inurement; political activity; denial or loss of exemption; return and reporting requirements; private foundation treatment; comparative tax treatment of nonexempt and nonprofit organizations. Offered infrequently.

**Taxation: Wealth Transfer Tax**
LAW 606  
(3 or 4 Credit Hours)
Prerequisites: RCC*; Tax I (LAW 607) or Estates & Trusts (LAW 609). Federal gift, estate and generation skipping taxation of wealth transfers will be analyzed primarily through the concepts of completed gifts and gross estate inclusions with some study of deductions and the tax itself. Federal income taxation of estates, simple trusts and complex trusts, including distributions to beneficiaries, with some study of grantor trust rules and income in respect of a decedent will also be covered. Income taxation of trusts will be covered when the course is offered for 4 credit hours.
Theories of the Business Firm in Critical Perspective  
LAW 762  
(3 Credit Hours)  
Prerequisites: RCC*. This course will explore the following idea and why it might be important for law: just exactly what is a "firm" (or any other "organization" for that matter), how does the law conceive of "firms," and what difference does it make? An underlying theme of the course, not surprisingly, is that answers to these questions might make a very big difference, and the course will ask what the law could learn from them from economics and from a specialized area of social science literature, improbably neglected among legal academics, that goes by the name “the theory of organization.” This body of thought has special value in understanding business entities and, indeed, in understanding law generally. The course will begin with generally adopted ideas about what constitutes the "firm" at use in the legal literature and those in economics. It will consider the mainstream evolution of the concept in transaction cost economics and the “nexus of contracts” theory currently predominant among legal economists. The course would then consider critiques of the traditional concept and its economic evolution, including the Legal Realist perspective, the Critical Legal Studies (CLS) perspective, and other viewpoints. Finally, in a sense as its capstone, the course would delve into general, non-normative consideration of the theory of organization, to show how organization theorists have cast doubt on the ability of traditional models and traditional critiques to explain real-world organizations. Those organizations, it turns out, are often complex and ambiguous places where traditional models of human motivation are not up to the task of explanation. At its core, the course would seek to highlight the practical and political significance of the particular theory of organizations chosen by a legal system. The course will be well suited for students with a social science background, and may also be of interest to students interested in business organizations, management, and counseling business clients.

The grade will be based mainly on one seminar paper of sufficient length and content to justify 3 hours of credit. In addition, some portion of the grade will be based on a few short assignments in which each student identifies the “main idea” of papers that are read in the course. The course satisfies the upper level writing requirement and the perspective elective requirement. Permission of the instructor is required. Offered infrequently.

Theories of Justice  
LAW 559  
(2 or 3 Credit Hours)  
Prerequisites: RCC*. The course will focus on the notion of justice as seen in writings of significant philosophers. Ideas of writers such as Plato, Aristotle, St. Thomas Aquinas, Bentham, Hobbes, Locke, Mill, Nozick, and Rawls, among others, will be studied. Contemporary applications of the various theories of justice will be explored. The course is designed for students without a significant background in philosophy. Satisfies perspective elective requirement.

Torts  
LAW 502  
(6 Credit Hours through 2004-2005; 2 Semesters)  
(5 Credit Hours beginning 2005-2006; 2 Semesters)  
The course considers injuries to and interference with persons or property, including intentional wrongs such as assault, battery and false imprisonment, and unintentional wrongs grounded in negligence or strict liability. The course also treats such concepts as causation, duty, contributory and comparative negligence, and assumption of risk. Other wrongs, such as products liability, defamation and nuisance may be covered. The course may also include the following: workings of the legal process; immunities; insurance; damages; the social, economic and political implications of decisional and statutory law; and topics of current interest. A grade is entered on the student’s transcript for each semester of the course. Required for graduation. Offered through 2011-12 academic year.

Torts  
LAW 512  
(4 Credit Hours)  
Torts considers injuries to persons and property, both intentional and unintentional, and may include physical, dignitary, and economic harms. The course examines the three basic theories of civil liability—intentional torts, negligence, and strict liability—and considers issues of duty, causation, and defenses to liability. The course may also consider the overall goals of the torts system, the allocation of responsibility between judge and jury, and the interplay of statutes and the common law process. Required for graduation. Offered beginning Fall 2012.

Trademark Law  
LAW 653  
(2 Credit Hours)  
Prerequisites: RCC; Copyright, Patent & Trademark Law, LAW 658, recommended but not required. This course will cover the constitutional, statutory, and common law attributes of trademark law; the rights and
remedies that trademark law provides for producers; the protection that trademark law provides for competitors and consumers; and the intersection of American trademark law with other forms of intellectual property protection, with the First Amendment, and with international law. Students are expected to master the substantive law of trademark, but the major goal of the course is to teach students how to use the law to advance their clients’ interests in commercial symbols by requiring students to use their professional judgment in a counseling context. Grading will be based on three short open research memos.

**Transactional Law Clinic**  
**LAW 826**  
(2 to 5 Credit Hours)  
Prerequisites: RCC*; approval of clinical faculty. The Urban Development Law Clinic offers students the opportunity to practice law under the supervision of a staff attorney. The Clinic’s clients are neighborhood and community-based nonprofit corporations producing and managing affordable housing, initiating economic development and enhancing the quality of life in urban neighborhoods. The Clinic operates as a small firm or practice group providing a variety of legal services to clients. The work students undertake in the Clinic is primarily transactional, consisting of: legal research to address specific issues and problems raised by clients; drafting leases, contracts, and other documents and forms; designing and conducting training programs for clients; and general counseling and advising of clients regarding legal, corporate and business matters. The goal of the Clinic is two-fold: to serve the real needs of the urban community while enabling students to acquire legal skills and experience under supervision of experienced staff attorneys and the clinic’s director. Satisfies the skills course requirement. Previously called Urban Development Law Clinic.

**Transition to Practice**  
**LAW 634**  
(3 Credit Hours)  
Prerequisites: RCC. Transition to Practice will focus on teaching students the fundamental skills that all lawyers need to be successful: problem-solving, interviewing, counseling and negotiating. The course uses a combination of inter-related classroom work, simulations, and research, as well as reading and writing assignments to build these critical skills. The grade will be based on observed simulations, written assignments/work products, class participation, assessments and evaluations, and a capstone assignment.  

Permission of the instructor(s) is required. The course is designed to prepare students for participation in a clinic or externship so preference will be given to second year students.

**Transnational Litigation**  
**LAW 620**  
(3 Credit Hours)  
Prerequisites: RCC*. This course will consider how one goes about litigating transnational cases. Such litigation may involve a transnational claim structure and may involve public or private litigation. Some aspects of U.S. substantive law having extraterritorial effect will be considered (for example, the Foreign Corrupt Practices Act). Procedural subjects to be studied include jurisdiction, effectuation of service on parties overseas, problems of conducting pre-trial discovery outside the United States and enforcement of foreign judgments. Offered infrequently.

**Trial Advocacy**  
**LAW 663**  
(2 or 3 Credit Hours)  
Prerequisites: RCC*; Evidence (LAW 661) recommended. The course will analyze the trial process from selection of the jury through final argument and jury instructions. Students will participate in frequent exercises involving portions of the trial process and will meet in both large and small group classes. Satisfies the skills course requirement.

**Trial Advocacy Competition**  
**LAW 863**  
(2 Credit Hours)  
Prerequisites: RCC*; Evidence (LAW 661) recommended. The course is designed to promote professionalism in the litigation arena in both the preparation and trying of cases. The course consists of preparing for and participating in mock trial competitions. The preparation consists of approximately sixteen supervised weekend classes per semester. The trial competitions consist of a one-day cross-town competition in the Fall and a three-day regional competition in the Spring. During these competitions, each class member will argue their case against students from law schools throughout the country. The course is open to all second, third, and fourth year law students. Up to eight students are selected for the competition team each year.

A try-out competition is held each Fall to select a team that will be together for the entire year. In order to be selected, students must give an opening statement or closing argument based on a hypothetical case in front of a panel of attorneys and former trial team members.
The team meets throughout the Fall and Spring semesters, although credit will not be allocated until the Spring semester.

The American Association for Justice organizes the Spring trial competition. Each year the AAJ drafts a fictional legal case, complete with witness depositions, exhibits, and jury instructions. Using the Federal Rules of Evidence and the Federal Rules of Civil Procedure, teams develop arguments and create their own case theory based on the assigned case. In competition, students from one member school represent one side and compete against students from another school who represent the opposing side. Teams represent both plaintiff and defendant in successive rounds. Scoring is based on how well the students articulate their arguments and develop their case theory. The competitions are judged by actual sitting judges as well as lawyers from the community.

The team is supervised and taught by attorneys from the Reminger law firm. The course is graded pass/fail. Each student’s final grade is determined based upon their individual performance during practices and at the trial competition. Each student’s effort, preparation, and completion of class assignments contribute toward their final grade. The course requires a greater time commitment than the usual two credit course but the students will gain considerable competencies as trial advocates. Satisfies the skills course requirement.

**Trial Advocacy Competition: Advanced**

**LAW 864**

(2 Credit Hours)

Prerequisites: RCC*, Trial Advocacy Competition (LAW 863), and Evidence (LAW 661). The course is designed to promote professionalism in the litigation arena in both the preparation and trying of cases. The structure of the course is the same as Trial Advocacy Competition (LAW 863): students must try out for membership on the team in the fall, and then prepare for and participate in mock trial competitions. The substance of the course is different: in this advanced trial advocacy course students will build on the prior year’s experiences and gain a deeper understanding of trial variety of legal issues. First, the spring competition alternates year to year between criminal and civil matters and involves different claims, defenses and evidentiary matters. Second, in addition to the fully preparing for the competitions, students in this advanced course will prepare for examining experts, prepare for and present a mock voir dire, and serve as mentors for new students in the Trial Advocacy Competition course.

The team is supervised and taught by attorneys from the Reminger law firm. The course is graded pass/fail. Each student’s final grade is determined based upon their individual performance during practices and at the trial competition. Each student’s effort, preparation, and completion of class assignments contributes toward their final grade. The course requires a greater time commitment than the usual two credit course but the students will gain considerable competencies as trial advocates. Satisfies the skills course requirement.

**White Collar Crime**

**LAW 652**

(2 or 3 Credit Hours)

Prerequisites: RCC*. The course on white collar crime is divided into three major sections. First, it considers overarching principles of corporate criminal liability, personal liability in an organizational setting, appropriate sanctions for white collar crimes, and the grand jury process. Second, it examines a number of “generic” offenses, that cut across substantive areas, including conspiracy, mail fraud, wire fraud, false statements, perjury, and obstruction of justice. Finally, the course explores more particularized types of white collar offenses such as bribery of public officials, RICO, tax fraud, computer crime, and criminal antitrust violations. The course typically features three or four guest speakers from the local community who either prosecute or defend white collar crime cases.

**Women and Law**

**LAW 631**

(2 or 3 Credit Hours)

Prerequisites: RCC*. The materials insistently question the role of law in the creation and destruction of social and economic conditions that disadvantage women. "Feminist jurisprudence" or "feminist theory" is presented more as an array of alternative approaches to doctrinal issues than as a separate body of thought. Topics covered include "Women and Work," "Women and the Family," and "Women and Their Bodies." Satisfies perspective elective requirement.

**Workers' Compensation**

**LAW 651**

(2 or 3 Credit Hours)

Prerequisites: RCC*. When injuries to employees occur at the workplace, often tort suits against the employer are excluded from the range of available remedial options. Instead, the worker is confined to the statutorily prescribed administrative remedy of workers' compensation. This course explores the injured employee’s remedies at common law and under the Federal Employers’ Liability Act (FELA) and provides and in-depth study of substantive and procedural
problems arising under Workers’ Compensation statutes with particular emphasis on Ohio’s distinctive law. Beginning Fall 2008, satisfies Administrative Law requirement.
The Master of Laws Degree

Application Requirements

Applicants to the LL.M. program must have earned a first degree in law from an accredited United States law school or an equivalent law degree from a foreign university or college. Applicants who have earned a law degree from a country that does not use the common law system and where English is not the primary language, will be admitted as candidates for the LL.M. degree only upon submission of evidence of knowledge of the English language and the common law system sufficient to permit the candidate to conduct advanced studies. Such students may be required to take one or two core common law courses (Contracts, Property, and/or Torts), which may be included in the credits required for the LL.M. degree. Please note that foreign students studying on a student visa must take a minimum of 8 credit hours per semester.

Note: The faculty Committee charged with supervision of the LL.M. program has adopted the following statement on the suitability of the LL.M. for graduates of foreign law schools:

It is important that graduates of foreign law schools who enroll in the LL.M. program understand that earning an LL.M. does not guarantee eligibility for the Ohio, or any other state’s, bar exam. The Ohio Supreme Court determines whether a graduate of a foreign law school is eligible to take the Ohio bar examination by evaluating the applicant’s foreign education and requiring that the applicant complete a course of study in prescribed law subjects totaling 30 semester hours. More information on the eligibility requirements can be found on the Ohio Supreme Court website at http://www.supremecourt.ohio.gov/AttySvcs/admissions/foreignApGuidelines.pdf.

Finally, it is our strong recommendation that foreign-law graduates who intend to practice law in the United States should seek admission to the J.D. program rather than the LL.M.

To be admitted into the LL.M. program, an applicant must have a proven record of scholastic accomplishment in legal studies, a coherent plan of study, normally including a specialized concentration in an area of the law, and a commitment to the study of law as an intellectual discipline. Applicants are admitted by the Dean based on the recommendation of the Committee on Graduate Studies. The Committee considers the applicant's past experience, evidence of maturity and motivation, personal recommendations, and such other indices of competence as writings and publications.

Applicants are admitted by the Dean upon the recommendation of the Committee on Graduate Studies. The Committee considers the applicant's past experience, evidence of maturity and motivation, personal recommendations, and such other indices of competence as writings and publications. An interview may be requested by the Committee.

Application forms and additional information are available from the Assistant Dean for Admissions. To complete an application, you must return the completed application form, the application fee of $35 payable to Cleveland State University and the following:

1) If English is not your native language, results from the Test of English as a Foreign Language (TOEFL) are required. You may receive information about the test online at http://www.ets.org/toefl/ or by writing TOEFL Services, Educational Testing Service, BOX 6151, PRINCETON NJ 08541-6151 or . Note that a score of 600 or above on the paper-based test, 250 or above on the Computer Based test, or 100 or above on the Internet Based Test is normally required for admission to the LL.M. program.

2) A letter stating your reasons for applying to our LL.M. program and how our course offerings can fulfill your expectations.

3) Three personal reference letters confirming the likelihood of your success in graduate study. It is recommended that at least one letter come from a law teacher in the school awarding your first law degree. In the event you have been employed in any law related capacity, one letter should also come from your immediate supervisor.

4) Official transcripts from all colleges awarding degrees.

Completed applications for the Fall semester must be received by the previous March 1; completed applications for the Spring semester must be received by the previous October 1. Financial aid (loans) is available to eligible LL.M. candidates who are enrolled for a minimum of six credit hours per semester. Interested applicants should contact the Office of Admissions and Financial Aid Office at 216-687-2304 or by email at admissions@law.csuohio.edu.
Curricular Requirements

The Master of Laws (LL.M.) degree is awarded upon the satisfactory completion of a program of study approved by the Committee on Graduate Studies. Graduates of American law schools must complete a minimum of 20 semester hours of course work and a thesis reflecting a substantial degree of scholarship and original research. The LL.M. program for graduates of foreign law schools does not include a thesis requirement. Such students, instead, are required to complete a minimum of 24 semester hours of course credit, including at least one course for upper-level writing credit.

The Committee on Graduate Studies will appoint a faculty member to serve as a graduate adviser for each LL.M. candidate. The graduate adviser has primary responsibility for reviewing and approving the specific course program being pursued by the candidate.

A candidate must maintain continuous registration in the LL.M. program by registering for at least one course in each Fall and Spring semester, commencing with the semester in which the candidate enters the program, until the candidate shall have completed the required semester hours of credit. A candidate who fails to maintain continuous registration in the program from the semester of entry will be dismissed from the program. Exceptions to the continuous registration requirement may be granted by the committee in its discretion upon a showing of good cause in a timely petition.

LL.M. students who are graduates of American law schools, or law schools in countries which follow the common law and in which English is the primary spoken language, are required to attain a final cumulative G.P.A. of 3.0 or higher. LL.M. students who are graduates of foreign law schools in countries which either do not follow the common law or in which English is not the primary spoken language, are required to attain a final cumulative G.P.A. of 2.5 or higher. "Final cumulative G.P.A." shall be calculated at the end of the semester in which the candidate accumulates 20 or 24 semester hours of course work, as appropriate, and shall include all semester hours earned toward the LL.M. degree up to that point.

The LL.M. thesis required of graduates of American law schools must be prepared under the supervision of a thesis advisor and be approved by a thesis committee and the Committee on Graduate Studies. The Committee on Graduate Studies will appoint the thesis advisor and will also appoint a thesis committee to review the completed thesis. The thesis committee is comprised of the candidate’s thesis advisor and two other members of the faculty selected by the Committee on Graduate Studies for their interest and competence in the area of the candidate's thesis research. A majority of the thesis committee must approve the candidate's thesis before it is considered for approval by the Committee on Graduate Studies.

All requirements for the LL.M. degree including submission of the thesis must be completed no later than four years from the date of entrance into the program. A candidate's date of entrance is the start of the Fall or Spring semester following the candidate's acceptance into the program.

Not more than six semester hours (nine quarter hours) of credit received from another law school or as a special student at this law school may be applied toward the LL.M. degree requirements, and the acceptance of any such credit shall be at the discretion of the Committee. No credit earned by a candidate prior to receiving the first degree in law may be applied toward the LL.M. degree requirements, except that, where a candidate has earned credit in excess of the first degree requirements before receiving that degree, the Committee may, in its discretion, accept up to six semester hours of such credit toward fulfillment of the LL.M. requirements. Such excess credit may not be applied toward the LL.M. degree requirements if earned for courses taken earlier than the semester in which the candidate completes the requirements for the first degree. Not more than a total of six hours of credit earned in any of the ways specified in this paragraph may be applied toward the LL.M. degree requirements.

For those candidates required to write a thesis as a prerequisite to obtaining the LL.M. degree, the candidate must register for three credits of Master of Laws (LL.M.) Thesis, LAW 890, during the semester in which the candidate commences work on the LL.M. thesis. A candidate must register for LAW 890 in the Fall or Spring semester immediately following that in which the candidate attains 20 credit hours, or in the candidate’s seventh semester in the program, whichever is earlier. With the approval of the candidate’s graduate advisor, a candidate may elect to register for LAW 890 earlier, concurrently with the completion of required course work. A candidate who has completed LAW 890, but who has not yet completed the thesis, shall register for one credit of LAW 890 in each succeeding Fall and Spring semester until the thesis is submitted. A grade of "T" shall be entered each semester for LAW 890 while work on the thesis is in progress. Upon acceptance or rejection of the thesis by the Graduate Studies Committee, a grade of "P" or "F" will be entered for those credits, but such grades will not be computed in the candidate's final G.P.A.

Supplemental Policies

1) It is expected that an LL.M. candidate will take at least 10 (12 for graduates of foreign law schools) semester hours of course work in an
area of concentration. The area of concentration will be designated in consultation with the candidate's graduate advisor.

2) When required, the master's thesis must be 60 typed pages or longer, not including footnotes.

3) Completion of all degree requirements normally takes two academic years or longer.

4) Credit hours for the core common law course(s) required of graduates from law schools in non-common law countries may be included in the 24 credit hours required for the degree as long as the grade(s) received is a “C” or better, in which case the grade will be included in the calculation of the student’s cumulative grade point average.

5) A candidate may take up to three semester hours of independent legal research under the direction of a member of the faculty, with the approval of the candidate's graduate advisor. If the candidate writes an independent study or seminar paper, the candidate's LL.M. thesis, when required, must be on a topic that is either completely different from or a very significant expansion of that paper. The LL.M. thesis is regarded as a requirement in addition to any work done toward the 20 semester hours of course credit required for the degree.

6) When a thesis is required, at or near the completion of course work, and in no case later than one year prior to the four-year termination date of the candidate's program, the candidate shall locate a faculty member knowledgeable in his or her field to serve as thesis advisor. Normally, the thesis advisor will be a different person than the candidate's graduate advisor. The candidate shall inform the Committee on Graduate Studies of the name of the thesis advisor and, upon approval of the selection, the committee shall inform the faculty member in writing that he or she has been designated as the candidate's thesis advisor. The candidate shall secure the thesis advisor's approval for the proposed thesis topic at this time.

7) No later than nine months prior to the four-year termination date of the candidate's program, the candidate shall present to the thesis advisor written evidence of extensive research and analysis of the subject of the thesis. Drafts of sections of the thesis should then be submitted to the advisor for criticism and advice, at the advisor's discretion. A draft of the complete thesis should be submitted to the advisor no later than three months prior to the four-year termination date of the candidate's program.

8) Students studying on a student visa must take a minimum of 8 credit hours per semester.
Academic Regulations

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   9.1 General Provisions
   9.2 Grade Disputes

10. Notice and Amendment of Academic Regulations
    10.1 Notice
    10.2 Amendment
The following academic regulations are applicable to all students enrolled in the Cleveland-Marshall College of Law as candidates for any degree, unless otherwise indicated:

1. **Attendance**
Students are required to attend classes with substantial regularity. Unsatisfactory attendance in any course, unless otherwise defined by the course faculty member with reasonable notice to students enrolled, shall be absence from more than two weeks of classes in a single semester (or, in the case of Summer term, absence from more than one week of classes) and shall be cause for lowering the final grade entered, involuntarily withdrawing a student from the course or entering the grade of "F," in the sole discretion of the course faculty member.

**Note: C.S.U. Poll Worker Excused Absence Policy**
In order to foster student engagement and participation in the civic sphere, Cleveland State University has encouraged students to serve as poll workers and in polling support positions for the last several national and statewide elections. In Spring 2008 the Faculty Senate of Cleveland State University adopted a policy pertaining to student absences arising because of such service in these elections.

I. CSU faculty members are required to:
   a) excuse all students from class attendance and from any assignments, quizzes, and other coursework otherwise due during the period beginning at 6:00 p.m. on the evening before any statewide election and ending at 12:00 midnight on election day who:
      i) serve in any of the official poll worker and polling support positions, including the Center for Election Integrity official observer or monitor positions (which can include, for example, polling place translators and technical support workers with respect to the voting machines); and,
      ii) satisfy their notification obligations described in paragraph II, below; and,
   b) allow such students to make up any assignments, quizzes, and other coursework otherwise due during this period, as described in paragraph II, below.

II. Any CSU student who desires to exercise the excused poll worker service option must:
   a) have officially applied and been selected to serve;
   b) be scheduled for training that will be completed at least two days prior to the election;
   c) inform the faculty members whose classes are affected in writing (electronically or in whatever manner the particular faculty member requests) no later than the second Friday before the election;
   d) arrange with each affected faculty member to make up any coursework or quizzes that were missed due to the absence; and
   e) provide official documentation to each affected faculty member at a later appropriate point that confirms the student’s service as a poll worker or in a polling support position.

At all times, the responsibility for making up coursework rests with the student.

This policy applies to students who work as B.O.E. poll workers and to those who volunteer as election observers or monitors for a bona fide organization such as the Democratic or Republican Party, or the Lawyers Committee for Civil Rights Under the Law.

2. **Grades and Grading Practices**

2.1 **Grade Points.**
For the purpose of evaluating transcripts and/or computing grade point average, the following system of grading and grade points shall be observed:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Description</th>
<th>Grade Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Excellent</td>
<td>4.0</td>
</tr>
<tr>
<td>A-</td>
<td>3.7</td>
<td></td>
</tr>
<tr>
<td>B+</td>
<td>Very good</td>
<td>3.3</td>
</tr>
<tr>
<td>B</td>
<td>Good</td>
<td>3.0</td>
</tr>
<tr>
<td>B-</td>
<td>2.7</td>
<td></td>
</tr>
<tr>
<td>C+</td>
<td>Better than fair</td>
<td>2.3</td>
</tr>
<tr>
<td>C</td>
<td>Fair</td>
<td>2.0</td>
</tr>
<tr>
<td>C-</td>
<td>1.7</td>
<td></td>
</tr>
<tr>
<td>D+</td>
<td>Deficient</td>
<td>1.3</td>
</tr>
<tr>
<td>D</td>
<td>Poor</td>
<td>1.0</td>
</tr>
<tr>
<td>F</td>
<td>Failure</td>
<td>0.0</td>
</tr>
</tbody>
</table>

2.2 **No Grade Points.**
The following grades carry no grade points and are not involved in the calculation of grade point averages:

- **P** Passing. Given in select courses approved by the faculty for Pass/Fail credit or courses elected on a Pass/C-/D+/D/F basis. See Academic Regulation 4.6. Except in the case of a grade of "P" awarded by the Academic Standards Committee under Academic Regulation 2.4, a student’s work must be the equivalent of a “C” or better to merit the grade of “P.”

- **I** Incomplete. A temporary grade designation, given when the work in a course has been generally passing, but when some specific course requirement has not been completed through no fault of the student and the faculty member has approved the completion of such requirement after the normal date for the conclusion of the course. The course work must be completed and submitted to the appropriate faculty...
member not later than the last day of classes of the next term (including Summer term) following that in which the course was offered; otherwise, a final grade of "F" will be recorded. For good cause shown, the Academic Standards Committee may further extend the time permitted to complete and submit the required work.

Temporary. A grade designation given in multiple-term, single grade courses at the end of term(s) before the one in which the course concludes. This grade is not applicable to courses in which a final grade is awarded for each term of the course.

Authorized Withdrawal. Given in the case of official withdrawal from a course voluntarily, as provided in Academic Regulation 3.1, or involuntarily, as provided in Academic Regulation 1. Courses from which a student voluntarily withdraws within the time limits set out in Academic Regulation 3.1 will not appear on the student's transcript.

2.3 Computation of Grade Point Average
Grade points are determined by multiplying the point value of the grade awarded by the number of credit hours earned in each course. A student's grade point average is determined by dividing the total grade points earned in all courses by the total number of credit hours attempted in all courses for which final letter grades (grades "A" through "F") have been awarded.

2.4 Grade Dispute Procedures, Grade Appeals and Changes of Grades
(a) Time Permitted
A student who believes he or she has received an improper final grade in a course taught by a member of the law faculty must make a good faith effort to discuss a change of grade with the faculty member. The effort must be made within six weeks after the date of the last examination day of the Fall, Spring or Summer term in which the grade was earned or within one week after the last date that the examination was regularly available for review, whichever date is later.

(b) Basis for Change of Grades
1. Deviation from the Grading Guidelines is not a basis for any change of grade petition.
2. Once a final letter grade (grades "A" through "F") has been submitted to the College of Law Records Office and been approved by the Dean’s Office, a change of grade can be sought by the faculty member or student only as set forth below.

(c) Change by Faculty Member
A faculty member can enter a change of grade only with the approval of the Academic Standards Committee. Approval shall be granted only when the faculty member has satisfied the Academic Standards Committee that:
   1. there has been a computational or clerical error; or
   2. the grade awarded was not in accord with the grading standards applied to the other members of the class; or
   3. the student's timely request to take the examination or submit a required paper at another time was improperly denied.

The Academic Standards Committee must either approve the change of grade submitted or deny the request so that the original grade remains in effect.

(d) Student Petitions for a Change of Grade: Petitions to the Academic Standards Committee
1. If, despite good faith efforts, the student has been unable to arrange a meeting with the faculty member or, if after ten days the faculty member has not acted upon the student’s request or declines to change the grade, the student may submit a petition to the Academic Standards Committee for relief as provided below. A written petition must be filed within ten days after the faculty member has failed to act or has communicated, either orally or in writing, a refusal to change the student’s grade.
2. Upon request to the College of Law Records Officer, any student who has filed an appeal of a grade may review the grade sheets submitted by the faculty member for the course involved. This review is to include the grades entered before and after the student names were provided to the faculty member. The College of Law Records Officer shall delete all names and examination numbers, except those of the student petitioner, from the grade sheets prior to their review by the student petitioner.
3. A student may petition the Academic Standards Committee for a change of grade to the grade earned upon a showing of clear and convincing evidence that there has been a computational or clerical error.
4. A student may petition the Academic Standards Committee for a change of grade to the grade of "P" or "W." Such a change of grade shall be awarded only in cases in which the student has satisfied the Academic Standards Committee that:
   a. The grade awarded was arbitrary or capricious, but in no event shall the Committee re-grade or otherwise evaluate the petitioning student’s examinations or other course work, or that of other students in the course.

Examples of what shall not constitute proof of arbitrary or capricious grading within the meaning
of the above Regulation include, but shall not be limited to the following:
- disagreement with the professor’s evaluation of the merits or quality of the student’s work;
- criticism of the merits of a professor’s examination or the professor’s grading methodology;
- a student’s claim that his or her work did not accurately reflect his or her knowledge of the material.

b. The student's timely request to take the examination or submit a required paper at another time was improperly denied.

The Academic Standards Committee must either find that entry of a “P” or “W” in lieu of the entered grade is appropriate or deny the request so that the grade originally submitted by the faculty member remains in effect.

5. A student may petition the Academic Standards Committee for a change of grade to a grade of “W” (Authorized Withdrawal) where a final grade of “F” has been entered for failure to complete a course within the time allowed after entry of a grade of Incomplete as set forth in Academic Regulation 2.2 or for failure to appear for an examination as set forth in Academic Regulation 3.6. Such a change of grade shall be awarded only where the student provides clear and convincing evidence that the failure was a direct consequence of extraordinary and unforeseeable circumstances. The provisions set forth in Academic Regulation 5.3(e) and (f) are applicable to change of grade petitions brought pursuant to this Regulation.

(e) The student and faculty member may appear in person before the Academic Standards Committee to present their respective views on the petition.

(f) 1. If all or a substantial part of a student’s final examination has been lost or misplaced after receipt by the faculty member or proctor, but before the examination grade has been submitted to the College of Law Records Officer, the student may elect to take a grade of “P” (Pass) for the course or take a make-up examination. Where a substantial part of a student’s final examination has been lost or misplaced, the student’s election to take a make-up examination shall apply to a partial make-up examination equivalent in weight to the same portion of the original examination, as determined by the faculty member. A substantial part of the examination answer shall be such part that, if excluded from the student’s answer, it would adversely effect the student’s letter grade for the course, as determined by the faculty member.

2. The student must petition the Academic Standards Committee for such relief within ten days of the posting of either a grade of “F” as specified in Academic Regulation 3.5 or another grade that is inconsistent with a graded examination, such as a grade of “I,” “P,” or “W.” If a grade of “P” is entered, this grade will not limit the student’s right to exercise the Pass/C-/D+/D/F Option set forth in Academic Regulation 4.6.

(g) Appeals to the Faculty
See Academic Regulation 9.

(h) Law students enrolled in courses offered by other colleges within this University (see Academic Regulation 4.7) shall follow the grade dispute procedure available pursuant to the regulations of such college.

3. Examination, Withdrawal and Change of Section Procedures

3.1 Time of Withdrawal
Voluntary withdrawal from classes offered at the law school shall be permitted as follows:
(a) One-semester courses
At anytime prior to the beginning of the fifth week of classes;

(b) Two-semester courses
At anytime prior to the beginning of the seventh week of classes of the first semester of such course(s); and

(c) Summer term courses
Each week of the Summer term shall be equivalent to two weeks during Fall or Spring semester. Therefore, for courses with the duration of only the Summer term, withdrawal must be accomplished prior to the beginning of the third week of class; for courses which begin in the Summer and conclude in the Fall, withdrawal must be accomplished prior to the beginning of the fourth week of such course(s).

(d) Notwithstanding the above, a student enrolled in Independent Legal Research, LAW 860, may, with the approval of the faculty member supervising the research project, withdraw at any time during the term in which he or she enrolled for the course or, if a grade of "I" was given at the conclusion of such term, at any time during the next succeeding term.

(e) Except as a result of a decision made in accord with Academic Regulation 2.4 (Grade Dispute Procedures, Grade Appeals and Changes of Grade) a student may not withdraw from a course once a final
letter grade for that course has been posted or the student has otherwise been informed of the final letter grade.

3.2 Exception
(a) The Academic Standards Committee may grant an exception to the requirements of Academic Regulation 3.1(a)-(d) but may do so only in cases of exceptional circumstances.

Note: Students seeking to withdraw from a course after the deadline should complete a petition and submit it to the Assistant Dean for Academic Affairs for consideration by the Academic Standards Committee.

(b) Full time students who change to a part time program are required to enroll for the appropriate part time courses but may elect to complete a sequential course in lieu of enrolling for a new course.

3.3 Withdrawal from Multiple-Term or Two Semester Core Courses
(a) Any student who withdraws from a multiple-term continuing course before its conclusion shall be deemed to have withdrawn from the entire course, even though the grade designation "T" may have been recorded for one or more terms completed in the course. The student must repeat the entire course in order to receive any credit for it. This provision does not apply to courses in which a final grade is awarded for each term of the course.

(b) A student may not withdraw from Legal Research, Writing and Advocacy, L504, without the advance approval of the Academic Standards Committee.

(c) Failure to register for the second term of a multiple-term continuing course without having withdrawn from the course pursuant to Academic Regulation 3.1(b) or without obtaining approval from the Academic Standards Committee pursuant to Academic Regulation 3.2 shall cause the grade of "F" to be entered in place of the grade designation "T" for the number of credit hours represented by the "T." This provision does not apply to courses in which a final grade is awarded for each term of the course.

(d) Students enrolled in two semester core curriculum courses may not withdraw from the second semester of any such course except upon a showing of substantial hardship caused by extraordinary and unforeseeable circumstances and with the approval of the Assistant Dean for Academic Affairs. Extraordinary and unforeseeable circumstances do not include a belief that the grade earned in the first semester was too low or an objection to the teaching methods of the professor. Upon referral by the Assistant Dean, the matter shall be decided by the Committee.

(e) This provision applies specifically to “semesterized” courses – i.e., core courses that have been transformed from two semesters to one. Any student who fails or withdraws from the second semester of a two-semester course that is subsequently “semesterized” from two semesters to one must enroll in and complete the new one-semester version of that course. The student shall not lose any credit hours previously awarded for successful completion of the first semester of a subsequently “semesterized” two-semester course.

3.4 Change of Section – Core Courses
A student may not change his or her section of a two semester core curriculum course after completion of one semester unless permitted by the Academic Standards Committee. The Committee will allow such change only upon a showing of:
(a) substantial hardship caused by extraordinary and unforeseeable circumstances, and
(b) a determination that the course coverage in the new section will substantially parallel that of the former section.

For purposes of this Academic Regulation, extraordinary and unforeseeable circumstances do not include a belief that the grade earned in the first semester was too low or an objection to the teaching methods of the professor.

3.5 Withdrawal from All Classes
A student who voluntarily withdraws from all classes or who fails to register for classes during the next semester for which he or she is eligible (excluding the summer term), and later wishes to reenroll as a matriculating student, must comply with the procedures in this section.

(a) A student in good standing who has received credit for two or more law school classes as a matriculating student must submit to the Office of Law Admissions a letter of intent to return to the law school and a copy of his or her transcript at least forty-five days before the first day of the semester or summer term for which the student intends to re-enroll.

(b) A student re-enrolling pursuant to this Regulation, who seeks to earn a J.D. degree, must comply with the requirements set forth in Academic Regulation 4.4, based upon the date he or she first enrolled in law school.

(c) A student who withdraws before completing and receiving credit for the fall semester of the first year of law school must reapply through the usual admissions
3.6 Examinations and Examination Scheduling

(a) Failure to Appear for a Scheduled In-School Final Examination

Unless the student obtains advance permission from the Dean to take a scheduled in-school final examination at another time, any student who fails to appear for such examination shall receive a grade of “F” for that examination or, if the examination is graded numerically, a zero for that examination. Permission to take an in-school final examination at a different time will be granted only upon a showing of good cause. Unless the student obtains advance permission from the Dean to take a rescheduled in-school final examination at another time, any student who fails to appear for such rescheduled examination shall receive a grade of “F” for that examination or, if the examination is graded numerically, a zero for that examination.

A professor shall also have discretion to stipulate that failure to take the final examination in the course shall constitute a failure to complete the requirements of the course and shall result in a final grade of “F” being awarded for the course.

(b) Failure to Submit a Take-Home Final Examination by the Deadline Established by the Faculty Member

Unless the student obtains advance permission from the Dean to submit a take-home final examination at a different time, any student who does not submit such examination by the deadline established by the faculty member shall receive a grade of “F” for that examination or, if the examination is graded numerically, a zero for that examination. Permission to submit a take-home final examination at a different time will be granted only upon a showing of good cause. Unless the student obtains advance permission from the Dean to submit a rescheduled take-home final examination at a different time, any student who fails to submit such examination by the rescheduled deadline shall receive a grade of “F” for that examination or, if the examination is graded numerically, a zero for that examination.

A professor shall also have discretion to stipulate that failure to submit a take-home final examination by the established or rescheduled deadline shall constitute a

(c) Exceptions to Academic Regulations 3.6(a) and 3.6(b) for Unforeseeable Emergencies

Exceptions to the requirements of Academic Regulations 3.6(a) and 3.6(b) may be granted by the Dean only in cases of extraordinary unforeseeable emergencies, and provided that the student notifies the Dean as soon as practicable of the circumstances of the emergency.

(d) Multiple Examinations

Students who are scheduled for two final examinations that have start times that are 23 hours or less apart may notify the Dean of their examination schedule and request a schedule change. This notice must be provided at least two weeks prior to commencement of the examination period. The Dean will then reschedule one of the examinations to a reschedule date and time as described in part (c), below. Students who reschedule examinations may, at the sole discretion of the instructor, be given the same exam as or a different exam than that given to other students.

(e) Reschedule Date and Priority

1. The date and time for any rescheduled examination shall be set by the Dean for the first available scheduled make-up day subsequent to the originally scheduled examination.

2. If the conflicting examinations include a required course and another course, only the non-required course may be rescheduled.

Note: The Dean shall, in his or her discretion, set two or more make-up dates throughout the examination period.

(f) Pre-Examination Conduct

Any student authorized to take a rescheduled examination is prohibited from discussing the examination or any aspect of the subject course with any person who has taken the examination or is otherwise familiar with the content of the examination. This prohibition does not apply to law school administrators in regard to examination rescheduling nor to the course faculty member.

3.7 Provisions for Persons with Disabilities

Students who because of a disability are unable to complete an examination in the given time or the given room are entitled to special consideration regarding additional time and/or communication aids. Such students, whether temporarily or permanently disabled, must request accommodations and document their
disability and need for accommodations in advance of the scheduled examination, unless the disability arises at such time as to excuse full compliance. If necessary, the student and the faculty member through the Office of the Dean may secure the assistance of the University Coordinator of Disability Services for evaluation of the student's disability and in making suitable arrangements for the taking of the examination. To the extent possible, such an examination is to commence at the same time as the scheduled examination. Under these conditions the time limitation need not apply, provided, however, that the examination must be completed in a single session.

**Note:** Normally documentation of a disability and requests for accommodations must be received by the Assistant Dean for Academic Affairs a minimum of four (4) weeks prior to the date for which the accommodation is requested.

### 3.8 Uniformity of Examination Conditions
All students in the J.D. program, including those whose primary language is a language other than English, are to take all examinations under the same conditions.

### 3.9 Anonymous Examinations
(a) Examination numbers shall be employed for all examinations that count for 10% or more of the final grade. Different numbers shall be used for any such examination when the professor has received the names corresponding to the examination number for the earlier examination(s).

**Note:** Students obtain examination numbers online at [https://www.law.csuohio.edu/lawlibrary/technology/examcomputer](https://www.law.csuohio.edu/lawlibrary/technology/examcomputer).

(b) No student shall disclose his or her examination number to any other person. Examination papers shall be graded anonymously and examination grades submitted to the College of Law Records Officer. Faculty members will be advised of the identity of students before submitting final grades in order that factors other than the final examination scores may, at the faculty member’s discretion, be included in the final grade determinations.

(c) Parts (a) and (b) of this Regulation are not applicable to papers or other work for courses where research or writing require review and comment by the professor. Faculty members, however, retain the discretion to grade anonymously in any such course.

### 3.10 Retention and Availability of Examination Papers
For a period of four weeks after grades have been officially posted, examination papers for all courses shall be retained by the Office of the Dean or by the course faculty member. Thereafter, all final examination papers shall be retained by the Office of the Dean for a period of at least two years. Students shall be permitted to see and examine their own graded papers at any time within this two-year period. After the four-week period, special circumstances must be shown and the viewing made with the consent of the Dean.

### 4. Graduation and Honors Requirements

#### 4.1 Dean's List
In recognition of excellence in academic achievement, any student who attains a 3.30 or higher grade point average in any academic term shall be designated on the Dean’s List for such term. No student shall be designated on the Dean’s List for any term in which he or she did not complete courses totaling at least eight credit hours (six hours of credit for a first-year first-semester part-time student) or did not receive final grades for all courses scheduled to be completed during such term.

#### 4.2 Graduation Honors
(a) College of Law graduation honors shall be awarded as follows: Summa Cum Laude, 3.70 grade point average and above; Magna Cum Laude, 3.50 to 3.69 grade point average; and Cum Laude, 3.30 to 3.49 grade point average. Graduation honors designations are based on the student’s final cumulative grade point average and will be reflected on the student’s permanent record. Any designation in the College of Law Commencement Program is advisory only as it may not include all grades earned for the degree.

(b) Graduation honors shall be based solely on grades earned for courses taken at this College of Law.

#### 4.3 Course and Credit Hour Requirements
(a) Number of hours required:
The Juris Doctor degree will be awarded upon satisfactory completion of a minimum of 90 semester credit hours (or the equivalent.)

(b) Course Requirements:
Of the 90 required semester hours, 34 (35, for students entering prior to 2012) must be earned in the nine (eight for student entering prior to 2012) Required Core Curriculum courses: Civil Procedure, Constitutional Law, Contracts, Criminal Law, Legislation & the Regulatory State (for students entering 2012 and after).
Property, Torts and Legal Writing. In addition, students must complete satisfactorily Evidence; a third semester course in legal writing; one upper-level writing course; one professional responsibility course; a course designated by the faculty as having a component of administrative law (eliminated for students entering in 2012 and thereafter); a course designated by the faculty as satisfying the perspective elective requirement; and, for students entering in 2008 through 2011, a course designated by the faculty as satisfying the skills course requirement, and for those entering 2012 and thereafter, a course designated by the faculty as satisfying the experiential skills requirement. A professional responsibility course is one that includes at least ten (10) hours of instruction in the Code of Professional Responsibility. Of the 90 hours required for graduation, at least 73 must be in courses other than clinical or externships and at least 68 must be in non-800 level courses in the College of Law, or, in the case of a student receiving credit for studies at another law school (see Academic Regulations 6.1 and 6.4), at the law school at which the credit was earned. Courses not satisfying the 68 credit hour requirement include all clinical and externship courses, independent legal research, credits earned for participation in Moot Court and Trial Team, credit earned for Law Review, the Journal of Law and Health, or Global Business Law Review and interdisciplinary courses whether taken as part of a joint degree program or taken as part of the student’s law school program under Academic Regulation 4.7. No student may retake courses for credit that the student has previously passed.

(c) Grade Point Average
In order to receive the Juris Doctor degree, the student must attain a grade point average of at least 2.0 on a 4.0 scale.

4.4 Residence Requirement, Course Loads and Employment
(a) The weeks in residence at the College of Law required for graduation are met by completion of the credit hours required for graduation.

(b) The course of study for the J.D. degree may be completed no sooner than 24 months and not longer than 72 months after a student has commenced law study at the College of Law or, if a transfer student, at the law school from which transfer credit has been granted, provided, however, that for compelling reasons shown, the Academic Standards Committee may allow a student up to a maximum of 84 months from the time the student commenced law study.

(c) Credit earned for Law Review, Journal, or Moot Court participation, for courses in independent legal research and writing, or for courses offered in an officially approved clinical legal education program may be included as satisfying the residence and class hour requirements of this regulation even though they may involved studies or activities away from the law school or in a format that does not involve attendance at regularly scheduled class sessions. The hours so earned may not exceed the maximum allowed by Academic Regulation 4.3(b).

(d) For full-time students, the maximum course load is 18 hours per semester and the minimum course load is 10 hours per semester. For part-time students, the maximum course load is 12 hours per semester and the minimum course load is eight hours per semester. For first-year students, the prescribed curriculum provides the maximum and minimum loads.

1. No student may enroll for more than 18 hours in the Fall or Spring Semester. Courses taken outside the regular Fall or Spring Semesters such as the “short courses” given during intersession periods shall not count toward the maximum allowed even though credit for such courses is awarded during the following Semester.

2. Absent permission of the Dean, students who work more than 20 hours per week may not register for more than 12 credits hours per week in any week during which classes are scheduled and must so certify to the College of Law.

3. To the extent necessary for required reporting purposes, scholarships, employer tuition benefits or other cases in which a full time/part time student designation is required, students enrolled for fewer than 12 credit hours will be considered part-time students.

Note: Students taking more than 12 credit hours during a Fall or Spring Semester are strongly advised to refrain from all employment. Students taking more than 12 credit hours who are employed may not be employed for more than 20 hours per week.

(e) During the Summer Term students may enroll for a maximum of nine credit hours.

4.5 Failure of Required or Elective Courses
(a) Any student who fails a course required for graduation must re-register for the course at the next available time and complete all the requirements therefore. Any student who fails an elective course may re-register for the course and complete all the requirements therefore. A student who fails the first term of a continuing two-term course in which a final grade is awarded after the first term must withdraw.
from the second term of the course and repeat the entire course the next time it is offered. A student who fails the second term of a continuing two-term course in which a final grade is entered after the first term must repeat the second term of the course the next time it is offered with comparable content. The Assistant Dean for Academic Affairs will designate the section of the course the student is to take when repeating a course under these circumstances.

(b) In each of the above cases, completing the course requirements includes attendance in class according to the generally imposed policy of the course faculty member consistent with Academic Regulation 1.

(c) In each of the above cases, the student's permanent record shall reflect both the original failing grade and the grade subsequently earned.

4.6 Pass/C-/D+/D/F Option
Upper level students (i.e., a student who has completed the first year and is eligible to take elective courses at the law school) may choose to take up to 2 elective courses (for a maximum of up to 8 semester credit hours) on a Pass/C-/D+/D/F (P/C-/D+/D/F) basis. This does not include courses offered only on a pass/fail basis - e.g., externships, Law Review, Journal, short course Trial Advocacy.

(a) A student may only take one course on a P/C-/D+/D/F basis at a time. This does not, however, preclude a student from taking an externship or other course only offered on a pass/fail basis and a P/C-/D+/D/F elective at the same time. No course required for graduation can be taken on a P/C-/D+/D/F basis.

(b) Consequently, the core curriculum (including Constitutional Law), Evidence and Legal Profession cannot be taken on this basis. A student may not exercise this option the first time the student takes a course that satisfies a specific graduation requirement. If a student subsequently takes another course that satisfies the same requirement, that second elective can be taken on the P/C-/D+/D/F basis. A student who takes two courses satisfying the same graduation requirement in the same term (e.g., Administrative Law and Environmental Law, both of which satisfy the administrative law requirement), may elect (if in accord with all parts of this Regulation) which course, if either, the student wishes to take on the P/C-/D+/D/F basis.

(c) Students may not take clinics on a P/C-/D+/D/F basis.

(d) Within two weeks after the College of Law posts a notice that all grades for the term have been received by the College of Law Records Officer, as to courses for which the P/C-/D+/D/F Option is available, a student may elect to either:

1. retain the grade earned, in which case the student need take no action, or

2. exercise the P/C-/D+/D/F Option, as limited by Academic Regulation 4.6(a)-(d) above, by providing written notice of the election to the College of Law Records Officer on a form downloaded from the College of Law’s website at https://www.law.csuohio.edu/currentstudents/resources/forms.

(e) Faculty members will not know who is taking the class on the P/C-/D+/D/F basis. All students shall be required to satisfy all course requirements; faculty members shall submit letter grades for all students in the class. The College of Law Records Officer will submit the appropriate grade based on the letter grade submitted by the faculty member. Upon timely election by the student, a “P” grade will be substituted for the posted letter grade. However, a student must earn a "C" or better in the course to receive a "P." A student earning a "P" in a course will receive credit toward graduation for the course, but the grade of "P" will not be calculated into the student's gpa. A student who receives a C-, D+, D, or F in the course will have that letter grade on their transcript and the grade will be calculated into the gpa.

(f) A student may petition the Academic Standards Committee to allow for the exercise or revocation of the P/C-/D+/D/F Option after the deadline in Academic Regulation 4.6(d) has passed only if the student satisfies the criteria set forth in 4.6(f)(1), (2), or (3) below.

1. The student establishes by clear and convincing evidence that there has been a computational or clerical error that directly affected his or her final course grade for the course for which the student seeks to exercise or revoke the P/C-/D+/D/F Option, and the student petitions for relief within two weeks of the student being notified of the computational or clerical error; or

2. The student establishes by clear and convincing evidence that he or she did not receive a final course grade for the course for which the student wishes to exercise or revoke the P/C-/D+/D/F Option until one or more days after the College of Law’s posting of the notice referenced in 4.6(d), above, and the student petitions for relief within two weeks of the student being notified of his or her final course grade;
3. The student petitions to exercise or revoke the P/C-/D+/D/F Option for a course for which the grade of “Incomplete” was initially awarded, and the student petitions for relief within two weeks of the student being notified of his or her final letter grade in the course.

(g) A student may petition to exercise or revoke the P/C-/D+/D/F Option retroactively for a course because of a grade outcome in a different course if the student can demonstrate by clear and convincing evidence that there has been a computational or clerical error that directly affected his or her final course grade in that different course, and the student petitions for relief within two weeks of the student being notified of the computational or clerical error.

4.7 Interdisciplinary Courses
Any student who is eligible to register for elective courses may be authorized to elect for credit, in fulfillment of the Juris Doctor degree requirements, up to two courses for not more than a total of eight semester credit hours of graduate level courses of the University. Such prior authorization shall be granted by the Dean whenever it is demonstrated that a course outside the College of Law will add to a student’s legal education or aid in his or her future practice, provided that, if there is a question as to the application of the above standards in a particular case, the petition may be referred to an appropriate faculty committee for recommendation. The law student must be officially graded in such course on a graded basis and only courses completed with a grade of C or better will count toward the degree. The grade earned in such course will not be included in calculation of the student’s grade point average. Notwithstanding the above, students enrolled in a joint degree program with the Cleveland State University College of Business Administration or with the Maxine Goodman Levin College of Urban Affairs are subject to the course and credit allowances established for the applicable program.

Note: A course taught online or by other means of distance education may be approved if the course is otherwise appropriate for credit at the College of Law. Distance education courses, including such courses taught outside the College of Law, may not exceed the limits of ABA Law School Standard 306, restricting such courses to four credit hours a semester and twelve credit hours total.

4.8 Clinical and Externship Courses
Any student may earn credit in clinical legal education courses without limitation as to the number of separate clinic or externship courses completed, except that no student may be enrolled in more than one such course in any term. Whenever applications for any clinical legal education course exceed the number of places available for such course, students who have never enrolled for a clinical course shall be given enrollment priority over students who have already completed one or more such course. Likewise, whenever applications for any externship course exceed the number of places available for such course, students who have never enrolled for an externship course shall be given enrollment priority over students who have already completed one or more such course. (See Academic Regulation 4.3 as to the total number of clinical and externship hours permitted)

4.9 Bar Preparation Course
As permitted by the American Bar Association, a student may receive credit toward juris doctor degree requirements for a course offered by the College of Law designed as preparation for a bar examination but no such course may be required for graduation.

5. Dismissal, Post-Dismissal Petitions, and Readmission: Juris Doctor Degree Candidates who began law school in Summer 2002 and thereafter
This Academic Regulation applies to students who enrolled at the law school in Summer 2002 and thereafter. Copies of the former regulations addressing dismissal, probation and readmission for students who began law school prior to Summer 2002, Academic Regulations 5 and 6, can be obtained from the Office of the Dean.

5.1 Dismissal
Any student achieving a cumulative Grade Point Average below 2.00 upon completion of two full semesters, not including Summer semesters, shall be dismissed. Any student who falls below a cumulative Grade Point Average of 2.00 in any semester thereafter, including Summer semesters, shall be dismissed.

5.2 Readmission
(a) A student who has been dismissed for academic reasons may apply for readmission through the usual admissions process under the jurisdiction of the Admissions Committee. No application for such readmission shall be considered until at least two years has elapsed since the end of the term at which the student was dismissed.

(b) If the student is readmitted, the student's previous law school record shall be attached to his or her transcript, but shall be given no other effect.
Note: A student who is dismissed pursuant to Academic Regulation 5.1 will be deregistered from courses in which he or she enrolled in a subsequent term and tuition will be refunded at 100%. Students assume the risk of dismissal and deregistration pursuant to these regulations. If, in such a case, the student has received loan funds for the subsequent term, the student may be liable for the immediate repayment of any loan refund received for living expenses for the term. In addition, a student becomes ineligible for work-study employment as of the effective date of a student’s academic dismissal from the College of Law. Students with questions should contact the College of Law Financial Aid office or the Assistant Dean for Academic Affairs.

5.3 Petitions to the Academic Standards Committee — Readmission and Probation
(a) The Academic Standards Committee shall have jurisdiction to hear petitions as to:
1. Reducing the two-year waiting period for application for readmission set forth in Academic Regulation 5.2 to a period of no less than one year. Any reduction approved under this Academic Regulation has no other effect upon the application for readmission.
2. Allowing students who are academically dismissed in accord with Academic Regulation 5.1 to seek a one-semester Probationary period provided that the student’s cumulative grade point average is 1.80 or higher (1.75 for students who began law school prior to Summer 2004).

(b) Except for the right to seek a probationary period under Academic Regulation 5.3, the dismissal of any student for failure to achieve the requisite cumulative grade point average is not subject to petition to the Academic Standards Committee.

(c) Petitions seeking relief pursuant to Academic Regulation 5.3(a)(2) shall be granted only upon a showing that
1. the student experienced substantial hardship caused by extraordinary and unforeseeable circumstances,
2. the factors that contributed to the student’s insufficient academic performance no longer exist, and
3. there is a reasonable likelihood that the student will attain a cumulative grade point average of 2.0 at the end of the Probationary period.

(d) Petitions seeking relief pursuant to Academic Regulation 5.3(a)(1) will be granted only upon a showing that the factors specified in Academic Regulations 5.3(c)(1) and (2) have been met.

(e) A rebuttable presumption shall exist to the effect that the rules in Academic Regulation 5 apply in all particulars to the petitioning student. The burden is on the petitioning student to show by clear and convincing evidence that the faculty could not have reasonably intended these rules to apply to the petitioning student's circumstances.

(f) Because of the relief available to the student to withdraw from courses under Academic Regulation 3, issues of health, family situation, or employment demands upon the student shall not normally be considered as substantial hardship.

(g) The Academic Standards Committee may not extend relief beyond granting a one semester probationary period to commence with either the Fall or Spring semester.

(h) A student who receives notice of academic dismissal during any term, including a Summer term, in which the student is enrolled for any courses, will be deregistered from those courses in accord with the procedures set forth in the Note to Academic Regulation 5.2 (b). If qualified, the student may petition for a one semester probationary period to commence the following semester, excluding any Summer, pursuant to Academic Regulation 5.3(a)(2).

(i) The right to petition for a probationary semester set forth in Academic Regulation 5.3(a) may be exercised only once. If a student fails to attain a cumulative grade point average of at least 2.0 by the end of the Probationary semester or if the student’s cumulative grade point average falls below 2.0 in any subsequent semester, the student shall be dismissed. That dismissal is not subject to petition to the Academic Standards Committee.

5.4 Right of Appeal to the Faculty
Nothing in Academic Regulation 5-5.3 limits the right of a student to appeal to the faculty pursuant to Academic Regulation 9. Pending the outcome of any appeal, the student's dismissal remains in effect.

6. Credit for Work Completed at Other Approved Law Schools
6.1 Transfer Students: Advanced Standing
(a) A candidate for admission as a transfer student with advanced standing must have received a Bachelor of Arts degree from an approved college before entering the law school from which he or she seeks to transfer. Such law school must usually be a member of the Association of American Law Schools (AALS).
However, in some cases transfer students may be accepted from law schools that, while not members of the AALS, are approved by the American Bar Association.

(b) 1. A candidate for admission as a transfer student with advanced standing may be considered for admission only if the candidate is presently eligible to return to the law school in which he or she is enrolled as a student in good standing.

2. Students who have been dismissed from other law schools shall not be admitted as transfer students. In rare and exceptional cases, such students may be considered for admission pursuant to Academic Regulation 6.2.

(c) Any student who has previously attended another law school, whether or not seeking advanced standing, must: (1) obtain certification from the Dean of the former law school that he or she is in good standing and eligible for further instruction except as specified in Academic Regulation 6.1(b); (2) submit an official transcript of all work completed at the previous law school; (3) submit a timely Application for Admission with application fee; and (4) submit a complete transcript of his or her undergraduate and prior graduate academic record and LSAT score report through the Law School Data Assembly Service.

(d) Transfer students are eligible for admission to the College of Law normally in the fall term of their second year. Students who decline to attend after being admitted in one year must reapply if they wish to be considered for admission in subsequent years. A candidate for admission as a transfer student need not have completed a full academic year at another institution, but must have received final grades in some courses. Transfer students will receive no credit for incomplete courses or completion of any portion of a continuing course at the school in which they originally enrolled, and may not enroll for any continuing course in the College of Law which course began in any term prior to the student's registration here.

(e) A transfer student must complete at least 60 semester hours in residence at this College of Law to be eligible for the J.D. degree.

(f) Transfer students shall be admitted with advanced standing to the extent that all previous law school credit earned in completed courses with grades of 2.0 grade point and above (or the equivalent) on the College's Grading Scale will be counted in satisfaction of this College's credit hour requirements. However, such credit will not be included in calculating the student's cumulative grade point average at this College. Decisions will be made by the Dean on an individual basis, subject to student appeal or decanal referral to the Academic Standards Committee, as to the extent to which the completion of particular courses at other law schools with grades of 2.0 or the equivalent or better will be counted in fulfillment of particular course or hour requirements at this College. Previous law school credit earned with grades lower than 2.0 (or its equivalent) will not be counted in satisfaction of either this College's total credit hour requirements or any of its particular course requirements.

(g) Any transfer student who arrives at Cleveland-Marshall having completed only one semester of a two-semester course that is here taught as a one-semester course (i.e., Torts, Contracts, Civil Procedure and Property) must enroll in and complete Cleveland-Marshall's one-semester version of that course. The student shall not lose any credit hours previously awarded for successful completion of the first semester of a two-semester course that is taught here as a one-semester course.

6.2 Admission of Students After Dismissal from Other Law Schools

(a) Only in rare and exceptional cases and for compelling reasons may a student who has been dismissed from another law school for academic reasons be considered for admission to this College, and then only with the status of a beginning first-year student. No application for such admission shall be considered until at least two years has elapsed since notice of dismissal from the prior law school.

(b) The applicant must show that the failure to achieve good academic standing at the prior law school was not due to lack of ability and that such difficulties as appear to have been the cause of the unsatisfactory performance have been removed. Supporting documents must include a letter from the Dean of the prior law school, setting forth all pertinent information, his or her opinion as to whether the applicant should be admitted, and under what conditions the applicant could be readmitted to the prior law school.

(c) If admitted, the student's previous law school record shall be attached to his or her transcript, but shall be given no other effect.

6.3 Transient Students

(a) Degree candidates from other approved law schools may be admitted as transient students at the commencement of any term, but will not be permitted to enroll for more than two terms, including a summer term, except under compelling circumstances and with
the prior approval of the Admissions Committee and the Dean of the student's own school. All such applicants must be in good academic standing at their own law school and must submit an authorization, in writing, from the Dean of such law school specifying: (1) that the student is in good academic standing; (2) that the courses are approved for study; and (3) that the applicant will receive credit for all courses successfully completed. In addition, such applicants must complete an application for admission and may be asked to provide transcripts and law school admission test scores.

(b) Transient students are admitted on a space available basis and upon evidence of satisfactory completion of course prerequisites or other evidence of ability to handle course requirements. Admission as a transient student is limited to the particular course(s) and term(s) for which the admission is expressly granted.

(c) A transient student will not be accepted as a Juris Doctor degree candidate except under the most compelling reasons and unless, as of the time the student enrolled here as a transient student, he or she has met all criteria for admission as a transfer student and has completed all courses at this College with a grade of "C" or better.

6.4 Credit for Courses Taken Elsewhere by Currently Enrolled Students

(a) Any student who is eligible to register for elective courses may submit a written request to the Dean seeking permission to elect for credit, in fulfillment of the Juris Doctor degree requirements, not more than 30 credit hours of courses at approved law schools other than the Cleveland-Marshall College of Law. The request must be submitted and considered in advance upon a showing of good cause.

Examples of good cause include: (1) the student or the student's spouse is transferring to another city for employment purposes; (2) the student wants to take a course or courses that are not available at this law school; or (3) the student resides in a community beyond commuting distance from Cleveland during the summer and wants to take a summer term course at a law school in that community.

(b) Credit in satisfaction of the College's credit hour requirements will be given for each such course completed with a grade of 2.0 (on a 4.0 scale) or the equivalent or better. Such credit will not be included in calculating the student's cumulative grade point average at this college of law.

7. Procedures of the Academic Standards Committee

7.1 Procedures to be Observed

The procedures to be substantially observed by the Academic Standards Committee of the College of Law (or any other Committee thereof which in specific instances may be appointed by the Dean to perform the functions customarily performed by the Academic Standards Committee) shall be as hereinafter are set forth. Minor deviations from these procedures shall not invalidate the actions and decisions of the Committee so long as they do not result in substantial prejudice to any person affected by any such action or decision. The rule of harmless error applies to the Committee's hearings, deliberations and decisions. The Faculty of the College of Law shall determine whether such error has occurred and whether substantial justice has been done.

7.2 Jurisdiction

The jurisdiction of the Academic Standards Committee shall include all matters assigned to the Committee by the Academic Regulations, matters within the authority of the Dean and referred to the Committee by the Dean for adjudication or advice, and all other matters specially referred to the Committee by the faculty.

7.3 Finality of Decision

(a) Except as elsewhere specifically provided by regulations duly adopted by the Faculty and except for the right of persons who deem themselves improperly prejudiced by a ruling to appeal to the full faculty, any determination or adjudication of the Academic Standards Committee shall be final.

(b) A student petitioner who has been advised of a decision of the Academic Standards Committee regarding his or her petition has no right to reconsideration of that decision. Petitions for reconsideration will be heard, in the discretion of the Committee, only where the student petitioner provides relevant new and potentially dispositive information to the Committee that was not available to the student when the original petition was heard.

7.4 Authority to Call Meetings

Meetings of the Academic Standards Committee may be called by the Dean, the Chair of the Committee, or any three other members of the Committee. At least forty-eight hours advance notice of such meeting shall be given to each member and to any person with respect to whom or to whose conduct the Committee shall be competent to adjudicate. Any faculty member affected by a student petition shall be provided with a copy of such petition at least forty-eight hours prior to any
meeting in which such petition shall be heard. Any person with respect to whose conduct the Committee is required to make a decision, ruling or adjudication may waive the requirement of notice herein provided.

7.5 Quorum
A quorum of the members of the Committee from time to time appointed by the Dean to serve thereon shall consist of a majority thereof. A lesser number shall have power, by majority vote of those present, to adjourn meetings of the Committee consistent with Academic Regulation 7.13, or, with the consent of any person whose conduct or complaint has been referred to the Committee, to proceed to hear and adjudicate the matter before it.

7.6 Majority Decision Required
Except as provided in Rule 7.5 above all final rulings, decisions and adjudications of the Committee shall be by a majority of the members present.

7.7 Power to Amend or Revoke Rules of Procedure
The Committee by a majority vote of all members present may from time to time make, amend and abolish rules of procedure for its hearings, deliberations and actions which are not inconsistent with these Academic Regulations.

7.8 Chair
The Chair of the Committee shall preside at all meetings thereof; when for any reason the Chair is absent from a meeting, the faculty member thereof senior in rank and length of tenure at this law school who is present at such meeting shall preside.

7.9 In Camera Proceedings and Exceptions
(a) Meetings of the Committee shall be in camera except that there may be present at such meetings: (1) witnesses to any matter or event which the Committee is charged to hear; (2) counsel for any person whose conduct is being heard or adjudicated by the Committee; (3) other persons when requested by any person whose conduct is being heard or adjudicated by the Committee.

(b) All deliberations of the Committee after it has concluded its investigation shall be in camera.

7.10 Testimony Safeguards
Testimony before the Committee may be required to be under oath or upon the professional honor of the person giving evidence as the Committee shall determine in each case.

7.11 Right to Record Testimony
The Committee or any person whose conduct or complaint is being heard by the committee may cause such testimony to be recorded by mechanical means or by a qualified stenotypist or shorthand reporter. Such person shall be considered within the exceptions set forth in Rule 7.9(a). The transcript of such testimony shall not be made public except upon order of the Dean or the person whose conduct or complaint was the matter being heard by the Committee, or upon the order of a Court. The cost of such taking of testimony and its transcription when required by the person whose complaint or conduct is being heard by the Committee shall be borne by such person or persons.

7.12 Recusal, Peremptory Challenge, and Challenge for Cause
(a) No member of the Committee directly concerned in the matter under consideration by the Committee shall participate in the deliberation or vote except with the consent of the person whose consideration or complaint is the matter under investigation.

(b) Any person(s) whose conduct or complaint is a matter before the Committee may challenge one member of the Committee peremptorily and any member(s) for cause. The Committee (except for the member(s) challenged for cause) shall vote upon such challenge(s) and shall by majority vote allow or disallow said challenge(s). Only one challenge for cause may be considered at any one time. In the event of disqualification of a member for any reason, the hearing may continue if a quorum remains. If a quorum is lacking, the Chair shall report the matter to the Dean for appointment of a replacement or replacements unless a quorum is waived as set forth in Academic Regulation 7.5.

(c) In the event that the conduct of two or more persons shall be the subject of simultaneous consideration by the Committee, each shall be entitled to one peremptory challenge and any number of challenges for cause.

7.13 Adjournment
The Committee by a majority vote of those members present at any meeting may adjourn its hearings or deliberations from time to time and to the extent practicable shall give notice thereof to all persons concerned with the matter before the Committee. No formal notice other than the fact of such adjournment shall be required with respect to any person who was present in the Committee's meeting when such adjournment was announced.
7.14 Notice of Decision
(a) Results of the Committee's rulings, deliberations or decisions shall be disclosed by its Chair to the Dean for promulgation or other appropriate action and shall not be disclosed to any person other than the Dean until after the Dean has received and acted upon the ruling, decision, or adjudication of the Committee, except that the Chair or a Committee member appointed by the Chair may immediately notify the person or persons involved and shall, within a reasonable period of time, notify the student in writing.

(b) Notwithstanding sub-paragraph (a) of this Academic Regulation, the Assistant Dean for Academic Affairs is authorized to forward copies of the Minutes reflecting Committee decisions to the Petitioner and
   1. Appropriate members of the College of Law and University as necessary to effectuate the decision set forth in those Minutes,
   2. Any faculty member whose decision was challenged by the Petition or who opposed or supported the Petition, and
   3. The Chairperson of the Academic Standards Committee.

8. Waiver of Academic Regulations

8.1 Prohibition
Individual members of the faculty may not waive any of these regulations.

8.2 Exception
Except for regulations with respect to the timeliness of the filing of a petition for relief and regulations specifically permitted by their terms to be waived, the Academic Standards Committee shall not waive any of these regulations.

9. Appeals to the Faculty

9.1 General Provisions
(a) Appeals from decisions of a faculty committee will be considered by the faculty only upon affirmative vote by a two-thirds majority of the faculty voting on whether to hear any such appeal.

(b) Appeals to the Faculty from decisions of a faculty committee, in cases subject to such appeal, shall not involve de novo consideration of the petition in question, but shall be limited to the question of whether there was reasonable basis for the Committee decision being appealed. Such appeals will be considered by the faculty primarily on the basis of a written appeal coupled with the report and recommendation of the Committee.

(c) In matters involving dismissal, readmission, or grade disputes, the student petitioner may be permitted, in the discretion of the faculty as determined by a majority vote of those present and voting, to appear in person and with or without counsel before the full faculty to present his or her case as to either the finding, decision or penalty involved. In all other cases the petitioner may be permitted to appear in person to make a brief oral statement and answer questions. If the student petitioner appears before the faculty, members of the faculty have the right to examine him or her on the subject matter of the appeal.

(d) All such appeals to the faculty shall be instituted by the filing of a written notice of appeal addressed to the faculty. Such written petition shall be filed with the Dean. Such notice must be filed within thirty (30) days of the mailing of the decision of the Committee or such other communication of the decision as is appropriate.

9.2 Grade Disputes
The decision of the full faculty shall be limited to the following:
(a) To affirm the decision of the Academic Standards Committee; or

(b) If the full faculty decides that the recommendation of the Academic Standards Committee was unreasonable, to let the disputed grade stand, or replace it with a "P" or "W" grade.

10. Notice and Amendment of Academic Regulations

10.1 Notice
All students are required and assumed to know the contents of all notices and bulletins posted by the College of Law. All students are required and assumed to know the contents of the current Academic Regulations applicable to them based on the date they enrolled in the College of Law, the current Academic Regulations, and the Cleveland-Marshall College of Law Student Handbook.

10.2 Amendment
The foregoing academic regulations are subject to change at any time upon the posting of notice thereof or upon the subsequent revision and reissue of the Academic Regulations and the Handbook. The foregoing are the Academic Regulations of the Cleveland-Marshall College of Law in force and effect at the beginning of the 2012-2013 academic year. These regulations are presumed to apply to all students enrolled in the College of Law, but any student who
first enrolled before Summer 2012 and can show that substantial hardship is imposed by an application of these regulations may petition the Academic Standards Committee for relief as provided for in the Academic Regulations in effect at the time they commenced their law studies or anytime thereafter. All students are required and assumed to know the contents of the current Academic Regulations and College of Law Student Handbook.
The Cleveland-Marshall Law School Honor Code

Preface
The Cleveland-Marshall Law School Honor Code is intended to serve three purposes. First, as the Ohio Code of Professional Responsibility requires attorneys to maintain the integrity and competence of the legal profession, the Honor Code similarly requires law students to maintain the integrity and competence of those who seek to become attorneys. Second, the Honor Code establishes rules and guidelines to define what conduct is proper and what is outside the bounds of propriety in the Law School community. All students are obligated to make themselves familiar with the provisions of the Code and to seek help from the appropriate instructor or administrator if they have questions about the Code. Ignorance of the provisions of the Code will not be a defense to a claimed violation. Third, the Honor Code demonstrates the commitment of the faculty and staff of the Law School to assuring high standards of ethical and professional conduct. Claims of violations of the Code will be taken seriously and handled expeditiously. Students who report possible violations will be treated with respect. Students who are charged with violating the Code will be afforded fair procedures for contesting the charges.

The procedures and penalties in this Code apply to cases involving alleged violations of the Honor Code Rules. The Code does not preempt other bodies established by the University or the College of Law from dealing with matters other than those set forth in the Honor Code Rules. Misconduct not subject to this code is subject to disciplinary action by the Dean's office or other bodies within the Law School or by the University. In particular, this Code does not preempt the authority of the Academic Standards Committee to make determinations in cases involving grade disputes and academic standing.

All members of the Law School community are obliged to report cases of suspected violations of the Honor Code to the Honor Council. Members of the Law School community are also obligated upon request of the Honor Code Committee to appear at hearings conducted by the Honor Council.

Upon obtaining information that gives an instructor reasonable grounds for believing that a violation of the Honor Code has occurred, the instructor shall report the matter to the Honor Council. The instructor is not authorized to resolve the matter by imposing a penalty on the student.

To interpret and apply the Honor Code effectively, faculty cooperation is essential. Faculty shall attempt to minimize misunderstanding in all assignments. Examination regulations shall be clearly explained on the examination document. Faculty shall endeavor to avoid ambiguity by stating clearly their policies and procedures concerning grading, daily assignments, class attendance, acceptable and prohibited materials, and acceptable levels of collaboration.

These rules assume that, in the absence of instructions to the contrary, students are invited to meet in groups to discuss class reading assignments and to study for written examinations. Unless instructed otherwise, students are expected to prepare written work individually using published research materials such as cases, law review articles, and other treatises on the law.

Definitions
Presiding Officer – The Chairperson, Vice-Chairperson of the Honor Council or the person that has been designated by the Dean to act in the place of the Chairperson, Vice-Chairperson.
Probable Cause - Whether there is a reasonable basis for proceeding with the investigation.

Rules
These rules describe conduct covered by the Cleveland-Marshall Law School Honor Code. Under many of the rules are specific examples of conduct covered by the rule. The specific examples are not intended to be exhaustive statements of the limits of the rule; they are meant to be descriptive of the purpose and intent of the rule.

I. Examinations
A student shall not cheat or take unfair advantage of other students while taking an examination.
Cheating includes giving assistance to or receiving assistance from another person while taking an examination.
Cheating includes using any documents, materials or electronic devices for assistance while taking an examination other than those that are authorized by the instructor.
Copying or retaining any examination questions except as authorized by the instructor is a violation of this rule. Copying of examination questions placed on library reserve is permitted.
Commencing an examination before the stipulated starting time or working on an examination after the ending time specified by the instructor or proctor is a
violation of this rule.

Violating any other reasonable regulation established by the instructor for the taking of the examination is a violation of this rule.

II. Plagiarism

A student is prohibited from plagiarizing. Plagiarism is defined broadly as copying and representing as one's own the works of another in whole or in part regardless of whether such work is copyrighted; using the ideas of another without proper attribution; or any other effort to pass off the works of another, in whole or in part, as the work of the student.

Plagiarism includes using information, ideas, quotations or opinions that are not the student's without identifying the source. Students must use quotations when using the words of another and give credit to the source from which the words are drawn. Students must give credit for the material, ideas, or opinions drawn from others when restated in the students' own words. Paraphrasing, defined as presenting as one's own the words of another with minor modifications, is a violation of this rule.

Submitting a written paper as the sole work of the student when others have shared in preparation of the written work is a violation of this rule. Any written work that is the joint effort of more than one author shall bear the names or identification numbers of all persons who shared in the preparation of the work.

Authorization by an instructor for students to discuss an assignment with others shall not by itself be deemed to be authorization to prepare the written work jointly.

III. Unauthorized Assistance

Knowingly providing unauthorized assistance to a student who is preparing written work, taking an examination, or doing a class assignment is prohibited.

IV. Misuse of Prior Work

A student shall not submit work for credit in a course when that work has been or will be used for credit in another course unless the student has obtained express permission to do so from the instructor.

V. Compromising Anonymous Grading

A student who is submitting work that will be graded anonymously shall not take any action for the purpose of revealing or suggesting the identity of the student as the author of the work.

VI. Misuse of Law Library and Other Law School Books, Materials and Equipment

A student shall not steal, deface, destroy, or otherwise misuse law library and other law school books, materials or equipment.

It is a violation of this rule for a student to hide or otherwise make law school materials unavailable to other students in order to put others at a disadvantage in performing a law school assignment.

It is a violation of this rule for a student to use a law school computer or a research terminal for work undertaken in the course of outside employment or for other non-law school purposes.

VII. Falsifying Documents

A student or applicant for admission or readmission shall not knowingly alter or falsify any documents or materials relating to the Law School including application and financial aid papers, transcripts, bar admission papers, resumes, or job application forms.

VIII. Unauthorized Recording

No student shall install or use any device for listening to, observing, recording, photographing, transmitting, or broadcasting any meetings or conversations among members of the Law School community not open to the public without express consent of all persons involved. This provision does not apply to classes, which remain subject to the individual rules of each instructor.

IX. Interference with the Educational Process

The orderly pursuit of legal knowledge is the primary mission of the Law College. Accordingly,

A. No student shall make any threat of physical harm or engage in intimidating conduct with the intent to prevent or materially to hinder: (1) a student from pursuing an education in the College of Law; (2) a faculty member from teaching, engaging in research, or performing institutional duties; or (3) a staff member from performing institutional duties.

B. No student shall steal, deface, hide, or otherwise sabotage another student's books, notes, outlines, papers, or other work products or material.

C. No student shall intentionally:

(1) give information that is materially false or misleading or contains a material omission to; or

(2) otherwise materially deceive a faculty member, a member of the law school administration, or a law school committee.

Honor Council Procedures

I. Selection of Council Members

The Honor Council shall consist of eight members: four faculty, three students, and one administrator.

The Dean shall appoint the faculty members and designate one member to serve as the chair and
another to serve as vice chair. During the initial selection, two faculty members shall be appointed for two-year terms, and two shall be appointed for a one-year term. Thereafter, appointments shall be for two-year terms.

The Dean shall select student members upon recommendation of the Student Bar Association (SBA). The SBA shall recommend at least five upper level students from whom the Dean shall select three to serve. The other students shall be available to serve as interim members should one of the students have a conflict of interest or otherwise be unable to serve in an individual case. Students shall be appointed for one-year terms. If the SBA fails to recommend students to serve on the Council, the Dean is authorized to appoint the student members at the Dean’s discretion.

The administrative member shall be appointed by the Dean.

If a member of the Council has a conflict in any case, either because the member is a witness, party, or complainant, or the member is otherwise unable to render a disinterested decision, the member shall recuse himself or herself and an interim member shall be appointed for that case. The Dean shall appoint a faculty member to replace a faculty member, a member of the administration to replace the administrator and a student, from the list of students previously recommended by the SBA, to replace a student member when necessary. If no student on the list is eligible to serve, the Dean shall select an upper level student to serve on the committee.

II. Prehearing Procedures

Whenever the Dean, or designated administrative officer is informed that a suspected violation of the Honor Code has occurred, that person shall first make a determination as to whether a probable cause investigation is warranted by conducting a preliminary interview with the complainant and/or accused.

Any complaint of a suspected violation which is brought to the attention of the Dean or designated administrative officer after the spring or fall semester following the semester in which the suspected violation is discovered shall be deemed untimely and shall not be investigated. When meeting with the accused, the student shall be fully informed of his or her rights including the right to retain counsel if there is a full investigation.

Any person having direct knowledge or information concerning a suspected violation of the Honor Code shall report the matter to the designated administrative officer within a reasonable time, after the alleged violation has been discovered.

Within fifteen (15) business days of the report of a suspected violation, the person to whom the report is made shall make a preliminary determination on the facts alleged by the reporting party, whether to proceed with a probable cause investigation.

When an alleged violation of the Honor Code is reported to the Council, a file shall be opened and all documents, records and statements regarding the alleged violation shall be maintained in the file. The administrative member of the Council shall be responsible for maintaining the case files. The files shall be confidential. Prior to a decision by the Honor Council access shall be limited to members of the Council during the time that they are investigating or considering a particular case. If an accused is found to have violated the Honor Code and an appeal is taken, the file may be viewed by any person who is authorized to participate in a determination of the appeal. After an alleged violation has been finally determined, access to the file shall be limited to administrators of the Law School who need information in the file for necessary administrative purposes such as determining the status of the student or deciding whether to recommend the student for admission to the bar.

If there is a determination that a probable cause investigation should be conducted, the administrative member of the Council shall notify the student that an investigation is taking place. The notice of a pending prosecution may include a brief statement of the nature of the charge, if known by the investigators.

The Honor Council Chair shall assign a team of investigators to the case no later than 10 business days, after the decision to investigate has been made. The team shall consist of one faculty member and one student member from the list of students previously recommended by the SBA to serve along with the administrator as investigators of the alleged violation. The rest of the members of the Honor Council shall serve as the Hearing Board for that case. When the chair serves as an investigator, the vice chair shall serve as the chair in all subsequent proceedings related to that case.

The investigators shall gather information about the alleged violation, obtain statements when appropriate, determine if there is sufficient information in support of the alleged violation to justify pursuing the matter and present evidence to the Hearing Board if the case proceeds to a hearing.

If a majority of the investigators determines that there is insufficient information in support of an alleged violation to justify pursuing the matter, the investigators shall inform the chair and the case shall be closed. The matter may be reopened if additional or related charges are reported to the Honor Council, or if additional information is presented to the investigators. The student will be so informed.

When the investigating team concludes its probable
cause inquiry, the designated administrative officer shall meet with the student and informally present the findings of the probable cause investigation.

A. If the accused admits the charges during this interview:

(1) The administrative officer will consult with the chair of the Honor Council about the range of sanctions, and the proposed sanction(s) in the case.

(2) If the Honor Council and the accused agree the sanction(s) shall be imposed.

(3) If the accused admits the violation(s), but does not agree with the sanction(s) the matter shall proceed to a hearing before the Honor Council, for the sole purpose of determining the appropriate penalty.

B. If the accused denies or does not respond to the charge(s) a hearing will be held by the Honor Council. Upon receipt of notice of a pending prosecution the Chair of the Honor Council shall set a date and time for the hearing on the charges, which shall be no later than 45 days after the decision to prosecute has been made. The accused shall be given at least ten days notice of the hearing.

The presiding officer may conduct a pre-hearing conference with parties to determine issues including the number of witnesses and/or to accept stipulations.

Unless instructed otherwise by the Hearing Board, or presiding officer, investigators shall give a witness list and copies of any statements or exhibits to the accused. This information may be withheld and replaced with a summary if the presiding officer determines that there is reason to believe that the witnesses are likely to be harassed or that the information in the statements is not relevant to the charges. All exculpatory evidence shall be given to the accused.

The prehearing conference and any subsequent hearings in a case shall be recorded on tape. The tape shall be kept with the case file and shall be retained at least until all hearings and appeals of the case have been completed.

III. Hearing Procedures

When a hearing is scheduled, either the accused or the investigators may request the Hearing Board to send a letter asking any person believed to have relevant information about the alleged charge to attend the hearing as a witness. The Hearing Board shall send such letter unless it determines that the witness does not have any relevant information about the matter or that the request is intended for purposes of harassment or delay rather than a fair adjudication of the charges.

Except for statutory privileges, hearings shall not be conducted according to strict rules of courtroom procedure and strict rules of evidence. The Chair of the Hearing Board shall serve as judge and shall rule on any objections to questions or procedures. The Chair shall take care to assure that all parties have a fair chance to present their case, and that all witnesses are treated with respect. The Vice-Chair shall assume the duties of the Chair when the Chair is not present. The hearing may not be set during any period when classes are not in session without the written permission of the accused.

The accused shall have the right to the assistance of any person including a faculty volunteer or retained counsel.

The presiding officer shall have the right to exclude testimony irrelevant to the charges being prosecuted. Where the substance of the proffered testimony is not in dispute, written summaries may be accepted instead of oral testimony.

An investigator may make a brief opening statement setting forth the alleged violations and the essential facts intended to be established at the hearing. The accused may make a brief responsive statement.

Generally, the investigators shall call witnesses, introduce exhibits and present written statements first and the accused shall present any defense in response. The Hearing Board may modify the timing of the presentation of the case or calling of witnesses to promote efficiency so long as the accused shall not suffer an unfair disadvantage. The Hearing Board may call witnesses in addition to those called by the investigators and the accused when additional information is needed.

The Hearing Board may conduct the initial questioning of each witness while permitting an investigator and the accused to ask additional questions. Alternatively, the Hearing Board may permit the parties to conduct the initial questioning, and reserve the right to ask questions after the parties complete the examination of each witness. The Chair may disallow questioning that is repetitive, irrelevant, cumulative, or harassing.

Upon completion of the presentation of evidence, an investigator and then the accused may make a brief closing statement.

Upon conclusion of the hearing, the members of the Hearing Board shall meet in closed session. The Hearing Board shall determine whether a violation has been established by clear and convincing evidence and, if so, what penalty should be assessed. Decisions shall be made by majority vote of the members present. The Hearing Board shall prepare a written statement setting forth the reasons for the decision and shall mail a copy to the accused and to the accused's attorney or advisor within ten days of the decision. The Honor Council may establish additional procedures that are consistent with the procedures set forth in these rules.
If an Honor Code investigation or proceeding is pending and the accused is scheduled to graduate, the student’s degree may be withheld until completion of the investigation and/or hearing. The Honor Council shall make every effort in such cases to complete the matter before graduation.

IV. Penalties

Upon a finding of a violation of this Code by the Hearing Board, the Board shall determine the penalty to be imposed. The Board shall impose only those penalties provided for in this Code. In determining the appropriate penalty, the Board shall consider the nature and seriousness of the offense, the intent or knowledge of the student committing the violation, the truthfulness of the student charged during the course of the disciplinary proceedings and hearings, any prior record of violations by the student and any factors in mitigation presented by or on behalf of the student.

The penalties that may be imposed for violations of the Code are as follows:

A. Permanent expulsion from the College of Law;
B. Suspension from the College of Law for a determinate period of time, not to exceed four years, subject to such terms and conditions as the Board deems appropriate. The Board may require that application for readmission be approved by the Admissions Committee of the College of Law;
C. Partial or total revocation or suspension of scholarships;
D. Restriction of access to Law School;
E. For violations related to course work, penalties may include:
   1. Assignment of a failing grade;
   2. Change of grade in a course;
   3. Withdrawal of Academic Credit or
   4. Receiving no credit for the work product, with or without the opportunity to repeat the assignment;
   5. Assignment of additional course work or reexamination if the instructor involved agrees;
F. Imposition of an order of restitution or community service equivalent to such restitution;
G. Probation for a specified period of time, under terms and conditions determined by the Board, including loss of privileges such as the privilege to run for or serve as an officer or member in any student organization;
H. Written reprimand.

Except for permanent expulsion and reprimand, the above penalties are not mutually exclusive.

At the close of each academic year the Honor Council may post and/or otherwise publish a summary of its actions for that year which provides, in anonymous fashion, a statement as to each charge brought to the Honor Council, the findings as to that charge, and the penalty for each violation.

Absent extraordinary circumstances, the penalty for cheating on any examination shall be no less than suspension from the College of Law for one semester. Absent extraordinary circumstances, a subsequent violation of the Code shall result in permanent expulsion from the College of Law.

When the Hearing Board determines that a student has violated the Honor Code and has imposed a penalty, the Board shall distribute its decision as follows:
A. In all cases the Board shall place a copy of the decision in the Honor Council case file and shall send a copy of the decision to the student and the student's attorney or advisor;
B. In all cases except those in which the penalty is a written reprimand, the Board shall submit a copy of the decision to the Dean of the College of Law and shall submit a copy of the decision to the records officer with instructions to include the decision in the student's file. Where the penalty imposed is permanent expulsion or suspension, the Hearing Board shall also instruct the records officer to include a notation of the action on the student's permanent record card (transcript). Where the penalty is less than permanent expulsion or suspension, the Hearing Board may order that a notation be placed on the student’s permanent record card;
C. The Hearing Board may also transmit a copy of the written statement to other appropriate persons including an instructor if the misconduct involved a course, the librarian if the misconduct involved misuse of library materials, or another student if the misconduct involved violation of the rights of the student;

Where the penalty imposed is a written reprimand the Hearing Board may limit the notice of the decision to that provided in subsection A above, or the Board may notify the persons designated to receive notices pursuant to subsections B and C above.

V. Appeals

The student may appeal a decision of the Honor Council to the faculty as of right. The faculty may take such action as it deems appropriate including affirming the decision of the Honor Council, reversing the decision, or modifying the penalty assessed.

The faculty shall consider an appeal of a decision of the Honor Council in executive session. The appeal shall not be heard de novo, but shall be a review of the decision below based upon information presented to the faculty by the student or by the Honor Council or by information contained in the case file.

The student and the student's advisor or attorney shall have the right to appear at the faculty meeting, to make a brief statement, not to exceed ten minutes in length, in support of the appeal and to answer any
questions raised by members of the faculty.

All faculty members, other than the members of the Honor Council, shall have the right to vote on the appeal. Members of the Honor Council may participate in the deliberations of the faculty prior to voting. Decisions of the faculty shall be by majority.

The standard for determining whether to vote to affirm, reverse, or modify a decision of the Honor Council should be whether the decision was clearly erroneous. The vote of the faculty on appeal from a decision of the Honor Council shall be final.

If the faculty reverses or modifies a decision of the Honor Council, any information contained on the student’s permanent record card or the student file shall be corrected.

**VI. Time Limits**

Time limits stated herein that extend beyond the last day of classes during the Fall semester shall begin again with the first day of classes of the following Spring semester. Time limits stated herein that extend beyond the last day of classes during the Spring shall begin again with the first day of classes of the following Fall semester. Alleged violations that occur during the Summer Session will be referred to the Honor Council in the following Fall semester.

Any time limit within this code may be altered for good cause by the chair or vice-chair of the committee.

**VII. Emergency Suspensions**

In an extreme, dangerous or unusual circumstance the Dean or Dean’s designate may suspend any law student pending an investigation. An emergency suspension may be granted when there is probable cause that the student has engaged and/or will continue to engage in intentional conduct that will:

A. disrupt or interfere with the operation of a class or the law school;
B. endanger the physical safety of students, faculty or employees of the law school;
C. inflict emotional distress on faculty, students or employees of the law school.

Before such suspension takes place the Dean or Dean’s designate shall make reasonable efforts to interview the accused. At that interview the student will be told that he/she has the right to retain counsel and/or seek advice from his or her representative for the pending hearing.

The suspension may be imposed without a hearing. A written notice of the suspension and the reasons shall be given within 2 business days after the suspension is imposed. An opportunity for an informal hearing shall be given the student as soon as practicable but no later than four business days after the suspension is imposed. At the informal hearing:

A. The Chair or Vice Chair will be the hearing officer.
B. The hearing will be recorded.
C. The student shall have the right of the assistance of any person, including retained counsel.
D. The hearing officer may question witnesses who may appear.

Within 24 hours the hearing officer shall make a determination in writing as to whether the suspension should continue. If the hearing officer finds that a return to school would seriously disrupt or interfere with the operation of the law school or a class, or that reinstatement before a full honor code hearing would threaten the safety or well being of students, faculty or employees, the suspension shall continue until complaint proceedings are concluded.

A student suspended under this section shall have the right to an expedited hearing before the Honor Council to be held no later than 10 days after the written findings of the hearing officer.

During the period of suspension the student shall not enter the University campus, except to meet with officials in pre-arranged conference(s) concerning pending procedures.

Should the suspended student be vindicated and as a result of the suspension, classes missed cannot be made up to the satisfaction of the faculty or the absences would violate law school, AALS or ABA rules concerning attendance, such student shall be entitled to a refund for those classes.

**VIII. Finality**

Once a final decision has been made by the Honor Council, the matter is concluded and can not be reopened by this committee except for compelling circumstances, a referral from the full faculty, or unless there is new evidence, not reasonably discoverable at the time of the proceedings.
C|M|LAW Policy on Student Complaints Implicating ABA Compliance

A. Reporting a Complaint
Cleveland-Marshall College of Law wishes to hear any student concerns about significant problems that directly implicate the law school’s program of legal education and its compliance with the Accreditation Standards of the American Bar Association (ABA). The ABA Accreditation Standards can be accessed here (http://www.americanbar.org/groups/legal_education/resources/standards.html). Any student having such a concern should submit a complaint in writing to the Ombudsman of the Student Bar Association (SBA). The complaint should state the facts that form the basis for the complaint and how the matter implicates the law school’s program of legal education and its compliance with the ABA standards. The SBA shall submit the complaint to the Associate Dean of Administration no later than 10 business days after its date of submission by the complainant and shall notify the complainant of the submission. If the complainant has not received notification after 10 business days following submission of the complaint, the complainant may submit the complaint directly to the Associate Dean for Administration. Please see the SBA Complaint Policy which appears below or can be accessed here (https://www.law.csuohio.edu/currentstudents/complaints).

B. Resolving the Complaint
When a written complaint has been submitted to the Associate Dean of Administration in accordance with Section A, the Associate Dean for Administration shall investigate as soon as possible, but in no event later than 20 business days after the submission of the written complaint to the Associate Dean for Administration. The Associate Dean for Administration shall attempt to resolve the complaint, if possible, within the 20 business day period. If resolution is not possible, the Associate Dean for Administration may refer the matter to the appropriate administrator, administrative body, or an administrative official designated by the Dean (the “Dean’s designate”). If referral of the complaint is made as referenced above, the administrator, administrative body or Dean’s designate shall attempt to resolve the complaint as soon as possible, but in no event later than 20 business days after referral by the Associate Dean for Administration. Upon completing the investigation of the complaint, the law school shall communicate its findings and, if appropriate, its intended actions to the complainant and the SBA.

C. Appeal Process
If the complainant is dissatisfied with the outcome or resolution, the complainant has the right to appeal the decision to the Dean of the law school. The complainant should submit his/her appeal in writing in a timely manner to the Dean of the law school, but in no case more than 10 business days after communication to the complainant of the findings of the investigation. The Dean’s decision shall be communicated to the complainant and the SBA within 20 business days of the submission of the appeal and the Dean’s decision shall be final.

D. Maintaining a Written Record of the Complaint
The law school shall maintain a complete written record of each complaint submitted to the Association Dean for Administration which shall contain a statement of the facts and an explanation of how the complaint was investigated and resolved. This record shall be maintained by the law school in a confidential manner for five years from the date of final resolution of the complaint.

E. Protection against Retaliation
The law school prohibits retaliation by a faculty member, administrator, staff employee, or student against any student who makes a complaint under this Policy.
A. Reporting a Complaint
As the representative body for students of Cleveland-Marshall College of Law, the Student Bar Association (SBA) wishes to know of all complaints students may have that directly implicate the law school’s program of legal education and its compliance with the Accreditation Standards of the American Bar Association (ABA). The ABA Accreditation Standards can be accessed here (http://www.americanbar.org/groups/legal_education/resources/standards.html). Any student having such a concern should submit a complaint in writing to the Ombudsman of the Student Bar Association. The complaint should state the facts that form the basis for the complaint and how the matter implicates the law school’s program of legal education and its compliance with the ABA standards.

The Ombudsman shall report the student complaint to the SBA Executive Board at the first meeting of the Executive Board after receipt of the student complaint. Regardless of the timing of the Ombudsman’s report to the Executive Board, the Ombudsman shall submit the complaint to the Associate Dean of Administration no later than 10 business days after its date of submission by the complainant and shall notify the complainant of the submission. If the complainant has not received notification after 10 business days following submission of the complaint, the complainant may submit the complaint directly to the Associate Dean for Administration.

B. Investigation of the Complaint
When a written complaint has been submitted to the Associate Dean of Administration in accordance with Section A, the SBA Senate may investigate as soon as possible, but in no event later than 20 business days after the submission of the written complaint to the Associate Dean for Administration.

C. SBA Advocacy for Complainant
The SBA Senate may advocate on behalf of the complainant. If SBA Senate chooses to advocate on behalf of the student, SBA Senate shall have access necessary for effective advocacy to the Associate Dean for Administration, or the appropriate administrator, administrative body, the Dean, or an administrative official designated by the Dean (the “Dean’s designate”) to whom the matter be referred. SBA Senate may continue its advocacy on behalf of the complainant during any appeal the complainant may make.
**CSU Graduation and Bar Exam Application Requirements**

**Graduation Application**
You must submit a graduation application to the Records Office, LB 142, prior to the term you plan to graduate. Applications are available online at [http://csunew.csuohio.edu/enrollmentservices/registrar/forms/graduationapplaw.pdf](http://csunew.csuohio.edu/enrollmentservices/registrar/forms/graduationapplaw.pdf) and in the rack outside the Records Office. This application initiates a review of your record to assure that you have completed all requirements. You will not be certified for graduation or a bar examination until this application is on file. You must complete and return the form with the $25 application fee, by check payable to Cleveland State University, to the law school Records Office by:
- December grads – July 1st
- May grads – November 1st
- July grads - January 15th

For additional graduation information, please see [https://www.law.csuohio.edu/sites/default/files/currentstudents/GraduationBasicsandReminders.doc](https://www.law.csuohio.edu/sites/default/files/currentstudents/GraduationBasicsandReminders.doc).

**Registration with the Supreme Court of Ohio**
Please see the Supreme Court’s website – [http://www.supremecourt.ohio.gov/AttySvcs/admissions/default.asp](http://www.supremecourt.ohio.gov/AttySvcs/admissions/default.asp) - for the latest information.

Any law student who intends to seek admission to practice in Ohio must register with the Supreme Court of Ohio. The following is an outline of the registration procedure, which is set out in full in Rule 1 of the Supreme Court Rules for the Government of the Bar, Admission to the Bar, Section 2. The fees listed are those effective on October 1, 2007, and in effect as of the date of this Student Handbook but are subject to change.

1. Applicants must file an Application to Register as a Candidate for Admission to the Practice of Law by November 15 in the applicant's SECOND YEAR of law school. The registration fee is $275.00 ($75.00 filing fee to the Supreme Court of Ohio and $200.00 to the National Conference of Bar Examiners for a character investigation and report).

2. An applicant who files an Application to Register after the filing deadline referred to above must pay an additional NON-REFUNDABLE late fee of $200.00 to the Supreme Court of Ohio and an additional NON-REFUNDABLE late fee of $75.00 to the National Conference of Bar Examiners. Thus, the fees for late applicants are $275.00 to the Supreme Court of Ohio and $275.00 to the Conference of Bar Examiners for a total of $550.00.

3. An applicant may not APPLY TO take a February bar examination unless s/he has filed an Application to Register by the 15th day of August immediately preceding the February exam. An applicant may not APPLY TO take the July Ohio Bar examination unless s/he has filed a complete Application to Register by the 15th day of January immediately preceding the July examination.

   Even if an applicant files the Application to Register by the specified date, s/he will not be permitted to take the bar examination unless the Ohio Supreme Court Bar Admissions Committee has reviewed and approved the application as to character at least three weeks before the examination.

4. The fee for foreign education evaluation is $150.00. Note: This fee is in addition to the $225.00 or $500.00 (late) fee to register.

   The applicant is under a continuing duty to update the information contained in the application to Register as a Candidate for Admission, including the character questionnaire, and to report promptly to the Admissions Office all changes or addition to information in the application.

   Note: All fees and deadlines are subject to change by the Ohio Supreme Court.

   The deadlines imposed by this rule will be strictly enforced by the Supreme Court.

   Note: Students interested in certain clinical programs, including the Housing Law Clinic, or in work positions with certain public sector employers may be required to apply for Legal Internship status from the Ohio Supreme Court, allowing them to practice in the Ohio courts while a law student. The requirements for this status are set out in Rule II of the Supreme Court Rules for the Government of the Bar, Limited Practice of Law by Legal Interns, and interested students should read the rule in its entirety.

   To qualify for this status a student must have completed at least two thirds of the credits required for graduation (i.e., 60 semester credit hours) and must complete a Legal Intern Application and submit it to the Supreme Court with a fee of $25.00.

**Application for the Bar Examination**
Please see the Supreme Court’s website – [http://www.supremecourt.ohio.gov/AttySvcs/admissions/default.asp](http://www.supremecourt.ohio.gov/AttySvcs/admissions/default.asp) - for the latest information. In addition, see the Bar Exam Resources on the law school’s website at [https://www.law.csuohio.edu/lawlibrary/bar](https://www.law.csuohio.edu/lawlibrary/bar).

Students who wish to sit for the Ohio Bar Examination must file an application with the Supreme Court. Following is an outline of the procedure, the complete text of which is found in Rule I of the...
Supreme Court Rules for the Government of the Bar, Admission to the Practice of Law, Section 3. The application to take the bar examination must be submitted with a non-refundable bar examination fee of $330.00, by certified check or money order made payable to the Supreme Court of Ohio; in addition, a certified check or money order in the amount of $24.00 must be submitted to cover the cost of the Multistate Performance Test materials. The fee for a late bar examination application is $430.00, plus $24.00.

1. Applicants for the February bar examination must file the Application for the Bar Examination by the proceeding November 1; those wishing to take the July bar examination must file the Application for the Bar Examination by the proceeding April 1.

2. Cleveland-Marshall College of Law will be required to (l) certify that the Dean or Associate Dean does not have any knowledge of any information that would cause her/him to doubt the applicant's character, fitness, and moral qualifications to practice law, and (2) certify the applicant's knowledge and ability, completion of a "legal ethics" course, completion of at least one hour of instruction on substance abuse, including causes, prevention, detection and treatment alternatives, and graduation from law school. This certification must be filed no less than 30 days before the bar examination. Students must have completed all course work and examinations, with final grades submitted, before the law school can complete the certification.

3. As mentioned above, the law school will be required to certify that the applicant has received one hour of instruction on substance and drug abuse. Students may satisfy this requirement by participation in a one-hour, non-credit seminar session to be presented from time to time at the law school. Participation in the seminar will be noted in the student's permanent academic record so that certification of participation can be made at the time that the student applies to take the Ohio Bar Examination. If a student chooses to satisfy this requirement through a program other than the one presented by the College of Law, the group sponsoring the program must certify completion of the requirement.

The applicant is under a continuing duty to update the information contained in the application to take the bar examination including the supplemental character questionnaire, and to report promptly to the Admissions Office all changes or additions to information in the application that occur prior to the applicant's admission to practice.

The deadlines imposed by this rule will be strictly enforced by the Supreme Court.

Character Investigation by Admissions Committees
Section 11 of Rule I of the Supreme Court Rules for the Government of the Bar, Admission to Practice, provides standards of review for admissions committees to follow in investigating the character and fitness of bar applicants and providing recommendations to the Supreme Court. Specifically, the rule provides: "An applicant may be approved for admission if the applicant's record of conduct justifies the trust of clients, adversaries, courts and others with respect to the professional duties owed to them and demonstrates that the applicant satisfies the essential eligibility requirements for the practice of law as defined by the Board. A record manifesting a significant deficiency in the honesty, trustworthiness, diligence, or reliability of an applicant may constitute a basis for disapproval of the applicant."

Factors to be considered carefully by the admissions committee before making a recommendation about an applicant's character, fitness, and moral qualifications shall include, but are not limited to, the following:

(a) commission or conviction of a crime, subject to Division (D)(5) of this Section;
(b) evidence of an existing and untreated chemical (drug or alcohol) dependency;
(c) commission of an act constituting the unauthorized practice of law;
(d) violation of the honor code of the applicant's law school or any other academic misconduct;
(e) evidence of mental or psychological disorder that in any way affects or, if untreated, could affect the applicant's ability to practice law in a competent and professional manner;
(f) a pattern of disregard of the laws of this state, another state, or the United States;
(g) failure to provide complete and accurate information concerning the applicant's past;
(h) false statements, including omissions;
(i) acts involving dishonesty, fraud, deceit, or misrepresentation;
(j) abuse of legal process;
(k) neglect of financial responsibilities;
(l) neglect of professional obligations;
(m) violation of an order of a court;
(n) denial of admission to the bar in another jurisdiction on character and fitness grounds; and
(o) disciplinary action by a lawyer disciplinary agency or other professional disciplinary agency of any jurisdiction.

2. An admissions committee recommendation other than an unqualified approval shall be deemed a recommendation that the applicant not be admitted to the practice of law, in which case the written report
shall enumerate the specific reasons for such recommendation.

Students are urged to review Rule I of the Supreme Court Rules for the Government of the Bar, Admission to the Practice of Law, in its entirety. See http://www.supremecourt.ohio.gov/AttySvcs/admissions/Bar_Exam/default.asp (scroll down and click on the link to Supreme Court Rules for Government of the Bar of Ohio – Rule I. Admission to the Practice of Law). Questions concerning any portion of the Rule should be addressed to the Clerk of the Supreme Court of Ohio at (614) 466-1541.

Applications to Register with the Supreme Court and Applications for the Bar Examination are available online at http://www.supremecourt.ohio.gov/AttySvcs/admissions/default.asp. Students are responsible for submitting their Applications to Register with the Supreme Court directly to the Supreme Court. Students are also responsible for submitting their Bar Exam Applications directly to the Supreme Court. All forms requiring certification by a law school official should be submitted to Records Officer in LB 142 by the deadlines that are posted on the official law school bulletin boards. Questions concerning applications may also be directed to the Records Officer.

**Multistate Professional Responsibility Exam**

Applications for the MPRE exam are available online at http://www.ncbex.org/multistate-tests/mpre. An applicant may take the MPRE at any time before or after taking the Ohio bar exam. A scaled score of at least 85 points is required to pass the MPRE (OHIO).

**Substance Abuse Education Seminar**

This is a requirement for the Ohio Bar Exam and is usually given by Cleveland-Marshall twice a year in November and April. Notices regarding these seminars will be posted by the Records Officer at the law school. You must sign up in advance to attend one of the sessions.

**Other State Bar Exams**

Check on the requirements and filing deadlines NOW! Some states have pre-registration applications and the fees escalate according to enrollment status. Some jurisdictions (NY) have specific deadlines for ordering or filing applications. Information and, most importantly, contact information is posted on a Bulletin Board outside the law school Records Office and online at http://barbri.com.
CSU Student Rights and Responsibilities

I. Affirmative Action

Cleveland State University is committed to the principle of equal opportunity in employment and education. No person at the university will be denied opportunity for employment or education or be subject to discrimination in any project, program, or activity because of race, color, religion, national origin, sex, age, sexual orientation, handicap or disability, disabled veteran, Vietnam-era veteran or other protected veteran status. See

http://www.csuohio.edu/offices/affirmativeaction

Inquiries concerning implementation of this policy and compliance with relevant statutory requirements, including, inter alia, Title VII and Title IX of the Civil Rights Act of 1964 (as amended), Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990, may be made to the Affirmative Action Office, Parker Hannifin Administration Center, Room 236, 2300 Euclid Avenue, (216) 687-2223.

Students who wish to seek accommodations under Section 504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act of 1990 must request such accommodations and should contact the Assistant Dean for Academic Affairs for information or to request accommodations. See also the Disability Services section of this Handbook.

Complaints of discrimination may be addressed through the Student Grievance Procedure outlined in the Cleveland State University Student Handbook, copies of which are available through the Cleveland State Department of Student Life, Main Classroom Building, Room 106, (216) 687-2048 and at the College of Law.

II. Sexual Harassment

Sexual harassment is a form of sex discrimination that is legally prohibited by The Ohio Revised Code, Section 4112, and Title VII of The Civil Rights Act of 1964 (as amended). Sexual harassment is contrary to the most fundamental canons of the academic community and violates the special bond of intellectual dependence and trust between students and faculty. It exploits unfairly the power inherent in the relationship between supervisor and subordinate or teacher and student, and it can also occur between persons of the same university status.

It is the policy of Cleveland State University and Cleveland-Marshall College of Law that no member of the law school community shall engage in sexual harassment. Students, faculty and staff members who believe that they have been sexually harassed should seek resolution of the problem through the University’s informal and formal grievance procedures. Students are directed to the Student Grievance Procedure outlined in the Cleveland State University Student Handbook, copies of which will be distributed to law students and are available online at http://www.csuohio.edu/studentlife/conduct/index.html (click on the link to the Code of Student Conduct on the menu to the right of the page) and through the Cleveland State University Department of Student Life, Main Classroom Building, Room 106, (216) 687-2048.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in any University activity;

(2) submission to or rejection of such conduct by an individual is used as a basis for evaluation in making decisions affecting instruction, employment, or other University activity; or

(3) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creates an intimidating, hostile or offensive University environment.

III. Veterans Services

Information regarding Veteran benefit application, eligibility, and monthly payment rates is available online at http://www.gibill.va.gov/. Directions for submitting applications for veteran benefits can be found online at http://www.csuohio.edu/enrollmentservices/registrar/va.html

Campus 411certifies the enrollment of veterans to the Veterans’ Administration for those students who have completed the Application for VA Education Benefits. The Veterans’ Administration approves or denies the application. All enrollments are subject to audit by the Veterans’ Administration. Any overpayment in veterans’ benefits as a result of an audit will result in the veteran assuming liability for repayment.

Direct questions regarding veterans’ benefits to Campus 411, Main Classroom Building, Room 116, at 216-687-5411. Additional services for veterans are available
through the University’s Veteran Student Success Program. See http://www.csuohio.edu/studentlife/vikingvets/resources.html for more information.

IV. Student Rights Regarding Education Records
In accordance with the Family Educational Rights and Privacy Act of 1974, commonly called FERPA, students at Cleveland State University have specific rights regarding their education records. These rights include, but are not limited to, the following:

1. The right to inspect and review their education records;
2. The right to request amendment of their education records to ensure that such records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. The right to nondisclosure of personally identifiable information contained in their education records, except when the student gives prior consent or when the Buckley Amendment and its regulations allow disclosure without the student's consent;
4. The right to file with the U.S. Department of Education complaints regarding alleged violations of the FERPA by the University;
5. The right to obtain a copy of the University's Policy on Student Rights and Protections under FERPA. A copy of Cleveland State University's institutional policies on access to student records may be obtained by request from the Office of the University Registrar at Keith Building 1409 or viewed on the web site at http://www.csuohio.edu/enrollmentservices/registrar/privacy/ferpa.html. These policies set forth the procedures for inspection and amendment of educational records.

V. Student Rights Regarding the Release of Directory Information
In accordance with federal law, the University classifies the following information on students as public information and may make it available to the public:

1. Student Name
2. Home and mailing addresses
3. E-mail address
4. Telephone listing
5. Major field of study
6. Participation in officially recognized activities and sports
7. Height and weight of members of athletic teams
8. Dates of attendance
9. Degrees and awards (honors) earned
10. Most recent previous educational institution attended by the student

Students who wish to restrict the release of the foregoing information can do so by submitting the Directory Information Restriction Request Form to Campus411 in MC 116. Your request must be received at least ten (10) business days prior to the first day of instruction of the semester for which the request is to become effective. This restriction will remain in effect until you request in writing that it be removed. However, even if you file such a request, the University will release information as necessary if it is determined that disclosure is permitted by FERPA without prior consent (e.g., response to a subpoena, health or safety emergency, etc.). Please be aware that if a student requests that the foregoing information be withheld, it will be withheld from a variety of sources, including friends, relatives, prospective employers, insurance agencies, honor societies, and the news media. Students should carefully consider the consequences of withholding such information before they do so.

VI. Student Conduct Code
Students at Cleveland-Marshall College of Law of Cleveland State University are subject to the Student Conduct Code of Cleveland State University. Copies of the Student Conduct Code will be distributed to all members of the law school community and is available online at http://www.csuohio.edu/studentlife/StudentCodeOfConduct.pdf and from the Cleveland State University Department of Student Life, Main Classroom Building, Room 106, (216) 687-2048.
Student Organizations

Students who are interested in learning more about joining a student organization or starting a new organization should contact Amy L. Miller, Director of Student Life, at amy.miller@law.csuohio.edu.

American Constitution Society for Law and Policy (ACS)

The American Constitution Society for Law and Policy (ACS) is one of the nation's leading progressive legal organizations. Founded in 2001, ACS is a rapidly growing network of lawyers, law students, scholars, judges, policymakers and other concerned individuals. Our mission is to ensure that fundamental principles of human dignity, individual rights and liberties, genuine equality, and access to justice enjoy their rightful, central place in American law. C|M|LAW’s ACS Student Chapter furthers dialogue on constitutional philosophy and collaborates with the Northeast Ohio Lawyers Chapter, which recently won the ACS Chapter of the Year Award.

Asian Pacific Islander Law Students Association (APILSA)

APILSA was formed to address the concerns of Asian students and to provide support to its members. APILSA welcomes and encourages all students to participate in the many events sponsored by APILSA through the year. Many of these events explore the many issues facing Asian Americans. APILSA also offers a forum for its members to meet Asian American lawyers working in the Cleveland area through its guest speaker series and through its ties with the Asian American Bar Association of Ohio.

Black Law Students Association (BLSA)

BLSA is a national organization with chapters at law schools across the country. The C|M|LAW chapter of BLSA sponsors and co-sponsors various educational and social events throughout the year. Our biggest event is the BLSA Scholarship Banquet. Although BLSA’s primary purpose is to provide assistance in preparation and retention of African-American law students, BLSA membership is open to all students.

Business Law Association

The Business Law Association is dedicated to providing students with an understanding of the intimate relationship between business practices and legal application. For students intending to practice corporate law or join a corporate institution, or for students who possess an entrepreneurial spirit, the Business Law Association is devoted to exposing students to this interdisciplinary relationship. Please join us as we seek to prepare students to be future leaders in the business and legal communities.

Canadian Law Students Association (CLSA)

CLSA represents the interests of prospective and current students at the law school. Canadians applying for admission to the law school are encouraged to contact the CLSA for answers to various questions they are encountering. CLSA seeks to be an information source for Canadian students and to provide assistance with respect to course selection, housing, visa issues, health insurance, employment, and getting licensed to practice law in the United States and various Canadian provinces. Additionally, CLSA serves as a liaison between the law school and Canadian students. During the school year, CLSA hopes to organize information forums and to invited speakers to talk about important aspects of US-Canada law practice.

Catholic Lawyers Guild

The Catholic Lawyers Guild fosters spiritual growth and fellowship within the legal community, encourages observance of high ethical standards, and calls attention to legal and societal issues that affect morality, justice and faith. The Guild is affiliated with the Lawyer's Guild of the Catholic Diocese of Cleveland and sponsors speaker events as well as social and volunteer opportunities.

Christian Legal Society (CLS)

The purpose of the CLS is to provide support to law students as they face the pressures of law school and their future careers. The group meets regularly to discuss issues related to legal practice and Christian faith. The Cleveland-Marshall chapter helps with pro bono services and community outreach and brings speakers to campus.

Cleveland-Marshall Allies

C|M|LAW Allies is a social and political student organization dedicated to serving the lesbian, gay, bisexual, and transgender (LGBT) community at C|M|LAW. Allies sponsors speakers, events, and panel discussions on legal issues that affect the LGBT communities. Allies provides a forum for social and professional interaction by hosting social events for C|M|LAW students. In addition, the Allies mission is to provide a welcoming environment for LGBT law
students and faculty, and a voice for issues that are specific to the LGBT community both within the law school and the greater legal community. We welcome all LGBT students and straight allies to join our email list, and to become a part of Allies.

Cleveland-Marshall Republicans

The goal of the CM|LAW Republicans is to provide an environment that supports and encourages its members’ understanding of conservative political, social and economic values and ideals. Active members can expect to contribute by participating in debates, written commentary, and the local and national political community. “Let us ask ourselves; ‘What kind of people do we think we are?’” – Ronald Reagan

Cleveland Metropolitan Bar Association, Young Lawyers Section & Women in Law Section

Immersing yourself in a leading professional organization will make for a smoother transition upon graduation. Join as a law student and utilize the CMBA as you grow in your career. As the local bar association for Greater Cleveland, the CMBA is the one organization that supports and brings together the entire legal profession. Our membership includes business leaders, judges, attorneys, paralegals, law students and other professionals. Through networking, education, volunteer opportunities and more, the CMBA provides the tools you need to prepare for, transition into, and succeed in practice – and law students can join for free. There is also free membership in the Young Lawyers Section and Women in Law Section.

Cleveland State Law Review

The Cleveland State Law Review is a journal with a proud tradition. Four times each year, the Law Review publishes articles of both local and national significance. Students may be invited to join the Law Review as an Associate member at the end of their first year by either class ranking in the top ten percent or by successfully competing in a writing contest during the summer following their first year. Students in the evening division may choose to wait until the summer following their second year to enter the writing competition.

During the first year of Law Review participation, Associate members take part in the editorial work of the Law Review and produce a comprehensive Note on a topic of their choice. A select number of Notes are published in the Law Review the following year. Successful completion of the Note may also satisfy the upper level writing requirement.

Criminal Law Society

The purpose of the Criminal Law Society shall be to facilitate student interaction with practicing criminal defense lawyers, prosecutors, and other facets of the criminal justice system. Last year the Criminal Law Society hosted speakers and organized a police ride-along program. This year the Society plans to again engage in the police ride-along program and host guest speakers or panel discussions; the Society also may be involved in a program aiding those with criminal records obtain jobs.

Delta Theta Phi

The Delta Theta Phi Law Fraternity is an international professional law fraternity with over 100,000 members. Delta Theta Phi bridges the gap between law school and the successful practice of law. Through networking at fraternity functions, mutual benefits are derived for both students and alumni. Many attorneys that utilize law clerks look to the Fraternity first when hiring. In general, the Fraternity provides a framework for its student members to substantially further their range of personal contacts and professional opportunities.

Democratic Law Organization (DLO)

The Democratic Law Organization pursues the ideas of liberty, justice, and freedom for all regardless of race, religion, or sex. We will pursue these ideas through support of the Democratic Party and its ideas, ideals, and candidates.

Dual Degree Law Students Association (DDSA)

DDSA is an organization for those students who are enrolled in a dual degree program (JD/MPA, JD/MBA, JD/MAES, JD/MSES, and JD/MUPDD) or are interested in doing so. The purpose of DDSA is to advocate for the interests of dual degree students and assist with knowledge and information regarding the dual degree programs.

Employment & Labor Law Association (ELLA)

ELLA was formed to meet the strong interest in employment and labor issues at Cleveland-Marshall. Founded in 2004, this group is vital to the ongoing success of the faculty’s Employment and Labor Law Group, which hosts a stimulating lecture series each year. ELLA sponsors employment and labor law themed “movie nights,” when a movie or documentary is viewed followed by a discussion of the issues presented. ELLA annually contributes to a number of charities supporting research into degenerative diseases that give rise to ADA-related claims. ELLA also offers specialized networking opportunities through its participation with the labor and employment section of
the Cleveland Metropolitan Bar Association. ELLA is a non-partisan organization and respects both the labor and management perspectives.

**Entertainment & Sports Law Association (ESLA)**
The Entertainment & Sports Law Association’s goal is to promote interest in sports and entertainment law through guest-speaker lectures, fundraising events, community service, volunteer opportunities, and the institution of sports & entertainment internships and networking opportunities.

**Environmental Law Association**
The Environmental Law Association at CM|LAW is a center of information and education for students, faculty, alumni and the community. Members are dedicated to being fully informed of the issues surrounding a school in an urban environment and the challenges not only of co-existing with nature but of improving the world in which they live.

**The Federalist Society**
The Federalist Society for Law and Public Policy Studies is a group of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The Society seeks both to promote an awareness of these principles and to further their application through its activities.

**The Gavel**
The Gavel is the student newspaper of the College of Law. Its purpose is to inform, entertain, and comment on the law school, the legal community, and related topics of interest. Students become staff members after having two articles or equivalent contributions printed in the publications. Staff members participate in editorial elections at the end of the year.

**Global Business Law Review**
The Global Business Law Review provides an innovative platform for scholars and practitioners to explore novel and transformational issues in the field of international business law. At the end of their first year, students may be invited to join the GBLR by either ranking in the top five percent of their class or by successfully competing in the annual Summer Writing Competition. The GBLR publishes volumes in the Fall and the Spring, and each year, the GBLR sponsors a Symposium that addresses the most significant legal issues in international business.

**Health Law Society (HLS)**
The Health Law Society seeks to expose students to different legal career options within the health care industry and to provide a community service and social outlet for its membership. HLS is affiliated with the American Health Lawyers’ Association (AHLA). Annually, HLS recognizes a local attorney with the Pioneer of Excellence in Health Care Law Award.

**Hispanic Law Students Association (HLSA)**
The Hispanic Law Student Association is dedicated to the advancement of Hispanics within the legal profession. The organization provides a support network for all Hispanic law students. It seeks to establish and maintain mutual cooperation with the larger Hispanic legal community.

**International Law Students Association (ILSA)**
The members of the International Law Society promote programs related to international law and practice. The group also organizes the law school’s participation in the Jessup International Moot Court Competition.

**Jewish Law Students Association (JLSA)**
JLSA is dedicated to furthering the religious, social, and educational needs of law students who identify with any branch of Judaism. It is affiliated with the Cleveland Hillel Foundation, the Jewish Joint Graduate Student Board and many other organizations. It also is committed to promoting equality, diversity, and religious tolerance for all members of the law school community. It sponsors speakers, social events, and religious functions. JLSA also helps students to become connected to the Cleveland Jewish Community and beyond through alumni events, coordination with the Young Leadership Division of Cleveland Federation and distribution of information from local synagogues and Jewish newspapers. All law students are invited to attend.

**Journal of Law and Health**
The Journal is a law review devoted to publishing timely and informative articles in the area of health and the law. Students are not eligible to become members of the Journal until they complete their first year. Students ranking in the top twenty percent of their class in terms of grade point averages are automatically extended invitations to join the Journal as Associate Members. Students not scoring in the top twenty percent are invited to join the staff upon successfully competing in the annual Summer Writing Competition.

Students who satisfactorily complete their Associate year attain the rank of Editor, assuming supervisory duties over the Associates and becoming
more involved in both the editorial and policy-making functions.

**Justinian Forum**
The Justinian Forum is a bar association representing 250 attorneys and 14 judges of Italian American descent in Cuyahoga County. The organization here at C|M|LAW was developed in conjunction with the bar association to promote and foster understanding of the roles of Italian Americans in the legal system and to encourage advocacy of Italian Americans in matters involving social justice issues. As an auxiliary chapter to the bar association we are invited to attend and be involved in all functions of the bar association. The auxiliary chapter works to elevate and maintain the standards of integrity and honor among the student body of the law school, while promoting legal, cultural and social activities.

**Moot Court**
The Cleveland-Marshall Moot Court program is an organization designed to provide students the opportunity to develop, refine, and showcase brief-writing and appellate advocacy skills. All students are eligible to compete for a position on the team at the end of their first year by submitting their final Legal Writing course paper. Submissions are reviewed anonymously by the Moot Court Board of Governors, and selected students then participate in an intramural competition. Second year students also have an opportunity to compete in an intramural competition to join the team after completion of the Advanced Brief Writing course. Once a member of the team, students compete in interscholastic competitions against other teams from across the nation. The award-winning C|M|LAW Moot Court team provides students the unique opportunity to obtain and develop real-world advocacy skills, both written and oral, while still in law school. Team members benefit from the advice and guidance of experienced alumni, faculty, and practitioners. For additional information, visit: [www.cmlawmootcourt.org](http://www.cmlawmootcourt.org).

**Ohio State Bar Association Law School Student Association Membership**
OSBA law school student membership is open to any C|M|LAW student. Law students may join the OSBA for free. Membership benefits for students include the weekly OSBA Report online, Ohio Lawyer and Law Student News publications; access to Casemaker—OSBA's online legal research tool; an online legal career center; and much more. Law students may choose to join a section that focuses on a specific area of the law. Sections require a payment of only $9 for each section, which covers the cost the whole time you are in school. Committee membership is free.

**Student Bar Association (SBA)**
The SBA is the student governing body of the college. Four officers are elected each spring and each class of students has its own senators. First year elections for both day and evening students will be held soon after classes start. The SBA’s primary responsibilities are to be the voice of the student body, oversee student organizations, and maintain programs and opportunities.

**Student Intellectual Property Law Association (SIPLA)**
The Student Intellectual Property Law Association (SIPLA) is an organization dedicated to representing the interests of students wishing to practice Intellectual Property law. Intellectual Property is the product of the mind manifested as ideas, inventions, work of art, collection of words, and trade secrets. One of the many benefits of practicing intellectual property law is its ubiquitous nature. It encompasses the obvious fields such as the hard sciences but also fine arts, literature, and even baseball stats! Nearly every field in which you may have an interest probably has a need for intellectual property protection. Due to its wide-spread demand, Intellectual Property law is one of the fastest growing, highest paid segments of law. Even if you are just thinking about intellectual property as possible field, join us for our meetings. You will hear from the area's leading practitioners about the protection of products from Kleenex to the cure for cancer.

**Student Public Interest Law Organization (SPILO)**
SPILO is an organization of students, faculty, and staff that recognizes the inequities that exist in our legal system and is dedicated to developing a more just society. SPILO serves as a resource center for students seeking employment or volunteer opportunities that focus on public service. The groups sponsors summer interns in public interest law, guest speakers, fundraisers, workshops, and social functions.

**Women Law Students Association (WLSA)**
The Women Law Students Association provides a forum for discussion and debate to promote an awareness of women’s and societal issues. WLSA sponsors an annual Silent Auction in the fall. It is a member of the National Association of Women Law Students and is open to all students.
Disability Services

The law school invites voluntary self-identification by students with disabilities for purposes of verifying the disability and identifying the reasonable accommodations that can be provided. Students seeking to establish a disability and arrange for reasonable appropriate accommodations should contact Assistant Dean Jean Lifter, LB 143, 216-687-4557, or via email at jean.lifter@law.csuohio.edu, or the University’s Office of Disability Services, described below. Once the student has established a disability as outlined below, Dean Lifter will coordinate the provision of accommodations at the law school. Normally, a student requesting accommodations must submit the required documentation at least four weeks prior to the date for which the accommodations are requested.

The University’s Office of Disability Services is located in MC 147 and can be reached at 216-687-2015; Assistant Director Linda Casalina can be reached via email at l.casalina@csuohio.edu; Counseling Specialist Jerry Gillinov can be reached via email at g.gillinov@csuohio.edu. In addition to evaluating documentation of disabilities and recommending accommodations, the Office of Disability Services provides a referral service for students who may benefit from the services of other agencies. It assists students with parking, access to buildings, alternates to regular text (such as audio or Braille), and provides guided orientation to the campus, as necessary. Accommodations are individualized and are arranged on a case-by-case basis.

The Cleveland State University Handbook for Students with Disabilities, available online at http://www.csuohio.edu/offices/disability/students/handbook/index.html/, outlines the procedure for documenting a disability and requesting accommodations. Additional information on Disability Services is available at http://www.csuohio.edu/offices/disability/.
See [http://www.csuohio.edu/aboutcsu/campusmap.pdf](http://www.csuohio.edu/aboutcsu/campusmap.pdf) for a campus map.
See next page for Building Guide
BUSINESS - The Monte Ahuja College of Business Administration is located on 18th Street between Euclid and Chester Avenues, directly across from the law school. The parking facility on 17th Street can be reached from the business school via a walkway over 18th Street from the law school.

CAMPUS SAFETY – The new home of the Campus Police, the Campus Safety Building is located at E. 19th and Chester.

CHESTER BUILDING - The Chester Building recently completed renovation that in part will bring the building up to ADA standards. The Chester Building houses several classrooms. The building is accessible via powered doors on the East and South sides with handicap parking on Chester site at 2300 Chester Ave. Chester is part of the Internal Circulation Network with connections to Stilwell and the Plaza. There is currently limited elevator and restroom access.

CHESTER BUILDING ANNEX – Located at 2300 Chester Avenue.

EUCLID COMMONS – Euclid Commons is the newest residence community on campus, opening Fall Semester 2010. Located on Euclid Avenue, just east of the Parker Hannifin Administration Center, Euclid Commons houses the new undergraduate admissions center and Parking Services.

FENN TOWER - The original Fenn College is also an historic structure that has recently been renovated for student housing. The main entry to the building is located at 1983 E.24th St. via a power door.

HEALTH SCIENCES – Located between Julka Hall and the Physical Education building, Health Sciences is home to undergraduate programs in Health Sciences and Speech & Hearing and graduate programs in Health Sciences, Occupational and Physical Therapy, and Speech Pathology and Audiology.

JULKA HALL – The building, located at 2485 Euclid Avenue, on the eastern edge of the campus, was completed in Spring 2010. It houses the College of Education and Human Services and the School of Nursing.

KEITH BUILDING – The Keith Building is located at 1621 Euclid Avenue. The University leases office space on several floors of the building.

LAW – Bert L. Wolstein Hall, which houses Cleveland-Marshall College of Law, is located on the northeast corner of E. 18 and Euclid. The Law school can be accessed off E.18 via a powered door. The building is part of the internal circulation net with connectors to the Law library and eastern campus as well as the Business building, the Urban building, and the E.17 Parking Garage. Accessible restrooms are available on the ground and first floors, but wheelchair users may need some assistance.

MAIN CLASSROOM - The Main Classroom building is CSU’s largest instructional complex. It is located on the Northwest corner of Euclid Ave. and E. 22 St. The building has easy access from its underground parking garage via elevators, from the Plaza, from the Internal Circulation Network via a bridge to Science Research. Accessible restrooms are located on the second and fourth floors. Many student services including Campus411, VikingCard, International Services and Programs, and the Cashier are located on the first floor.

MATHER MANSION - The Mansion is an historic building whose character and construction has been carefully maintained. The building is nevertheless accessible via a ramped rear entry and a powered door. Elevator access to all floors is available, though some disabled people might need assistance. Accessible restrooms are located in the basement. Handicap parking is available in lot B entered off of Euclid Ave. at 2605 Euclid.

MUSIC & COMMUNICATIONS - Music and Communications Building is located on the northwest corner of E. 21
and Euclid and houses the Music department, its rehearsal rooms, two performance auditoriums, the Communications department, the media labs, several classrooms, and departmental faculty offices. Music is on the internal circulation net with connectors to the Student Center and the Law building and law library. Handicap parking is available immediately south of the ground floor entrance or at the plaza level off the University Parking Facility which is accessed off E. 21 St. Accessible restrooms serve all floors. Wheelchair users can be accommodated in Waetjen Auditorium with assistance. Automated entry doors are at the ground floor, plaza, and on the connectors.

PARKER HANNIFIN ADMINISTRATION CENTER – The building, located at 2300 Euclid Avenue, opposite the Science Building, houses University administrative offices.

PARKER HANNIFIN HALL - The building, located at 2258 Euclid Avenue, next to the Parker Hannifin Administration Center, houses the College of Graduate Studies.

RECREATION CENTER – The Recreation Center is located at 2420 Chester Avenue. Accessible to the rest of campus through the Innerlink, the building is open from 5:45 a.m. – 11 p.m. during the school year and offers a variety of classes and open recreation times for cardio, weights, and aquatics.

RHODES TOWER - Rhodes Tower is the tallest structure on campus located at 1860 E. 22 St. near the Southwest corner of E. 22 and Chester Ave. Easy access is available through the underground garage, the University Parking facility on E. 21 St., and the Plaza via powered doors. Rhodes houses the University Library, the Rhodes Tower Classrooms, and a variety of academic and administrative offices. Accessible restrooms are available on the first floor of the library, the second and third floors of the classroom wing, and every other floor of the office tower. Access to the classroom wing is limited and mobility impaired or wheelchair users will need to procure a pass key from DSC to access the elevators.

RHODES WEST – Rhodes West houses numerous University classrooms.

SCIENCE - The Science Building is on the northwest corner of E.24th and Euclid. It houses the offices for the Physics and Biology Departments as well as many labs and seminar rooms. The Science building also contains an accessible computer lab on the first floor. Access to the building is via a freight elevator from the underground parking garage lot F, connections with the Stilwell and Science Research Buildings and the Internal Circulation Network. Restrooms are partially accessible and available on all floors. Some wheelchair users might need assistance with opening the doors.

SCIENCE RESEARCH - Centrally located on the Internal Circulation Network the Science Research Building has easy access from the street at 2351 Euclid Ave. via a power door. There is elevator access to upper floors and wheelchair friendly restrooms in the lobby. Geology and Chemistry have offices here. Science Research is connected to the Science Building and the Main Classroom Building via enclosed walkways.

STILWELL HALL - A renovation of Stilwell has made the home of the College of Engineering completely accessible. One automated entry is located at 1960 E.24th St; a second is located off of the parking lot C at 2300 Chester Ave. The building also has two connections with the wheelchair accessible Internal Circulation Network, one to the Chester Building and one to the Science Building. Accessible restrooms are located on each floor.

STUDENT CENTER – The building, located at 2121 Euclid Avenue, in the heart of the Cleveland State University campus. It houses dining locations as well as space for student groups and activities.

URBAN - The Urban building is located on the northwest corner of E. 17th and Euclid. It houses the Maxine Goodman Levin College of Urban Affairs, several research centers, and the Urban Studies department, along with their respective offices and classrooms.

WOLSTEIN CENTER – Located at 2000 Prospect Avenue, the Wolstein Center is the venue for Cleveland State basketball and numerous outside events throughout the year.
Law Faculty
2012-2013

Susan J. Becker
Professor of Law
B.A., Eastern Kentucky University
J.D., Cleveland State University
Upon graduation from Cleveland-Marshall in 1983, Professor Becker clerked for the Honorable Robert B. Krupansky of the United States Court of Appeals for the Sixth Circuit and then was a litigation associate with Jones Day. Since joining the Cleveland-Marshall faculty in 1990, she has researched and published on topics related to civil procedure, civil justice reform and sexual orientation and the law. She chairs the Civil Rules Subcommittee of the Supreme Court of Ohio’s Commission on Rules of Practice and Procedure, serves on the Advisory Group to the U.S. District Court for the Northern District of Ohio, and is a board member of the Ohio American Civil Liberties Union (ACLU). Professor Becker served as Associate Dean from 1996-99. Teaching Areas: Civil Procedure, Pre-trial Practice, Externships, Remedies, Sexual Orientation & the Law, Professional Responsibility

Craig M. Boise
Dean and Professor of Law
B.A., University of Missouri – Kansas City
J.D., University of Chicago
LL.M. - Tax, New York University
Dean Boise began his tenure as Dean of the College of Law on July 1, 2011. He joined the law school from DePaul University in Chicago, where he served for two years as Professor of Law, director of the Graduate Tax Program, and Director of the Institute for Offshore Financial Center Studies. Prior to that, Dean Boise was an Assistant Professor and then Associate Professor at Case Western Reserve University School of Law, and was a visiting professor at Washington & Lee School of Law in Fall 2006.

Prior to beginning his academic career, Dean Boise practiced law for over eight years at law firms including Cleary Gottlieb and Akin Gump, in New York, and Thompson Hine, in Cleveland. Before entering private practice, he clerked for the Honorable Pasco M. Bowman II, of the U.S. Court of Appeals for the Eighth Circuit. Dean Boise earned his LL.M. in Taxation from New York University School of Law and his Juris Doctor from the University of Chicago Law School. He received a Bachelor of Arts in political science, summa cum laude, from the University of Missouri-Kansas City, where he also completed substantial coursework toward a degree in piano performance at the University’s Conservatory of Music.

Dean Boise’s research has focused on U.S. corporate and international tax policy, offshore financial centers, and offshore financial intermediation. He has published articles in the TEXAS INTERNATIONAL LAW JOURNAL, the GEORGE MASON LAW REVIEW, and the MINNESOTA LAW REVIEW, and has presented papers at the law schools at Northwestern University, the University of Utah, and Wake Forest University, among others. Dean Boise also has been a frequent speaker before organizations including the American Bar Association Tax Section and the Association of American Law Schools Tax Section. He has taught International Tax, Corporate Tax, International Tax Policy and Federal Income Taxation. He is currently admitted to practice in Ohio and New York.

Teaching Areas: Tax

Michael Borden
Associate Professor
B.A., Pennsylvania State University
J.D., LL.M., New York University School of Law
LL.M., James E. Beasley School of Law, Temple University
Professor Borden was an associate with Leboeuf, Lamb, Greene & MacRae, L.L.P., in their New York and Paris offices from 1998 through 2001, when he entered the LL.M. program at New York University. He represented clients in a wide range of business transactions. Teaching Areas: Contracts, Agency & Partnership, Corporations

Carolyn Broering-Jacobs
Director, Legal Writing Program and Legal Writing Professor
B.A., The University of Notre Dame
J.D., The Ohio State University College of Law
Professor Broering-Jacobs joins the Cleveland-Marshall Faculty in Fall 2008 as Director of the Legal Writing Program. She was a member of the legal writing faculty here from 2000-2005, prior to which she had been a litigation associate at Baker & Hostetler LLP and had clerked for the Honorable Sam H. Bell of the United States District Court for the Northern District of Ohio from 1994-96. Since leaving Cleveland-Marshall
in 2005, she has been a legal writing consultant, presenting writing workshops for attorneys and summer associates. As a law student, she was an Executive Editor of the Ohio State Law Journal and was elected to the Order of the Coif. Teaching Areas: Legal Writing, Research & Advocacy

**Thomas D. Buckley**  
*Professor Emeritus of Law*  
B.A., Fordham University  
J.D., Yale Law School

Professor Buckley was in private practice prior to the start of his law teaching career at the University of North Dakota and Boston University. He also served as Deputy Director of the National Institute for Education in Law and Poverty. Professor Buckley has argued successfully before the United States Supreme Court and has published on the First Amendment and on Bankruptcy Law, among other topics. Teaching Areas: Commercial Law, Bankruptcy, Secured Transactions

**Peter A. Carfagna**  
*Executive-in-Residence*  
B.A., J.D., Harvard University  
M.A., Oxford University

Former IMG chief legal counsel, Peter A. Carfagna, is Executive-in-Residence in the Cleveland-Marshall College of Law. Carfagna will teach in the areas of sports law, business of sports and sports management. Carfagna served as chief legal officer/general counsel of IMG (the sports marketing and entertainment leader) for more than 10 years and was previously a partner at Jones Day and senior counsel at Calfee, Halter & Griswold. Carfagna has published three sports law books: *Negotiating and Drafting Sports Venue Agreements, Examining the Legal Evolution of America’s Three ‘Major Leagues’,* and *Representing the Professional Athlete.* Teaching Areas: Sports Law

**April Cherry**  
*Professor of Law*  
B.A., Vassar College  
J.D., Yale Law School

Professor Cherry was an Assistant Professor of Law at Florida State University College of Law from 1992-1999. Prior to beginning law teaching, she clerked for Chief Judge Judith Rogers of the District of Columbia Court of Appeals and was an associate with the Washington, D.C., law firm of Paul, Hastings, Janofsky & Walker. Professor Cherry’s primary research focus is on reproductive rights and technologies. Teaching Areas: Property, Estates & Trusts, Women and the Law, Parents, Children and the State

**Phyllis L. Crocker**  
*Professor of Law*  
B.A., Yale University  
J.D., Northeastern University School of Law

Following graduation from law school, Professor Crocker clerked for the Honorable Warren J. Ferguson of the United States Court of Appeals for the Ninth Circuit. She was then an associate in a small firm specializing in complex federal litigation, including class actions, plaintiff’s Title VII, RICO, and public agency representation. From 1989 until joining the Cleveland-Marshall faculty in the fall of 1994, she served as a staff attorney at the Texas Resource Center, a death penalty resource center that represents Texas death row inmates in state and federal post-conviction litigation. She has published extensively on the death penalty. Professor Crocker served as Associate Dean for Academic Affairs from 2006 through early 2010 and as Interim Dean from March 2010 through June 2011. Teaching Areas: Capital Punishment and the Law, Civil Procedure, Criminal Law, Criminal Procedure I and II

**Kelly K. Curtis**  
*Legal Writing Professor and Director of Academic Support*  
*Director of Academic Support*  
B.A., St. Mary’s College  
J.D., The Ohio State University

Professor Curtis joined the Cleveland-Marshall legal writing faculty from the office of the Ohio Public Defender in Columbus, where she was an Assistant Public Defender, litigating criminal appeals. She had previously been an associate in the Columbus office of Schottenstein, Zox & Dunn, where she was a member of the firm’s defense team. She is the author of several articles in bar journals and employment law publications. While a student, she was the Executive Editor of the *Ohio State Law Journal.* Teaching Areas: Legal Writing, Research & Advocacy, Academic Support

**Pamela A. Daiker-Middaugh**  
*Clinical Professor of Law, Community Health Advocacy Law Clinic and Director, Pro Bono and Community Service Program*  
B.A., Emory University  
J.D., Cleveland State University

Before joining the Clinical Faculty of the Law and Public Policy Program, Professor Daiker-Middaugh served as the Associate Director of the Street Law Program from 1987-94. She has taught Juvenile Law and Special Education Law at Cleveland-Marshall and directs the law schools Pro Bono Program. Professor Daiker-Middaugh serves as a Guardian ad Litem in
both the Cuyahoga County Juvenile Court and the Cuyahoga County Domestic Relations Court. Professor Daiker-Middaugh is the Chair of the Cleveland Bar Association’s Young Lawyers’ Section and is Vice-President of the Board of Trustees of the Cleveland Rape Crisis Center. Teaching Areas: Urban Development Law Clinic

Michael Henry Davis
Professor of Law
B.A., Occidental College
J.D., Hofstra Law School
LL.M., Harvard Law School
Prior to beginning his law teaching career at the University of Tennessee, Professor Davis was in private practice in New York City. He is a contributing editor of a French law journal, Revue Française de Droit Administratif, and publishes in the areas of comparative law, jurisprudence, and intellectual property. He is co-author of INTELLECTUAL PROPERTY, published by West Publishing Company. Teaching Areas: Torts, Intellectual Property, Comparative Law, Entertainment Law

Patricia J. Falk
The Charles R. Emrick Jr., – Calfee, Halter & Griswold Endowed Professor of Law
B.A., Union College
Ph.D., University of Nebraska-Lincoln
J.D., University of Nebraska-Lincoln
Professor Falk clerked for United States Magistrate Arthur L. Burnett, Sr., upon her graduation from law school and was a Trial Attorney with the United States Department of Justice, Antitrust Division, from 1985 through 1991. She has tried numerous criminal and civil cases. Teaching Areas: Criminal Law, Evidence, White Collar Crime, Social Science and the Law, Psychology of the Courtroom

David F. Forte
Professor of Law
A.B., Harvard College
M.A., University of Manchester
Ph.D., University of Toronto
J.D., Columbia University
Professor Forte served as Chief Counsel to the United States Delegation to the United Nations and has been a Fulbright Distinguished Chair at the University of Trento, Italy; a Liberty Fund Fellow; a National Endowment for the Humanities Fellow; an Ohio Humanities Scholar; a Bradley Resident Scholar at the Heritage Foundation; and a Salvatori Fellow at the Free Congress Foundation. He has taught at Skidmore College and, since joining the Cleveland-Marshall faculty, has written and lectured on a wide range of topics, including international law, comparative law, Constitutional law, Islamic Law, medical ethics, natural law, and jurisprudence. He has also authored a number of amicus briefs to the United States Supreme Court, has been active in helping to draft legislation and has testified numerous times before Congress and the Ohio State Legislature. Active in local governmental affairs, he was Acting Judge on the Lakewood Municipal Court. He is past chair of the Professional Ethics Committee of the Cleveland Bar Association, authoring numerous opinions on legal ethics. He is Consultant to the Pontifical Council for the Family and has edited and published volumes on Natural law, Islamic law, and Constitutional Law. He has given papers and addresses at over 70 academic institutions. Teaching Areas: Constitutional Law, International Law, Comparative Law, Islamic Law, Jurisprudence, First Amendment Rights

Stephen W. Gard
Professor of Law
B.A., DePauw University
J.D., Indiana University
LL.M., University of Chicago
Professor Gard was an editor of the Indiana Law Review and was in private practice before beginning his law teaching career at Gonzaga University. Since coming to Cleveland-Marshall, he has written widely in the area of first amendment rights. He has written briefs in cases before the United States Supreme Court and has testified before Congressional Committees on labor reform. Professor Gard directs the law school’s Moot Court program. Teaching Areas: Constitutional Law, Remedies, Torts, First Amendment Rights, Commercial Law

Peter D. Garlock
Associate Professor of Law
B.A., LL.B., Ph.D., Yale University
Professor Garlock came to the College of Law after serving as a member of the history department of Wellesley College, as a legal advisor to the Ministry of Finance of the Government of Kenya, as an assistant director of the IJA-ABA Juvenile Justice Standards Project, and as research associate in law with the Carnegie Council on Children. Combining his interests in legal history and juvenile law, Professor Garlock has published on the legal treatment of juveniles in nineteenth and twentieth century America. Teaching Areas: Criminal Law, Torts, American Legal History
Deborah A. Geier  
Professor of Law  
A.B., Baldwin-Wallace College  
J.D., Case Western Reserve University  
Professor Geier was Articles Editor of the Case Western Reserve University Law Review. Following her graduation, she clerked for the Honorable Monroe G. McKay of the United States Court of Appeals for the Tenth Circuit in Salt Lake City, Utah, and, prior to joining the Cleveland-Marshall faculty in 1989, she was an associate in the tax group with the law firm of Sullivan & Cromwell in New York. She is the co-author of a tax textbook and author of numerous articles. She has been a Visiting Professor of Law at the University of Michigan in Ann Arbor, the University of Florida in Gainesville, the University of Alabama (the John J. Sparkman Chairholder of Law), and Washington University in St. Louis. Teaching Areas: Federal Income Taxation, Taxation of Business Enterprises, Advanced Corporate Tax, Federal Income Taxation of International Transactions, Federal Indian Law

Sheldon Gelman  
Professor of Law  
A.B., Rutgers College  
J.D., Rutgers School of Law (Newark)  
LL.M., Harvard Law School  
Before attending law school, Professor Gelman was a National Institutes of Mental Health Fellow in Anthropology at the University of Chicago. He later worked in legal aid and mental health advocacy. He successfully petitioned the United States Supreme Court for certiorari in a class action asserting the rights of psychiatric patients to refuse medication. Professor Gelman’s articles about constitutional law, law and psychiatry, and jurisprudence have appeared in the Georgetown Law Journal, the Minnesota Law Review, and the William and Mary Law Review, among other places. He is also the author of MEDICATING SCHIZOPHRENIA, a history of psychiatric and legal thinking about mental illness, published by Rutgers University Press. Teaching Areas: Constitutional Law, Jurisprudence, Law & Medicine, Psychiatry and Law

Brian A. Glassman  
Legal Writing Professor  
B.A., Connecticut College  
J.D., Boston University School of Law  
Professor Glassman worked as a neighborhood staff attorney in the Legal Aid Society of Cleveland’s Civil Division from 1981-87. In the five years prior to joining the faculty, he operated a legal research and writing service for attorneys. He has served as a summer clerk with the Office of the Arizona Attorney General and has been a research assistant with the National Consumer Law Center. His writings have appeared in the Journal of Legal Education and Ohio Jurisprudence 3d, and he has authored materials for the ABA Law Student Division Negotiation Competition. Teaching Areas: Legal Writing, Research and Advocacy; Legal Drafting; Law and the Arts; Intellectual Property

Matthew Green  
Assistant Professor of Law  
B.A., University of Maryland – College Park  
J.D., University of Baltimore School of Law  
LL.M., Columbia University  
Professor Green joins the Cleveland-Marshall faculty in the Fall of 2008. After law school he was a law clerk for Judge Deborah K. Chasanow, U.S. District Court of the District of Maryland, and for Judge Eric L. Clay, U.S. Court of Appeals for the Sixth Circuit. He was a Litigation Associate with Hogan & Hartson, L.L.P. and with Ober, Kaler, Grimes & Shiver, where he focused on employment-related matters. His article Lawrence: An Unlikely Catalyst for Massive Disruption in the Sphere of Government Employee Privacy and Intimate Association Claims was published in the BERKELEY JOURNAL OF EMPLOYMENT AND LABOR LAW. Teaching Areas: Constitutional Law, Jurisprudence, Law & Medicine, Psychiatry and Law

Carole O. Heyward  
Clinical Professor of Law, Transactional Law Clinic  
B.A., Baldwin-Wallace College  
J.D., Cleveland State University  
After graduating from Cleveland-Marshall College of Law, Professor Heyward served as an associate at Messerman & Messerman, Co., L.P.A. and also served as the general counsel of a non-profit advocacy organization. In private practice, she provided assistance to municipalities and housing professionals relating to issues such as affordable housing, housing discrimination, mortgage lending, community reinvestment and accessible housing for persons with disabilities. Professor Heyward joined the Urban Development Law Clinic (then the Community Advocacy Clinic) in 2003 following ten years of private practice. Teaching areas: Urban Development Law Clinic, including nonprofit corporation law and management, real estate transactions, housing, and community development

S. Candice Hoke  
Associate Professor of Law  
B.A., Hollins College  
J.D., Yale Law School  
Professor Hoke taught at the University of Pittsburgh and Case Western Reserve University law schools
before joining the Cleveland-Marshall faculty in 1994. Following graduation from law school, she served as a law clerk to the Honorable Hugh H. Bownes of the U.S. Court of Appeals for the First Circuit and was an associate with Hill and Barlow in Boston, Massachusetts. She has written numerous law review articles, most recently in the area of federalism and the interrelation of federal and state regulatory and judicial systems. Teaching Areas: Election Law, Employment Law, Regulatory Federalism, Agency & Partnership, Federal Courts

**Lolita Buckner Inniss**  
*Joseph C. Hostetler – Baker & Hostetler Chair in Law*  
**Professor of Law**  
A.B., Princeton University  
J.D., University of California at Los Angeles  
LL.M., Ph.D., Osgoode Hall, York University  
Professor Inniss has served on the faculty since 1998. Prior to joining the Cleveland-Marshall faculty, Professor Inniss taught at Wayne State University Law School, where she was the Martin Luther King, Jr./Cesar Chavez/Rosa Parks Visiting Professor for fall 1997 and spring 1998. She has also taught at Widener University School of Law in Wilmington, Delaware, where she began the immigration clinic and taught Administrative Law. Her current research is in the areas of critical legal rhetoric, comparative racism, and law in film. Teaching Areas: Property, Law in Literature and Film, Race, Racism & Law

**Doron Kalir**  
*Clinical Professor of Law*  
LL.B., LL.M., Hebrew University  
LL.M., Columbia University  
After graduating from the LL.M program at Columbia Law School as a Kent Scholar (highest honors), Professor Kalir was named an Associate-in-Law at Columbia where he taught the LL.M program for two years. He also served as a senior editor of the *Columbia Business Law Review* and as a Teaching Assistant to Professor Farnsworth (contracts). Following Columbia Law professor Kalir joined the New York office of *Skadden Arps*, where he practiced for nearly five years. Following *Skadden* Professor Kalir continued in private practice and then finally returned to Columbia Law in 2009 as an Adjunct Professor. Professor Kalir began his legal career in Israel, where he first studied, taught, and practiced law. He completed his legal studies at the Hebrew University Law School with an LL.B (*cum laude*) and LL.M (*summa cum laude*) degrees, taught contracts and jurisprudence as an instructor, and argued several cases successfully before the Israeli Supreme Court. Teaching area: civil litigation clinic.

**W. Dennis Keating**  
*Professor of Urban Affairs & Law*  
A.B., Loyola College (Baltimore)  
J.D., University of Pennsylvania  
M.C.P. and Ph.D., University of California, Berkeley  
Professor Keating has a joint appointment with the College of Urban Affairs, where he serves as Associate Dean. He came to Cleveland State University after teaching at the University of California Law School, Berkeley, and the University of San Francisco School of Law. He was a staff attorney for the National Housing Law Project and has been a consultant to federal, state and local governments and national and local foundations. His major interests are in the areas of planning, housing, community development, land use and property. Teaching Areas: Housing Law, Planning Law

**Sandra J. Kerber**  
*Legal Writing Professor*  
B.A., Baldwin-Wallace College  
J.D., Cleveland State University  
Prior to teaching Legal Writing, Research and Advocacy at Cleveland-Marshall full-time, Professor Kerber taught part-time in the Division of Special Studies of Cleveland State University and at Cleveland-Marshall in conjunction with the law school’s Legal Career Opportunity Program. She has also practiced law with a concentration in the areas of employment law, probate practice, domestic relations and personal injury. She frequently lectures on topics and skills related to legal writing and research and is active in bar and community organizations. She also serves on several community committees. Currently, she serves as the Legal Writing Advisor to the Cleveland State Law Review. She has authored legal writing materials used in teaching legal writing. Teaching Areas: Legal Writing, Research and Advocacy, Advanced Legal Writing

**Kenneth J. Kowalski**  
*Clinical Professor of Law and Director, Employment Law Clinic*  
B.A., Case Western Reserve University  
M.Ed., Cleveland State University  
J.D., Ohio State University  
Following graduation from law school, Professor Kowalski clerked for the Honorable Judge John D. Holschuh of the United States District Court for the Southern District of Ohio. He then practiced law, specializing in employment discrimination and other civil rights litigation. He also served as General Counsel to The Housing Advocates, Inc., a not-for-profit public interest organization which represents low and moderate income persons and community groups in housing and landlord/tenant matters. He has worked
with the Employment Law Clinic since 1989 and has served as Assistant Director of the Clinic since 1990. Teaching Areas: Fair Employment Practices, Employment Law Clinic, Trial Advocacy

**Stephen R. Lazarus**  
**Associate Professor of Law**  
A.B., Williams College  
LL.B., Harvard Law School  

Professor Stephen R. Lazarus graduated from Williams College and Harvard Law School as a Tyng Foundation Scholar. He has been admitted to state and federal courts in New York, the District of Columbia and Ohio, and has practiced with the Legal Aid Society and Williamsburg Neighborhood Legal Services in New York, and with the Urban Law Institute in Washington, D.C. He was Attorney/Professor at Antioch School of Law prior to joining the faculty at Cleveland-Marshall College of Law, Cleveland State University, in 1973. Professor Lazarus has supervised students in several clinical programs at Cleveland-Marshall, including, at present, its Fair Housing Law Clinic, and has also taught courses in Civil Procedure, Constitutional Law, Evidence, First Amendment, Immigration Law, Property and Trial Practice. He is a member of the Board of Trustees and Vice President of Housing Advocates, Inc., a member of the Ohio Supreme Court Commission on Professionalism, a member of the Grievance Committee of the Cuyahoga County Bar Association, a consultant and trainer for the Legal Services Corporation, and a lecturer for the County Bar Association, a consultant and trainer for the Grievance Committee of the Cuyahoga Court Commission on Professionalism, a member of Advocates, Inc., a member of the Ohio Supreme Board of Trustees and Vice President of Housing and Trial Practice. He is a member of the Law, Evidence, First Amendment, Immigration Law, taught courses in Civil Procedure, Constitutional Law, Evidence, First Amendment, Immigration Law, Property and Trial Practice. He is a member of the Board of Trustees and Vice President of Housing Advocates, Inc., a member of the Ohio Supreme Court Commission on Professionalism, a member of the Grievance Committee of the Cuyahoga County Bar Association, a consultant and trainer for the Legal Services Corporation, and a lecturer for the Supreme Court of Ohio Judicial College as well as for numerous CLE programs. Teaching Areas: Civil Procedure, Constitutional Law, Ethics and Professional Responsibility, Evidence, Fair Housing Law Clinic, First Amendment, Immigration & Nationality Law, Judicial and Public Interest Externships, Property

**Browne Lewis**  
**Leon M. and Gloria Plevin Associate Professor of Law**  
B.A., Grambling State University  
M.P.A., University of Minnesota, Hubert H. Humphrey Institute of Public Affairs  
J.D., University of Minnesota  
LL.M., University of Houston  

Professor Lewis joined the Cleveland-Marshall faculty in Fall 2008. Prior to law school, she was awarded summer fellowships to study at Carnegie-Mellon University, the John F. Kennedy School of Government at Harvard University, and the Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota. Following graduation from law school, Professor Lewis served as a judicial clerk for the Chief Judge of the Minnesota Court of Appeals. She then practiced in the areas of public interest environmental law, elder law, and family law. Professor Lewis spent a substantial portion of her career as a legal services attorney advocating for the rights of low-income persons. Professor Lewis’s scholarship is in two areas: environmental discrimination and inheritance rights. She is the author of *THE INHERITANCE RIGHTS OF CHILDREN: CASES AND MATERIALS* (forthcoming from Carolina Legal Press). Prior to joining Cleveland-Marshall, Professor Lewis was an Associate Professor of Law at University of Detroit Mercy School of Law; she has also been a Visiting Professor of Law at the University of Pittsburgh School of Law and Hamline University School of Law. She has taught Torts, Estates and Trusts, Property, Real Estate Transactions, and Environmental Justice. Teaching Areas: Estates & Trusts, Property, Inheritance Rights

**Gwendolyn Roberts Majette**  
**Assistant Professor of Law**  
B.A., Emory University  
J.D., George Washington University  
LL.M. in Global Health, Georgetown University Law Center  

Professor Majette recently earned an LL.M. with distinction in Global Health from the Georgetown University Law Center where she was also a Global Health Law Scholar. She also served as a Legislative Fellow with the Health Subcommittee of the Ways and Means Committee of the United States House of Representatives and with a Senator on the Health Subcommittee of the Senate Finance Committee. Professor Majette has spent the bulk of her career in the legal academy. She taught Introduction to International Health, Human Rights, and Public Health Law at American University Washington College of Law and Health Law & Policy and Bioethics at Howard University School of Law and School of Medicine. Her scholarship focuses on patients’ rights, delivery system reform, and health care reform. Professor Majette earned a B.B.A. from Emory University and her J.D. from The George Washington University School of Law. She will teach Contracts and Health Care Law during the 2010-2011 academic year. Teaching Areas: Contracts, Health Law

**Claire C. Robinson May**  
**Legal Writing Professor**  
A.B., Harvard University  
J.D., Case Western Reserve University  

Professor May came to Cleveland-Marshall from a career in private practice, most recently as a litigation associate with Thompson Hine LLP in Cleveland.
Previously, Professor May was an associate in the Washington, D.C., office of Porter Wright Morris & Arthur LLP, and worked as a contract lawyer in the Washington, D.C., office of Jones Day Reavis & Pogue after her graduation from law school. Professor May’s practice focused on business litigation, including complex commercial matters. Professor May currently serves as an Assistant Editor of the Journal of the Legal Writing Institute and has published in The Law Teacher. Her current research is in the area of ethics and professionalism. While a law student, Professor May served as an extern for Judge Ann C. Williams of the United States District Court for the Northern District of Illinois, worked in the Law Reform Unit of the Legal Aid Society of Cleveland, and was a member of the Case Western Reserve University Law Review. Teaching Areas: Legal Writing, Research and Advocacy, Legal Writing and Litigation

Karin Mika
Legal Writing Professor
B.A., Baldwin-Wallace
J.D., Cleveland State University
Professor Mika has been associated with the legal writing program since 1988. She has worked as an Adjunct Professor of English at Cuyahoga Community College and works as a legal research consultant for various firms and businesses in the Cleveland area. Professor Mika has lectured on essay writing techniques for several bar review courses and has written bar exam essay questions for both the California and Minnesota bar examiners. Professor Mika’s areas of scholarly research are varied and she has published in the areas of Native American Law, Internet Law, and Health Care. Administrative and Teaching Responsibilities: Legal Writing, Research and Advocacy Program

Kristina Niedringhaus
Director of the Law Library and Associate Professor of Law
B.A., Washington University – St. Louis
J.D., University of North Carolina – Chapel Hill
M.A., University of Missouri – Columbia
Professor Niedringhaus comes to Cleveland-Marshall from Phoenix School of Law, where she served as Associate Dean of Information Resources & Technology and Associate Professor of Law. She previously held positions in the law libraries at Texas Wesleyan University, Georgia State University, and the University of Toledo. She has numerous publications and presentations on legal publications and electronic resources and has been an active member of various committees of the American Association of Law Libraries.

Reginald Oh
Professor of Law
B.A., Oberlin College
J.D., Boston College
LL.M., Georgetown University Law Center
Prior to joining Cleveland-Marshall, Professor Oh was a Professor of Law at Texas Wesleyan University School of Law in Forth Worth, Texas. He writes primarily in the area of Constitutional Law and Equal Protection, and he has published articles in U.C. Davis Law Review, Wisconsin Law Review, American University Law Review, Michigan Journal of Race and Law, University of Pennsylvania Journal of Constitutional Law, Villanova Law Review, Temple Political and Civil Rights Law Review, Cleveland State Law Review, Cardozo Women’s Law Journal, and Boston College Third World Law Journal. Among other honors, Professor Oh was selected in 2004 as one of a select few junior scholars to participate in the Law and Humanities Junior Scholar Interdisciplinary Workshop, which is sponsored by Columbia Law School, UCLA School of Law, Georgetown University Law Center, and the University of Southern California Center for Law, History, and Culture. Teaching Areas: Constitutional Law, Civil Procedure, Fourteenth Amendment Law and Theory, Education Law, and Employment Discrimination

Kevin F. O’Neill
Associate Professor of Law
B.A., San Francisco State University
J.D., Case Western Reserve University
Professor O’Neill has served as Ohio Legal Director of the American Civil Liberties Union, where he supervised litigation statewide and litigated selected cases as well. He was previously an associate with Arter & Hadden in Cleveland. Professor O’Neill taught Constitutional Law as an adjunct at Cleveland-Marshall in 1993-94. Teaching Areas: Constitutional Law, Contracts, Evidence, Civil Procedure, First Amendment

John T. Plecnik
Assistant Professor of Law
B.A., Belmont Abbey College
J.D., Duke University
LL.M., New York University
Professor Plecnik was one of six inaugural executive board members to co-found the Duke Journal of Constitutional Law & Public Policy. He also served as an editor on Law & Contemporary Policy and received the Faculty Award for Outstanding Achievement in Taxation & Estate Planning. Following his graduation from law school, Professor Plecnik joined the Wall Street law firm of Thacher Proffitt & Wood LLP as an ERISA associate. He then clerked for
Judge David Gustafson of the United States Tax Court. Since 2009, Professor Plecnik has served as an Adjunct Professor of Law at Georgetown University Law Center, where he taught Tax Penalties & Tax Crimes. Teaching Areas: Estates & Trusts, Wealth Transfer Tax, Tax I

Brian Ray
Associate Professor of Law
B.A., University of Notre Dame
Fulbright Fellow, Kyoto University
M.A., University of Pennsylvania
J.D., The Ohio State University

Following law school, Professor Ray clerked for the Honorable Alan E. Norris of the U.S. Sixth Circuit Court of Appeals in Columbus, Ohio. Prior to joining the Cleveland-Marshall faculty, he was a litigation associate at Jones Day in Columbus and Cleveland and clerked for ten months for Justice Richard J. Goldstone of the Constitutional Court of South Africa. His current research is in the areas of international and comparative law. Teaching Areas: Civil Procedure, Conflict of Laws, Comparative Constitutional Law

Heidi Gorovitz Robertson
Associate Dean and Professor of Law
B.A., Tufts University
J.D., University of Wisconsin
LL.M., J.S.D., Columbia University School of Law

Dean Robertson practiced environmental law with the law firm of Pillsbury Madison & Sutro (now Pillsbury Winthrop Shaw Pittman) in San Francisco and Washington, D.C. She was an Associate in Law at Columbia Law School, where she taught Legal Writing and Research to first-year students and was an Articles Editor for the Columbia Journal of Environmental Law. Professor Robertson served on the Ohio Lake Erie Commission’s Blue Ribbon Panel on Balanced Growth, and is currently a member of the Board of Trustees of the Clean Air Conservancy. Her current research interests concern the role of local governments in the redevelopment of urban brownfields land and the development of environmental ethics as a substantive discipline. Dean Robertson joined the Cleveland-Marshall faculty in 1995. Teaching Areas: Property, Environmental Law and Regulation, Environmental Law Seminar, Environmental Law and Policy Clinic

Christopher L. Sagers
James A. Thomas Professor of Law
B.A., University of Iowa
M.P.P., J.D., University of Michigan

Professor Sagers joined the Cleveland-Marshall faculty following several years in private practice in Washington, D.C. He was an Executive Editor of the University of Michigan Law Review and was elected to the Order of the Coif. He has a number of publications and is currently writing in the area of antitrust, administrative law, legal history and philosophy and social science issues. Teaching Areas: Administrative Law, Agency & Partnership, Antitrust, Corporations

Lloyd B. Snyder
Professor Emeritus of Law
B.S., J.D., University of Pennsylvania

Following graduation from the University of Pennsylvania Law School, Lloyd Snyder practiced law at the Legal Aid Society of Cleveland. He represented clients in litigation in state and federal courts at the trial, appellate and Supreme Court levels. In 1983 he joined the faculty at Cleveland-Marshall. Professor Snyder’s primary area of research and scholarship at the law school is in the field of legal ethics. He has written and lectured extensively on that topic, and he co-authored the seminal book on that subject for Ohio Lawyers, THE LAW OF PROFESSIONAL RESPONSIBILITY IN OHIO. In addition to his duties at the law school, Professor Snyder serves as a member of the Ethics and Professionalism Committee of the Cleveland Bar Association and as a member of the Board of Trustees of the ACLU of Ohio. Teaching Areas: Evidence, Legal Profession, Externships, Scientific Evidence

Steven H. Steinglass
Professor of Law and Dean Emeritus
B.S., University of Pennsylvania
LL.B., Columbia Law School

Prior to joining the Cleveland-Marshall faculty, Dean Steinglass was a legal services lawyer in Wisconsin and a lecturer at the University of Wisconsin Law School. He has argued cases in the state appellate courts in Ohio and Wisconsin and in the federal courts, including two cases in the United States Supreme Court. Dean Steinglass has lectured extensively at continuing legal and judicial education programs throughout the country, and he is the author of SECTION 1983 LITIGATION IN STATE COURTS (West) and THE OHIO STATE CONSTITUTION: A REFERENCE GUIDE (with Gino J. Scarselli) as well as several law review articles and book chapters on §1983 and federal practice topics. He served as Interim Dean of the College during the1996-97 academic year and as Dean from 1997 -2005 academic year. Teaching Areas: Federal Courts, Civil Procedure, Civil Rights Litigation, State Constitutional Law
Milena Sterio  
*Associate Professor of Law*  
B.A., Rutgers College  
D.E.A. (Master’s Degree), Universite Paris I-  
Pantheon-Sorbonne  
J.D., Cornell Law School  
Since receiving her master’s degree from the Sorbonne,  
Professor Sterio has been a corporate and litigation  
associate with Cleary, Gottlieb, Steen & Hamilton in  
New York, where she has been active in the firm’s *pro  
bono* practice, including asylum law and World Trade  
Center victim compensation claims. As an adjunct, she  
has taught in the Cornell Law School’s International  
War Crimes Research Clinic and lectured on  
international criminal law. Her research areas are in  
international and comparative law. Teaching Areas:  
International Law, International War Crimes, Alternate  
Dispute Resolution, Commercial Law

Mark Sundahl  
*Associate Dean and Associate Professor*  
B.A., University of California, Los Angeles  
Ph.D., Brown University  
J.D., University of California, Hastings College of  
Law  
Professor Sundahl teaches International Business  
Transactions, Commercial Law, Space Law and  
Ancient Athenian Law. He is the co-author of a  
treatise on secured transactions and has published  
articles and lectured around the world on international  
commercial law, space law, and legal history. Professor  
Sundahl is also a Member of the International Institute  
of Space Law and serves as Of Counsel to the law firm  
of Yormick & Associates. Prior to joining the faculty at  
Cleveland-Marshall, he was an associate in the  
International Transactions Group at Pillsbury Winthrop  
Shaw Pittman LLP in San Francisco. Teaching Areas:  
International Law, International Business Transactions, Secured  
Transactions, Ancient Athenian Law

Alan Weinstein  
*Associate Professor of Law and Urban Studies*  
Director of the Law and Public Policy Program  
and JD/MPA & JD/MUPDD Dual Degree Programs  
B.A., University of Pennsylvania  
J.D., University of California, Berkeley  
M.C.P., Massachusetts Institute of Technology  
Professor Weinstein is a nationally recognized expert  
on planning law who writes and lectures extensively in  
this field. He is a past-Chair of the Planning & Law  
Division of the American Planning Association (APA),  
is one of the twenty-seven planning law experts who  
serve as Reporters for APA’s *Planning & Environmental Law*, and serves as Chair of the Sub-  
Committee on Land Use & the First Amendment in the  
American Bar Association’s Section of State & Local  
Government Law. Teaching Areas: Land Use Planning,  
Environmental Law, Alternate Dispute Resolution, Law  
and Public Policy, Administrative Law, Property, Torts

Stephen J. Werber  
*Professor Emeritus of Law*  
B.A., Adelphi University  
J.D., Cornell University  
LL.M., New York University  
M.A. Judaic Studies, Siegal College of Jewish  
Studies  
Professor Werber was in private practice before joining  
the Cleveland-Marshall faculty in 1970. His primary  
research interest is in the area of products liability and  
he has written and lectured widely in the field. He has  
also published and lectured in the field of Jewish Law.  
As the adviser to the law school’s moot court program  
from 1981-2001, he developed the program to provide  
an opportunity for students to gain skills as advocates.  
He is a member of numerous bar and community  
associations and organizations, including the American  
Law Institute.  
Teaching Areas: Contracts, Products  
Liability, Judaic Law, Appellate Advocacy

James G. Wilson  
*Professor of Law*  
B.A. Princeton University  
J.D., University of Chicago Law School  
Professor Wilson came to Cleveland-Marshall after  
years of experience in legal services and teaching at the  
University of Michigan Law School. His research in  
constitutional law and jurisprudence has resulted in  
numerous articles, chapters, essays, and a book on the  
role of imperial ambition on American constitutional  
thought. Teaching areas: Contracts, Jurisprudence,  
Federal Courts, First Amendment, Constitutional Law  
Seminar

Jonathan Witmer-Rich  
*Assistant Professor of Law*  
B.A., Goshen College  
J.D., University of Michigan  
Professor Witmer-Rich attended law school at the  
University of Michigan, where he was an Associate  
Editor, and then a Contributing Editor, of the Michigan  
Law Review. After graduating from law school, Mr.  
Witmer-Rich did two federal judicial clerkships, with  
Judge M. Blane Michael of the 4th Circuit Court of  
Appeals and with Judge Joseph R. Goodwin of the U.S.  
District Court for the Southern District of West  
Virginia. He was an Associate in Trial Practice at Jones  
Day from 2003 to 2006. He left Jones Day in May  
2006 to join the Office of the Federal Public Defender  
in the Northern District of Ohio, where he has argued
before the 6th Circuit in a wide range of criminal cases. He was also a member of a 4-lawyer trial team that represented lead defendant Mohammad Amawi in a three-month 'terrorism' trial before Chief Judge James G. Carr in Toledo, Ohio, on charges of conspiracy to aid the insurgency in Iraq and conspiracy to kill and maim Americans overseas. He is also scheduled to represent two Guantanamo Bay detainees in habeas proceedings before the D.C. District Court and Detainee Treatment Act review proceedings before the D.C. Circuit. Teaching Areas: Criminal Law, Criminal Procedure I & II, Legal Responses to Terrorism
Officers and Administrative Staff

Craig M. Boise  
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B.A., Tufts University  
J.D., University of Wisconsin  
LL.M., J.S.D., Columbia University School of Law  
*Associate Dean and Professor of Law*

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J.D., University of California, Hastings College of Law  
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J.D., University of North Carolina – Chapel Hill  
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J.D., Ohio State University  
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*Director, Student Life*

Sandra Natran  
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*Director, College Budget and Administration*
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B.A., Washington University – St. Louis  
M.A., University of Missouri - Columbia  
J.D., University of North Carolina – Chapel Hill  
Director of the Law Library &  
Associate Professor of Law

Sue Altmeyer  
B.S., The Ohio State University  
M.L.I.S., Kent State University  
J.D., Cleveland State University  
Digital Content Services Librarian

Jan Ryan Babbit  
B.A., Wittenberg University  
M.L.S., Kent State University  
J.D., Cleveland State University  
Associate Director, Law Library

Cassandra D. Baker  
Library Associate I

Amy Burchfield  
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M.L.S., Kent State University  
J.D., The Ohio State University  
Head, Access and Faculty Services

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Jon Elias  
B.A., Cleveland State University  
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Elizabeth Farrell  
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M.L.S., Kent State University  
Technical Services Librarian

Greg Golembiski  
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M.A., University of Sussex  
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Tom Hurray  
B.A., Cleveland State University  
Evening/Weekend Supervisor

Sean Kennedy  
B.A., John Carroll University  
Library Media Technical Assistant

Laura Ray  
B.A., Cleveland State University  
M.A., Cleveland State University  
M.L.S., Case Western Reserve University  
Instructional Services Librarian

Karen R. Schneiderman  
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M.L.I.S., Kent State University  
J.D., University of Toledo  
Electronic Services Librarian

Daniel A. Thomas  
B.S., Kent State University  
M.Tech., Kent State University  
Assistant Director for Technology Operations

Rick Zhang  
B.S., Kent State University  
M.S., Kent State University  
Systems/Web Administrator

Karen A. Zima  
B.A., Baldwin-Wallace College  
Acquisitions/Purchasing Agent
# Support Services Staff

<table>
<thead>
<tr>
<th>Support Services Staff</th>
<th>B.A., Cleveland State University</th>
</tr>
</thead>
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Cleveland State University is committed to the principle of equal opportunity in employment and education. No person at the university will be denied opportunity for employment or education or be subject to discrimination in any project, program, or activity because of race, color, religion, national origin, sex, age, sexual orientation, handicap or disability, disabled veteran, Vietnam era veteran or other protected veteran status.
### Core Curriculum

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**Fall 2011 - DRAFT**

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**Intersession - New - July 16-July 30**

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Clinics & Externships

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** joint degree students only

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intersession - Mon., 1/2-Sat, 1/7/2011
on Monday, 1/2, class will meet in the CSU Student Center, Room #XXX

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9:40 PM 9:30 PM 2:00 PM
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**Special Terms**

**Electives**

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**Note**: Mediation and Trial Advocacy will be graded on a P/F basis; there will be no option to enroll on a graded basis but the courses will not count as one of the two courses that may be elected on a P/C-/D+/D/F basis.

**Note**: Mediation and Trial Advocacy will be graded on a P/F basis; there will be no option to enroll on a graded basis but the courses will not count as one of the two courses that may be elected on a P/C-/D+/D/F basis.

**Note**: you can register for Trial Ad or Med Mal under either Summer 2012 or Fall 2012.

If you register under Summer 2012, the credit hours will count toward the minimum credit hours needed for financial aid; if you register under Fall 2012, the credit hours will be included with your other Fall courses and may be included within the tuition band, depending on the other credits you are taking for the term.

A waiting list will be maintained in the Student Resources Area of the Student Services Center; students who place their names on the list by 5 p.m., Friday, April 20, will be given priority based on hours earned through Fall 2011.

Names added to the waiting list after that date will be given priority based on the date they were added to the list.
### Core Curriculum

#### First Year

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#### Electives - including seminars

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** will meet M&W for 1st two weeks of the term; after than, just M

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* 2 class hours but 3 credit hours for preparation of substantial paper

**Intersession - New - July 15-July 28**

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**Key to Notes:**

1. 1st term of continuing course
2. 2nd term of continuing course
3. Course may be undertaken before completion of RCC; certain core courses may be essential
4. Satisfies administrative law requirement
5/5a ULW paper required/option
6. Satisfies legal ethics requirement
7. Permission required for enrollment
8. New or revised course description; check document on law school website for information
9. Satisfies perspective requirement
12. Satisfies 3rd semester of legal writing requirement
13. Alpha suffix indicates # of credit hours (A=1; B=2; etc.)
16. Satisfies skills requirement
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### Clinics & Externships

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* 2 class hours but 3 credit hours for preparation of substantial paper

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*Clinics & Externships*

- **Civil Litigation Clinic Seminar***
  - 3,3 Kowalski/Kalir
  - Seminar plus work hours

- **Civil Litigation Clinic**
  - 7,8,13,16
  - Seminar plus work hours

- **Community Health Advocacy Clinic**
  - 7,16 824 3,3 Daiker-Middaugh
  - Seminar plus work hours

- **Fair Housing Clinic**
  - 7,13,16 886B 2,2 Kramer/Lazarus
  - Seminar plus work hours

- **Fair Housing Clinic**
  - 7,13,16 886C 3,3 Kramer/Lazarus
  - Seminar plus work hours

- **Fair Housing Clinic**
  - 7,13,16 886D 4,4 Kramer/Lazarus
  - Seminar plus work hours

- **Transactional Law Clinic Seminar**
  - Heyward/Motta
  - Seminar plus work hours

- **Externship Seminar**
  - Crocker
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- **Ind. Legal Research**
  - 7,13 880A
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| TBD        | Moot Court II                        | 7,16    | 3    | TBA           |          | Broering-Jacobs/Curts
| TBD        | Global Business LR                   | 7       | 1    | TBA           |          | Sterio/Sundahl
| TBD        | Jnl. Law & Health                    | 7       | 1    | TBA           |          | Lewis/Majette
| TBD        | Law Review                           | 7       | 1    | TBA           |          | Kerber/Sagers
| TBD        | Trial Adv. Competition               | 7,16    | 2    | TBA           |          | Davis, A.
| TBD        | Trial Adv. Competition: Adv.         | 7,16    | 2    | TBA           |          | Davis, A.

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<td>M</td>
<td></td>
<td>Borden</td>
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<tr>
<td>5615</td>
<td>Legal Writing</td>
<td>504</td>
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</tr>
<tr>
<td>5616</td>
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<tr>
<td>5626</td>
<td>Criminal Law</td>
<td>506</td>
<td>3</td>
<td>M W</td>
<td></td>
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**Second Year**

<table>
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<tr>
<th>Course Code</th>
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<th>Credits</th>
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<tbody>
<tr>
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<td>516B</td>
<td>2</td>
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<td>Wilson</td>
</tr>
<tr>
<td>5623</td>
<td>Property</td>
<td>514</td>
<td>4</td>
<td>M W</td>
<td></td>
<td>Cherry</td>
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**Electives - including seminars**

<table>
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<th>Days</th>
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<th>Location</th>
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<tbody>
<tr>
<td>5893</td>
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<td>744</td>
<td>1</td>
<td>M</td>
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</tr>
<tr>
<td>5662</td>
<td>Corporations</td>
<td>692</td>
<td>4</td>
<td>T Th</td>
<td></td>
<td>Roosa</td>
</tr>
<tr>
<td>5652</td>
<td>Evidence</td>
<td>661</td>
<td>4</td>
<td>M W</td>
<td></td>
<td>Lazarus</td>
</tr>
<tr>
<td>5657</td>
<td>First Amendment</td>
<td>680</td>
<td>3</td>
<td>T Th</td>
<td></td>
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</tr>
<tr>
<td>Course Code</td>
<td>Course Title</td>
<td>Credits</td>
<td>Days</td>
<td>Time</td>
<td>Room</td>
<td>Instructor(s)</td>
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<tr>
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<td>8</td>
<td>M W</td>
<td>8:00 PM</td>
<td>9:15 PM</td>
<td>Schweighoefer</td>
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<tr>
<td>5643</td>
<td>Judaic Law</td>
<td>5,9</td>
<td>T Th</td>
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<tr>
<td>5636</td>
<td>Land Use Control</td>
<td>5a</td>
<td>W</td>
<td>6:00 PM</td>
<td>9:50 PM</td>
<td>Keating</td>
</tr>
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<td>5637</td>
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<td>5a</td>
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<tr>
<td>5654</td>
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<tr>
<td>5687</td>
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<td>3,12,16</td>
<td>M</td>
<td>6:00 PM</td>
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<td>3,12,16</td>
<td>Th</td>
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<td>648</td>
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<td>9:10 PM</td>
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<td>5634</td>
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<td>603C</td>
<td>M W</td>
<td>6:00 PM</td>
<td>7:15 PM</td>
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<td>697</td>
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<td>6:00 PM</td>
<td>7:15 PM</td>
<td>Ritzert</td>
</tr>
<tr>
<td>5641</td>
<td>Tax: Fed Tax of Intl Trans</td>
<td>628</td>
<td>T Th</td>
<td>6:00 PM</td>
<td>7:15 PM</td>
<td>Geier</td>
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<td>5689</td>
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<td>5,9</td>
<td>W</td>
<td>6:00 PM</td>
<td>7:40 PM</td>
<td>Gelman</td>
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<td>5647</td>
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<td>W</td>
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</tr>
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</table>

* 2 class hours but 3 credit hours for preparation of substantial paper

** joint degree students only

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**Intersession**

<table>
<thead>
<tr>
<th>Course Code</th>
<th>Course Title</th>
<th>Credits</th>
<th>Days</th>
<th>Time</th>
<th>Room</th>
</tr>
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<tbody>
<tr>
<td>5759</td>
<td>Mediation (Short Course)</td>
<td>16</td>
<td>WThF</td>
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*Intersession* - Sat., 12/29/2012-Sun, 1/6/2013

<table>
<thead>
<tr>
<th>Days</th>
<th>Time</th>
<th>Room</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sa</td>
<td>9:00 AM</td>
<td>2:00 PM</td>
</tr>
<tr>
<td>Sun (just 1/6)</td>
<td>9:00 AM</td>
<td>2:00 PM</td>
</tr>
</tbody>
</table>
MEMORANDUM

To: CM Faculty

From: Ad Hoc Committee to Review the Curriculum and Academic Programs - Susan Becker, Carolyn Broering-Jacobs, Heidi Gorovitz Robertson, Ken Kowalski, Steve Lazarus, and Kris Niedringhaus

Date: April 21, 2011

Re: Proposed Curricular Changes for Faculty Discussion and Vote at April 28th Faculty Meeting (2 p.m., LB 60)

Introduction

This memo proposes significant changes to the CM curriculum. The proposals are situated in four categories to facilitate orderly consideration and discussion: (1) the first-year curriculum; (2) upper-level requirements; (3) ethics and professionalism; and (4) implementation and monitoring of changes. Every proposed change is part of an integrated approach to enhancing our curriculum to make sure that every CM graduate is well equipped to meet the challenges that inevitably accompany the transition from studying law to practicing it.

These proposals are informed by a variety of sources. The committee again urges faculty members to visit the resource webpage we created for your use at https://www.law.csuohio.edu/facultystaff/curricularmaterials. This site contains links to many of the articles and other sources we considered. It also makes accessible materials the committee generated such as summaries of comments received from faculty during our individual interviews and our brown bag discussions.

Impetus for Curricular Change

This faculty unanimously adopted Strategic Goals and Tactics for the law school in April 2007. One of our primary goals is that “the Law School will be recognized for the capacity of its graduates to counsel and represent their clients effectively, and for the ability of its students, graduates, and faculty to think critically about our society’s strengths and weaknesses and to have the theoretical, doctrinal, and practical legal expertise to promote social justice, individual freedom, and economic growth.” The faculty pledged in Goal # 5 of that strategic plan to “strengthen our curriculum and expand our teaching strategies to maximize the educational experience for our students in order to prepare them to practice law in the 21st century.”

In the fall of 2009, then Dean Geoffrey Mearns animated the faculty’s commitment by appointing a Special Committee to Review the Curriculum and Academic Programs (“Curriculum Review Committee”). In recognition of the breadth of the assignment, the committee was given two academic years to conduct “a comprehensive evaluation of our entire
law school curriculum and academic program.” The committee’s task was to propose curricular changes that effectuate “appropriate, necessary, and progressive changes to our curriculum and our academic program in order to prepare our graduates to practice law and pursue other professional opportunities in the 21st century.” Then-Dean and now Provost Mearns offered no specific suggestions at the time the committee was formed or subsequently as to the type of changes the committee should consider.

This curriculum review also fulfills our ABA Accreditation Standard 302 duty to “engage in periodic review of its curriculum to ensure that it prepares the school’s graduates to participate effectively and responsibly in the legal profession.” CM will conduct its Accreditation Self-Study during the coming academic year (2011-2012) and undergo its comprehensive ABA review in 2012-2013. The law school will cite the efforts of the Curriculum Review Committee and the faculty’s response as evidence of its compliance with this ABA standard.

Curriculum Review Process

Faculty Dialogues

Every member of a law school faculty possesses both the right and the responsibility to participate in decisions regarding the curriculum. The committee viewed its role in this faculty governance process to include (1) educating the faculty on current curricular issues at CM and in the academy, (2) engaging the faculty in discussions of possible models of curricular change (for example, semesterization of first-year classes), (3) soliciting faculty feedback on specific possibilities for altering the CM curriculum, and (4) presenting a set of well-considered curricular proposals for faculty vote. Committee members completed each of these tasks.

Specifically, the committee held a series of meetings with faculty intended to provide background information related to the myriad issues involved in contemporary curriculum planning and to obtain faculty input. During the initial brownbag on October 13, 2009, for example, we solicited faculty opinions on the skills and values our graduates should possess. At the January 2010 faculty meeting the committee provided a PowerPoint presentation about the curricular reforms occurring at other law schools and related information.

In subsequent brown bags we provided more information to faculty and facilitated faculty dialogue about our first year curriculum and the possibility of “semesterizing” first-year courses (on October 27, 2010), and about a wide range of possible changes to our upper-level curricular requirements (on February 16 and 24, 2011). A meeting held during a regular faculty meeting time slot (4 p.m. on March 10, 2011) allowed committee members and faculty to discuss possible changes to the curriculum that the committee provided for discussion purposes only. Committee members provided faculty with a comprehensive memo prior to the March 10th meeting.

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1 The 2010 Update to our Strategic Goals and Tactics cites the appointment and ongoing work of the Curriculum Review Committee as proof of progress toward the realization of the Vision and Goals we articulated in our 2007 plan.
2 ABA Accreditation Standard 302, Interpretation 301-8.
3 The committee regularly updated the faculty on its progress by making a report at virtually every faculty meeting since the committee’s initial appointment.
recapping the work done to date and containing extensive textual discussion for each of the seventeen curricular matters addressed in the memo.

**Individual Faculty Interviews**

In the fall of 2010 we solicited faculty members' comments and concerns about curriculum review by conducting individual interviews with all but two members of the faculty. In April 2011 committee members again met with faculty who teach the two-semester substantive courses offered in our current first-year curriculum (Torts, Property, Contracts and Civil Procedure) and discussed issues related to the semesterization of these courses.

**Curriculum Mapping Survey**

The committee created a curriculum mapping survey to identify the range and degree of competencies covered in required courses. We provided a memo about curriculum mapping to the faculty on August 31, 2010 and discussed the concept in detail at the September 2010 faculty meeting. We distributed the survey to faculty on October 7th (again with an explanatory memo). The survey was completed by 84% percent of full-time and adjunct faculty who teach a required course and any course that otherwise fulfills a graduation requirement, such as the administrative law or third semester of legal writing requirements.

The survey asked respondents to consider whether the required course(s) that they teach address certain enumerated and defined competencies including case law analysis, fact gathering, legal research, document drafting and other tasks which lawyers routinely perform. In particular, it asked them to consider the extent to which their course(s) introduced a competency (provided no generalized or individualized feedback), explored that competency (provided minimal general or individualized feedback, e.g. via one assignment, quiz, or other related exercise), refined that competency (provided individualized feedback, such as two or three assignments, quiz, or other related exercises), or encouraged mastery of the competency (where, for example, the competency is a primary objective of the course and students).

Survey results showed that although many of our students are being introduced or exposed to the enumerated competencies, we are not, in our required courses, providing opportunity for students to refine or master them. For example, although our required courses provide a high level (80% refined or mastery) of experience in case analysis, they provide a very low level of experience (7% refined or mastery) in competencies such as client interaction (7%), negotiation (9%), and document drafting (21%).

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4 The two faculty members who were not interviewed told us that their schedules would not accommodate such an interview.

5 The list of competencies was compiled from our interviews and discussions with CM faculty, alumni, judges and practitioners, and our review of the literature addressing the skills law school graduates need to successfully transition to competent and ethical practitioners.
Discussions with Alumni and Practitioners

The committee identified potential intersections of modern law practice and curricular reform by working closely with a group of local practitioners that we called the Curriculum Review Advisory Group ("CRAG"). This diverse group included approximately 30 lawyers from large firms, small firms, solo practices, government, and the judiciary. In a series of small focus-group sessions and in discussions with all CRAG attorneys, we explored the changing world of law practice, the strengths and weaknesses of recent law school graduates, and the competencies and values students should be developing during the law school phase of their legal education. Committee members also met with some CRAG members individually.

The committee gleaned additional insights on the changing world of law practice from members of the Cleveland-Marshall College of Law Visiting Committee, the National Advisory Council, the C|M|LAW Alumni Association, and a group of prominent practitioners in Columbus. These interactions helped us understand the strengths and weaknesses of recent law school graduates and offered insights on the respective roles of law schools and law firms (and other employers of our graduates) in helping students transition from studying law to practicing it.

Consultation with Students

We held a town hall meeting to obtain ideas and opinions about our curriculum and also reviewed students’ comments and responses relating to many aspects of their law school experiences captured by the Law School Survey of Student Engagement (LSSSE).

The LSSSE collects information about current law students’ perceptions regarding their law school experience. CM last participated in the survey in 2007. These data revealed that 63.5% of our third-year students reported participating in a clinic or externship, and 51.4% of third year students had engaged in volunteer or pro bono work.

The LSSSE also provides student assessment of CM’s contribution to their development in certain areas that overlap with the competencies and values that the committee identified as critical to contemporary law practice. The chart below identifies the percentage of third-year students who indicated that their experience at CM contributed “very much” or “quite a bit” to their knowledge, skills, and personal development in the areas identified. The chart also compares CM students’ responses to students at peer schools (Akron, Georgia State, Northern Kentucky, Ohio State, and Wayne State).

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6 CRAG was assembled with the help of then-Dean (and current Provost) Geoffrey Mearns, then-Associate Dean (and now Interim Dean) Phyllis Crocker, Associate Dean Heidi Gorovitz Robertson, and input from committee members.

7 For example, two committee members met with attorney Frank Osborne of Tucker Ellis. Mr. Osborne taught for many years as an adjunct at CM and is the director of his law firm’s extensive associate training program.

8 Our students will participate in the LSSSE again in 2011-2012 as part of our self-study process which precedes our accreditation review scheduled for 2012-2013.
<table>
<thead>
<tr>
<th><strong>“Very Much” and “Quite a Bit” Responses to Law School’s Contribution to Knowledge, Skills, and Personal Development</strong></th>
<th>CM Students</th>
<th>Peer School Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thinking critically and analytically</td>
<td>92.2%</td>
<td>87.3%</td>
</tr>
<tr>
<td>Developing legal research skills</td>
<td>83.5%</td>
<td>72.9%</td>
</tr>
<tr>
<td>Writing clearly and effectively</td>
<td>82.6%</td>
<td>66.9%</td>
</tr>
<tr>
<td>Speaking clearly and effectively</td>
<td>66%</td>
<td>64.6%</td>
</tr>
<tr>
<td>Acquiring work related knowledge or skills</td>
<td>54.3%</td>
<td>55%</td>
</tr>
<tr>
<td>Working effectively with others</td>
<td>55.3%</td>
<td>38.8%</td>
</tr>
<tr>
<td>Solving complex real-world problems</td>
<td>52.9%</td>
<td>54%</td>
</tr>
<tr>
<td>Developing a personal code of values and ethics</td>
<td>44.1%</td>
<td>41.9%</td>
</tr>
<tr>
<td>Contributing to the welfare of your community</td>
<td>38.2%</td>
<td>38.8%</td>
</tr>
</tbody>
</table>

**Literature Review**

The Curriculum Review Committee investigated curricular initiatives at a number of other law schools. We reviewed and discussed the theories and findings presented in the vast literature that drives much of the current law school curricular reform such as the ABA REPORT OF THE TASK FORCE ON LAW SCHOOLS AND THE PROFESSION: NARROWING THE GAP (1992) (the “MACCRATE REPORT”), the Clinical Legal Education Association’s BEST PRACTICES FOR LEGAL EDUCATION (2007), and the Carnegie Foundation’s EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW (2007). The committee has continued reading and discussing additional materials throughout this academic year.

**Conferences on Curriculum**

Committee members attended conferences that addressed the challenges and opportunities in structuring contemporary law school curriculum including YES We CANNege at John Marshall Law School (June 2009), Legal Education at the Crossroads: A Conference on Assessment in Denver (September 2009), Assessment and Student Outcomes Conference - Implications of the Proposed ABA Standard on Student Learning Outcomes in Charlotte (May 2010), Answering the Call for Reform: Using Outcomes Assessment, Critical Theory and Strategic Thinking to Implement Change in in Baltimore (May 2010), and the Student to Lawyer seminar sponsored by the Supreme Court of Ohio’s Commission on Professionalism (December 2010).

**Consideration of ABA Standards and Potential Revisions**

Committee members reviewed Chapter 3 of the ABA’s law school accreditation standards. This chapter provides the rules and official interpretations for every school’s “Program of Legal Education.” Chapter 3 establishes criteria for program objectives (Standard 301), curriculum (Standard 302), academic standards and achievement (Standard 303), externships and other types of “study outside the classroom” (Standard 305), and related matters.
The ABA section on Legal Education and Admissions to the Bar is currently conducting a comprehensive review of all ABA Standards. The committee has been tracking the changes to Chapter 3 proposed by the section’s Student Learning Outcomes Subcommittee. As currently drafted, new Standard 302 requires every law school to “identify, define, and disseminate each of the learning outcomes it seeks for its graduating students and for its program of legal education.” These outcomes assessments must include “competency as an entry-level practitioner” in specific areas including “knowledge and understanding of substantive law, legal theory and procedure” and “a depth and breadth of other professional skills sufficient for effective, responsible, self-reflective and ethical participation in the legal profession.” It is not yet clear whether these changes will be adopted.

Clarifying our Goals and Objectives

The committee’s ultimate goal is to provide the faculty with proposals for curricular revisions that, as promised in our strategic plan, will “maximize the educational experience for our students in order to prepare them to practice law in the 21st century.” It is impossible to achieve this ambitious goal without articulating more concrete objectives. As we gathered information and feedback from the faculty and the other resources identified above, the following list of objectives came into focus:

1. Continue to ensure that students obtain a strong foundation in substantive and procedural law so they learn to think like lawyers.9
2. Reduce the burden imposed on students by a six-course FT schedule and four-course PT schedule in the second semester of their first year of law school.10
3. Introduce professionalism earlier in our students’ law school careers and continue to emphasize professionalism throughout law school.
4. Broaden our students’ exposure to legislative and regulatory law in recognition of the powerful positions these sources of law occupy in the contemporary legal landscape.
5. Provide students with expanded opportunities to engage in transactional lawyering. Many of our students will not become litigators and even those who do would benefit from more exposure to transactional experiences.
6. Increase opportunities for students to develop the lawyering skills necessary to embark successfully on the practice of law.
7. Enhance students’ exposure to and understanding of the business of practicing law (client development, law practice management, work-life balance, and similar competencies).11

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9 The Carnegie Report and other studies of law school curriculum are generally very positive about this aspect of current law school education. As Carnegie concludes: “Within months of their arrival in law school, students demonstrate new capacities for understanding legal process, for seeing both sides of legal arguments, for sifting through facts and precedents in search of the more plausible account, for using precise language, and for understanding the applications and conflicts of legal rules. Despite a wide variety of social backgrounds and undergraduate experiences, they were learning, in the parlance of legal education, to ‘think like lawyers.’” William M. Sullivan, et al., Educating Lawyers: Preparation for the Profession of Law 186 (2007).
10 In our current system Torts, Property and Contracts classes are shortened from 3 credit hours in the fall to 2 credit hours in the spring semester. Many faculty members teaching those courses report that they still cover about the same amount of material in the 2-credit semester that they covered when they had 3 credits. Criminal Law is also added in the spring, injecting a sixth class into the students’ schedules.
11 Strategies for meeting this goal are not fully addressed by the proposals in this memo and clearly deserve further consideration. A number of programs designed to help students contemplate issues such as work-life balance and
Confronting the Challenges of Curricular Reform

There is no doubt that curricular reform is one of the most challenging tasks that any faculty tackles. Curriculum review requires us to carefully reexamine what we do and why we do it. A curricular review process also animates the specter that faculty will have to significantly alter course content and/or teaching methodology. The committee’s task in leading the faculty through the process was made all the more complicated by the law school’s contemporaneous search for a new dean and pending budget cuts. But for the reasons set forth below, the committee believes that this is the appropriate time to start fulfilling the commitment we made in our 2007 strategic plan to make our curriculum more relevant to contemporary law practice.

First, we strive not only to teach doctrine and skills at CM but also to inspire our students to become exceptional lawyers who will “learn law” and “live justice” throughout their careers. Curriculum review provides an opportunity to build on our existing foundation of committed and strong teaching and to emerge as an even stronger educational institution.

Second, legal education is changing. Law schools as drastically diverse as Harvard and Detroit-Mercy, and law schools at every tier of the U.S. News & World Report rankings, have made or are contemplating significant curricular changes. These reforms center on ensuring that students develop basic lawyering skills and a heightened understanding of and commitment to ethics and professionalism.

Third, our prospective students, their potential employers and our accrediting agency are all expecting us to produce graduates who have a better integration of doctrinal knowledge and practical application of that knowledge. Our ability to attract high caliber law students and to help them find employment upon graduation is seriously compromised by failure to act.

Fourth, enriching our skills curriculum will not relegate CM or any other law school to “trade school” status. CM is, and will remain, a professional school with high academic standards. But like schools charged with producing doctors, engineers, and architects, the educational experience we provide must extend beyond teaching our students to “think like” members of the profession they will join upon receiving their degrees. They must possess basic skills that empower them to apply that knowledge to further their clients’ objectives.

Fifth, teaching of doctrine is enriched by encouraging faculty to integrate skills components into doctrinal courses, and skill-intensive courses reinforce students’ comprehension of the substantive and/or procedural law at issue. The teaching of doctrine and skills has a positive synergetic effect in educating future lawyers. Individually and institutionally, we should resist efforts to characterize the relationship between doctrine and skills as inherently antagonistic.

Other practice-related matters are sponsored each year by Career Planning Director Jennifer Blaga, Bar Program Director Mary Jane McGinty, Manager of Student Services Valissa Turner, the CM Alumni Association and others, and a course in Law Practice Management is taught by adjunct faculty. The Office of Career Planning has also recently launched the CM Law Solo/Small Firm Task Force. The Task Force’s goals for 2011-12 include generating interest and conversations among students who are interested in this career path, creating online networking resources for students to connect with solo and small firm practitioners, and developing a speakers series to educate students on the facets of solo/small firm practice.
Finally, no one expects recent law school graduates to be fully competent practitioners, and it would be foolhardy to articulate that as a goal. But while enhanced skills training cannot fully bridge the gap between law school and practice, it can give our graduates a studier platform from which to make that leap.

**Current CM Curriculum**

CM students must complete 90 credit hours of instruction for graduation. Required courses account for between 49 and 57 credit hours.\(^{12}\) The total number of “required” hours are a bit deceiving, however, because students choose from a wide range of courses to satisfy their third semester legal writing, perspective elective, administrative law, skills component, and upper-level writing requirements. In other words, there is a significant “elective” aspect in our upper-level “required” curriculum.

**First Year Required Courses**

<table>
<thead>
<tr>
<th>Full-time Students</th>
<th></th>
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<tbody>
<tr>
<td><strong>Fall</strong></td>
<td><strong>Spring</strong></td>
</tr>
<tr>
<td>(15 credits)</td>
<td>(15 credits)</td>
</tr>
<tr>
<td>Contracts (3)</td>
<td>Contracts (2)</td>
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<tr>
<td>Torts (3)</td>
<td>Torts (2)</td>
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<tr>
<td>Property (3)</td>
<td>Property (2)</td>
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<tr>
<td>Civil Procedure (3)</td>
<td>Civil Procedure (3)</td>
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<tr>
<td>Legal Writing (3)</td>
<td>Legal Writing (3)</td>
</tr>
<tr>
<td></td>
<td>Criminal Law (3)</td>
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<table>
<thead>
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<th>Part-time Students – 1st year</th>
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<tbody>
<tr>
<td><strong>Fall</strong></td>
<td><strong>Spring</strong></td>
</tr>
<tr>
<td>(9)</td>
<td>(10)</td>
</tr>
<tr>
<td>Contracts (3)</td>
<td>Contracts (2)</td>
</tr>
<tr>
<td>Torts (3)</td>
<td>Torts (2)</td>
</tr>
<tr>
<td>Legal Writing (3)</td>
<td>Legal Writing (3)</td>
</tr>
<tr>
<td></td>
<td>Criminal Law (3)</td>
</tr>
</tbody>
</table>

\(^{12}\) This range is due to the possibility of a student taking a single course that satisfies more than one requirement and because some requirements can be met by taking either a two or three credit hour course.
### Part-time Students – 2nd year

<table>
<thead>
<tr>
<th>Fall</th>
<th>Spring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property (3)</td>
<td>Property (2)</td>
</tr>
<tr>
<td>Civil Procedure (3)</td>
<td>Civil Procedure (3)</td>
</tr>
<tr>
<td>Addition RCC course – Evidence, Con Law, or Legal Profession</td>
<td></td>
</tr>
</tbody>
</table>

**Current Upper-Level Requirements**

- Remainder of Required Core Curriculum (RCC): Constitutional Law (5 credits), Evidence (4 credits), and Professional Responsibility (2 or 3 credits)\(^1\)
- Administrative Law Component (may also satisfy Upper Level Writing (ULW) requirement if a paper is required)
- Perspective Elective  (may also satisfy ULW if paper required)
- 3rd Semester Course in Legal Writing  (all 3rd semester LW courses except Scholarly Writing may concurrently satisfy Skills requirement; 3rd semester LW course cannot also satisfy ULW requirement)
- Skills Course (may be satisfied by completing any 3rd semester LW except Scholarly Writing, or by enrolling in a clinic, externship, or other skills-designated course)
- Upper-Level Writing (ULW; may be satisfied by seminar or other course with paper requirement or L860 project)

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\(^1\) PT students are not automatically registered for Property and Civil Procedure in their second year but generally sign up for those classes.

\(^2\) The Student Handbook states that “The RCC must be substantially completed before students undertake electives.”
Summary of Proposed Curricular Changes

As previously noted, the proposed changes can generally be divided into four categories, but every proposal plays an important role in enhancing our curriculum. Specific motions to effectuate these changes are provided for your consideration in the final section of this memo.

First-Year Changes (pp. 11 – 18)
1. Semesterize first year substantive courses
   a. Full semesterization
   b. Proposed fully "semesterized" first year schedule
   c. Partial semesterization alternative
   d. Proposed partially semesterized first year schedule
2. Add a Legislation and Regulation ("Leg/Reg") course in the first year

Upper-Level Changes (pp. 18 – 24)
1. Eliminate Administrative Law component requirement
2. Enhance our existing skills requirement
   a. Redefine our existing skills requirement as an experiential skills requirement
   b. Revoke the policy that allows students to automatically satisfy skills requirement by taking a required 3rd semester LW class
3. Expand experiential skills course offerings
4. Increase support for faculty who desire to incorporate skills components to their classes

Ethics and Professionalism (pp. 24 – 26)
1. Offer Legal Profession (ethics) only as 3 credit hour course
2. Add a Professionalism Problem of the Semester to infuse professionalism into the curriculum
3. Encourage universal student participation in the Pro Bono Program

Implementation and Monitoring of Curricular Changes (pp. 26 – 27)
1. Conduct future evaluations of the effectiveness of the curricular changes to determine whether further adjustments are necessary
2. Implementation timetable

Proposed Motions to Effectuate Curriculum Changes (pp. 28 – 29)
Details of and Rationale for Each Proposal

First-year Curricular Changes

1. Semesterize first-year substantive courses

After considering all of the information gathered from our faculty and myriad other resources throughout our two-year review process, the committee concluded that our current first-year curriculum provides students with both too much and too little.

In the “too much” category, the schedule is intensively litigation/case law focused, leaving students with a limited and somewhat inaccurate perception of the law. And due to curricular changes this faculty approved effective in the fall of 2005, Torts, Property and Contracts courses are officially reduced from 3 credit hours in the fall to 2 credit hours in the spring semester. However, almost all faculty members who taught those courses prior to 2005 report that they still cover about the same amount of material in the 2-credit semester that they covered when they had 3 credits. The addition of the 3-credit hour Criminal Law course in the spring of the first year further increases the students’ burden. As a result, FT students take six courses in the spring for 15 hours credit, but the work required more realistically reflects 18 credit hours. PT first year students take four spring courses that reflect 12 hours of course work (equivalent to the standard FT load) rather than the 10 credits they receive.

In the “too little” category, students are given minimal exposure to legislative and regulatory law. They also get at best isolated and fortuitous instruction on the type and degree of professional and ethical conduct required of practicing attorneys.

The committee’s investigation of what other law schools have done to provide a more balanced first-year experience revealed that a number of schools teach the first-year substantive courses in a single semester. The ABA’s 2004 Survey of Law School Curricula was especially helpful in tracking such changes in law school curricula from 1992 to 2002. To place those changes in a larger context, the report first describes the “typical” first year law school curriculum of 1975 as featuring two-semester, 6-credit-hour courses in Contracts, Civil Procedure, Property, and Torts.

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15 A review of CM’s student handbooks and catalogues from the 1940’s to present provided interesting historic information. One consistency noted from at least 1959 to the present is that Property, Torts, Contracts, and Civil Procedure have been offered as either 5 or 6 credit hours over two-semesters (or the equivalent number of credits over two quarters). Criminal Law has also remained a one-semester, 3 credit hour course during the past half-century.

16 The survey was completed by 152 ABA-accredited law schools representing 48 of the 51 jurisdictions in which such law schools existed; six of the nine Ohio schools responded including CM. See A Study of Law School Curricula (ABA 2004) at 10. Respondents included 64 public and 88 private schools; 78 single division and 74 dual division; 133 university affiliated law schools and 19 independent; 111 secular and 41 religious; and 3 historically Black law schools. Id. at 11. The Study also utilized data from reports law schools file annually with the ABA.

17 A Study of Law School Curricula (ABA 2004) at 27. A three-hour Criminal Law course, two-hour Legal Research and Writing, and a three-credit Constitutional Law course were also common features of the 1976 model.
By 2002, a significant number of U.S. law schools had reduced these four foundational courses to one-semester offerings. About 35% had reduced Contracts to a one-semester, usually four-credit model, while about 48% had done the same to Civil Procedure. Almost 50% of U.S. law schools had reduced Torts to a four-credit hour, one-semester course and about 43% had converted Property to that format.\textsuperscript{18}

The ABA is updating its comprehensive analysis of law school curricula, but that data will not be available until winter 2012. Recent conversations with survey director Catherine Carpenter, however, suggest that both full and partial semesterization of first year courses has gained momentum since 2002.\textsuperscript{19} Although this committee did not conduct an exhaustive empirical analysis of all U.S. law schools, its review of the curriculum at more than sixty law schools confirmed Professor Carpenter's observations.\textsuperscript{20} At the same time, variations among the nine law schools in Ohio illustrate how U.S. law schools have rejected a "one-size-fits-all" first-year curricular model.

Case Western semesterizes Torts, Contracts, Property and Civil Procedure. Ohio State semesterizes all but Contracts which it offers for three credits in the fall and two in the spring. Cincinnati semesterizes three of these four courses, offering Civil Procedure as a six-credit, two semester course. Ohio Northern maintains the two-semester, six-credit model for all four courses. Akron's schedule is the same as CM for these four courses. Toledo covers Torts in a single semester four-hour course, Contracts and Property in three hours both semesters, and Civil Procedure I (the rules) in the fall of the first year and Civil Procedure II (jurisdiction) as an upper-level requirement. Capital embraces the two semester model with six credits for Contracts, five for Property and Torts, and six total credit of Civil Procedure, but only three of the Civil Procedure hours being required in the first year.

Based on the foregoing, we offer the faculty two options for revising our current first year curriculum: (1) full semesterization of substantive first year courses or (2) partial semesterization. The committee does not advocate one model over the other, as each plan offers distinct benefits that counsel in favor of its adoption. But the committee very strong advocates

\textsuperscript{18} Id. at 27-28. Criminal Law has also remained a first year staple, usually as a three-credit one-semester course, although some schools teach it as a four-credit course. Constitutional Law – or at least Con Law I – is also a course commonly offered in the first year. First year curriculum space previously devoted to Con Law had evolved to include not only Con Law but also courses like Criminal Procedure, a Lawyering Skills Course, or an elective. Id.

\textsuperscript{19} Catherine Carpenter is a professor at Southwestern Law School. She was the principal author of the ABA's 2002 report, chaired the ABA Accreditation Committee in 2009-2010, and is now chairing the ABA committee conducting the updated curricular study. Committee member Susan Becker spoke with her at length about recent changes in law school curriculum. Professor Carpenter's belief that semesterization has increased is based on her personal observations rather than preliminary analysis of survey data.

\textsuperscript{20} Schools reviewed include Alabama, Albany, Akron, American, Boston College, California Western, Capital, Case Western, Charlotte, Chicago-Kent, Cincinnati, Columbia, Cornell, Cumberland, Dayton, Detroit-Mercy, DePaul, Drexel, Duke, Elon, Emory, Florida State, Franklin Pierce, University of Georgia, Georgetown, George Mason, George Washington University, Gonzaga, Harvard, Indiana University (Bloomington), Iowa, Maryland, University of Michigan, Minnesota, University of Missouri (Kansas City), New York Law School, Northeastern, Northern Kentucky, Northwestern, Notre Dame, NYU, Ohio Northern, Ohio State, Pace, Penn State, St. Louis, Seattle, Southwestern, University of Texas, Toledo, Touro, Tulane, UC Berkley, UC Irvine, UNC-Chapel Hill, USC, Vanderbilt, Vermont, Wake Forest, Washburn, Washington University, Washington & Lee, William & Mary, William-Mitchell, University of Wisconsin, and Yale.
for adoption of one of these semesterized models as a means to provide our students with a stronger foundation for their upper-level studies.

A. Full Semesterization

Reducing the year-long first-year courses to single semester courses offers several advantages. First, it reduces the total number of courses students take at one time, thereby allowing students to focus more intensely on each subject. Instead of the current schedule that requires FT students to take five courses in the fall semester and six courses in the spring semester, full semesterization results in FT students taking four courses both semesters. Similarly, PT students would take three courses each semester instead adding a fourth course in the spring.

Second, semesterization allows both FT and PT students to complete a Legislation and Regulation class in their first year (see proposal 2 below), thereby broadening students’ horizons as to the sources and interactions of contemporary legal authorities.

Third, the changes in overall credits hours due to semesterization impose no disadvantage on students. FT first-year students will still be able to complete the 29 credit hours necessary to participate in an externship as early as the summer term between their first and second year of law school. PT students would earn 21 credits during their first year instead of the 19 they currently receive.

At first blush, adding two credit hours to the PT students’ schedules appears to increase their workload. Keep in mind, however, that the 19 hours of credit that PT students now earn upon successful completion of their first-year courses may be somewhat misleading. This is because the reduction of spring-semester Torts and Contracts to 2 credit hours in 2005 does not necessarily reflect the actual workload in those classes. Many professors who taught these courses for 6 credit hours told us that they still cover about as much material in the second semester (for which students now earn 2 credits) as they did prior to 2005 when students were awarded 3 credit hours for the second semester. In other words, it is highly probable that the 19 credit hours PT students currently earn in their first year more accurately reflects 21 credit hours worth of work. Accordingly, increasing the credits does not necessarily increase the work load. And, as noted above, PT students will also reduce the number of courses taken from four to three in the spring semester under the full semesterization plan.

Fourth, teaching one-semester courses increases faculty flexibility in terms of courses taught, scheduling professional leaves, and requesting course release time. The 20 or so faculty members currently constrained by a full-year commitment to a first-year course would be freed up to teach upper-level courses in their disciplines. This would facilitate travel for research, Fulbright leaves and other reasons and lessen the administrative burden currently experienced by the law school and sometimes other faculty members when those absences occur. Students would be able to complete the entire course with a single professor, rather than switching mid-course when a professor goes on leave.

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21 CM’s course release policy is available on the Faculty Resource page of the CM website, https://www.law.csuchico.edu/sites/default/files/facultystaff/manuals/CourseReleasePolicy.pdf.
In terms of the actual structure of the semesterized classes, a four-credit, one-semester course requires 200 minutes of class time each week. The 200 minutes could be divided into two classes of an hour and 40 minutes each week, or allotted among three classes of approximately 70 minutes each.

Undoubtedly, the switch to one-semester, 4-credit hour courses will reduce the amount of material that can be covered in each course. This trade-off warrants careful consideration. This evaluation should carefully weigh not just what is being reduced, but also what is being gained. In addition to the advantages noted above, faculty who desire to do so could use the material deleted from their first-year course to help structure an upper-level elective.

Potential effect of reduced coverage on bar passage rates would also need to be carefully monitored. The committee’s extensive review of curricular reform literature and our communications with administrators and faculty at other schools identified no adverse relationship between semesterized courses and bar passage. The authors of the 2004 ABA report also concluded that “[t]ested subject matter of bar examinations does not appear to play a prominent role in a law school’s determination of which courses to require for graduation,” further noting that “there is no statistical evidence to suggest that the ‘bar factor’ drives law school curricular decision-making on graduation requirements.”

B. Proposed Fully “Semesterized” First Year Schedule

Law schools that semesterize Torts, Civil Procedure, Property and Contracts often schedule the courses in the general order presented below. As noted previously, there are a number of variations on this theme, and no literature or empirical studies purport to identify the “perfect” first-year curriculum.

In the schedule presented below, students’ first semester of law school focuses intensively on four courses: Contracts, Torts, Legislation and Regulation, and Legal Writing. This combination sets the stage for the wide variety of courses they will take in subsequent semesters.

For example, Contracts requires students to parse both common law and some statutory (UCC) law that governs business transactions and helps resolve disputes that arise from those dealings. Torts provides the foundation of the civil justice system for punishing wrongdoers and remedying the injuries tortfeasors cause to person and property. The Legislation and Regulation course helps bridge the gap between the sources of law used in both Contracts and Torts and significantly increases students understanding of the creation, interpretation and overall scope of the sources of law other than the cases relied on heavily in Torts and Contracts. Legal Writing starts the students’ life-long journey to develop the writing, research and advocacy skills in a manner that makes them effective advocates for their clients or employers.

In the spring of the first year, students study the redress of injuries to person and property provided through the Criminal Law justice system, with focus on both case law and the Model Penal Code. Property further broadens students’ perspective on the scope and effectiveness of

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22 A Study of Law School Curricula (ABA 2064) at 6.
the law by focusing on real and personal property ownership. Civil Procedure reinforces and expands students’ understanding of engaging the civil litigation process as a way to remediate disputes occurring in any substantive areas of law. The students continue their quest for proficiently in research and writing in the second semester of Legal Writing.

**Semesterized First Year**

<table>
<thead>
<tr>
<th></th>
<th>Fall</th>
<th>Spring</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FT first year</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fall</strong></td>
<td></td>
<td><strong>Spring</strong></td>
</tr>
<tr>
<td>Contracts (4)</td>
<td>Property (4)</td>
<td></td>
</tr>
<tr>
<td>Torts (4)</td>
<td>Crim Law (3)</td>
<td></td>
</tr>
<tr>
<td>Leg Reg (4)</td>
<td>Civ Pro (4)</td>
<td></td>
</tr>
<tr>
<td>LW (3)</td>
<td>LW (3)</td>
<td></td>
</tr>
<tr>
<td>Total: 15 credits</td>
<td>14 credits</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>Fall</th>
<th>Spring</th>
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</thead>
<tbody>
<tr>
<td><strong>PT first year</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fall</strong></td>
<td></td>
<td><strong>Spring</strong></td>
</tr>
<tr>
<td>LW (3)</td>
<td>LW (3)</td>
<td></td>
</tr>
<tr>
<td>Torts (4)</td>
<td>Contracts (4)</td>
<td></td>
</tr>
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<td>Leg Reg (4)</td>
<td>Crim Law (3)</td>
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<table>
<thead>
<tr>
<th></th>
<th>Fall</th>
<th>Spring</th>
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</thead>
<tbody>
<tr>
<td><strong>PT second year</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Fall</strong></td>
<td></td>
<td><strong>Spring</strong></td>
</tr>
<tr>
<td>Civ Pro (4)</td>
<td>Property (4)</td>
<td></td>
</tr>
</tbody>
</table>

Other RCC courses at student’s election (Con Law, Evidence, Legal Profession)
C. Partial Semesterization Alternative

Partial semesterization achieves some of the benefits of semesterization. Although this five-course-per-semester model does not reduce the number of class preparations or exams in the fall semester in the manner achieved by full semesterization, it does avoid burdening students with a sixth course in the spring. Partial semesterization also accommodates the goal of broadening students’ horizons by adding a Legislation and Regulation course in the first year.

Schools that partially semesterized their foundational first-year courses commonly retain Contracts and Civil Procedure as two-semester courses. That is the alternative model we propose should CM faculty choose the partial semesterization option. Neither our literature review nor our conversations with faculty and administrators at other law schools revealed the rationale for not semesterizing these two courses, but conversations with CM faculty and students about these two courses have yielded some colorable reasons.

Civil Procedure is in some ways two distinct but related courses – one part covering the rules of procedure and the other covering the constitutional and statutory basis for jurisdiction. Members of the CM faculty who teach Civil Procedure have also found this course especially conducive to integrating skill-building exercises, which is in turn time consuming.

Contracts have evolved over the years to place more emphasis on statutory law (especially the UCC) that supplements the extensive case law for this course which provides the foundation for most upper-level business courses. Students often identify Contracts as their most challenging course in the first year of law school, perhaps justifying the two-semester approach.

The semesterization model presented below reduces Torts, Property and Civil Procedure by one credit hour each. It maintains Contracts as a 5-hour, two-semester class, but evens the credit hours out to 2.5 each semester. Compared to the fully semesterized model which featured a 4-credit-hour Legislation and Regulation course, this model offers it as a 3-credit-hour course. Exposure of first-year students to Legislation and Regulation is the most pressing concern, however, not whether it is taught for 3 or 4 credit hours.
D. Partially Semesterized First Year Schedule

**FT first year**

<table>
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<th>Spring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracts (2.5)</td>
<td>Contracts (2.5)</td>
</tr>
<tr>
<td>Civ Pro (2.5)</td>
<td>Civ Pro (2.5)</td>
</tr>
<tr>
<td>Torts (4)</td>
<td>Property (4)</td>
</tr>
<tr>
<td>Leg Reg (3)</td>
<td>Crim Law (3)</td>
</tr>
<tr>
<td>LW (3)</td>
<td>LW (3)</td>
</tr>
<tr>
<td>Total: 15 credits</td>
<td>15 credits</td>
</tr>
</tbody>
</table>

**PT first year**

<table>
<thead>
<tr>
<th>Fall</th>
<th>Spring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracts (2.5)</td>
<td>Contracts (2.5)</td>
</tr>
<tr>
<td>Leg Reg (3)</td>
<td>Torts (4)</td>
</tr>
<tr>
<td>LW (3)</td>
<td>LW (3)</td>
</tr>
<tr>
<td>Total: 8.5 credits</td>
<td>9.5 credits</td>
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</table>

**PT second year**

<table>
<thead>
<tr>
<th>Fall</th>
<th>Spring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civ Pro (2.5)</td>
<td>Civ Pro (2.5)</td>
</tr>
<tr>
<td>Property (4)</td>
<td></td>
</tr>
</tbody>
</table>

Other RCC courses at student’s election (Con Law, Evidence, Legal Profession)
2. Add a Legislation and Regulation ("Leg/Reg") course in the first year

Contemporary law practice is heavily grounded in administrative and statutory law. CM students currently get limited exposure to these critical areas in their traditional first-year courses. The addition of a course focusing intensively on legislative and regulatory law would give students a much better foundation for future courses that implicate regulatory and legislative schemes. Perhaps more importantly, this course encourages students to think more about the structure of government, the processes used to create law, and how both structure and process affect the creation, interpretation and application of the law.

Harvard’s first-year Legislation and Regulation course “includes materials on most or all of the following topics: the separation of powers; the legislative process; statutory interpretation; delegation and administrative agency practice; and regulatory tools and strategies.” Emory’s course covers similar topics and serves as “a primary building block for Constitutional Law, Administrative Law, Legislation, and numerous specialized upper-level courses such as Employment Law, Environmental Law, Intellectual Property, International Trade Law, and Securities Law.” The University of Colorado offers this course description:

Introduces lawmaking in the modern administrative state. Examines the way Congress and administrative agencies adopt binding rules of law (statutes and regulations, respectively) and the way that implementing institutions — courts and administrative agencies — interpret and apply these laws. Considers the structure of the modern administrative state, the incentives that influence the behavior of the various actors, and the legal rules that help to structure the relationships among Congress, the agencies, and the courts.

For these reasons the committee proposes the inclusion of a Legislation and Regulation course in the first semester of the first year for both full-time and part-time students.

Upper-Level Changes

1. Eliminate the Administrative Law component requirement

Students currently satisfy our administrative law component requirement by selecting from a variety of courses, some of which focus heavily on administrative law and others which do not. There is no requirement that students take a course focusing intensively on legislation. To establish some degree of uniformity in these key pillars of contemporary law, and to highlight the important role of regulatory and statutory law in the work of lawyers, we propose replacing the general administrative law requirement with the legislation/regulatory course discussed above. Of course, the classes that currently satisfy the ad law component requirement would be

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Courses the satisfy the Ad Law requirement include Ad Law, Banking Regulation, Election Law, Employment Law, Environmental Law, Immigration & Nationality Law, Labor Law, Labor Law Seminar, Mass Communications, Public Sector Labor Law, Regulatory Federalism, Securities Regulation, and additional courses as designated on each semester’s course schedule.
retained as electives and students would continue to enroll in them according to the students’ interests.

2. Enhance our existing skills requirement

   a. Redefine our existing skills requirement as experientially based

In May of 2008, CM faculty adopted a skills requirement. This was not the result of curricular review but rather an effort to comply with ABA Standard 302 requiring “that each student receive substantial instruction in ... professional skills generally regarded as necessary for effective and responsible participation in the legal profession.”

The ABA interprets this standard as directing law schools “to be creative in developing programs of instruction in professional skills related to the various responsibilities which lawyers are called upon to meet, using the strengths and resources available to the school,” further counseling that courses involving “trial and appellate advocacy, alternative methods of dispute resolution, counseling, interviewing, negotiating, problem solving, factual investigation, organization and management of legal work, and drafting” will satisfy the standard, and clarifying that “to be ‘substantial,’ instruction in professional skills must engage each student in skills performances that are assessed by the instructor.”

The curricular requirement that CM promulgated to satisfy the ABA’s skills requirement incorporates both the text and interpretation of ABA Standard 302 as follows:

   * * * *

   CRITERIA FOR SATISFYING
   THE SKILLS COURSE REQUIREMENT

   In order to graduate every student must complete one skills course “providing substantial instruction in professional skills generally regarded as necessary for effective and responsible participation in the legal profession. A professional skills course must engage each student in skills performances that are assessed by the instructor.”

This new requirement was prompted by the A.B.A. adding the professional skills requirement to those skills that we are already required to, and do, provide substantial instruction: substantive law, legal analysis and reasoning, legal research, problem solving and oral communication, writing in a legal context, and the professional ethics. See ABA Standard 302(a)(4). Examples of the types of professional skills contemplated by this new requirement are: “[T]rial and appellate advocacy, alternative methods of dispute resolution, consulting, interviewing, negotiating, problem solving, fact investigation, organization and management of legal work,

24 ABA Standard 302(a)(4) Curriculum.
26 Id.

To satisfy the skills requirement a new course proposal must include the following description:
1. The skills taught,
2. The skills performances each student will engage in,
3. The class time devoted to those skills, and
4. How the professor will assess each student’s skills performance.

[end of current CM criteria]

* * * * *

Courses now approved as satisfying the skills requirement articulated above include Alternate Dispute Resolution, Arbitration, Clinics (Community Health Advocacy, Employment, Environmental, Fair Housing, Urban Development), Externships, Law Practice Management, Mediation, Moot Court I & II, Trial Advocacy, Trial Advocacy Competition (basic and advanced), and all sections of the required 3rd semester of Legal Writing except Scholarly Writing.

The committee proposes that our skills requirement be strengthened in two ways. First, we propose redefining the criteria so that only courses offering students an experiential approach to skills development satisfy this requirement. Second, we propose that students not be allowed to “double dip” requirements by automatically satisfying their skills requirement by taking any required 3rd semester Legal Writing course (except Scholarly Writing, which does not qualify as a skills requirement).29

To be clear, the committee is not suggesting that the majority of classes that have been designated as skills courses under the existing standard are fundamentally defective in terms of skill development, or that Curriculum Committee members have not adequately screened skills courses presented to them for approval.30 Indeed, many of the courses that currently satisfy our skills requirement will likely qualify under more rigorous experiential skills criteria. But some of the current skills courses – such as Law Practice Management – are capable of being taught in a lecture format, a methodology that increases students’ knowledge about law practice but does not enhance the skills they need to engage in it. This undermines our goal of providing enhanced skills education at CM. While the 3rd semester of Legal Writing might qualify as experiential

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29 While expansion of our skills offerings is a key component of these proposals, our current offerings would likely be sufficient to meet demand if we enhanced the skills requirement and discontinued the 3rd semester of Legal Writing as automatically satisfying that requirement. This is based on the number of students who enrolled in clinics, externships, Mediation, Trial Advocacy, Arbitration, ADR, and Law Practice Management over the past two years, and the assumption that most of the existing skills courses would satisfy more rigorous experiential skills criteria. For example, in 2009-2010 we served approximately 362 students (not accounting for students who may have taken more than one) in skills courses other than the 3rd semester of Legal Writing and our capacity exceeded 415 students. In 2010-2011 we served 294 students, and our capacity was greater than 350 students.

30 As previously noted, current courses that satisfy the skills requirement include Alternate Dispute Resolution, Arbitration, Clinics (Community Health Advocacy, Employment, Environmental, Fair Housing, Urban Development), Externships, and Law Practice Management, Mediation, Moot Court I & II, Trial Advocacy, Trial Advocacy Competition, Trial Advocacy Competition (basic and advanced), and all sections of the required 3rd semester of Legal Writing except Scholarly Writing.
skills course even under an enhanced definition, disallowing the double dipping provides a mechanism to ensure that students get a separate and distinct skills experience.

The model for this two-stage review could be borrowed from faculty's re-evaluation of Perspective Elective requirement several years ago. In the first stage, faculty revised our criteria for courses that satisfied that requirement. In the second stage, professors whose courses had or would be offered as Perspectives submitted their course descriptions to the standing Curriculum Committee for review and approval.

This criteria-enhancing and review process is important not only to make sure our existing courses fulfill the goal of providing experiential skills, but also because we hope to expand experiential offerings. It is important to have clearer criteria to help structure and evaluate proposed courses.

Because the task of developing criteria for required courses is within the jurisdiction of the standing Curriculum Committee, this committee is not proposing specific criteria for the enhanced, experiential skills requirement at this time. Based on our preliminary consideration of the matter, however, we believe that an experiential skills course should, at a minimum, challenge students to apply their substantive and/or procedural knowledge in settings such as live client clinics, externships, oral advocacy competitions, and simulation courses in which students are given multiple opportunities to exercise various lawyering skills and receive individualized feedback on their assigned tasks. Another important characteristic of experiential courses is that every student has to interact personally and immediately with others to work towards resolution of a legal matter. Stated more precisely:

In undertaking experiential education, the student takes on particular tasks or responsibilities. These may include judging, mediating, counseling, representing individuals or groups in adversarial proceedings, representing individuals or groups in non-adversarial contexts, representing individuals or groups in various kinds of transactions, or educating groups about law and the legal process. In representing individuals or groups, the student may be either a primary or a subsidiary attorney. The student may also serve in the role of a mediator, a judicial clerk, a teacher, a trainer, or an observer.\(^\text{31}\)

b. **Revoke the policy that allows students to automatically satisfy skills requirement by taking a required 3rd semester LW class**

For the reason stated below, the committee proposes that we retain the 3rd semester LW requirement but not allow students to use it to satisfy the experiential skills requirement.

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In our recent conversations with CM faculty, our graduates, and other area practitioners, the ability to clearly communicate in writing was repeatedly cited as one of the most critical skills for the successful practice of law. This fact is well recognized throughout the legal academy, as the ABA curriculum survey data revealed that Legal Research and Writing has “grown in stature” in the recent past, with law schools devoting more credit hours to the first-year course and offering third and fourth semesters of legal writing. The need for law courses that provide structured development of writing skills has increased as the quality and quantity of our students’ pre-law-school writing experiences seems to continue to decline.

CM’s current 3rd semester course helps students develop critical writing, research, and analytic skills while also pursuing their own interests. While subject matter varies based on the course a student chooses, the hallmark of a 3rd semester Legal Writing course is writing instruction with multiple opportunities for feedback and revision. Third semester courses afford students opportunities to hone their research, analytic, and writing skills in the context of drafting contracts and other transactional documents, lease agreements, wills, complaints, answers, discovery, pretrial briefs, trial briefs, appellate briefs, patent applications, client alerts and bulletins, and short scholarly articles. The 3rd semester course also satisfies the ABA requirement that all students complete “at least one additional rigorous writing experience after the first year.”

Based on faculty input obtained during individual interviews and several brownbag discussions, it is clear that faculty members remain committed to providing our students with significant opportunities to develop their writing skills (and of course the research and analytical skills that serve as a precursor to providing a written explanation of a legal matter). The 3rd semester of Legal Writing serves that interest. For the reasons set forth in the preceding section, however, an independent experiential skills course requirement serves the distinct yet complementary purpose of enhancing students’ development of the panoply of other skills they need to be effective lawyers. The de-linking of our upper-level skills and writing requirements is also consistent with the ABA’s intent, evidenced by its adoption of a discrete skills requirement separate from its requirement of an “additional rigorous writing experience after the first year.”

In sum, the committee posits that the skills-enrichment objective would be more effectively furthered by disengaging the skills requirement from the 3rd semester Legal Writing.

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32 Solid writing skills are also highly correlated to success on the essay portion and multi-state practice section of the Ohio bar exam.
33 A Study of Law School Curricula (ABA 2004) at 7. The authors note that the expansion of legal writing programs led to a precipitous decline in the small-section model for first year courses. Id.
34 Our current 3rd semester of Legal Writing offerings include both litigation and transactional courses: Advanced Brief Writing (6 sections per year), Legal Writing and Litigation (2-4 sections per year), General Drafting (2-4 sections per year), Transactional Drafting (2 sections per year), Patent Drafting (1 section every other year), and Scholarly Writing (3 sections per year). Other contemplated third semester offerings include Transactional Drafting for Health Lawyers, Negotiating and Drafting Sports Marketing and Venue Agreements, and Family Law Drafting.
35 ABA Accreditation Standard 302(a)(3). The ABA requires this “rigorous writing experience” in addition to the “skills” requirement discussed previously. While the ABA skills requirement may be satisfied by a course that has a “drafting” component, it is primarily intended to address skills such as trial and appellate advocacy, client counseling, interviewing, negotiating, problem solving, factual investigation, organization and management of legal work. See Interpretation 302-2 to A.B.A. Standard 302(a) (4).
requirement. We specifically propose that faculty no longer allow students to fulfill both their 3rd semester of Legal Writing and Skills requirement in a single course.36

3. Expand Experiential Skills Offerings

As law faculty here and at other law schools have noted, strengthening a skills curriculum is a challenging endeavor in an era of declining resources. From studying models implemented elsewhere and building on our many existing strengths at CM, the committee is optimistic that this is an area where faculty creativity could result in an enriched skills curriculum at a relatively low cost. For example, we could offer more 1- and 2-credit-hour skills courses in time blocks other than the traditional semester-long courses. Such short courses would engage students intensely in specific skill-building exercises like litigating a preliminary injunction, drafting proposed legislation or preparing the closing documents for a commercial transaction. Skills such as client interviewing, counseling, and fact finding could also be developed through such courses.

Full-time faculty might decide to develop such a course and either teach it individually or by partnering with a practicing lawyer. Adjuncts would also provide a rich resource for these courses, provided that sufficient oversight is provided as to adjuncts' course objectives and content to assure compliance with our newly defined skills requirement.

4. Enhance support for faculty who desire to incorporate skills components to their classes

Some schools have enhanced their skills offerings by embracing a “skills-across-the-curriculum” model. Details vary from school to school, but in general this model includes encouraging, if not requiring, one or more skills component in virtually all courses. The committee does not suggest that CM adopt a mandatory version of this model for several reasons.

First, CM faculty members embrace a broad array of teaching styles and methodologies. It is important that students continue to be exposed to various ways of “thinking like a lawyer” and that faculty be free to teach according to their own strengths. Second, individual professors are in the best position to decide whether adding one or more skills components to a course furthers or detracts from their course objectives. Third, our interviews with individual faculty members made it clear that a number of us are already experimenting with skills exercises and other feedback mechanisms in our doctrinal courses, and we would not want to interfere with those initiatives.

While recognizing that each professor should decide whether to add skill enhancements to their courses, the committee believes that each professor should be encouraged to consider the possibility of doing so. As the Carnegie Report and other studies confirm, this is a pedagogically

36 Due to the comprehensive nature of the curricular proposals set forth in this memo, students who might have previously chosen to “double dip” the 3rd semester of Legal Writing and skills requirements would not see a net loss in the number of electives available to them, provided that the faculty approves replacing the current upper-level administrative law requirement with the first-year Legislation and Regulation course, thus effectively reducing upper-level requirements by one course.
sound approach to teaching not only lawyering competencies, but also doctrine. Many, and perhaps most, law students will be better able to grasp complex legal concepts if required to apply them while performing lawyering tasks. Based on our extensive review of the materials identified previously in this memo and the suggestion of attorneys in practice, the committee believes that students would benefit from multiple opportunities to develop lawyering skills in various doctrinal contexts while in law school.

One possibility for full-time faculty who wish to add skills components to existing classes is working with area practitioners. Associate Dean Mark Sundahl recruited a handful of faculty this spring to participate in a practitioner in the classroom initiative – a joint initiative of the law school and our alumni association – to bring graduates back into the classroom to participate in teaching some aspect of a course. Other law schools have successfully used this model. For example, an area practitioner could address a Legal Profession class on discrete issues such as the practical and ethical considerations of drafting a client fee agreement, help the professor create a client fee agreement drafting exercise for students, and then provide feedback on each student’s draft of the agreement.

Team teaching with an area practitioner is another model that individual faculty might choose to explore. For example, Director of Legal Writing Carolyn Broering-Jacobs has twice taught Transactional Drafting with in-house counsel at different local companies, and Associate Dean and Professor Heidi Gorovitz Robertson will be teaching a course this fall with a partner from Baker Hostetler on the legal issues surrounding the BP Gulf Coast oil spill. The administration should continue to support such faculty efforts.

**Ethics and Professionalism Enhancements**

As the Carnegie Report observes, law students “need opportunities to learn about, reflect upon, and practice the responsibilities of legal professionals.” Completion of a basic ethics course is insufficient to help students fully grasp “the social and cultural contexts of the legal institutions and the varied forms of legal practice” and to “engage the moral imagination of students as they move toward professional practice.”

To provide CM students with more contexts for recognizing and resolving the ethical dilemmas they will undoubtedly face in practice, the committee offers three proposals.

1. **Require that Legal Profession (ethics) be taught consistently as a 3-credit-hour course**

Legal Profession exposes students to the many ethical quandaries they will likely face in practice and provides guidance on how to resolve those quandaries in a manner consistent with the

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38 Id.
applicable Rules of Professional Conduct, other legal authorities, and general standards of professionalism.  

The vast majority of CM students satisfy CM’s legal profession requirement by enrolling in the 3-credit hour course offered during the school year. The requirement may also be satisfied, however, by taking the 2-hour version of the course offered sporadically, usually during the summer. Carnegie and other reports emphasize the importance of law schools giving greater attention to instruction in professionalism, and ABA Standard 302(a)(5) requires law schools to ensure that every student receive “substantial instruction in ... the history, goals, structure, values, rules and responsibilities of the legal profession and its members.”

Due to the importance of students developing a firm grounding in ethics and professionalism while in law school, we recommend that all CM students be required to complete a 3-credit ethics course.

2. Add a Professionalism Problem of the Semester to infuse professionalism into the curriculum

As previously mentioned, increasing students’ understanding and incorporation of professionalism standards into their lives post-graduation is a common goal of curricular reform. The development of a “Professionalism Problem” for each semester is one way of furthering that goal.

The Professionalism Problem would be distributed at the beginning of each semester along with supporting materials (relevant ethics rules, court opinions and the like) and ideas for how it might be used in the context of various classes. Professors would have the opportunity to incorporate the ethical dilemma the problem poses into their courses, in some form, at any point during the semester. Professors could choose to delve deeply into it, address it very briefly, or not at all. They could hold a short class discussion, assign a writing project, stage a debate, or whatever seems appropriate given the nature of the problem and its relevance to course content and the professor’s objectives for the course.

Towards the end of the semester, the law school would host a speaker, panel, or other event in which the Professionalism Problem would be discussed. Students and faculty should be familiarized with it by this time, and the event would present a culmination of our work on that problem.

The advantages of this approach are somewhat obvious. The plan provides flexibility for the professor to use the problem (or not) in any way he or she chooses. It involves little additional work for the professor because the problem and supporting materials will be provided to all professors each semester. Students are introduced to a variety of perspectives on the problem, and the overall experience reinforces professionalism as a key value in the law school.

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39 This course also provides the foundation for students’ preparation for the MPRE, a test which students must pass as a prerequisite to admission in Ohio and most other states. Professional Responsibility is also tested on the Ohio bar exam.
3. Encourage universal student participation in the Pro Bono Program

Developing the habit of giving back to the communities in which we live and work is a cornerstone of attorney professionalism. It also forms the foundation of our commitment to “Live Justice.”

CM’s Pro Bono Program helps students make public service a habit by engaging them in the delivery of legal assistance in cooperation with local attorneys and community agencies serving the poor and other disenfranchised individuals. It exposes them to real-life struggles of the under-represented and the rewards of public service. Many of these pro bono projects allow students to develop important skills, especially when interacting with live clients with real-world legal problems.

A significant number of CM students participate in the Pro Bono Program each year. During the 2009-2010 academic year, for example, 217 law students contributed over 11,500 volunteer hours working with Legal Aid of Cleveland, the Homeless Legal Assistance Project, the Driver’s License Reinstatement Project, the Cleveland Metropolitan Bar Associations 3Rs Project, the City Mock Trial Program, the Cleveland Food Bank, the Voter Registration Project, and other worthy causes.\textsuperscript{40}

Some law schools have a pro bono requirement, but the committee is not proposing that CM adopt a mandatory requirement at this time. But we do think CM faculty and administrators should find additional ways to encourage all students to engage in this work, as it forms an important part of both the “learn law” and “live justice” part of our mission.

For example, CM could explore the possibility of recording the number of hours students devote to public service work on their transcripts or issuing a pro bono certification of hours when they graduate. In addition to recognizing student participants at the annual Honors Award Ceremony, the students could be recognized at graduation.

**Implementation and Monitoring of Curricular Changes**

1. Conduct future evaluations of the effectiveness of the curricular changes to determine whether further adjustments are necessary

The Action Plan for Improving CSU Bar Passage Rates approved by the law faculty in 2003 called for changes in virtually every aspect of the law school operation including drastically reducing the size of the entering class, creating a new academic success program, increasing the standards for admissions, engaging in aggressive fundraising, and encouraging faculty to provide more feedback to students. We readily acknowledged that the multi-faceted nature of the Action Plan would make it difficult to perform post-implementation analysis as to which components were effective, which components were not, and what additional components should be added.

\textsuperscript{40} Twenty-one CM faculty and staff members and 19 CM alumni also participated in various group projects.
To deal with this challenge, the Plan required the completion of annual assessment reports. Accordingly, annual reports have been prepared and distributed since 2004.\textsuperscript{41} The Action Plan also called for, and the law school produced, a comprehensive analysis in 2008 to more closely scrutinize each element of the Action Plan. The goal of the 2008 review, which has since been realized, was to make necessary adjustments to the Action Plan to ensure continued success.

The curricular proposals in this memo represent significant changes. Their effect should be monitored to make sure that we increase student participation in skills-enhanced learning, that faculty who seek it receive appropriate support for their efforts to integrate skills components into their classes, and that unforeseen negative consequences have not arisen. Potential impact on our graduates’ bar passage rates should be monitored very closely.\textsuperscript{42} The annual curricular review would also provide the opportunity to assess whether existing components should be expanded, dropped, or modified, and whether additional elements should be considered.

Like the bar pass Action Plan, a comprehensive review could be required five years after the curricular changes are first implemented. Conducting the annual and five-year look back reports could be delegated by the Dean to an administrator, the standing Curriculum Committee or another faculty body constituted for that purpose. Monitoring for signs of impact on the bar program also requires close coordination with the Director of Bar Exam Preparation and Academic Support.

2. Timing

To allow faculty and administrators to make the adjustments necessary to implement the changes outlined in this proposal, we suggest that (1) any changes to the first-year curriculum, (2) the revised skills requirement, (3) the elimination of the upper-level administrative law component requirement, and (4) the abolition of double dipping of skills requirement and 3rd semester of Legal Writing be implemented with the class that starts in the fall of 2012.

Requiring that all students complete a 3-credit-hour legal ethics course would commence in the class entering CM this fall (2011).

The project to revise the skills requirement criteria could begin in the fall of 2011, with a proposal to the faculty due at the November 2011 meeting. Assuming approval of the revised criteria by the end of 2011 or early 2012, a faculty committee could then start reviewing existing and proposed courses in the spring of 2012.

Development of additional skills courses, enhanced support for faculty who desire to integrate skills components and encouraging universal student involvement in pro bono could start immediately.

\textsuperscript{41} The Chair of the Bar Committee and the Associate Dean overseeing the bar program draft the reports, with significant input from the Bar Director. Reports are sent to law faculty, Provost, President, and Board of Trustees.

\textsuperscript{42} As noted previously, the Committee did not discover any link between semestrierization of first year courses and drop in bar pass rates. The 2004 ABA curricular concluded that “[t]ested subject matter of bar examinations does not appear to play a prominent role in a law school’s determination of which courses to require graduation.” A Study of Law School Curricula (ABA 2004) at 6.
Proposed Motions to Effectuate Curricular Changes

Unless otherwise noted, changes would be effective with the fall 2012 entering class.

First-year curriculum

1. “Semesterize” substantive courses in the first-year curriculum based on the model provided at page 15 of this memo.

or

2. Partially “semesterize” first-year curriculum by reducing Torts and Property to one-semester, 4-hour courses, reducing Civil Procedure from 6 to 5 hours, and utilizing the model provided at page 17 of this memo.

Upper-level curriculum

1. Eliminate the Administrative Law component requirement due to the addition of the Legislative/Regulatory course in the first year.

2. Revoke the policy that allows students to automatically satisfy the skills requirement by completing the required 3rd semester of Legal Writing.

3. Enhance the experiential nature of our existing skills requirement by (a) clarifying the criteria and (b) reviewing existing and proposed skills courses under the revised criteria.

   Delegate these tasks to the standing Curriculum Committee or other appropriate faculty committee. Goal for the completion of the revised standards is the end of 2011 with review of existing and proposed courses commencing in the spring of 2012.

4. Expand our experiential skills courses.

5. Encourage and support faculty who desire to integrate skills components in their classes.

Ethics and Professionalism

1. Effective with classes entering this fall (2011), require completion of a 3-credit-hour legal ethics course prior to graduation.

2. Add a Professionalism Problem of the Semester to infuse professionalism into the curriculum, retaining the right of every professor to choose whether or not to participate. The first would be introduced in the spring 2012 semester.
3. Encourage universal student participation in the Pro Bono Program (beginning immediately).

Implementation and Monitoring

1. Adopt a system to evaluate and monitor the effects of the plan.
To: Faculty

From: Health Law Special Committee

Date: May 14, 2009

Re: Proposal for the Creation of the Center for Health Law & Policy

INTRODUCTION

After much discussion, the committee has reached a consensus that the College of Law should move forward with the creation a Center for Health Law & Policy ("Center"). We have chosen the use of the title "Center" as opposed to "Institute" or other moniker in order to maintain consistency within the University among these types of focal points of specialized activity. Indeed, the University has a definition for a "Center" that fits well with our vision of our Center for Health Law & Policy.¹

There are several reasons why the time is right to create the Center. First, Cleveland State University ("the University") has made a commitment to introduce health initiatives across the academic curriculum. The Center will be the Law School’s contribution to that endeavor. Second, the Law School’s location in Cleveland, a city with a vibrant health care industry, makes us unique suited to train future health care attorneys. Third, given the increasing interest in health care law and policy among students, creation of the Center will assist us in recruiting high quality students.² Fourth, several of our current students have expressed an interest in pursuing careers in health law.³ Lastly, a memorandum prepared by Professor Sheldon Gelman indicates that we have several faculty members who teach, research and/or write in the health law area. Professor Gelman’s memorandum also states that health law is the only academic specialty for which the Law School has received a national rank in the U.S. News & World Report specialty rankings.

¹ The University defines "Center" as "an organization unit within the University that is formed to: (1) promote research, (2) take advantage of funding initiatives and opportunities, (3) target audiences external to the University, (4) foster interdisciplinary studies, projects, or initiatives, or (5) engage in public service or community outreach."
² For example, in the 2008-09 testing cycle, 2.5% of LSAT takers expressed an interest in health law compared to 1.5% in tax law. (In the 2008-09 cycle there were 180,838 test takers. 4,676 expressed an interest in health law, 11,230 expressed an interest in intellectual property, and 2,786 expressed an interest in tax law.) (This information was provided by Chris Lucak from LSAC data).
³ On April 27, 2009, Career Services
PHASES

The Center will be established in two phases. Those steps are enumerated below.

**Phase One (the first 3 years)**

**Step One**

The first step is to obtain approval from the University to create the Center. The University has specific guidelines that must be followed to create a Center. The University recognizes four types of Centers. Since the larger Centers required greater institutional investment, they are subject to the most thorough review for establishment and maintenance. The smaller Centers do not require detailed review, but are subject to some coordination and review before they can be established.

A Type One Center is located in a single academic college or administrative unit and requires no internal resources. In order to be classified as a Type One Center, creation of the Center must not require the University to commit any resources beyond the current salary for faculty. Thus, no particular administrative or formal governance structures are required beyond the naming of a Director and review and approval by the appropriate Chairs and Deans. Approval to use a particular name is required to avoid duplication of names that would lead to confusion internally and externally. Approval by the Chair/Director and the academic college Dean is required.

A Type Two Center is located in a single academic college or administrative unit and requires a minimal level of resources. In order to be classified as a Type Two Center, creation of the Center must only require the University to commit minimal internal resources. Minimal internal resources may include, but is not limited to, the following: a course release for a Director, office supplies, and office space. Policies for naming the Director and governance structures are required. Approval to use a particular name is required to avoid duplication of names that would lead to confusion internally and externally. Approval by the Chair/Director and the academic college Dean is required.

A Type Three Center is located across one or more academic colleges or administrative units requiring minimal resources. In order to be classified as a Type Three Center, the Center must require coordination of the efforts of a group of faculty representing a particular field and crossing boundaries of colleges or administrative units. Moreover, institutional resources necessary to support the Center must be small. For example, the University’s commitment could include a course release for a Director or funding typically less than $50,000/year, which might be for things such as seminars and administrative support. Administration might consist of a Director and a faculty advisory group. The governance structure and process for naming a Director must be approved by the appropriate Chairs/Directors, Deans and the Provost.
A Type Four Center is a Center that, regards of location, needs institutional support. In order to be classified as a Type Four Center, the Center must require significant institutional support. A Type Four Center would have space assigned to it, and a formalized administrative mechanism (including a Director with administrative responsibility appointed or confirmed by the Provost).

All Centers will be reviewed every three years. At the end of each review period, a Center will be closed unless a continuation is approved. The Center Director must submit a report listing the Center’s activities, achievements, challenges, and financial arrangements over the three-year review period and future plans. The report must be submitted to the Director’s immediate supervisor. If a decision is made to not continue a Center, the Center Director may appeal the decision (to the Dean if the decision to close the Center is made by a department Chair/School Director, to the Provost if the decision to close the Center is made by a Dean).

Based upon the above information, we will be seeking approval to create either a Type One or a Type Two Center. Under the University’s guidelines, in order to create a Type One or a Type Two Center, a document must be prepared that describes the purpose and goals of the Center. The document should include information on faculty biographies, funding sources and requests for resources as appropriate, selection processes for internships, and involvement by undergraduate and graduate students. The Dean makes the approval decision with regards to the creation of Type One or Type Two Centers.

**Step Two**

The second step is to hire a new tenured/tenure-track faculty member with health law expertise. Our goal is to hire someone who is willing and able to teach the basic Health Care Law course as well as teach in the Health Law Regulation area as these are the courses of which we are in most dire need. With regards to staffing, we need to appoint a Director/Administrator to coordinate the Center’s activities. The Director/Administrator might be a new hire or someone appointed from our current ranks. The Director/Administrator would be responsible for developing the Center’s course offerings and developing relationships with other University colleges, the Health Law bar, the Health Care industry and the local community.

**Step Three**

The third step is to obtain approval to issue a “certificate” in health law to students who successfully complete all of the required health law courses. One of the primary functions of the Center will be to promote a health law certificate program. We believe that offering a certificate will do two things: first it will draw additional students to the program; and second, it will better enable students to get jobs in the health law field by assuring employers that those students have competency in the area. The Committee will take the steps necessary to get the University Curriculum Committee’s approval to award the health law certificate.
Step Four

The fourth step is to create an external advisory board. The fourth step is to create an external advisory board. The board will consist primarily of attorneys who practice health law in private law firms, public agencies, or as in-house counsel at hospitals or other health care facilities. The board may also include other health care professionals, including physicians and nurses.

The principal purposes for creating an advisory board are: (1) to obtain strategic advice on trends in health law from practitioners and other professionals who are actively engaged in the field; (2) to identify practitioners and other professionals who may be capable of enhancing our curriculum by serving as adjunct professors or by agreeing to supervise an extern; (3) to provide a core group of practitioners and other professionals who can provide career counseling to our students who are interested in finding a job in health law; (4) to create a group of practitioners and other professionals who are actively engaged in the health law programs at our law school so that they will be informed, effective advocates for our law school and the Center; and (5) to engage a group of practitioners and other professionals who may be willing to provide financial support for the Center or help us identify and solicit other sources of external funding.

Step Five

The fifth step is to expand our curricular offerings in health law. To that end, Phyllis Crocker supplied us with information on the number of health law related courses taught over the last few years. In order to increase the number of courses available to our students, we surveyed the relevant courses offered in the graduate school and the school of urban affairs. There are courses available in those colleges that we can cross list. In addition, we plan to encourage current faculty who have an interest in teaching health law related courses to teach some of the core courses, or ones that we have not offered in a long time, or create new courses. Finally, we plan to rely on the local health law bar to identify adjuncts to teach some of the health law related courses. As part of expanding our curricular offerings, we plan to increase the number of health law externships.

Step Six

The final step in Phase One is to engage and coordinate the activities of the Health Law Journal with those of the Center. We also plan to implement other activities to keep students involved in development and growth of the Center. Those activities include assisting in the creation of a student chapter of the Association of Health Law Attorneys (AHLA) in the Fall of 2009, and in the establishment of a Health Law Moot Court Team.
Phase Two (year 4 and beyond)

The steps of this phase focus upon ways to improve the quality of the Center. Therefore, we plan to hire more health law faculty and to continue to encourage current faculty to retrain to teach health law related courses. In addition, we plan to expand the curriculum and to establish a speaker series. We will also explore the possibility of getting someone to fund the Center in exchange for getting to name it. We plan to explore reestablishing the Medical Institute for Law Faculty Program. Other possible additions to the health law curriculum include an upper level health law-related writing course and a stimulated health-law related transaction course.

PROPOSED CURRICULUM

The Center will issue a general health law certificate. The practice of health law encompasses many different disciplines. In order to guide students in course selection, the courses will be grouped to reflect the different areas. Students may take a particular group of courses or take courses across groups.

Groupings

Health Law Regulation

Students who take courses from this group will be trained to work in the private bar or at government agencies. Students will be equipped to represent hospitals, physician groups, health maintenance organizations (HMOs), or individual doctors to insure that they are complying with government regulations. In addition, students will be equipped to lobby on behalf of their clients. Students who choose to work for the government will be equipped to investigate fraud, to deal with Medicare/Medicaid/Stark Law policy and compliance, and to oversee the development of public health regulations.

Health Law Policy & Ethics

Students who take courses from this group will be trained to work in the public, government or academic settings. Students will be equipped to represent universities and other research academic centers, and to oversee clinical trials at universities and health care facilities. In addition, students will be equipped to work for the government to reform and create health care policy. Students who choose to work in the private sector will be equipped to impact health care policy through lobbying and other activities. Students will also be equipped to work at think tanks and other organizations that focus upon biomedical and research ethics issues.

Health Law Business & Litigation

Students who take courses from this group will be trained to engage in the business of health care in the public and the private sector. Students will be equipped to handle mergers and acquisitions, tax law, employee benefits, and risk management issues for
hospitals, HMOs, long term care facilities, and insurance companies. In response to the impact of technology on health care, students will also be equipped to guide their clients through intellectual property, biomedicine, and telemedicine issues. Students will also be equipped to handle medical malpractice cases and to engage in other types of health care-related litigation.

**Course of Study**

**I. Foundational Courses (all 3 required)**

Health Care Law  
Law and Medicine  
Biomedical Ethics

**Courses we now offer on a regular basis (every year or every other year):**

Health Care Law  
(we restarted offering this course in Spring 2008 (we had not offered it for at least five years previously), we offered it in Spring 2009 and will offer it in Spring 2010)

Law and Medicine  
(we have offered this in Spring 2007, Spring 2009, and will offer it in Spring 2010)

Biomedical Ethics  
(we offered this in Spring 2006 and Fall 2008; it is not on the schedule for next year)

**II. Elective Courses (students must take 3 elective courses)**

**A. Health Law Regulation Group**

**Courses we now offer on a regular basis (every year or every other year):**

Administrative Law  
Psychiatry and Law  
Insurance Law  
Worker’s Compensation

**Courses offered at other CSU Colleges:**

Health Care Financial Management (School of Urban Affairs course)  
Long-Term Care (School of Urban Affairs course)  
Medical Care Organization (School of Urban Affairs course)  
Public Health Concepts (Graduate School course)
Courses that we have not offered in the last three years or have never offered:

Disability Law
Food & Drug Law
Health Care Payment Systems (HIPAA/Medicare/Medicaid/Stark Law)
Mental Health Law
Public Health Law

B. Health Law Policy & Ethics Group

Courses we now offer on a regular basis (every year or every other year):

Legislation
Psychiatry and Law

Courses that are taught less than every other year or are new:

Genetics, Ethics & The Law
   (offered in Spring 2008, but prior to that not since Fall 2002)
Health Law Seminar
   (this course was schedule for Spring 09 but had to be canceled, we will offer it as Reproductive Rights in Fall 2009, but prior to Spring 2009 we had not offered this course since Fall 2004)
Research Ethics (new in Spring 2010)

Courses that we have not offered in the last three years or have never offered:

Elder Law
Law and Public Policy
Mental Health Law
Poverty and Law
Public Health Law

Courses offered at other CSU Colleges:

Bioethics Policy: Prevention and Access (Dept. of Philosophy)
Bioethics Policy: Technology (Dept. of Philosophy)
Clinical Issues in Bioethics (Dept. of Philosophy)
Policy Issues in Bioethics (Dept. of Philosophy)
Bioethics and Biotechnology (Dept. of Philosophy)
Health Economics and Bioethics (Dept. of Philosophy)
Ethics of Human Reproduction (Dept. of Philosophy)
C. Health Law Business & Litigation Group

Courses we now offer on a regular basis (every year or every other year):

- Antitrust
- Employment Law
- Insurance Law
- Mergers & Acquisitions
- Nonprofit Corporation Law
- Patent Law and Practice
- Scientific Evidence

Courses offered at other CSU Colleges:

Governmental & Institutional Accounting (Graduate School course)

Courses that we have not offered in the last three years or have never offered:

- Medical Malpractice
- Products Liability
- Toxic Torts

III. Project Requirement (students are required to enroll in a clinic, participate in an externship or serve on the journal)

Courses we now offer on a regular basis (every year or every other year):

- Journal of Law and Health
- Community Health Advocacy Law Clinic
- Medicare Hearings & Appeals Externship

Courses not offered (yet):

- National Health Law Moot Court Competition
- Insurance Company Externship (Medical Mutual, Blue Cross, Universal America)
To: Faculty

From: Health Law Special Committee

Date: January 9, 2012

Re: Proposal for the Creation of a Health Care Compliance Program

INTRODUCTION

The purpose of this memorandum is to seek the faculty’s support for the creation of a Health Care Compliance Certificate Program. On May 14, 2009, the faculty approved the creation of the Center for Health Law & Policy (“Center”). Currently, the Center issues a general certificate in health law. The first certificate was awarded to Marilyn Robinson in May of 2011. As a part of the Program, Marilyn served as an intern at the Cleveland Clinic and was mentored by a local health law attorney. After passing the Texas bar in November of 2011, Marilyn accepted a job in the Health Law Department of an Austin law firm. Presently, twelve students are enrolled in the Program. Due to the positive press received by the Center, several practicing attorneys and medical professionals have inquired about enrolling in the Program. Unfortunately, only currently enrolled JD students are eligible to enroll in our Health Law Certificate Program.

There is a high demand for the health compliance certificate. To illustrate, in 2004, Seton Hall College of Law created a four-day Health Care Compliance Certificate Program in pharmaceutical and medical devices. Although the Program costs $2400, at least 100 people have attended the program annually. Moreover, the Health Care Compliance Association (HCCA) sells out seven compliance academies a year. In order to accommodate non-JDs and to benefit our JD students, the Center would like to create a Certificate in Health Care Compliance. Our target audience consists of lawyers, doctors, social workers, MBA students, nurses and health care administrators.

It is the right time to create a Health Care Compliance Certificate Program. As a result of the changes in health care law, the demand for health care compliance employees has grown. Currently, only 60% of the compliance officers are attorneys. In light of the complexity of health care law, hospitals and other health care facilities are seeking to fill compliance positions.
with attorneys. Thus, compliance is one of the fastest growing areas in health law. Consequently, our Health Care Advisory Board has recommended that we give our students an opportunity to become certified in health care compliance. That additional credential will allow our students to be competitive in the health care compliance area. In order to become certified in health care compliance, our students could take the Health Care Compliance Examination.

Presently, only four law schools in the country, Hamline University, Quinnipac University, Seton Hall and Wildener, are accredited by the Compliance Certification Board (CCB) to issue a certificate in health care compliance. There are several benefits from being accredited to issue the certificate. Certification by the CCB will enable students to sit for the CHC (Certified in Healthcare Compliance) exam and/or the CCEP (Certified Compliance and Ethics Professional) exam at the end of their studies in a certified program. The work experience requirement as outlined in the CHC/CCEP Candidate Handbook will be waived. Students also have the opportunity to join the Health Care Compliance Association and/or the Society of Corporate Compliance and Ethics at a discounted rate of $150 which provides education and also a chance for networking with other individuals in the compliance field. The CCB will work with accredited universities across the country to certify university-based compliance certificate programs and offer the graduates of those programs an opportunity to become certified in Healthcare Compliance (CHC) and/or a Certified Compliance and Ethics professional (CCEP). Once our certificate is approved by Cleveland State University, we will apply to the CCB to become the only law school in Ohio to be accredited to issue a Certificate in Health Care Compliance.

APPROVALS NEEDED

We would like to implement the Health Care Compliance Certificate Program in the Fall of 2012. In order to accomplish that task, the law school has to notify the Office of the University Registrar of the approval of the certificate by the final approval body by the last day of Spring 2012 classes. To create the Program, we must get approval from the following entities: (1) the law school faculty, (2) the law school’s Curriculum Committee, (3) the law school Dean’s Office, and (4) the Graduate Council (GC).

ADMISSIONS AND GRADUATION REQUIREMENTS

In order to be admitted to the Health Care Compliance Certificate Program, the applicant must currently be enrolled as a student at Cleveland-Marshall College of Law or have earned an undergraduate degree from an accredited institution of higher education, with a cumulative grade point average (GPA) of 3.0 or higher. Applicants with an undergraduate GPA of less than 3.0 may still be considered and admitted based on other admission criteria, including professional experience in the health care industry, graduate coursework, and a personal interview conducted by the Program Director.
MEMORANDUM

TO: Graduate Council, Cleveland State University
FROM: Mark J. Sundahl, Associate Dean for Administration, Cleveland-Marshall College of Law
DATE: February 27, 2012
RE: Health Law Course Approvals

By this memorandum, I confirm for the Graduate Council that the following courses were approved by the Cleveland-Marshall College of Law Curriculum Committee on January 11, 2012 in accordance with the procedures of the College of Law:

Health Care Finance Law

Introduction to Health Care Compliance

Please let me know if the Council has any concerns or requires further information.
In order to receive the Health Care Compliance Certificate, the student must complete the required curriculum with a cumulative GPA of 3.0 or higher. In order for a course to be counted towards graduation, the student must receive at least a C+ in the course. Students who enroll in the Health Care Compliance Certificate Program after graduating from Cleveland-Marshall College of Law may receive credit for the relevant health law courses they have already completed as long as they complete the courses no longer than three years prior to enrolling in the Health Care Compliance Program.

PROPOSED CURRICULUM (all credits required)

**Law 617**

Introduction to Health Care Compliance (2 credits) This course is designed to introduce the students to the seven basic principles of health care compliance. Students will gain a practical understanding of the laws and regulations compliance professionals regularly encounter. The purpose of the course is to teach students how to apply a range of statutory, regulatory and common law principles to a variety of compliance situations.

**Law 686**

Health Law (3 credits) This course will address the legal and business issues facing health care institutions and health care providers, including the business structure of institutions; payment issues, including Medicare, Medicaid and third party reimbursement; state and federal regulations as applied to health care institutions and providers; not-for-profit tax issues arising in the health care context; and business relationships between health care institutions and providers.

**Law 683**

Health Care Fraud & Abuse (3 credits) In this course students will explore the large body of law governing the financial arrangements between health care providers and payors. Students will participate in a detailed examination of (i) The Federal False Claims Act; (ii) The Federal Anti-Kickback Statute; (iii) The "Stark" laws; (iv) the Civil Monetary Penalty Statutes; (v) the Patient Protection and Affordable Care Act (PPACA); (vi) the impact of health care reform legislation on these statutes; (vii) current trends in enforcement; and (viii) cases recently decided as examples of the application of these laws, their prosecution and defense.

**Law 609**

HIPAA & Privacy (2 credits) The course will focus on the laws pertaining to confidentiality and disclosure relative to patient medical documents and information. Most of the course will be based on the Health insurance Portability and Accountability Act (HIPAA) but Ohio laws that govern medical information privacy will also be examined as well relevant administrative regulations and processes.

**Law 637**

Health Care Finance Law (3 credits) In this course students will learn how health care providers are paid; what their clients must know, do and go through to get paid; the regulatory challenges their clients face; and their financial and budgetary realities. The course will employ a client-centric approach for students to learn and then contemporaneously apply their knowledge of the definition of "health care finance"; the moral, political and economic considerations that drive health care finance policy; U.S. health insurance reform; health law finance regulation and oversight; and the realities of business facing health care providers.
Subject: LAW 627, LAW 617 new courses
From: Maribeth A Kralik <m.a.kralik@csuohio.edu>
Date: Wed, 18 Apr 2012 11:40:15 -0400
To: Betty A Gump <b.gump@csuohio.edu>
CC: mark.sundahl@law.csuohio.edu, jean.lifter@law.csuohio.edu

Cleveland State University
College of Research and Graduate Studies

MEMORANDUM
April 18, 2012

TO: Betty Gump, Registrar’s Office

FROM: Maribeth Kralik, College of Graduate Studies

SUBJECT: LAW 627 & LAW 617, new courses

In the Graduate Course Inventory, please add LAW 627 Health Care Finance Law and LAW 617 Introduction to Health Care Compliance as new courses. These courses will be included in the new graduate certificate in Health Care Compliance, which has been sent to the University Curriculum Committee for review.

Graduate Council has approved these new courses at its April 16, 2012 meeting. Enclosed are supplemental materials for additional information.

Thank you.

JZ/mk

cc: Browne Lewis, Cleveland-Marshall College of Law
Mark Sundahl, Associate Dean, Cleveland-Marshall College of Law
Jean Lifter, Associate Dean, Cleveland-Marshall College of Law
College of Graduate Studies

Maribeth Kralik, Office Coordinator
Cleveland State University
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m.a.kralik@csuohio.edu
216-687-3595

"I cannot live without books............." Thomas Jefferson

Content-Type: application/octet-stream
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Subject: New graduate certificate--Health Care Compliance
From: Maribeth A Kralik <m.a.kralik@csuohio.edu>
Date: Wed, 18 Apr 2012 11:48:01 -0400
To: John J Jezirowski <j.jezirowski@csuohio.edu>, Violet E Lunder <v.lunder@csuohio.edu>
CC: mark.sundahl@law.csuohio.edu, jean.lifter@law.csuohio.edu

Cleveland State University
College of Graduate Studies

MEMORANDUM
April 18, 2012

TO: Dr. John Jezirowski, Chair,
University Curriculum Committee

FROM: Dr. Jianping Zhu, Dean
College of Graduate Studies

SUBJECT: New Graduate Certificate in Health Care Compliance (Cleveland-Marshall College of Law)

At the April 16, 2012 Graduate Council meeting, Council approved a proposal from the Cleveland-Marshall College of Law for a new graduate certificate in Health Care Compliance.

The major points to the certificate are:

- Available to both JD and non-JD students
- Applicants must be currently enrolled at Cleveland-Marshall College of Law or have earned an undergraduate degree from an accredited institution of higher education, with a GPA of 3.0 or higher
- Total of 18 credits
- Includes new courses: LAW 627 Health Care Finance Law and LAW 617

Introduction to Health Care Compliance.

Supplemental materials with signatures are enclosed. The proposal is being submitted to the University Curriculum Committee for notification purposes.

JZ/mk

cc: Browne Lewis, Cleveland-Marshall College of Law
Mark Sundahl, Associate Dean, Cleveland-Marshall College of Law
Jean Lifter, Associate Dean, Cleveland-Marshall College of Law
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"I cannot live without books.............." Thomas Jefferson

HealthCareCompliance-new cert Law.pdf Content-Type: application/octet-stream
Content-Encoding: base64
CLEVELAND-MARSHALL COLLEGE OF LAW

Curricular Change Form

Proposal for:   _____ Undergraduate   X  Graduate

X Program/Degree

Type of Action:

X Addition

___Deletion

___Revision or change

___Other

Program/Degree Title: Health Care Compliance Certificate Program

When should the action take effect?   Fall  Semester  2012  year

_________________________________________________________________________

1. Description of and rationale for action/change required.

The law school seeks approval to issue a certificate in health care compliance. Currently, the law school's issues a general certificate in health law. Persons who complete the health care compliance certificate will be eligible to take the health care compliance examination. Most health law employers prefer that their compliance officers be certified. Thus, this new certificate will open up a new pool of jobs for our students. In addition, Cleveland-Marshall will be the third law school in the country and the only law school in Ohio to have a certificate program in health care compliance.

2. Does the proposed change affect the College's certificate curriculum?

X No   ___Yes Describe the effects.

3. Does the proposed change affect the curricula of any other departments/programs/colleges in the University? List the affected units and send copies of the proposal form and related materials to the chair/director of the affected unit. Include their responses, letters of support.

X No   ___Yes

Approvals:   Chair, College of Law Curriculum Committee  

Dean, College of Law  

Dean, Graduate Studies  4-16-13

CM|LAW

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WWW.LAW.CSUOHIO.EDU
Memorandum

TO: Graduate Council
FROM: Craig M. Boise, Dean
College of Law
DATE: February 1, 2012
SUBJECT: Proposal for the Creation of a Health Care Compliance Program

In May 2009, the faculty approved the creation of the Center for Health Law & Policy at Cleveland-Marshall College of Law. The Center issued its first certificate in May of 2011. At this time the certificate program is only available to currently enrolled JD students.

In response to the positive press the Center has received, several practicing attorneys and medical personnel have expressed an interest in obtaining a certificate in health law. Additionally, due to recent changes in health care law, there is a high demand for health care compliance employees.

With this in mind, our Health Law Advisory Board recommended to the Health Law Committee that they look into offering a certificate in health care compliance, which would be available to both non-JD and JD students. The Health Law Committee created such a proposal and brought it before the law school’s Curriculum Committee.

On January 11, 2012, the Curriculum Committee unanimously approved the proposal for the Creation of a Health Care Compliance Program. On January 12, 2012, the law school faculty also unanimously approved the proposal with minor changes.

I concur with both the Curriculum Committee and the faculty’s approval of the attached proposal. I believe that the creation of a health care compliance certificate will give our students (both JD and non-JD) a competitive edge in today’s employment market and is consistent with the University’s efforts to establish health-related disciplines and programs.

Attachment
DESCRIPTION OF C|M|LAW CLINICS

Community Health Advocacy Law Clinic

The Community Health Advocacy Law Clinic offers students the opportunity to provide representation to clients who are patients at one of four MetroHealth outpatient locations. The Clinic is offered in conjunction with the Legal Aid Society of Cleveland’s Community Advocacy Program. The Community Health Advocacy Law Clinic was first offered in Fall 2008.

Students, under the supervision of Clinical Professor Pamela Daiker-Middaugh, work with doctors, nurses, social workers and Legal Aid lawyers to address the legal issues of people seeking medical treatment. Patient/clients are low-income, and often one of the following: children, first generation Americans, people recently released from incarceration, Spanish speaking, or the elderly. Client issues may occur in any area of law but the following are the most common: special education law, housing law, public benefits law, employment law, juvenile law, and family law. Representative matters include expungements, guardianships, special education law issues as well as housing issues.

Employment Law Clinic

Students may enroll in the Employment Law Clinic for three to five credit hours per semester for two semesters. In the Fall of 2012, the course is being taught and students are supervised by Clinical Professor Kenneth Kowalski. Prior to that, the course was taught by Professor Kowalski and Professor Gordon Beggs until his retirement in 2010; and from January of 2010 to this fall, by Professor Kowalski and a visiting clinical professor.

The Employment Law Clinic provides students with the opportunity to represent clients in federal and state courts and agencies in matters such as unemployment compensation, wrongful termination, discrimination and other statutory claims. Students participate in all aspects of representation from interviewing through trial and appeal. Typically, the caseload of the Clinic is somewhere between 20 and 30 cases.

The ELC cooperates closely with the Legal Aid Society of Cleveland, taking many referrals from that office, exchanging briefs and decisions, and discussing legal and procedural issues. In the past year, the ELC’s assistance has been sought by the National Employment Law Project, a national advocacy organization for employment rights of lower-wage workers, on a couple of unemployment cases, including a case argued by Professor Kowalski in the Ohio Supreme Court. That was the second UC case in two years to be argued in the Ohio Supreme Court by the Clinic. Students have also argued UC cases in the Ohio Court of Appeals.

In addition to client representation, all students participate in weekly seminars. These seminars focus on the handling of specific cases and instruction in litigation skills.
The Environmental Law Clinic

The Environmental Law Clinic is offered for four credit hours once each academic year (it was last offered in Fall of 2011) and is instructed by Associate Dean and Professor Heidi Gorovitz Robertson. Enrollment is limited to six students and offers them the opportunity to do practical environmental legal work for local environmental non-profit corporations and government agencies. As in the other clinics, students engage in client interviews, factual investigation, specialized research, and occasional litigation support, although without litigation participation. Students meet regularly with the professor to address the legal, planning, and counseling skills necessary to meet client needs and maintain regular professional communications with their clients. In many projects, students interview and work with representatives of various administrative agencies. Each student, or team of students, prepares a comprehensive written research report, a copy of which is provided to the client. On several occasions, these reports were compiled into a published text. Students also engage in drafting legislation and ordinances, and in the preparation of reports regarding regional, national, and international environmental issues.

The Fair Housing Clinic

The Fair Housing Law Clinic is offered each semester for two, three or four credit hours. This Clinic works with Housing Advocates, Inc., a non-profit advocacy organization to provide representation of victims of housing discrimination in both state and federal judicial proceedings.

Adjunct Ed Kramer and attorneys employed by Housing Advocates are responsible for daily supervision of students. The students are provided with space at the offices of Housing Advocates, Inc., a few blocks from the College of Law. Professor Stephen Lazarus, who participates in the Clinic’s seminars, but does not participate in casework, supervises the Clinic.

The seminars encompass a review of pending matters, case evaluation and approaches, negotiation tactics, simulations of required litigation skills including examination and cross-examination of witnesses, substantive and procedural legal issues, and related issues of professionalism. One element of the student's evaluation for this clinic is based on participation in the seminars.

The General Civil Litigation Clinic

Clinical Professors Ken Kowalski and Doron Kalir will offer this new clinical course in Spring 2013 on an experimental basis. The course is designed to offer a broader litigation experience than that offered by the Employment Law Clinic; it will offer students an opportunity to engage in client representation across a wide variety of fields and on multiple levels. The Clinic will represent clients in short-term matters such as evictions, the collection of credit card debt and unemployment compensation in
addition to cases that are longer and more complex such as asylum cases and public impact litigation. The course is one semester in length and offered for 3 or 4 credit hours.

**Law and Public Policy Clinic**

The College of Law offers the Law and Public Policy Clinic when an appropriate project is presented. At these times, the Clinic is offered for three to five credit hours in a single semester to students in the College of Law and is supervised by Professor Alan Weinstein.

**The Transactional Law Clinic**

The Transactional Law Clinic (formerly known as the Urban Development Law Clinic and the Community Advocacy Clinic), was first offered in 1993. The Clinic, traditionally, served neighborhood and community-based nonprofit corporations in Cleveland with corporate and business counsel. Most of the clinic’s clients are engaged in community and economic development, and the Clinic has developed a special expertise in that subject matter. Recently, the Clinic has also begun to represent small start-up businesses that cannot afford to engage legal counsel.

In size and complexity, the Clinic’s matters range from a legal memorandum on the application of a corporate governance issue to complex real estate development projects. Most of the legal services are provided pro bono; however, some services were provided under fee for service agreements at very modest rates prior to the 2011-12 academic year. Clinical Professor Carole Heyward teaches the Clinic.

The Clinic is usually engaged by its clients for specific projects or purposes. At any given time during a year, there are between 20 and 30 open client matters; most are from long term clients. While in the past students were usually required to take two semesters of the clinic, the clinic is moving to a one-semester model.

Before students may be enrolled in the clinic, potential students are interviewed and the time commitment of the clinic is discussed. Students need to have completed one-half of their law school curriculum before beginning clinical practice.

The Clinic’s educational method is experience-based learning in a real practice with real clients. The Clinic’s Manual states the Clinic’s requirements and operating procedures. Weekly seminars provide general guidance, while weekly individual supervision meetings provide specific personal direction and evaluation. Most students finish their clinical experience with valuable practical experience as lawyers.
MEETING DATE: 9/12/12

ADVISORY COUNCIL MEMBERS

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Memorandum

To: C|M Law Faculty

From: Curriculum Committee

Date: April 23, 2012

Re: Proposed new standard for Experiential Skills Requirement

In the spring of 2011, the C|M Law faculty adopted several curriculum reforms. Those reforms included a revision to the current Skills Course Requirement. In the Memorandum from the Ad Hoc Curriculum Review Committee, that committee stated the following:

The committee proposes that our skills requirement be strengthened in two ways. First, we propose redefining the criteria so that only courses offering students an experiential approach to skills development satisfy this requirement. Second, we propose that students not be allowed to “double dip” requirements by automatically satisfying their skills requirement by taking any required 3rd semester Legal Writing course (except Scholarly Writing, which does not qualify as a skills requirement). (Memo, p. 20.)

The faculty adopted this proposal and referred the matter to the Curriculum Committee to formulate a revised standard. The Ad Hoc Committee did not suggest a specific standard, but did state the following:

Based on our preliminary consideration of the matter, however, we believe that an experiential skills course should, at a minimum, challenge students to apply their substantive and/or procedural knowledge in settings such as live client clinics, externships, oral advocacy competitions, and simulation courses in which students are given multiple opportunities to exercise various lawyering skills and receive individualized feedback on their assigned tasks. Another important characteristic of experiential courses is that every student has to interact personally and immediately with others to work towards resolution of a legal matter. (Memo, p. 21.)

The Curriculum Committee, working from the Ad Hoc Committee’s memorandum as a starting point, has formulated a revised Experiential Skills Course Requirement. Appearing below are: first, the existing (old) C|M Law skills course requirement (for purposes of reference); and second, the new, revised Experiential Skills Course Requirement proposed by the Curriculum Committee.
Current C/MIT Law Standard:

CRITERIA FOR SATISFYING
THE SKILLS COURSE REQUIREMENT

In order to graduate every student must complete one skills course “providing substantial
instruction in professional skills generally regarded as necessary for effective and responsible
participation in the legal profession. A professional skills course must engage each student in
skills performances that are assessed by the instructor.”

This new requirement was prompted by the A.B.A. adding the professional skills requirement to
those skills that we are already required to, and do, provide substantial instruction: substantive
law, legal analysis and reasoning, legal research, problem solving and oral communication,
writing in a legal context, and the professional ethics. See ABA Standard 302(a) (4). Examples of
the types of professional skills contemplated by this new requirement are: “[t]rial and appellate
advocacy, alternative methods of dispute resolution, consulting, interviewing, negotiating,
problem solving, fact investigation, organization and management of legal work, and drafting.”
Interpretation 302-2 to A.B.A. Standard 302(a) (4), A.B.A. Standards for Approval of Law Schools
(2007).

To satisfy the skills requirement a new course proposal must include the following description:

1. The skills taught,
2. The skills performances each student will engage in,
3. The class time devoted to those skills, and
4. How the professor will assess each student’s skills performance.

[End of Current Standard]

Proposed Revised Standard:

CRITERIA FOR SATISFYING
THE EXPERIENTIAL SKILLS COURSE REQUIREMENT

In order to graduate every student must complete one experiential skills course, as described
below.

The C/MIT law faculty first adopted a skills course requirement in May 2008, prompted by the
A.B.A. adding a professional skills requirement. See ABA Standard 302(a)(4). Examples of the
types of professional skills contemplated by the new requirement are: “[t]rial and appellate
advocacy, alternative methods of dispute resolution, counseling\(^1\), interviewing, negotiating, problem solving, fact investigation, organization and management of legal work, and drafting.” Interpretation 302-2 to A.B.A. Standard 302(a) (4), A.B.A. Standards for Approval of Law Schools (2007).

In 2011, as part of a C|M law curriculum reform, the faculty decided to strengthen the existing skills requirement in two ways: (1) by redefining the criteria to require a more rigorous, experiential approach to skills development; and (2) by prohibiting students from using a single course to satisfy both the 3rd Semester Legal Writing requirement and skills requirement.

To satisfy the experiential skills course requirement, a course must meet the following criteria:

1. A substantial (at least 50% of class time) and regular part of the course consists of providing each student with multiple opportunities to engage in Experiential Learning.
2. Experiential Learning is defined as:
   a. exercising lawyering skills in real-world or simulated real-world settings,
   b. interacting personally and immediately with others to work toward resolution of a legal matter, and
   c. receiving substantial individualized feedback on the assigned lawyering skill tasks.
3. Examples of lawyering skills include:
   a. Trial advocacy
   b. Appellate advocacy
   c. Alternative dispute resolution
   d. Counseling
   e. Interviewing
   f. Negotiation
   g. Investigating and organizing facts
   h. Organization and management of legal work
   i. Drafting

The experiential skills requirement cannot be satisfied by the same course used to satisfy the 3rd Semester Legal Writing requirement.

\[\text{[End of Proposed Revised Standard]}\]

Near the end of the Curriculum Committee’s work on this revision, another question was raised with regard to “double dipping.” The proposed standard provides (following the faculty’s direction) that students may not “double dip” by using the same course to satisfy the 3rd Semester Legal Writing Requirement and the Experiential Skills Requirement. Once students

\(^{1}\) The existing standard quotes the word “consulting” here rather than “counseling.” That appears to be a transcription error, as Interpretation 302-2 to A.B.A. Standard 302(a)(4) uses the term “counseling” rather than “consulting.”
are prohibited from doing this, there remains the possibility that students will "double dip" in a
different way, namely by using the same course to satisfy the Upper Level Writing Requirement
and the new Experiential Skills Course Requirement. (For example, a student in Moot Court
would likely satisfy both.)

The Curriculum Committee did not incorporate any prohibition on this form of "double dipping"
in the new standard, but the issue is highlighted here to make the faculty aware of it, and to
allow for discussion of the matter.
C|M|LAW Externship Sites

Judicial

Students may work for a federal district court judge or magistrate, a federal appellate court judge, or a state appellate court judge. Externs are integrated into the work of the chambers: writing bench memos, drafting opinions, researching issues during trials, observing settlement conferences and mediations. Students also have the opportunity to observe proceedings in the courthouse which may include trials, sentencing hearings or oral arguments. We also have externships with specialized courts: the U.S. Department of Justice Immigration Court and The Office of Medicare Hearings and Appeals.

U.S. Court of Appeals for the Sixth Circuit

- Judge Karen Nelson Moore
- Judge Alice M. Batchelder, Chief Judge

U.S. District Court for the Northern District of Ohio

- Chief Judge Solomon Oliver, Jr.
- Judge Donald C. Nugent
- Judge Patricia A. Gaughan
- Judge James Gwin
- Judge Dan Aaron Polster
- Judge John R. Adams
- Judge Christopher A. Boyko
- Judge Benita Pearson
- Judge David D. Dowd, Jr.
- Magistrate Judge Nancy A. Vecchiarelli
- Magistrate Judge Kenneth S. McHargh
- Magistrate Judge Greg White
- Magistrate Judge Kathleen B. Burke

Ohio Supreme Court

- Chief Justice Maureen O'Connor

Ohio Eighth District Court of Appeals

- Judge Melody Stewart
**Government/Public Interest**

These externships are placements with public interest, governmental, nonprofit or for-profit (but not a law firm engaged in the private practice of law) entities. They are in numerous subject areas: civil, criminal, education, health immigration, labor/employment, and tax and types of legal practices: litigation, in-house counsel, court. During an externship a student may have the opportunity to delve into substantive areas of law, investigate claims, research and write motions or briefs, draft contracts, and participate in hearings, observe trials, hearings, settlement conferences and negotiations. Our current externship placements are listed below:

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<tr>
<th>City of Cleveland Law Department</th>
<th>City of Lorain, Prosecutor's Office</th>
<th>City of Sheffield Lake Law Department</th>
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<tr>
<td>Cuyahoga County Public Defender's Office</td>
<td>Cuyahoga County Court of Common Pleas, Probate Division</td>
<td>Cuyahoga County Prosecutor's Office</td>
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<tr>
<td>Equal Employment Opportunity Commission, Cleveland Field Office Hearings Unit</td>
<td>Federal Public Defender</td>
<td>Federal Trade Commission</td>
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<td>Immigration &amp; Customs Enforcement (ICE)</td>
<td>Internal Revenue Service (IRS)</td>
<td>Legal Aid Society of Cleveland</td>
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<td>Lorain County Prosecutor's Office</td>
<td>National Labor Relations Board (NLRB)</td>
<td>Nueva Luz Urban Resource Center</td>
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<td>Ohio Civil Rights Commission</td>
<td>Ohio Environment Council</td>
<td>Towards Employment</td>
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<td>U.S. Coast Guard Ninth District Legal Office</td>
<td>Office of Civil Rights, U.S. Department of Education</td>
<td>U.S. Department of Justice, Cleveland Immigration Court</td>
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**General Counsel**

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<td>Saber Healthcare Group</td>
<td>SPIRE/ReCreation</td>
<td>University Hospital Law Department</td>
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**U.S. Attorney's Office**

- Criminal - Fall Semester
- Civil - Spring Semester
Externship Program Handbook
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A. Introduction

The externship program provides our law students the opportunity to obtain practical legal experience while earning course credit. We place our students in settings where, under close supervision of an attorney or judge, they contribute to the on-going work of the office. This gives students the chance to learn the law by being active participants in the legal process. We also seek to ensure that externs are afforded the opportunity to observe legal proceedings in which the office is engaged so that they receive broad exposure to the legal system. In some externships, particularly those that involve providing legal assistance to financially need clients or representing the state, students who obtain a Legal Intern Certificate may have the opportunity to appear and represent clients in court.

Our externship placements are with government organizations such as the EEOC, FTC, and the U.S. Attorney’s Office; judicial offices; non-profit/public interest organizations such as Legal Aid; and corporate legal offices with companies such as Forest City Enterprises and Parker Hannifin. Additional information and a full list of our externship placement sites can be found on the law school website https://www.law.csuohio.edu/currentstudents/externships.

The Office of Career Planning coordinates the externship program, and uses Symplicity (https://law-csuohio-csm.symplicity.com/students/) to provide information and collect applications for externships.

B. Externship Program Rules and Requirements

1. Eligibility

A student must be currently enrolled at C|M|LAW.

For all externships the student must have completed 29 semester hours, substantially all of our Required Core Curriculum,\(^1\) have a GPA of 2.5 or better, and obtain approval of the site supervisor. Completion of the 29 semester hours allows full-time first year students to participate in externships the summer after their first year. Some externships have additional requirements such as background investigations, additional required courses or a different minimum GPA.

Students must complete an application and release of information form. Students should list at least three preferences. If students do not list preferences, the Office of Career Planning will suggest an appropriate externship placement sites based on the student’s stated career goals.

Students must have an in-person visit with an advisor in the Office of Career Planning before submitting a completed externship application.

\(^1\) Our Required Core Curriculum consists of the first year courses (Civil Procedure, Contracts, Criminal Law, Property, Torts, and Legal Research Writing and Advocacy) as well as Constitutional Law.
2. Guidelines

In compliance with ABA Standard 305 no student participating in the externship program shall request or accept compensation from the placement site. Under certain circumstances students may be reimbursed for any out of pocket expenses they incur in carrying out their duties at the placement sites.

Students may not participate in an externship and a clinic during the same semester. See Academic Regulation 4.8.

Students may not enroll in the same externship more than once, including Judicial Externships.

Students may not enroll in more than one externship per semester.

Placements at private law firms are not permitted.

Students may enroll in a total of 17 credits in externships and clinics throughout their law school career. See Academic Regulation 4.3.

Students may not apply for externships that will result in a conflict of interest including, but not limited to:
   a. Simultaneous work for a public defender’s or prosecutor’s office and a judicial externship in the same court system;
   b. A judicial Externship in a court where the student is involved in a case pending before the court;
   c. Such other simultaneous enrollments as the Office of Career Planning or the Associate Dean may determine constitutes a conflict.

Students that do not adhere to the rules and requirements of the externship program may be prohibited from participating in future externships.

3. Credits

Students must complete the required number of hours and participate in the Externship Seminar before credit is awarded.

In the fall or spring 14-week term, students must work 16 hours/week (224 hours total) to receive 4 credits or 24 hours/week (336 hours total) to receive 6 credits.

In the 7-week summer term, students must work 24 hours/week (168 hours total) to receive 3 credits or 40 hours/week (280 hours total) to receive 5 credits.

The number of credits students may earn may also depend on the externship placement.
4. Externship Seminar

The Externship Seminar is taught by a full-time faculty member at the law school. Students must submit weekly written journals and make a presentation on the externship experience.

5. Grading

The externship seminar is graded Pass/Fail. The grade is based on several course requirements:

a. Satisfactory completion of the requisite number of working hours for credit hours;

b. Satisfactory completion of journals discussing work;

c. Oral presentation on work experience at a Seminar meeting;

d. Receipt of site supervisor’s evaluation of your work (which must be satisfactory); and

e. Receipt of your evaluation of the externship and the course.

6. Withdrawal

The Office of Career Planning will allow students to withdraw applications until the application has been forwarded to the placement site. After applications have been forwarded to placement sites the student must contact the placement site to personally withdraw their own application. Students must also notify Jessica Mathewson in the Office of Career Planning of their withdrawal from the placement site. Externship employers rely on commitments made by students. Withdrawal after applications are forwarded should be made only under extraordinary circumstances.

C. Externship Placement Types

1. Judicial Externships

During Judicial Externships, externs are integrated into the work of the Judge’s chambers: writing bench memos, drafting opinions, researching issues during trials, observing settlement conferences and mediations. Students also have the opportunity to observe proceedings in the courthouse which may include trials, sentencing hearings or oral arguments. Students may receive credit for a Judicial Externship with the following courts:

Federal district court judge or magistrate judge (Northern District of Ohio)

Federal appellate court judge (6th Circuit)

We have externships with certain other judges in other courts (e.g., Judge Cooney and Judge Blackmon of the 8th Circuit and Chief Justice O’Connor of the Ohio Supreme Court). A list of judges participating as Judicial Externship Placement Sites is maintained in the Office of Career Planning.
2. Government/Public Interest/General Counsel

These externships are placements with public interest, governmental, nonprofit or for-profit entities (but not a law firm engaged in the private practice of law). There are numerous subject areas (civil, criminal, education, health, immigration, labor/employment, and tax) and types of legal practices (litigation, in-house counsel). During an externship a student may have the opportunity to delve into substantive areas of law, investigate claims, research and write motions or briefs, draft contracts, and participate in hearings, observe trials, hearings, settlement conferences, and negotiations.

A list of approved Government/Public Interest/General Counsel Placement Sites is maintained on the Externship webpage and in the Office of Career Planning.

3. Independent

C|M|LAW encourages students to pursue externships that relate closely to their personal career goals. Frequently, this can be achieved through placement in an existing externship. From time to time, however, students seek a more particularized experience. C|M|LAW supports students in their exploration of alternative placements through its Independent Externship program. The goals of the Independent Externship are to provide flexibility regarding the placement opportunities available for students while simultaneously maintaining C|M|LAW’s high standards for externships. We expect students to engage in work and receive supervision comparable to that of students in other externships. If interested, please talk with OCP first to make sure it would be an appropriate externship.

D. Application Procedures

1. Government/Public Interest/General Counsel/Judicial Externships
   a. Application Process

Students are expected to review externship descriptions on Symplicity and upload documents to Symplicity before the announced deadline date, but no more than one semester prior to the desired externship semester.

In addition, law students interested in applying for an externship must have an in-person visit with an advisor in the Office of Career Planning to (1) discuss externship options, (2) deliver a hard copy of the Externship Application and Release of Information Form, and (3) review their application documents before uploading to Symplicity. Students should contact Jessica Mathewson in the Office of Career Planning to arrange for this meeting. Externship applications will not be forwarded to placement sites unless the student has met with an advisor.

Finally, law students interested in applying for an externship are required to participate in the Office of Career Planning Mock Interview, and Interviewing Skills and Etiquette programs.
Directions for accessing Externships on Symplicity:

1. Login into Symplicity  https://law-csuohio-csm.symplicity.com/students/
2. Click on the “Jobs” tab at the top of the page
3. Click on the “Position Type” drop down menu in the search area (under “Keywords” drop down menu)
4. Click “Externships”
5. Review externship options and click on an externship that interests you
6. Review the attached description
7. When ready to apply click “APPLY” and upload required application documents
8. Click “Submit”

If you have questions about or are having trouble with Symplicity please contact Jessica Mathewson in the Office of Career Planning.

b. After receipt of applications

Upon receipt of a completed Externship Application, the Office of Career Planning will evaluate the application materials to determine whether the student has met of the requirements for the externship.

All completed externship applications will be forwarded to the appropriate placement site in accordance with their application deadlines. Note: The deadline dates for Externships may vary by site.

Some externship sites will make offers based on application materials alone, and others will interview students first. In most cases, the externship placement sites will contact students directly to arrange interviews. In few cases, the externship placement sites will ask the Office of Career Planning to arrange interviews. Calls/Emails from the externship placement site or the Office of Career Planning to set up an interview should be promptly returned by students within 48 hours.

Students must accept or decline offers in a professional manner within three business days.

After the student has accepted the placement site offer and discussed hours/credits with the placement site, the placement site and law student must contact the Office of Career Planning to confirm acceptance and hours/credits requested.

2. Independent Externships

Cleveland-Marshall encourages students to pursue externships that relate closely to their personal career goals. Frequently, this can be achieved through placement in an existing externship. From time to time, however, students seek a more particularized experience. Cleveland-Marshall supports students in their exploration of alternative placements through its Independent Externship program. The goals of the Independent Externship are to provide flexibility regarding the placement opportunities available for students while simultaneously maintaining Cleveland-Marshall’s high standards for externships. If you are interested in pursuing an independent externship, please contact OCP prior to contacting the potential placement site in order to discuss the opportunity and review the process and procedure for independent externships.

Version 12/15/2011
Summary of Independent Externship Policies and Procedures:

a. Student must identify an organization that addresses one’s desired area of interest
b. Student must contact the organization to determine whether an attorney is available to assign and mentor the student’s work and to coordinate with the Faculty Advisor
c. Student must submit two documents to the Associate Dean for Administration at least 30 days before the first day of registration for the term (1) a written proposal detailing the externship and (2) a Statement of Understanding signed by the Supervising Attorney.
d. Upon approval of an Independent Externship, the Faculty Advisor will meet with the Supervising Attorney to further discuss the goals and objectives of the externship program.

See Appendix D for a memorandum that fully explains independent externship policies and procedures.

E. Registering for an Externship

Students may not register for the Externship Seminar class until the Office of Career Planning has received confirmation from the student and the placement site regarding acceptance and hours/credits requested. Once confirmation is received the student will be sent an email with a link for registration in the Externship Seminar.

F. Ohio Legal Intern Certificate

Students who have completed 60 credit hours may be eligible to obtain certification from the Ohio Supreme Court to represent, with certain restrictions and limitations, individuals in civil or criminal cases (including felony cases). The student must be “employed by or associated with a law school clinic, legal aid bureau, public defender's office, or other legal services organization that provides legal assistance primarily to financially needy individuals, or is responsible for handling civil cases or prosecuting criminal misdemeanor cases for the state of Ohio or a municipal corporation.” Rule II of the Ohio Supreme Court Rules for the Government of the Bar of Ohio, Limited Practice of Law by a Legal Intern. This rule specifies the eligibility requirements, application process, scope of representation, and other related matters:

Rule II : The Office of Bar Admissions may issue a legal intern certificate to an applicant who is eligible under the rule and files a completed application. The Legal Intern has limited scope of authority and may not request or accept compensation for him/her.

Organizations that may participate in this program include, but are not limited to, the Students who are doing an externship with a State agency or public interest organization (e.g., Cuyahoga County Prosecutor’s Office, Cuyahoga County Public Defender, Lorain County Prosecutor’s Office, and The Legal Aid Society) may wish to apply early in their third year for the Legal Intern Certificate.

For more information please review the full text of Rule II, which can be found at http://www.supremecourt.ohio.gov/AttySvcs/admissions/interns/default.asp
G. Evaluations

1. Student Performance Evaluations

The externship placement site supervisory attorney will complete a final student performance evaluation. Students are responsible for ensuring that the student performance evaluation is completed and returned to the Faculty Advisor by the Supervising Attorney. Students will not be awarded a grade until the student performance evaluation is completed and returned to the Faculty Advisor.

2. Student Site Evaluations

Student externs must complete an externship site placement evaluation.

3. Seminar/Faculty Advisor Evaluations

Student externs must complete an evaluation of the Seminar/Faculty Advisor.

H. Faculty Advisor Guidelines

Each academic year the Faculty Advisor will visit in person each placement site where a student is externing. For sites that have externs in successive semesters, the Faculty Advisor need not visit in person every term, but may contact the externship placement supervisor by telephone. For externships that are outside of the State of Ohio (e.g., Independent Externships), the Faculty Advisor may contact the externship supervisor by telephone or ask a faculty member from another law school to visit the site.

The Faculty Advisor is responsible for the administration of the Externship Seminar class.

The Faculty Advisor will award a pass/fail grade for each student based on the following course requirements:

a. Satisfactory completion of the requisite number of working hours for credit hours;
b. Satisfactory completion of journals discussing work;
c. Oral presentation on work experience at a Seminar meeting;
d. Receipt of site supervisor’s evaluation of your work (which must be satisfactory); and
e. Receipt of your evaluation of the externship and the course.

The Faculty Advisor will not issue a grade unless all course requirements are met.

If the Faculty Advisor (following consultation with all parties) believes that the externship is not operating satisfactorily (and the situation cannot be remedied), the Faculty Advisor, in consultation with the Office of Career Planning and the Associate Dean may terminate the externship.

I. Externship Placement Site Expectations

The externship program provides our law students the opportunity to obtain practical legal experience while earning course credit. We place our students in settings where, under close supervision of an attorney or judge, they contribute to the on-going work of the office. This gives students the chance to learn the law by being active
participants in the legal process. We also seek to ensure that externs are afforded the opportunity to observe legal proceedings in which the office is engaged so that they receive broad exposure to the legal system.

The type of work in which a student engages varies depending on the placement. Most often students conduct legal research and draft motions, memoranda of law, or appellate briefs. When working in a judge’s chamber, they may write bench memos in preparation for hearings on cases or draft orders and opinions. In some placements they may conduct client or witness interviews, engage in document review or other types of fact investigation, or draft contracts.

The Supervising Attorney must screen any work product released to the Faculty Advisor so that disclosure does not jeopardize the attorney-client privilege or create any other potential conflicts of interest or ethical concerns.

Upon completion of the externship, the Supervising Attorney will evaluate the student’s performance on a form provided by C|M| LAW.
Externship Program Application

Part 1: Student Information:

Name: ______________________________ CSU ID#: __________________

Current Address: _______________________________________________________

Current Phone #: __________________ GPA: _________

I am applying for an Externship for the Fall/ Spring/ Summer semester of 20____

Externship Preferences:

1. ______________________________

2. ______________________________

3. ______________________________

Part 2: Release of Information for Externship Placement

I hereby release my law school transcript and authorize consultations with my law school professors regarding my academic performance for purposes of the externship program indicated below.

_________________________________
Signature

_________________________________
CSU ID #

_________________________________
Date

semester/Year for which Externship is requested

OCP ______

Version 12/15/2011
Appendix B – Sample Resumes

Mary Q. Contrary
145 Bluebell Lane
Garden City, Ohio 44321

Phone: 216-123-4567 email: Mcontrary@aol.com

EDUCATION:
Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio
J.D. expected, December 2008
G.P.A.: 3.24/4.00, top 20%

Honors and Activities:
Journal of Law and Health, Articles Editor
International Law Students Association
Dean’s Scholar
Dean’s List

Bowling Green State University, Bowling Green, Ohio
B.A., 2005

Double major: Economics and French; Minor: History
Honors and Activities:
Phi Beta Kappa

EXPERIENCE:
Bell, Book and Candle P.L.L. Cleveland, OH
Law Clerk May’06-to present
Draft motions, research discovery issues in criminal and family law

Judge J.P. Royal Cleveland, OH
Legal Extern Sept.’05–Dec.’05
Researched and wrote memoranda of law on such issues as first amendment rights, public records law, and due process.

Blockbuster Video Willoughby, OH
Manager June ‘05 - Sept. ‘05
Managed branch of national chain video store. Responsibilities included personnel hiring and termination, tracking inventory, and maintaining practices within legal bounds of privacy, employee rights, and customer requirements, e.g. ADA.

SKILLS:
Languages: Proficient in written and spoken French; knowledge of spoken Swahili; can read German
Licenses and Certifications: Ohio legal intern certificate
Marlin E. Fish

45 Dockside Bay Medina, Ohio 43445 345/123-6784
marlin.fish@law.csuohio.edu

Education:

Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio
Juris Doctor expected, May 2009
Honors and Activities:
Cleveland State Law Review, Associate
Note: “The Constitutionality of the Socratic Teaching Method: is it Professor Abuse of Law Students?” to be published in 50 Clev. St L. Rev.

Indiana University, Bloomington, Indiana
Bachelor of Science, Chemistry, 2006

Experience:

Housing Clinic Aug. 2008 - present
Student Clinician Cleveland, Ohio
Meet with Legal Aid clients; created file, including introductory material on client and client’s problem; assess problems and provide suggested solutions; research and draft motions, briefs, and other filings; present case in hearings.

Solomon, Able, and Justice, Co., L.P.A. May ‘08-Aug.’08
Law Clerk Lorain, Ohio
Researched and drafted briefs, including appellate; researched and organized filings for Ohio Supreme Court case on wrongful death; researched and wrote memoranda on real estate tax laws

Professor Knowsit October ’07 – May ’07
Cleveland-Marshall College of Law, Cleveland State University
Research Assistant Cleveland, Ohio
Researched and wrote memoranda on death penalty statutes around the world; compiled clemency data.

City of Cleveland Municipal Court June ’07 – Aug. ’07
Law Clerk Cleveland, Ohio
Completed mediation training and mediated various issues with parties before the municipal court; researched and drafted decisions; participated in in-take procedures, particularly with Spanish-speaking clients.

Skills:

Language: Fluent in Spanish, written and spoken

Interests:

Hiking: Hiked Appalachian Trail in entirety.
William A. Ewing

Cell: 503-456-8765  
334 South First St.  
Cleveland, OH 44144

Home: 216-777-7654  
Wlliam.Ewing@law.csuohio.edu

Education:

Cleveland State University, Cleveland, OH  
Maxine Goodman Levin College of Urban Studies  
M.P.A expected, May 2009

Cleveland-Marshall College of Law  
J.D. expected, May 2009  
Honors and Activities:  
Dean Scholarship  
BLSA, Secretary

The Ohio State University, Columbus, OH  
B.A., Psychology

Experience:

Wakum, Stiles, and Blough  
Law Clerk  
Westlake, OH  
June 2008-present

- Research and draft motions including summary judgment and motions to dismiss  
- Write memoranda on litigation issues including evidence  
- Prepare trial notebooks

Grayson and Knight  
Law Clerk  
Cleveland, OH  
June 2007- Sept 2007

- Updated docket materials  
- Researched family law issues pertaining to child custody

Parmadale  
Child Care Worker  
Parma, OH  
April 2004-June 2006

- Supervised children in residential and educational setting  
- Supervised 2-3 aids for developmentally delayed youth

Cuyahoga County Department of Job and Family Services  
Social Service Worker  
Cleveland, OH  

- Interviewed and assessed family situations including child abuse and other violence claims  
- Prepared documents for court cases; testified  
- Worked with prosecutor’s office in filing motions and complaints

US Army  
Armored Cavalry Officer (Honorary Discharged)  
Ft. Carson, CO  
May 1996-May 2000

- Led soldiers in combat operations in Iraq  
- Drafted handbook for standard operating procedure for Casualty Operations  
- Responsible for care and maintenance of all personal weapons and sensitive items in Arms Room

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Independent Externship Memorandum

Policies and Procedures for Independent Externships

I. Policy Statement

C|M|LAW has a long tradition of providing externship programs for its law students. For more than a decade, students have been placed with the U.S. Attorney’s Office, the Federal Public Defender’s Office, state appellate court judges and federal district and appellate court judges. These placements provide students with a unique opportunity to improve their writing, research and oral communication skills, to appreciate the significant ethical issues facing the profession, and to integrate what they learn in the classroom with the actual practice of law. For the externs to fully achieve these goals, and in order for the program to meet ABA/AALS accreditation standards, significant supervision is required by an attorney at the placement site (referred to as the “Supervising Attorney”) and the Faculty Advisor responsible for the externship program during the relevant term. Externships are further distinguished from other employment situations in that compensation cannot be paid for the student’s services.

C|M|LAW encourages students to pursue externships that relate closely to their personal career goals. Frequently, this can be achieved through placement in an existing externship. From time to time, however, students seek a more particularized experience. C|M|LAW supports students in their exploration of alternative placements through its Independent Externship program. Students have secured Independent Externships at various sites, including the Cleveland NAACP, Fair Housing Council of Northeast Ohio, HUD, IMG, Lincoln Electric, the Alaska Public Defender’s Office, the Ohio American Civil Liberties Union, and in many other governmental and nonprofit settings across the country.²

The goals of the Independent Externship are to provide flexibility regarding the placement opportunities available for students while simultaneously maintaining C|M|LAW’s historically high standards for externships. We expect students to engage in work and receive supervision comparable to that of students in other externships. Most often, students conduct legal research and draft motions, memoranda of law, or appellate briefs. When working in a judge’s chambers³, they may write bench memos in preparation for hearings on cases or draft orders and opinions. In some placements, they may conduct client or witness interviews, or engage in discovery and

² Most externship placements are in the Greater Cleveland metropolitan area or within reasonable driving distance of Cleveland. We will consider Independent Externship in a more remote location, on the condition that suitable arrangements can be made for participation in the Externship Seminar and appropriate supervision of the student’s work.
³ Students need to talk to OCP first before arranging an externship with a judge with whom we do not have an existing relationship in order to ensure the externship fits within C|M|LAW’s criteria for judicial externships.
document review or other types of fact investigation. A key aspect of every externship is close supervision by a designated attorney at the placement. We expect that the supervisor will keep track of the quantity and quality of the student’s assignments throughout the semester. As is true in any law setting, we expect the student will discuss her findings with the person who made the assignment, if different from the supervisor. In addition, the supervisor will review and comment on the student’s work throughout the term so that the student hones her/his professional skills, be they written or oral, and expands her/his understanding of professional responsibilities. We also encourage supervisors to involve externs in the work of the office outside of the particular assignments, e.g., observing depositions, trials, sentencing hearings, or other appropriate proceedings.

With those objectives in mind, we have adopted the procedures stated below to govern the approval and implementation of Independent Externships.

II. Procedures

A. Prerequisites:

1. Completion of 29 semester hours.
2. Completion of substantially all of our Required Core Curriculum.
3. Have a cumulative GPA of 2.50 or above.
4. Obtain approval from site supervisor.
5. Obtain approval from the Associate Dean for Administration.

B. Procedures for obtaining approval of an Independent Externship:

1. A student who has identified a particular area of law in which he or she would like to gain experience—for example, poverty law or civil liberties—should identify an organization that addresses that area of law. Placements at private law firms are not permitted.

2. The student should contact the organization to determine whether an attorney is available who is willing and able to assign and mentor the student’s work and to coordinate supervisory efforts with the Faculty Advisor for externships.

3. The student must submit two documents to the Associate Dean for Administration at least 30 days before the first day of registration for the term in which the proposed externship, if approved, will commence: (a) a written proposal detailing the externship and (b) a Statement of Understanding signed by the Supervising Attorney.

The written proposal shall include the following:

a) a description of the organization;

b) a description of the legal work the extern will do (e.g., client interviews, legal research, drafting documents or memos, court appearances, etc.).

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4 Students may only accompany an attorney to observe unless the student has obtained a Legal Intern Certificate.

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c) the tentative work schedule the extern has negotiated with the organization, including the days of the week and the hours on those days;\(^5\)

d) an explanation of the educational benefits that the extern believes will result from the placement;

e) the Supervising Attorney’s name, position within the organization, address, e-mail address, and phone number;

f) a statement that the student and Supervising Attorney have considered and discussed any anticipated conflicts of interest, impact on the attorney-client privilege between the organization and its clients, and other ethical concerns that the placement might raise; and

g) any other information the student deems relevant to the proposal or specifically requested by the externship committee or member thereof.

h) A copy of the Statement of Understanding that the Supervising Attorney must sign is attached.

4. Upon receipt of the written proposal, the Associate Dean for Administration will review the proposal and either approve it, deny it, or return it to the student with a request to provide additional information.

5. The Associate Dean’s denial of a proposal is final and is not appealable to the Dean of the law school, the faculty, or any committee thereof.

C. Procedures following approval of an externship:

1. Upon approval of an Independent Externship, the Faculty Advisor for the externship program during the relevant term will meet with the Supervising Attorney to further discuss the goals and objectives of the externship program. The externship Faculty Advisor will also be available throughout the course of the semester to answer questions and receive feedback from the Supervising Attorney.

2. The extern is required to attend the Externship Seminar conducted by the Faculty Advisor for the externship program. The Faculty Advisor, at the commencement of each term, determines the specific dates and times of the seminars. For externships outside of the Cleveland area, the student must meet with the Faculty Advisor prior to leaving Cleveland and make alternative arrangements.

\(^5\) Students may participate in the externship program during the fall, during or summer terms. During the fourteen-week fall or spring terms, a student must work 16 hours per week (for 4 credits) or 24 hours per week (for 6 credits). In the seven-week summer term students work 24 hours per week (for 3 credits) or 40 hours per week (for 5 credits).
3. Each extern will be required to maintain a journal that chronicles and reflects on work assignments at the placement. The journal must be submitted to the Faculty Advisor on a weekly basis. The Faculty Advisor, at the commencement of the externship, will announce specifics as to the form and content of the journal.

4. Final drafts of the student’s work product will be submitted to the Faculty Advisor for review. The extern and Supervising Attorney must screen any work product released to the Faculty Advisor so that disclosure does not jeopardize the attorney-client privilege or create any other potential conflicts of interest or ethical concerns.

5. The Supervising Attorney shall closely monitor the student’s work, making sure that the tasks assigned are consistent with the goals and objectives of Cleveland-Marshall’s externship program, and providing meaningful feedback to the student. Upon completion of the externship, the Supervising Attorney will evaluate the student’s performance on a form provided by Cleveland-Marshall.

6. The Faculty Advisor will conduct an onsite visit, if feasible (depending on the location of the externship), during the course of the externship. Otherwise, the Faculty Advisor will speak with the supervisor via telephone.

7. Grading is pass/fail based upon the student’s compliance with the externship requirements as outlined herein and the evaluation provided by the Supervising Attorney.
2121 Euclid Avenue, LB 138
Cleveland, OH 44115

STATEMENT OF UNDERSTANDING

I have read the Policies and Procedures for Independent Externships at C|M|LAW and agree to serve as a Supervising Attorney pursuant to the requirements set forth therein for

________________________________________________________________________
(Student’s Name)

________________________________________________________________________
(Attorney’s Name) (please print)

________________________________________________________________________
(Address)

________________________________________________________________________
(Phone)

________________________________________________________________________
(E-mail)

________________________________________________________________________  ______________________________________________________________________
(Attorney’s Signature) (Date)

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CM Professionalism Problem of the Semester

Bill Fisher graduated from Cleveland-Marshall five years ago. Having greatly enjoyed his experience in the school's Fair Housing Law Clinic Fisher hoped to continue the representation of indigent clients. Shortly after passing the bar, Fisher was hired as an associate by the private law firm of Carter and Carmel. Senior partner Stuart Carter told Fisher that associates are allowed to do pro bono work under the auspices of the firm as long as that work did not interfere with the other work assigned to the associates or in any way embarrass the firm. Carter reminded Fisher of the firm’s commitment to the highest ethical standards and said that the firm’s standard applied equally to paying and pro bono clients. Fisher has honored that commitment and over the years Carter has become a mentor to him.

Fisher is just concluding his pro bono representation of Mary Snider, a tenant who claimed that her Landlord, as a matter of course, had been willing to accept monthly rent as late as ten days after the due date from almost all tenants, but not from Snider. Snider is the only tenant of her race in the building. She claimed that Landlord was guilty of discrimination by bringing an eviction action against her when she was five days late in tendering her rent. Fisher defended Snider in the eviction action, claiming that Landlord had implicitly agreed to accept late rent payments from all tenants. Fisher also filed a counterclaim on Snider’s behalf alleging race discrimination under the state and federal fair housing statutes.

Prior to trial Fisher negotiated a settlement with landlord in which Landlord agreed to pay Snider $500 for her "inconvenience" but refusing to admit discrimination. The settlement allowed Snider to remain in her apartment, rent free, for six months after signing the settlement, at which point Snider must voluntarily vacate the premises.

After Snider thanked Fisher and they shook hands, Snider informed Fisher that she still believes she was the victim of discrimination. As a way of "getting even" with Landlord, Snider has decided to remain in the apartment after the six-month period. Snider now understands - on the basis of what Fisher had explained to her about landlord-tenant law and practice - that it will take Landlord several months after the six-month period expires to evict her for non-payment. Fisher counsels Snider not to violate the settlement agreement, and warns Snider that Landlord could be awarded monetary damages if Snider does not honor the settlement. Snider tells Fisher that she does not fear a money judgment resulting from the future non-payment case because she intends to move to another city and does not think Landlord will be able to find her.

What should Fisher do?

Consider Ohio Rules of Professional Conduct 1.2, 1.6, 4.1, 8.4.
Authorities for Professionalism Problem of the Semester Fall 2012

Excerpts from the Ohio Rules of Professional Conduct

PREAMBLE: A LAWYER’S RESPONSIBILITIES

[1] As an officer of the court, a lawyer not only represents clients but has a special responsibility for the quality of justice. ***

[4] In all professional functions a lawyer should be competent, prompt, diligent, and loyal. A lawyer should maintain communication with a client concerning the representation. A lawyer should keep in confidence information relating to representation of a client except so far as disclosure is required or permitted by the Ohio Rules of Professional Conduct or other law. ***

[9] The Ohio Rules of Professional Conduct often prescribe rules for a lawyer’s conduct. Within the framework of these rules, however, many difficult issues of professional discretion can arise. These issues must be resolved through the exercise of sensitive professional and moral judgment guided by the basic principles underlying the rules.

RULE 1.2: SCOPE OF REPRESENTATION AND ALLOCATION OF AUTHORITY BETWEEN CLIENT AND LAWYER

(a) Subject to divisions (c), (d), and (e) of this rule, a lawyer shall abide by a client’s decisions concerning the objectives of representation and ... shall consult with the client as to the means by which they are to be pursued. ***

(d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is illegal or fraudulent. A lawyer may discuss the legal consequences of any proposed course of conduct with a client and may counsel or assist a client in making a good faith effort to determine the validity, scope, meaning, or application of the law.

1 Rule 1.0(g) defines “Knowingly,” “known,” or “knows” as denoting “actual knowledge of the fact in question” which “may be inferred from circumstances.”
2 Rule 1.0(e) defines “Illegal” as denoting “criminal conduct or a violation of an applicable statute or administrative regulation.”
3 Rule 1.0(d) defines “Fraud” or “fraudulent” as denoting “conduct that has an intent to deceive and is either of the following:
   (1) an actual or implied misrepresentation of a material fact that is made either with knowledge of its falsity or with such utter disregard and recklessness about its falsity that knowledge may be inferred;
   (2) a knowing concealment of a material fact where there is a duty to disclose the material fact.”
Rule 1.2 Selected Comments

[9] Division (d) prohibits a lawyer from knowingly counseling or assisting a client to commit an illegal act or fraud. This prohibition, however, does not preclude the lawyer from giving an honest opinion about the actual consequences that appear likely to result from a client’s conduct. Nor does the fact that a client uses advice in a course of action that is illegal or fraudulent of itself make a lawyer a party to the course of action. There is a critical distinction between presenting an analysis of legal aspects of questionable conduct and recommending the means by which an illegal act or fraud might be committed with impunity.

[10] When the client’s course of action has already begun and is continuing, the lawyer’s responsibility is especially delicate. The lawyer is required to avoid assisting the client, for example, by drafting or delivering documents that the lawyer knows are fraudulent or by suggesting how the wrongdoing might be concealed. A lawyer may not continue assisting a client in conduct that the lawyer originally supposed was legally permissible but then discovers is improper.

**RULE 1.6: CONFIDENTIALITY OF INFORMATION**

(a) A lawyer shall not reveal information relating to the representation of a client, including information protected by the attorney-client privilege under applicable law, unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is permitted by division (b) or required by division (c) of this rule.

(b) A lawyer may reveal information relating to the representation of a client, including information protected by the attorney-client privilege under applicable law, to the extent the lawyer reasonably believes necessary for any of the following purposes:

1. to prevent reasonably certain death or substantial bodily harm;
2. to prevent the commission of a crime by the client or other person;
3. to mitigate substantial injury to the financial interests or property of another that has resulted from the client’s commission of an illegal or fraudulent act, in furtherance of which the client has used the lawyer’s services;
4. to secure legal advice about the lawyer’s compliance with these rules;

[[b](5) and (6) omitted]

(c) A lawyer shall reveal information relating to the representation of a client, including information protected by the attorney-client privilege under applicable law, to the extent the lawyer reasonably believes necessary to comply with Rule ... 4.1.
Rule 1.6 Selected Comments

[6] Permitting lawyers to reveal information relating to the representation of clients may create a chilling effect on the client-lawyer relationship, and discourage clients from revealing confidential information to their lawyers at a time when the clients should be making a full disclosure. Although the public interest is usually best served by a strict rule requiring lawyers to preserve the confidentiality of information relating to the representation of their clients, the confidentiality rule is subject to limited exceptions. ... ***

[8] Division (b)(3) addresses the situation in which the lawyer does not learn of the illegal or fraudulent act of a client until after the client has used the lawyer’s services to further it. Although the client no longer has the option of preventing disclosure by refraining from the wrongful conduct [see Rule 4.1], there will be situations in which the loss suffered by the affected person can be mitigated. In such situations, the lawyer may disclose information relating to the representation to the extent necessary to enable the affected persons to mitigate or recoup their losses. ... ***

RULE 4.1: TRUTHFULNESS IN STATEMENTS TO OTHERS

In the course of representing a client a lawyer shall not knowingly do either of the following:

(a) make a false statement of material fact or law to a third person;

(b) fail to disclose a material fact when disclosure is necessary to avoid assisting an illegal or fraudulent act by a client.

Rule 4.1 Selected Comments

[3] Under Rule 1.2(d), a lawyer is prohibited from counseling or assisting a client in conduct that the lawyer knows is illegal or fraudulent. Rule 4.1(b) requires a lawyer to disclose a material fact, including one that may be protected by the attorney-client privilege, when the disclosure is necessary to avoid the lawyer’s assistance in the client’s illegal or fraudulent act. See also Rule 8.4(c). The client can, of course, prevent such disclosure by refraining from the wrongful conduct. If the client persists, the lawyer usually can avoid assisting the client’s illegal or fraudulent act by withdrawing from the representation. If withdrawal is not sufficient to avoid such assistance, division (b) of the rule requires disclosure of material facts necessary to prevent the assistance of the client’s illegal or fraudulent act. Such disclosure may include disaffirming an opinion, document, affirmation, or the like, or may require further disclosure to avoid being deemed to have assisted the client’s illegal or fraudulent act. Disclosure is not required unless the lawyer is unable to withdraw or the client is using the lawyer’s work product to assist the client’s illegal or fraudulent act.

[4] Division (b) of this rule addresses only ongoing or future illegal or fraudulent acts of a client.
RULE 8.4: MISCONDUCT

It is professional misconduct for a lawyer to do any of the following:

(a) violate or attempt to violate the Ohio Rules of Professional Conduct, \textit{knowingly} assist or induce another to do so, or do so through the acts of another; ...

(c) engage in conduct involving dishonesty, \textit{fraud}, deceit, or misrepresentation;

(d) engage in conduct that is prejudicial to the administration of justice; ...
NEW COURSE PROPOSALS

MEMORANDUM

TO: Persons Interested in Proposing a New Course at Cleveland-Marshall College of Law

FROM: Phyllis L. Crocker, Professor of Law and Associate Dean for Academic Affairs

RE: New Course Proposals

DATE: 11 November 2008

Individuals interested in teaching a new course at Cleveland–Marshall must present a proposal to the Curriculum Committee for its approval. Proposals must be submitted no later than the end of the second week of classes in the semester prior to the one in which you wish to teach the course. If the Committee approves the course, the Dean’s office will determine, in consultation with the individual, if and when the course may be offered.

The proposal must contain the following: a complete description of the proposed course, including the subject matter and goals of the course, the number of credits sought, the basis for assigning a grade in the course. It is advisable to include the proposed textbook, a tentative syllabus, and list of readings.

In deciding the number of credit hours, consider the scope of the course as well as the class meeting times. In the fall and spring semesters, two credit hour courses typically meet once a week for one hour forty minutes; three credit hour courses typically meet twice a week for one hour fifteen minutes per session, a three credit hour course could also meet once a week, on a Saturday for example, for two and one-half hours. A seminar or other upper level course that requires preparation of a ULWR paper (see attachment D) may meet for the hours required for a two credit course while offering the course for three credits.

In the summer term, a two-credit course meets twice a week for one hour forty minutes; a three-credit course meets three times a week for one hour forty minutes, or twice a week for two and one-half hours. The summer term is only seven weeks long, hence the longer class times.

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1 This memo is based on an April 19, 2004 memo from Peter Garlock, Chair of the Curriculum Committee to the faculty, and has been supplemented as policies have changed.

2 A professor may also permit students to take a seminar or upper level course for two credits if a student does not write a paper satisfying the ULWR and for three credits if a student writes a paper satisfying the requirement.
Depending on the type of course, you may also want to consider whether it satisfies our criteria for designation as an administrative law course (see Attachment A), as a perspective course (see Attachment B), as a seminar (see Attachment C) or a skills course (see Attachment E). If so, your description must include a statement of how the course will satisfy that requirement. [Note: The administrative law designation has been deleted in accordance with curricular reforms adopted in 2012.]

In deciding the basis for assigning a grade in the course you have a number of options to consider: a final examination (in-class or take-home), a final paper, a series of small papers or quizzes, group or individual presentations, or a combination. In addition you might want to count class participation as part of the final grade, or if students will participate in group exercises, you will want to decide how to grade those. You must identify your basis for assigning grades in the course.

If you decide that you want students to submit a paper, you may consider whether you want the paper to count toward satisfying the Upper Level Writing Requirement (see Attachment D). Each student must complete the ULWR in order to graduate. Typically, students satisfy the ULWR through independent study with a faculty member or a seminar. If you want the course paper to satisfy the ULWR you must explain how you will accomplish that.

If the Committee votes to approve the course, the course shall be approved on an experimental basis. The Spring or Fall semester after teaching the course the instructor shall inform the Committee whether the course should be adopted permanently. In the absence of a request for permanent approval, the course shall be dropped from the curriculum. An instructor seeking permanent approval shall provide the Committee with a statement indicating why the course is successful enough to be continued, a syllabus for the course, a list of readings if possible, whether and how the course has changed from its original conception, and anything else relevant to the committee’s decision. At that point the Committee shall decide whether the course shall be adopted on a permanent basis or discontinued. The Committee shall report that decision to the faculty. Unless there is faculty objection, the course shall become a permanent part of our law school course offerings and shall be added to the Student Handbook.

For good cause an instructor may seek approval of the Committee to teach the course a second time as an experimental course before requesting approval as a permanent course.
ATTACHMENT A

DESCRIPTION OF, AND CRITERIA FOR, THE PERSPECTIVE COURSE

The basic goal of a perspective course is to provide students with a viewpoint on the nature and function of law that is different from traditional doctrinal analysis of American law, whether that analysis involves cases, statutes, codes, constitutions, or other traditional sources of law. A perspective course should help students understand how law shapes and is shaped by forces outside the legal system, including such forces as economics, politics, culture, ideas, society, and religion. Many students come to law school with deficient training in the humanities and social sciences, and a perspective course may help them understand how other disciplines illuminate the study of law. Students can also gain understanding of how our legal system works by studying another legal system or body of law, or by studying the theory or history of law.

It is important to note what a perspective course is not. The course is not intended to be a study of a traditional law subject that incidentally draws on the methodology of another discipline. It is not intended merely to investigate a specialized area of law or the law as it applies to a particular group of people. The course is not designed merely to provide an introduction to the institutions of American government, including courts, or to methods of legal analysis. Such courses, while important and useful, do not provide the kind of broadening experience that forces students to reflect critically on the nature of law or legal institutions.

Criteria

A perspective course should meet one of the following criteria:

1. A study of the theory of law, including courses that examine theory from a critical perspective.

2. A study of the history of law and legal institutions.

3. A study of law with the primary focus on the methodology of another intellectual discipline, such as economics or social science.

4. A study of the law of another legal system, for example, national, regional, international, or religious. Such courses should, where possible, have a focus that enables students to compare American law and legal institutions with those of other arenas.

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3 Approved by the faculty on May 17, 2001.
ATTACHMENT B

CRITERIA FOR DESIGNATION OF A COURSE AS A SEMINAR

1. A seminar is a small class, enrollment in which should normally not exceed fifteen students, that is designed to examine intensively a single topic or a limited range of topics within a general area of law. A seminar is not designed to offer a comprehensive survey of a field of law.

2. A seminar is designed to foster maximum interchange in discussion between students and instructor and among students.

3. A seminar shall require a substantial paper or equivalent written product.

4. A grade in a seminar may be based entirely on the paper, or on some combination of a paper, class participation, final examination, or other relevant factors.

5. A seminar may be given for two or three credits.

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4 Approved by the faculty on Oct. 21, 2004.
ATTACHMENT C

UPPER LEVEL WRITING REQUIREMENT

The purpose of the Upper Level Writing Requirement is to have each student undertake at least one rigorous writing experience prior to graduation, in addition to Legal Writing, Research and Advocacy (L504) and the third semester of legal writing. Although the focus of this requirement is writing skills, effective legal writing requires application of the broad spectrum of skills essential to effective lawyering generally. Thus, research, analysis, and organization are important components in the preparation of any quality product of legal writing. For this reason, the goal of the Upper Level Writing Requirement is to require each student to demonstrate his or her ability to apply each of these skills in producing one substantial, cohesive piece of legal writing prior to graduating from law school.

1. Students may satisfy this requirement by completion of any one of the following:

   a. A seminar for which a paper is required;
   b. A specially designated upper level course for which a paper is required or offered for writing credit; or
   c. An appropriate two or three semester-hour Independent Legal Research (L860) project.

2. The Upper Level Writing Requirement is satisfied by the completion of a paper, brief, casenote, or other piece of legal writing that combines writing, research, analytical and organizational skills into one substantial written product under the direction of a faculty supervisor. As a general rule, “faculty supervisor” means full-time tenured or tenure-track faculty member, full-time legal writing professor, or full-time clinical professor.

3. What constitutes a “substantial” written product is left to the discretion of the instructor, subject to review by the Curriculum Committee at the time the course is submitted for approval.

4. To complete the Upper Level Writing Requirement, it is assumed that the student will undertake exhaustive library or other approved investigation under the supervision of a faculty supervisor.

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5 The Upper Level Writing Requirements were approved by the faculty in November 1997 and amended in May 1999.

6 Please note the following as a point of comparison for courses other than Independent Research in which a student may satisfy the ULWR:

   The text page minimum for Independent Legal Research (L860) projects completed to satisfy the Upper Level Writing Requirement should ordinarily be 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, per credit hour, but in no case less than 10 pages, exclusive of footnotes or endnotes, per credit hour. Faculty may, in their discretion, define a “page” in terms of font size, margins, approximate number of words, etc.

faculty member. In order to insure a meaningful one-on-one consultation and critique between the student and instructor, it is strongly urged that the instructor:

a. Require the student to meet regularly with the faculty sponsor during the course of the project;
b. Require the student doing an Independent Legal Research (L860) project to obtain the faculty sponsor’s written approval of a proposal prior to signing up for credit;
c. Require the student to submit and discuss an outline of the writing project prior to commencing the first draft;
d. Provide written comments concerning submitted drafts and discuss those comments in a meeting with the student;
e. Require the student to submit a detailed research path of one or two pages with the rough draft, indicating the full extent of the student’s research and sources used and showing unproductive investigation as well as that which produces materials bearing on the problem;
f. Require the student to familiarize himself or herself with the concept of plagiarism;
g. Make clear to the student that the Upper Level Writing Requirement is unrelated to, and independent of, any non-curricular requirements, such as those needed for acceptance of the paper by a student journal.

5. Any instructor wishing to designate a course as satisfying the Upper Level Writing Requirement must first obtain authorization from the Curriculum Committee.

6. Faculty have discretion, while awarding a passing grade to a student enrolled in a course to determine that nonetheless the student has not satisfied the Upper Level Writing Requirement. Students should be advised of this faculty option.

7. Copies of papers submitted in satisfaction of the Upper Level Writing Requirement shall be retained by the administration in the same manner as final examinations.
ATTACHMENT D

CRITERIA FOR SATISFYING
THE SKILLS COURSE REQUIREMENT

In order to graduate every student must complete one skills course “providing substantial instruction in professional skills generally regarded as necessary for effective and responsible participation in the legal profession. A professional skills course must engage each student in skills performances that are assessed by the instructor.”

This new requirement was prompted by the A.B.A. adding the professional skills requirement to those skills that we are already required to, and do, provide substantial instruction: substantive law, legal analysis and reasoning, legal research, problem solving and oral communication, writing in a legal context, and the professional ethics. See ABA Standard 302(a) (4). Examples of the types of professional skills contemplated by this new requirement are: “[t]rial and appellate advocacy, alternative methods of dispute resolution, consulting, interviewing, negotiating, problem solving, fact investigation, organization and management of legal work, and drafting.” Interpretation 302-2 to A.B.A. Standard 302(a) (4), A.B.A. Standards for Approval of Law Schools (2007).

To satisfy the experiential skills course requirement, a course must meet the following criteria:

1. A substantial (at least 50% of class time) and regular part of the course consists of providing each student with multiple opportunities to engage in Experiential Learning.

2. Experiential Learning is defined as:

   a. exercising lawyering skills in real-world or simulated real-world settings,
   b. interacting personally and immediately with others to work toward resolution of a legal matter, and
   c. receiving substantial individualized feedback on the assigned lawyering skill tasks.

3. Examples of lawyering skills include:

   a. Trial advocacy
   b. Advocacy before appellate courts, administrative agencies, or legislative bodies
   c. Alternative dispute resolution
   d. Counseling
   e. Interviewing
   f. Negotiation

Adopted by the faculty as a new graduation requirement on May 8, 2008. This requirement applies to students admitted to the College of Law beginning in the 2008-09 academic year.

Adopted by the faculty on April 26, 2012.
g. Investigating and organizing facts
h. Organization and management of legal work
i. Drafting

A proposal to create a course that satisfies the skills requirement must include the following description:

1. The skills taught,
2. The skills performances each student will engage in,
3. The class time devoted to those skills, and
4. How the professor will assess each student’s skills performance.
COMMITTEE REPORT

To: The Faculty

From: The Special Committee to Evaluate the LCOP Program

(Professor April Cherry; Daniel Dropko, Academic Excellence Program Manager; Professor Kathleen Engel; Sandra English, Coordinator of Law Admissions and Multicultural Recruitment; Professor and Associate Dean for Faculty Development and Student Achievement Patti Falk (chair); Professor Steve Gard; Inga Laurent, Manager of Student Affairs; Gary Williams, Director of Bar Preparation and Academic Support, and Aja Brooks, student member)

Date: April 24, 2009

Background

In the fall of 2008, Dean Geoff Mearns appointed the Special Committee to Evaluate the LCOP Program, and charged the committee as follows: “This Committee should, in consultation with the Admissions Committee, evaluate and propose appropriate modifications to the current LCOP summer program.” The Special Committee consisted of three faculty members with an interest in the LCOP program (Kathleen Engel, the chair of Admissions Committee, April Cherry and Steve Gard, long-time members of the Admissions Committee), two former LCOP students (Sandra English and Inga Laurent), two staff members who had taught part of the LCOP program (Gary Williams and Daniel Dropko), and a current LCOP student, Aja Brooks. The Committee considered a number of proposals regarding LCOP: (1) whether we should adopt a conditional admission LCOP program, (2) whether we should expand the “LCOP” class to include some regular admission students, (3) whether we should change LCOP by altering the credit hours of instruction and/or the content of the course, and (4) whether we should offer a one-credit LCOP course in the fall. This report summarizes the Committee’s work during the 2008-2009 academic year.

1. Should We Adopt a Conditional Admission LCOP Program?

The Committee first considered a proposal to change Cleveland-Marshall’s LCOP program from a regular admission to a conditional admission program. A conditional admission model is one whereby a larger number of students are admitted in the summer and then that number is reduced so that a smaller number of students are permitted to enroll in the fall semester. In other words, admission into law school proper is conditioned upon some benchmark of performance during the summer. We researched what other schools were doing in terms of conditional admission programs and discussed this idea over two meetings.

The Committee perceived two possible benefits of such a program. The strongest benefit is the recognition that the LCOP admissions process is difficult because LCOP students, by definition, do not display the traditional indicia for law school success. A
conditional admission program would provide additional data (i.e., grades for one law school class taken during the summer) which might be useful in making more accurate predictions about which students are likely to succeed in law school. Second, a conditional admission program would allow Cleveland-Marshall to give a larger number of students a chance to go to law school. Thus, we could conditionally admit 40 (rather than 20) students in the summer, providing 20 more students with at least an opportunity to attend law school.

The Committee identified several negative aspects of a conditional admission program. First, such a program would require the weeding out of a significant number of students after a relatively short period of time (i.e., seven weeks during the summer). Some committee members believed that the result was an inadequate amount of time to assess students' potential for success. This “hunch” was supported by the data (see part 3 below) that students’ first-year GPA, but not their first-semester GPA, is highly correlated with their final law school GPA. Second, a conditional admission program might impose a relative hardship on students by requiring them to quit jobs, move to Cleveland, or make other life arrangements without knowing whether they would be admitted to law school. Third, the conditional admission approach might have a negative effect on the learning environment in the class because of the competition among students for places in the fall entering class, and this increased competitiveness might be at odds with the supportive, nurturing model that LCOP has aspired to achieve.

The Committee concluded that we should not adopt a conditional admission LCOP program. However, we felt strongly that the law school should encourage the professor teaching the LCOP course to apply the first-year grading guidelines and to use the full range of grades.

2. Should We Expand the “LCOP” Program to Include Some Percentage of Regular Admission Students?

A second proposal that the Committee considered is whether the “LCOP” program should be confined to only LCOP students or should be expanded to include some percentage of students at the bottom of the regular admission class. This proposal was animated by two concerns. First, the LCOP program may be a stigma for the affected students, requiring them to take a class that no other students are required to take. Expanding the program to include a cohort of non-LCOP students would alleviate that problem to some extent. Second, it is likely that some students who have not been admitted through the LCOP program are also in need of additional assistance before starting law school. Expansion of the “LCOP” program from 20 to 40 students would mean that an additional 20 incoming students would have the benefit of this assistance. One possible negative is the additional workload for the professor teaching the summer LCOP class. In a course that should require extensive feedback, it will become more difficult to provide that type of feedback as the class size increases. This problem may be exacerbated by the shortness of the summer term.
Unfortunately, after consultation with our admissions personnel and the law school administration, the Committee concluded that this proposal could not be implemented for the incoming 2009 class. If this proposal were eventually adopted, Cleveland-Marshall would have to change our admissions materials to put applicants on notice that if they are at the lower end of the admission criteria, they might be required to attend a special summer program.

The Committee concluded that we should continue to explore the idea of expanding the “LCOP” program to include some percentage of the regular admission students in future classes.

3. Should We Change the Summer LCOP Class?

Third, the Committee considered whether we should change the summer LCOP course, either by changing the credit hours of the class and/or the content/subject matter of the course. Over the last several years, the LCOP course was taught by Legal Writing Professor Deborah Klein with the assistance of either Gary Williams or Daniel Dropko. The class met for four instructional hours (Mondays through Thursdays from 6:00 to 7:40 p.m.), but students received only three hours of graded academic credit.

As a preliminary step to our analysis, the Committee gathered information from a number of sources. Kathleen Engel and her husband, Jim Rebitzer, analyzed data from traditional and LCOP students over the last decade. Sandra English and Inga Laurent surveyed the 17 students who comprised the 2008 LCOP class, after they had completed one semester of law school and had a longer-term perspective on the class. One committee member read the teaching evaluations for the class for the last three years. The Committee also drew upon the experiences of our three members who had been through the program and our two members who had taught in the class. We consulted with Professor Michael Schwartz, a nationally known expert on teaching and academic assistance programs. Finally, Patti Falk spoke with several faculty members who expressed interest in teaching the LCOP course about their ideas for the class, and the Committee invited a faculty member to present his ideas at one of our meetings. Our goal was to identify both the strengths of the existing program and the opportunities for improvement or refinement.

An Analysis of Performance Data and Student Profiles

Kathleen Engel and Jim Rebitzer did a statistical analysis of the admissions and performance data for students (traditional and LCOP) admitted between 1997 and 2008. The results are as follows:

Mean GPAs: Traditional v. LCOP students

<table>
<thead>
<tr>
<th></th>
<th>Traditional</th>
<th>LCOP</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st semester GPA</td>
<td>2.67</td>
<td>2.34</td>
</tr>
<tr>
<td>1st year GPA</td>
<td>2.81</td>
<td>2.34</td>
</tr>
</tbody>
</table>
Final GPA 3.13 2.71

Determinants of first semester, first year, and final GPA (all students)

Determining the effect of the different possible indicators of success on GPAs is complicated because some variables are 0/1 (yes/no), e.g. whether a student is full-time or whether a student is Hispanic. Other variables are expressed as a range of numbers. This is true, for example, of UGPA and LSAT. To present the results in ways that could be meaningful, we divided the variables into two groups. The first group is variables that are expressed as numbers (LSAT, UGPA, index, first semester GPA, and first year GPA). The second group contains the 0/1 variables. For the latter variables, the coefficients in the regressions (chart below) are listed. For example, going full-time increases the first semester GPA by .10.

For the variables that are not 0/1, we came up with a different method of expressing the results. We determined the effect of moving from the 25th to the 75th percentile on outcomes. For example (chart below), the impact of moving from the 25th to the 75th percentile in terms of UGPA is a .12 increase in first semester GPA, a .25 increase in first year GPA, and no effect on final GPA. We only reported statistically significant results. *** means the results had no independent effect. For example, index did not have any independent effect beyond GPA and LSAT, which is what you would expect because the LMS takes into account GPA and LSAT.

<table>
<thead>
<tr>
<th>1st semester GPA</th>
<th>First year GPA</th>
<th>Final GPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Index</td>
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<td>***</td>
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<tr>
<td>UGPA</td>
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<tr>
<td>LSAT</td>
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<td>.24</td>
</tr>
<tr>
<td>Ethnicity</td>
<td>***</td>
<td>***</td>
</tr>
<tr>
<td>FT/PT</td>
<td>.10</td>
<td>***</td>
</tr>
<tr>
<td>Year admitted</td>
<td>***</td>
<td>***</td>
</tr>
<tr>
<td>LCOP</td>
<td>***</td>
<td>***</td>
</tr>
<tr>
<td>First semester GPA</td>
<td>N/A</td>
<td>***</td>
</tr>
<tr>
<td>First year GPA</td>
<td>N/A</td>
<td>N/A</td>
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<td>1.4</td>
</tr>
</tbody>
</table>

Determinants of first semester, first year, and final GPA (LCOP students)

For these analyses we looked only at first year GPA and final GPA.

<table>
<thead>
<tr>
<th>First year GPA</th>
<th>Final GPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Index</td>
<td>***</td>
</tr>
<tr>
<td>UGPA</td>
<td>***</td>
</tr>
<tr>
<td>LSAT</td>
<td>.50</td>
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<tr>
<td>Ethnicity</td>
<td>***</td>
</tr>
<tr>
<td>FT/PT</td>
<td>.20</td>
</tr>
<tr>
<td>Year admitted</td>
<td>***</td>
</tr>
</tbody>
</table>
Determinants of first semester, first year, and final GPA (traditional students)

For these analyses we looked only at first year GPA and final GPA.

<table>
<thead>
<tr>
<th></th>
<th>First year GPA</th>
<th>Final GPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Index</td>
<td>***</td>
<td>***</td>
</tr>
<tr>
<td>UGPA</td>
<td>.32</td>
<td>***</td>
</tr>
<tr>
<td>LSAT</td>
<td>.24</td>
<td>***</td>
</tr>
<tr>
<td>Ethnicity</td>
<td>***</td>
<td>***</td>
</tr>
<tr>
<td>FT/PT</td>
<td>***</td>
<td>***</td>
</tr>
<tr>
<td>Year admitted</td>
<td>***</td>
<td>***</td>
</tr>
</tbody>
</table>

Giving Meaning to These Results

The most important results are as follows:

1. UGPA and LSAT do influence first year grades, but they are not determinants of final GPA. These results suggest that ultimate success is due to factors that are not picked up by UGPA and LSAT. In other words, factors that are unobserved swamp LSAT and UGPA. This could be things like undergraduate major, learning style or any number of features of students that we cannot observe through the admissions process. In short, we are not picking up the important factors that determine success in the admissions process.

2. The one factor that has a huge influence on final GPA is how students do in their first year of law school. Moving from the 25th percentile to the 75th percentile in first year GPA leads to a whopping 1.4 increase in final GPA. In results we did not spell out, we found that only 32% of the variation in final GPA was based on factors that were observable at the time of admission. When we added first year GPA to the regression, we were able to explain 84% of the final GPA.

In summary, these results suggest that the sorting that happens in the first year is critical. An admissions policy that admits many students coupled with grading policies that result in dismissal of low performers after the first year makes sense in light of these results.

Results of the Survey of 2008 LCOP Students

Two major themes emerged from our survey of former LCOP students. The first was that the current LCOP class was not sufficiently similar to what students experience when law school begins in the fall semester. A corollary finding was that the course should be more rigorous. Some sample comments from current LCOP students illustrated these concerns:

- "LCOP did not assist with classes"
• “Did not help prepare for the first semester”
• “We only read 4 cases, I would have liked something that was more like a real law school class”
• “I would like more substantive work, more cases to see how they build on each other, and how to learn how to outline”
• “Get it closer to what an actual class is like”
• Do “mini courses, introduction to property, contracts, torts, etc. have a real professor come in…”
• “More meat to the course—lack of depth”
• “I would like an exam at least 1x a week”

The second theme that emerged was the importance of various skills related to success in law school. Some sample comments included:

• “enjoyed learning how to brief—effective”
• “Focus on how to write a brief, brief cases—focus on basic skills”
• “Study skills were good but we needed more and more application to something”
• “Writing, studying, class should have been more formal, more synthesizing, how to synthesize”
• “do more writing”
• “Writing, writing, writing, case briefing”
• “There needs to be more emphasis on exam taking”
• “LCOP helped to get prepared/aware of exams”
• “We need more exam writing, like our TAs do now”
• “More on time management”

a. The Number of Credit Hours

The Committee first considered a proposal to expand the LCOP program from a single three-credit course to two classes totaling five credit hours (i.e., a three-credit substantive course and a two-credit skills course). The primary rationale for making this change would be to afford LCOP students more assistance in the summer months as they prepared to enter law school. Second, this scheme would ensure that students would be exposed to an adequate amount of substantive content as well as a strong skills component instead of trying to fit both components into three credit hours.

The Committee perceived some strong negative consequences for this proposed change. First, the LCOP classes would require to a huge amount of work in the summer months, which would be difficult for students who are part-time and would be working during the day. Second, five credit hours would have a significant effect on LCOP students’ first-year GPA. Some committee members raised concerns about so many credits being given for courses that spanned only a short period of time in the summer. Finally, LCOP students would be required to pay for the two additional credit hours. This might be especially difficult because the threshold for eligibility for government-
sponsored financial aid is six credit hours, making LCOP students ineligible for these monies.

After considerable discussion and debate spanning several meetings, the Committee concluded that we should retain the current three credit hours for LCOP, but follow our long-standing tradition of providing students with four hours of instruction.

b. The Content of the LCOP Course

The second issue that the Committee examined concerned the content of the LCOP course. Based upon our investigation, we have concluded that the LCOP course should be modified by increasing the substantive content of the course and making it more closely resemble a traditional law school course offering. In addition, we believe that students in the LCOP course should be given regular feedback on their progress in the substantive portion of the class, by having quizzes or other types of feedback mechanisms. Third, the Committee recommends that the substantive portion of the course be supplemented with a strong skills component, revolving around skills necessary to succeed in law school. In particular, we believe that LCOP students should finish the course with a basic competency in the following skills: case briefing, outlining, exam writing, and memo writing. This portion of the course should also involve a significant feedback component. Finally, to increase the efficacy of both components of the class, we recommend a strong coordination and integration between the substantive aspects and the skills component of the course. In this regard, we are pleased to report that Steve Lazarus and Daniel Dropko have agreed to team-teach the 2009 summer LCOP course.

In summary, the Committee concluded that we should modify the summer LCOP class to include more substantive content and a strong skills component. Students should receive regular feedback on their progress in the class.

4. Should We Offer a One-Credit LCOP Course in the Fall Semester?

The Committee has also considered a proposal for instituting a new one-credit-hour class in the fall semester for LCOP students. The rationale for such a course would be to provide further support for these students as they make the transition to law school. Although this notion had some initial appeal, the Committee felt that requiring such a course might impose an additional burden upon students who are struggling with the demands of their other courses. In addition, some Committee members believed that such a course might further stigmatize LCOP students as a group.

The Committee concluded that we should not offer a one-credit LCOP course in the fall semester. We felt that a good alternative would be to strongly encourage LCOP students to participate in the Academic Excellence Program run by Daniel Dropko, which has been our current practice.
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I. INTRODUCTION

This manual provides information to assist you in your professional endeavors at Cleveland-Marshall. Please review this material carefully. Feel free to ask Dean's Office personnel or other persons mentioned in the manual for more information on any item. If you have questions about matters we do not cover, please ask. If you need additional copies, please ask Rosa DelVecchio (2300). Every Fall we provide a copy of the STUDENT HANDBOOK to every student, and it is available at https://www.law.csuohio.edu/currentstudents/resources/studenthandbook. If you need a hard copy, please ask Layla Davis (2396).

II. A BRIEF HISTORY OF CLEVELAND-MARSHALL

Cleveland-Marshall College of Law, founded in 1897 as the Cleveland Law School, was the first law school in Ohio to admit women and one of the first to admit minorities. In 1946 the Cleveland Law School merged with the John Marshall School of Law, founded in 1916, to become the Cleveland-Marshall Law School. In 1969, the Law School joined Cleveland’s new public university as its sixth college and was renamed the Cleveland-Marshall College of Law of Cleveland State University.

Because egalitarianism was a motivating principle of the law school’s founders, the early school’s student population was remarkable for its diversity. Many of the men and women who studied in the new law college were immigrants or the sons and daughters of immigrants; many were older students and minorities, and most worked throughout the day while studying law at night.

A number of the law school’s earliest alums had notable careers, including the Honorable Genevieve Cline ’21, the first woman in America appointed to a federal court; the Honorable Mary Grossman ’12, the first woman in America elected to a municipal court bench; Cleveland Mayor, the Honorable Carl B. Stokes ’56, the first African American mayor of a major American city; the Honorable Louis Stokes ’53, Ohio’s first African American Congressman; and Cleveland Mayor, five-time Ohio Governor and two-term U.S. Senator, the Honorable Frank Lausche ’21, son of Slovenian immigrants. Other graduates left their imprint in large and small
ways in the local history books as influential attorneys, judges, public servants and leaders in commerce and industry. Cleveland-Marshall graduates laid the foundation of the legal profession in Northeast Ohio and shaped the future of our region as surely as the early explorers who mapped the outlines of the Western Reserve. Today’s alums remain the foundation of the legal profession in Northeast Ohio, serving the judiciary at every level, heading law firms, chairing corporations and contributing to the region’s and nation’s economic and social wellbeing.

Accredited by the American Bar Association in 1957 and accepted into the Association of American Law Schools in 1969, Cleveland-Marshall College of Law (C|M|LAW) offers the J.D. and the LL.M. degrees and five dual degrees—J.D./M.B.A. (Master of Business Administration), J.D./M.P.A. (Master of Public Administration), J.D./M.U.P.D.D. (Master of Urban Planning, Design and Development), J.D./M.A.E.S.(Master of Arts in Environmental Studies), and J.D./M.S.E.S. (Master of Science in Environmental Science). Under the supervision of the clinical faculty, students receive experiential training in six legal clinics: the Community Health Advocacy Law Clinic, the Employment Law Clinic, the Housing Law Clinic, the Urban Development Law Clinic, and the Environmental Law Clinic, and the Law and Public Policy Clinic. Students receive onsite legal training in externships in a multitude of settings including federal district and appellate and state appellate courts, the federal immigration and Medicare appeals courts, the U.S. Attorney’s Office, county prosecutor and public defender offices, general counsels’ offices (Cleveland State University, John Carroll University, and the Cleveland Metropolitan School Board), and the N.L.R.B.; they edit two journals, the Cleveland State Law Review and the Journal of Law and Health, and participate successfully in moot court competitions throughout the country. Students may choose a subject-specific curriculum through the law school’s concentrations in Employment and Labor Law, Business Law, Criminal Law, Civil Litigation and Dispute Resolution, International and Comparative Law, and Tax Law (suspended for new students as of 2007-08). Moreover, through countless volunteer opportunities in the law school’s Pro Bono Program, students learn the lawyer’s responsibility to the community. Finally, C|M|LAW students, graduates, and members of the bench and bar study and research in one of the country’s finest law libraries, which houses the state’s second largest legal collection and all major online resources.
III. WEBSITE

The C|M|LAW website address is https://www.law.csuohio.edu/. This site contains useful information such as course descriptions, schedules, first class assignments, course book assignments, and faculty profiles. For full texts of the law school’s Academic Regulations and Honor Code, and also CSU’s statement of Student Rights and Responsibilities, please see https://www.law.csuohio.edu/academics/regulations. The website also contains a calendar of events and other important law school dates, as well as information about admissions, career planning, financial aid, and the law alumni association. This calendar is updated regularly and contains information such as lectures, conferences, important student dates, holidays, and faculty meetings. See https://www.law.csuohio.edu/newsevents/calendar.

Many documents helpful to faculty are also available on the Faculty Resources page at https://www.law.csuohio.edu/facultystaff/resources. Although the content of the Faculty Resources page is always changing, currently posted documents and forms include: Beginning of the Semester Memo, Course Preferences Form, Course Release Policy, Class Rosters and Photos, Document Templates, Evening and Afternoon Events, Exam Grade Report Form, Faculty Focus, Faculty Manual, First Assignments Posting, Grade Distribution Form, Grade Due Dates, Guide to Email Lists, Lunchtime Speaker Series, Materials at the Reception Desk, Travel Request Form, Post-Trip Form, Take Home Exams Policy, and ULWR Seminars.

IV. ADMINISTRATIVE OFFICES

A. OFFICE OF THE DEAN
(Law Building, Room 106)

Dean Craig M. Boise (LB 108; 687-2300) is the chief academic and administrative officer of the law school. His duties include oversight of the hiring of full-time and adjunct faculty, fundraising and development, appointment of committees and special task forces, and alumni and community relations.

- Administrative Secretary Holli Goodman (LB 107; 687-2300).
• Assistant Dean for Admissions and Financial Aid Christopher Lucak (LB 137A; 687-4692)
• Career Planning Director Jennifer Blaga (LB 137B; 687-2540)

Associate Dean for Administration Mark J. Sundahl (LB 111; 687-2300) is responsible for the administration of many functions of the law school including course scheduling, curriculum planning, recruiting and working with adjunct and visiting faculty, student advising, clinics, and oversight of the Student Services Center offices of Academic Affairs, Student Life, and Student Records.

• Administrative Secretary Rosa M. DelVecchio (LB 106; 687-2300) schedules appointments for Associate Dean Sundahl. She handles submission of CLE forms for teaching credit to the Ohio Supreme Court.
• Assistant Dean for Academic Affairs Jean Lifter (LB 143; 687-4557)
• Director of Student Life
• Student Records Officer Marcie Rechner (LB 142; 687-2289)

Associate Dean for Academic Enrichment Heidi Gorovitz Robertson (LB 130; 687-9264) is responsible for cultivating faculty intellectual enrichment and student achievement in the law school. Her duties include coordinating workshops and other faculty-focused teaching and scholarship presentations, advising on internal and external communication strategies that promote faculty development, providing guidance to junior faculty in helping them develop their scholarly agendas, and working with faculty committees to enhance the quality of teaching and scholarship. Associate Dean Robertson also has administrative responsibility for academic excellence programs for students, as well as the implementation of our plan to improve our bar passage rate.

• Administrative Secretary Rosa M. DelVecchio (LB 106; 687-2300) schedules appointments for Associate Dean Robertson.
• Director of Academic Support Kelly Curtis (LB 54; 687-2359)
• Director of Bar Examination Preparation Mary Jane McGinty (LB 147; 687-2297)

Law Library Director Kristina Niedringhaus (LL 110; 687-3547) is in charge of the library and is responsible for the oversight, development, and coordination of technology.
Director of Budget and Administration **Jeane H. White (LB 112; 687-2306)** is in charge of law school financial matters and is assisted by Donna Helfrich. (See section on Faculty and Administrative Services.) She is the law school liaison for telecommunications, physical plant and equipment needs, and is responsible for general oversight of the areas managed by Sandra Natran (see below) and Laverne Carter (see section on Faculty and Administrative Services).

- **Administrative Secretary Donna Helfrich** handles travel arrangements and reimbursements and assists Ms. White with other financial matters.
- **Administrative Coordinator Sandra Natran (LB 145; 687-2354)** coordinates and facilitates special events. She schedules law building rooms for meetings, conferences and lectures, and serves as the law school’s liaison to Conference Services, Food Services, Instructional Media Services, Physical Plant and campus police. All research assistants must see **Yolanda Salviejo (LB 120; 523-7234)** to complete the necessary student employment forms. Ms. Natran prepares and submits Supreme Court of Ohio CLE applications for upcoming lectures and conferences.

Director of Advancement **Jennifer N. Nye (LB 113; 687-2491)** is in charge of fundraising.

- **Administrative Secretary Rita Pawlik (LB 115; 687-4617)**

**B. CLERICAL SERVICES**

Manager **Laverne Carter (LB 118; 687-2349)** oversees the Word Processing Unit, the Student Services Information Center, and Photocopying. To request word processing support or other secretarial assistance, including the typing of exams, see Ms. Carter. Ms. Carter's staff consists of:

- **Word Processing Specialists Diane Adams (LB 115; 687-6884) and Yolanda Salviejo (LB 120; 523-7234)**, as well as Administrative Secretaries **Donna Helfrich (LB 115; 687-4594)** and **Rita Pawlik (LB 115; 687-4617)**, provide support to faculty and administrative staff.
• Word Processing Specialist **Mary McGee (LB 55; 687-2307)** provides support to the Legal Writing faculty and to the offices of Law Review, Journal of Law and Health, and Moot Court.

• Word Processing Specialist **Harold Jackson (LB 116; 687-4888)** expedites your photocopying requests. Check with him for proper procedures, deadlines, and costs, especially in regard to reproduction of class materials and exams. Also see him for answers to questions about receiving or sending certified or express mail, and for supplies such as paper, pens, staples, exam blue books, and the like.

• Clerical Specialist **Israel Payton (LB 138; 687-2344)** manages the Student Services Center Information desk. (See Student Services Center section.)

**C. EXTERNAL DEVELOPMENT COMMITTEE**

The Development Committee meets twice a month with the Dean to review fundraising initiatives and create new strategies for increasing law school resources. The committee members are:

• Executive Director of Law Alumni Association **Mary McKenna (LB121; 687-2368)**
• Director of Advancement **Jennifer N. Nye (LB 113; 687-2491)**
• Development Associate **Megan McFadden (LB 122; 687-2476)**
• Communications Coordinator **Elaine Terman (LB 123; 687-6886)**

**D. LAW ALUMNI ASSOCIATION**

Executive Director **Mary McKenna (LB 121; 687-2368)** is in charge of alumni activities and special events. If you are trying to locate any of our alumni, Ms. McKenna can assist you.

• Assistant Director **Jill McDonnell (LB 120; 523-7357)**
V. STUDENT SERVICES CENTER (SSC)  
(Law Building, Room 138)

A. HOURS

When classes are in session in the fall and spring semesters, the SSC hours are M & T 8:00 a.m. to 8:00 p.m.; W & TH 8:00 a.m. to 6:00 p.m.; and F 8:00 a.m. to 5:00 p.m. Summer hours are M & T 8:00 a.m. to 6:30 p.m.; W & TH 8:00 a.m. to 6:00 p.m.; and Friday 8:00 a.m. to 5:00 p.m. For hours at other times, contact the receptionist. For the hours of a specific office within the SSC, contact that office.

B. RECEPTION

Israel Payton (687-2344) is the SSC’s first point of contact. As the law school’s receptionist, he is responsible for incoming mail, faxes, phone calls, walk-in traffic, and sales of student materials.

C. ACADEMIC AFFAIRS

Assistant Dean Jean Lifter (LB 143; 687-4557) is responsible for course scheduling and room assignments, student advising, student course registration, academic affairs, and supervising ADA accommodations for classes and exams.

- Secretary Layla Davis (2396) finalizes teaching contracts for adjuncts. She is the person to notify of any room changes and class cancellations. Call Ms. Davis if you need to cancel a class, whether or not the cancellation has been previously announced in class—preferably at least several hours before class time—and she will make sure that the appropriate notices are posted. She can provide you with classroom seating charts and class rosters. Textbook orders are now placed directly through the CSU Bookstore. Ms. Davis will notify you when orders must be placed, which is generally two months before the semester begins.
D. ACADEMIC SUPPORT

Mary Jane McGinty (LB 147; 687-2297) is Director of the Bar Examination Preparation Program. She teaches our Bar Preparation course, coordinates programs related to the bar exam, and oversees our Academic Excellence Program.

Kelly Curtis (LB 54; 687-2359) is the Director of Academic Support Program that provides academic support for our students.

- Secretary Layla Davis (LB 144; 687-2396)

E. ADMISSIONS AND FINANCIAL AID

Assistant Dean Christopher Lucak (LB 137A; 687-4692) directs the student admissions process and oversees financial aid.

F. CAREER PLANNING

Director Jennifer A. Blaga (LB 137B; 687-2540) coordinates on campus interviewing and develops programs to assist students in planning their careers during and after law school. Ms. Blaga's staff consists of:

- Assistant Director Francie Fields (LB 137C; 687-2260)
- Assistant Director Kristen Rutter (LB 137C; 687-2260)
- Coordinator Jessica Mathewson (LB 137A; 687-6871)

G. STUDENT LIFE

The Director of Student Life maintains a vibrant, supportive, and healthy environment for students at C|M|LAW and serves as the students’ point of first contact for the law school administration. She provides academic and financial aid counseling to students and oversees programs to enhance the student experience at C|M|LAW. She oversees our Peer Advisor program, is our student organizations liaison, and oversees the law school’s initiatives to promote diversity.
H. Student Records

Student Records Officer Marcie Rechner (LB 142; 687-2289) maintains student records, including those relating to grades and graduation requirements. See her if you need grade report forms or other information relevant to the law school's processing of grades. She also collects and maintains faculty evaluations.

- Student Assistant Jessica Hodge (LB 142; 687-2289)

I. Leaving Materials for Students

Faculty may leave materials for student pick up at the Student Services Reception Desk under the following conditions:

Please identify the course and professor on the materials and envelope containing the materials. If you want a student to receive the material in an individual envelope, please provide the material to the receptionist in that form with the student identification marked on the outside. You may want your secretary to prepare the envelopes or you may ask Laverne Carter for assistance.

Also, please tell the receptionist:

a. whether students will identify themselves by name or exam number;

b. how long the material will be available for students (e.g., a specific length of time or the entire semester), and

c. the terms or conditions under which students may review the material. For example, you should specify whether students can take the material with them or if students should only view the material in the Student Services Center.

A Quiz/Paper/Exam Viewing Form is attached as Appendix 19. You should provide this form to the receptionist when delivering materials for student review. This form allows you to provide instructions for the receptionist. If you are simply dropping off an envelope for a student to pick up, it is not necessary to complete the form.
At the beginning of each semester, any material that students did not pick up during the prior semester will be returned to the professor.

VI. LAW SCHOOL COMPUTING

A. Workstations. Each faculty office is equipped with a Microsoft Windows-based workstation and printer. All faculty workstations have the following supported software packages: Microsoft Office (Word, PowerPoint, Excel, and Access), Corel WordPerfect, Mozilla Firefox and Thunderbird, Westlaw, and Lexis.

The law school uses Mozilla Thunderbird as its email program. Microsoft Outlook is currently not supported. If you wish to have other programs installed on your office workstation, or have a question about your existing hardware and software, please contact Rick Zhang (LL 115; 687-4574.)

You may obtain discounted software packages, such as Microsoft Office, at the CSU Bookstore in the Student Center.

The CSU Center for Teaching Excellence provides equipment loans to faculty, including digital cameras, projectors, and iPods. They also offer many training sessions and workshops related to instructional technology. Please visit http://www.csuohio.edu/offices/teachingexcellence for more information. The eLearning Office of the Center for Instructional Technology and Distance Learning provides instructional design support, media development services, program coordination, and student services development for elearning at Cleveland State University. They also offer Blackboard training and assistance. Their website can be found here: http://www.csuohio.edu/elearning/.

B. Classroom Technology. All of the classrooms in the law school feature projectors, document cameras, workstations, DVD/VCR units, as well as inputs for external USB drives and laptops. All classroom presentation workstations have standard Office software, including PowerPoint. If you would like an overview of the classroom technology control systems, please contact a member of the Information Technology staff for assistance.
The seminar rooms (LB 64, 65, and 66 - located across the hallway from the law clinics) are equipped with monitors and wall ports for the connection of a laptop. If you would like to use the technology in these rooms, but do not own a laptop, please contact the Information Technology department for assistance.

C. Information Technology Support.
When IT support is needed, users are encouraged to use one of the following three methods:

Open a Ticket
For your convenience, filling out the Technology Help Request Form located here will open a new ticket: https://www.law.csuohio.edu/techhelp. Once the ticket is successfully created, you will hear back from a tech within 30 minutes during business hours.

Send an E-mail
Users that prefer E-mail can send a request to newticket@law.csuohio.edu. Please remember to include your name, a descriptive subject, problem details, your phone number/office extension, and your office room number/location. A support ticket will automatically be created and you will hear back from a tech within 30 minutes during business hours. Please understand that incomplete requests may be delayed.

Call the 7555 “Tech Help” Line
If you have an emergency or need immediate assistance, please call the 7555 Tech Help line. While we strive to have this line covered at all times, leaving a message may be necessary. Any messages left will be returned as soon as possible. Alternatively, if you have an emergency and there is no answer, please visit the reference/circulation desk at the law library and ask for a tech.

If you need assistance with any of these methods, or have any other questions, please feel free to contact an Information Technology staff member:

- Assistant Director, Technology Operations Dan Thomas (LL 120A; 523-7372) is responsible for the College’s IT functions, including faculty, staff and student computing, the College's web site, and
training and support for classroom technology. He also supervises the work and services provided by the C|M|LAW IT Staff.

- Systems/Data Manager Eric Domanski (LL 112, 523-7391) provides workstation support for faculty and law school staff. He has specific responsibility for supporting student PCs, the workstation lab, and related technology needs.

- Systems/Web Manager Rick Zhang (LL 115; 687-4574) provides primary support for web site development. He installs and upgrades hardware and software on law school workstations.

- Desktop/Server Specialist Greg Golembiski (LL 120; 523-7235) assists faculty and staff with desktop computing issues. Greg also provides assistance with classroom technology.

VII. LAW LIBRARY

For a comprehensive index of Law Library services to faculty, see https://www.law.csuohio.edu/lawlibrary/faculty/.

A. PERSONNEL

Associate Professor Kristina L. Niedringhaus (LL 110; 687-3547) is Director of the Law Library. Her staff includes:

Administrative Assistant Sylvia Dunham (LL 214A; 523-7392) provides administrative support for the Law Library Director and staff. Sylvia also schedules use of the Law Library’s conference room and instruction room LL A059.

Assistant Director, Technology Operations Dan Thomas (LL 120A; 523-7372) is responsible for the College’s IT functions, including faculty, staff and student computing, the College's web site, and training and support for classroom technology. He also supervises the work and services provided by the C|M|LAW IT Staff Rick Zhang (LL 115; 687-4574), and Eric Domanski (LL 112; 523-7391) and Desktop/Server Specialist Greg Golembiski (LL 120; 523-7325)
Associate Director **Jan Babbit (LL 122; 687-6913)** is responsible for the Law Library’s budget, and supervises the work and services provided by the Collection Development, Technical Services, Access and/Faculty Services, and Research Services staff, including the personnel listed below.

- Collection Development /Acquisitions Librarian **Rebecca Mattson (LL117; 523-7388)** selects library materials and databases and manages the faculty allowance program, in addition to her research, reference, and instructional services.

- Head, Access and Faculty Services **Amy Burchfield (LL 113; 687-6885)** In addition to her role as a research and reference librarian with a specialty in international resources, Amy manages the library’s faculty services and circulation functions, supervising the work of Circulation Supervisor **Jon Elias (LL109; 687-2483)**, Evening/Weekend Supervisor **Tom Hurray (LL 119B; 523-7396)**, Library Media Technical Assistant **Meredith Hale (LL109; 687-2250)** and Library Assistant **Andres Garcia (LL109; 687-2250)**. This staff will facilitate your document delivery, circulation, OhioLink and ILL requests. Amy also supervises the Law Library’s Research Assistants.

- Electronic Services Librarian **Karen Schneiderman (LL 114; 523-7364)** coordinates the development of library webpage and blog content, manages electronic resources, and assists in the development of faculty course pages, in addition to her research, reference and instructional services.

- Instructional Services Librarian **Laura Ray (LL118; 687-6880)** coordinates Law Library instructional services to students and faculty and manages the Law Library’s participation in the Federal Depository Library Program. Please contact her if you would like to arrange research training for yourself, your research assistant or your class.

- Digital Content Services and Reference Services Librarian **Sue Altmeyer (LL116; 687-4894)** Sue is responsible for developing, managing, and organizing Law Library digital content as well as providing research, reference and instructional services.
• Technical Services Librarian Beth Farrell (LL214C; 523-7395) manages the Library’s purchasing, receipt, cataloging and materials processing functions. Beth supervises Library Associate Cassandra Baker (LL214; 523-7397), Library Media Technical Assistant Sean Kennedy (LL 214; 523-7306) and Acquisition/Purchasing Agent Karen Zima (LL214D; 523-7394).

B. CURRENT AWARENESS SERVICES

1. CM Law Library Blog. The CM Law Library Blog seeks to inform the Cleveland-Marshall College of Law community about key legal education, research, practice, and law library news, with a particular focus on Cuyahoga County and Ohio as well as faculty research interests. (CONTACT: Karen Schneiderman ext 7364).

2. SmartCILP SmartCILP is a customized email service for Current Index to Legal Periodicals, with direct links to articles in LexisNexis and Westlaw. Customizing your SmartCILP email allows you to focus on only those areas of law that are of interest to you for your research and teaching. To sign up for SmartCILP, you will need an institution authorization code. (CONTACT: Amy Burchfield ext. 6885).

3. Publications Routing. The Law Library provides a publications routing service to meet the current awareness needs of law faculty. Online newsletters such as Tax Notes Today or BNA’s Daily Labor Report are available to law faculty through the PCs in their offices or through library staff. (CONTACT: Beth Farrell ext. 7395 or Sean Kennedy ext. 7306).

4. Other Current Awareness services the Law Library can assist you with include:
   • RSS Feeds - Obtain current content from the blogs (such as Law Professor Blogs), news articles and journals in a one stop organized RSS Reader such as Google Reader.
   • Bloomberg Law, Westlaw, LexisNexis and Google Alerts - Have new search results emailed to you. CCH current awareness services on many topics are purchased by the library for use by students and faculty.
• **BNA** current awareness services on many topics are purchased by the library for student and faculty use, including U.S. Law Week and Supreme Court Today. The library can also sign up your entire class to receive emails from a particular BNA current awareness newsletter. [Sign up for BNA Current Awareness Services](#)

• **SSRN Author Alerts**

## C. Scholarship Support and Research Services

1. **Book Purchase Requests / Faculty Allowance Stipend.** Law faculty may request that an item not currently owned by the Law Library be added to the collection. Each full-time law faculty member has an annual library stipend for the academic year beginning on July 1 and ending June 30. Materials purchased from the stipend are kept in faculty members' offices but remain the property of the Law Library, and must be returned to the Library when the faculty member leaves. Titles can include print, electronic texts or other non-print media. (CONTACT: Rebecca Mattson ext. 7388).

2. **EngagedScholarship@CSU, Selected Works Pages and Faculty Publications Collection.** The College of Law’s institutional repository, created and maintained by the law library, is part of the University's institutional repository, EngagedScholarship@CSU. The College of Law’s repository is accessible at [http://engagedscholarship.csuohio.edu/law/](http://engagedscholarship.csuohio.edu/law/). The repository collects all of C|M|LAW's scholarship in one place, including non-text items such as video, audio and empirical data sets. Because the materials are open access, with optimized discoverability on the Internet, the site heightens the visibility of law faculty work product and of C|M|LAW. Additionally, we are able to generate statistics on the number of downloads, and authors can automatically receive monthly download reports for their papers. (Contact: [Sue Altmeyer](#) ext 4894 or [Amy Burchfield](#) ext 6885)

We can help faculty members create and edit their own Selected Works author pages within EngagedScholarship@CSU. Here is an example: [http://works.bepress.com/deborah_geier](http://works.bepress.com/deborah_geier). The author page can contain a curriculum vitae and an RSS feed for people to track new articles posted by the author. If you have created your own Selected Works page already, we can easily incorporate it into the law school's site. (Contact: [Sue Altmeyer](#) ext 4894)
The Law Library strives to acquire print copies of all publications by Cleveland-Marshall College of Law faculty. We encourage donations. Recent faculty publications are added to the Engaged Scholarship@CSU, displayed in the Law Library and also used in the University Library annual publications display. Publications not cataloged in the regular collection are maintained in a Faculty Publications file in the Library’s Special Collections room. (CONTACT: Rebecca Mattson ext. 7388 or Amy Burchfield ext. 6885).

3. **Faculty Liaison Services**: Upon request, we can designate a member of our Research/Instructional Team to assist you as your Law Library contact. This Faculty Liaison will provide current awareness services customized to your subject-specific areas of interest, serve as a referral contact for your students, assist you in developing research resources, work with your Research Assistant, and otherwise help you to take maximum advantage of our services. (CONTACT: Jan Babbit ext. 6913)

4. **Conference and Program Support**: The Research Librarians work with faculty to provide research and bibliographic services supporting programs and conferences. Our services include compiling information on speakers, assisting to identify and/or locate articles for continuing education materials packets, as well as preparing displays to promote and complement the events and highlight additional resources. (CONTACT: Jan Babbit ext. 6913)

Additionally, we can help you create a conference website within our institutional repository, EngagedScholarship@CSU to market, manage and preserve conference programming and materials. (Contact: Sue Altmeyer ext 4894)

5. **Bloomberg Law, LexisNexis & Westlaw**: Research Librarians can assist you with Bloomberg Law, LexisNexis or Westlaw searches, arrange training and refresher courses, and help resolve equipment problems. LexisNexis and Westlaw printers for Cleveland-Marshall faculty are located behind the Law Library Information Services Desk. If you choose the stand-alone printer option on Westlaw, or the Law Library faculty printer on LexisNexis, your print requests will be sent to these printers. Law Library Information Services staff will then deliver your prints to your Cleveland-Marshall faculty mailbox. (Regarding Bloomberg Law, LexisNexis and Westlaw services, CONTACT: Karen Schneiderman, ext. 7364; regarding delivery of prints by Access Services personnel, CONTACT: Jon Elias ext. 2483)
6. **Research Assistance.** Research Librarians with advanced degrees in law and other disciplines are always available to help faculty with short or long term research and reference projects, whether working directly with the faculty member or assisting your research assistant with developing strategies and identifying resources. In addition, the Law Library employs Research Assistants who may be able to help you with shorter term projects. The library RAs are second and third year law students who work under the supervision of librarians. (CONTACT:  Amy Burchfield ext. 6885)

7. **Scholarship Support.** The Library is happy to offer faculty assistance with such scholarship support needs as proofreading, copy editing, footnotes, and formatting, and services. To discuss your project needs, contact Amy Burchfield, ext. 6885.

D. **INSTRUCTIONAL SUPPORT SERVICES**

1. **Course Materials Web Pages.** Library staff will assist you in setting up, maintaining, and adding items to Course Materials web pages for any classes you teach. Course Materials webpages are password-protected resource pages for individual classes which remain available throughout the semester in which the course is taught. Any items a faculty member places on Course Reserve, whether print or electronic, will be placed on a Course Reserve page. Electronic Course Reserve items will be linked from the page; print Course Reserve items will be represented by a link to their Scholar records. You can also add items such as syllabi, assignments, readings, relevant web links, CALI lessons, PowerPoint presentations, podcasts, videos, and more to your Course Materials page. (CONTACT: Sue Altmeyer ext. 4894 or Amy Burchfield ext. 6885).

2. **Course Reserves.** You may place course related items on reserve in the Library. Print items will be held on reserve for students at the Library’s Information Services Desk. Electronic items will be linked from your Course Materials webpage. The Law Library complies with the Copyright Law. Jon Elias will contact each law professor before the semester begins to get a list of items to be put on course reserve. Print course reserve materials are taken off reserve at the end of the semester and returned to the library shelves and/or to the law faculty member’s mailbox. (CONTACT: Jon Elias ext. 2483)

3. **Research Lectures, Guides and Exercises.** Our Research Librarians can present research lectures for your class. We discuss general and subject-specific legal research strategies and resources, highlighting both print and
electronic resources, effective and efficient use of Bloomberg Law, LexisNexis, Westlaw, and OhioLINK research databases, and searching the Web. We can tailor a course specific research guide for you to use on your own course page or as a handout for your class. We can also work with you to develop research assignments. CONTACT: Jan Babbit ext. 6913. To arrange a lecture by a LexisNexis or Westlaw rep, contact the rep directly or contact Karen Schnedierman ext. 7364.

4. Educational Technology: Reference Librarians can help you with PowerPoint, Prezi, Web 2.0 and other educational technologies. We also provide student group instructional sessions in the use of PowerPoint, Refworks, Zotero and other educational software. (CONTACT: Laura Ray ext. 6880 or Karen Schneiderman ext. 7364)

5. Past Exams: The College of Law's Administrative Office sends law exams to the Law Library at the end of each semester. With the faculty member’s permission, we place these exams online, accessible only to Cleveland-Marshall College of Law faculty, staff, and students. We also bind the exams and put them on reserve for 10 years for law student review. Older exams are shelved in the library's stacks. If you do not wish to have your exams placed on reserve you must let the College of Law's Administrative Office know. (CONTACT: Amy Burchfield ext. 6885)

6. Course Evaluations: The College of Law's Administrative Office sends course evaluations to the Law Library at the end of each semester. We bind these evaluations and keep them on reserve for 5 years for law student review. Older evaluations are shelved in the library's stacks. (CONTACT: Amy Burchfield ext. 6885)

7. Recording Lectures: We can offer assistance with in-house and CSU Instructional Media Services recording of course materials, as well as posting of media files to course pages. Options include podcast, screencast, vodcast (video), and MediaSite.(CONTACT: Greg Golembiski ext. 7235)

8. Training Labs: Adjacent to the main Library PC Lab, we have 2 Training Labs to facilitate your class electronic instructional needs. Each Lab is equipped with 15 workstations and a data projector. Please note that Training Labs cannot be reserved during Reading and Exam Weeks. (CONTACT: Laura Ray ext. 6880)

9. Other instructional support services include:
• **CALI:**
  Obtain a CALI password. Offers (1) Interactive electronic lessons. Professors set up a Lessonlink to see students' results, (2) Lawdibles - 10 minute audio recordings, explaining difficult concepts, (3) Classcaster - podcasting and blogging platform, (4) ELangdell and Legal Education Commons - sites for sharing teaching materials, and more.

• **CSU Center for Teaching Excellence:**
  Promotes and encourages "a culture of excellence in teaching and learning at Cleveland State University" by providing workshops, consultation services, classroom equipment, and specialized software and equipment (e.g., for scanning and digitizing). Also provides links to CSU's Center for eLearning, teaching tips, and copyright resources.

E. CIRCULATION AND DOCUMENT DELIVERY SERVICES

1. **Circulation Policies:** Cleveland-Marshall Law faculty may check out circulating materials for one academic semester (15 weeks). Non-circulating materials may be checked out for 7 days. You may renew materials as long as another patron has not placed a hold on an item. All library materials in circulation are subject to recall. (CONTACT: Amy Burchfield ext. 6885)

2. **Document Delivery Services:** The Information Services staff handles Law faculty requests for both Law Library books and photocopies. Staff will retrieve the requested material and check it out to the Law faculty member, or photocopy the requested article, case or chapter of a larger item. The Law Library complies with copyright law when photocopying items. Items will be delivered to the Law faculty mailboxes located in the College of Law's Support Services Department. The Law Library strives for a 24 hour turnaround on all requests for items in the Law Library (with the exception of weekends and holidays). You may request materials by sending an email message to: faculty.services@law.csuohio.edu or by calling the Information Services Desk at ext. 2250.

If the Law Library does not own an item but the University Library does, we will retrieve the material for you and deliver it to your faculty mailbox.

If an item is not available at the Law Library or the University Library, we will make an OhioLINK request in your name. OhioLINK materials may take up to five business days to arrive. If an item is not available via OhioLINK, then the Law Library's Interlibrary Loan Department will handle
your request. Items may take two weeks or more to be received. We will send a status report to you if the request is to be filled via Interlibrary Loan. (CONTACT: Amy Burchfield ext. 6885)

3. AV Viewing Room: The Law Library's AV viewing room may be used by your students to view class related materials. Groups or individuals are welcome to use the room depending on availability. The room is equipped with DVD players and VCRs. (CONTACT: Amy Burchfield ext. 6885)

VIII. FACULTY STATEMENT ON PROFESSIONAL ETHICS AND ACADEMIC RESPONSIBILITIES

The faculty has responsibilities to our students, scholarship, colleagues, the University and the larger community. A statement of these responsibilities and our professional ethics, that the faculty adopted on January 17, 2008, is attached as Appendix 1.

IX. FACULTY DEVELOPMENT: SCHOLARSHIP AND TEACHING

We support faculty scholarship and teaching through a variety of programs, some more formal than others. Please take advantage of these programs. If you have questions about any of them, please contact Associate Dean Robertson (9264).

A. Coffee. We will be continuing the practice of providing coffee and pastries for faculty in the faculty lounge from 9:00 to noon on alternating Tuesdays and Wednesdays during the academic year.

B. Faculty Lunch Series. Throughout the fall and spring semesters, we have lunches where our own faculty and professors from other schools present talks on research in progress. Please consider presenting your work here and plan to join us for the lunches where others present their work. We send out a schedule of lunches at the beginning of each term. The schedule is also available online on the Faculty Resources page.
C. Northeast Ohio Law Schools’ Colloquia Series. Akron, Case, and Cleveland-Marshall have an ongoing exchange where a professor from one school gives a talk on a current project at another school. This is a terrific opportunity to hear about and discuss faculty scholarship. Consider presenting your work here to a broader audience than our own faculty.

D. Faculty Exchanges: Faculty exchanges help get our faculty out and visible at other schools and give our colleagues the opportunity to vet their writing projects and presentations before outside audiences and gather additional feedback on their work. We have recently sent faculty to speak at (or have hosted speakers from) Wayne State, Duquesne, DePaul, Toledo, and Capital.

E. Faculty Blog. The C|M|LAW Faculty Blog is a new way of raising internal and external awareness of faculty news. Please send information on publications, article acceptances, speaking engagements, and media contacts to Associate Dean Robertson. Also, please subscribe to the C|M Faculty Blog at cmlaw.faculty.wordpress.com.

F. Business Cards and Memo Pads. If you need new business cards or would like to have personalized memo pads, please see Ms. Salviejo (523-7324).

G. ExpressO. We have an institutional account with ExpressO for the electronic submission of articles. Please see Associate Dean Robertson for details.

H. Graduate Faculty. CSU has a separate College of Graduate Studies, which is composed of faculty members throughout the University who have been granted Graduate Faculty status. Each college, including C|M|LAW, has an established set of criteria for admission into the College of Graduate Studies. Ours are attached as Appendix 3. You do not have to be a tenured professor to apply for graduate faculty status. One of the benefits of being on the Graduate College faculty is that you can apply for grants for research and travel as they are announced by the Graduate College. In addition, for those who teach in the Master's degree programs, it helps CSU's accreditation to have faculty with graduate faculty status as instructors. Finally, this may be a good way to break down some of the barriers that exist between the law school and the rest of the university.
Application guidelines are available at www.csuohio.edu/gradcollege/faculty/membership/application.guidelines.pdf. Please send your request and supporting materials to College of Graduate Studies, Parker Hannifin Hall, Room 205 (phone ext. 9364). For assistance, please see Associate Dean Robertson.

I. Library Faculty Services. The Law Library’s Faculty Services offers a wide range of services to support the College’s teaching and research needs. See Section VIII for more information or visit https://www.law.csuohio.edu/lawlibrary/faculty.

J. Library Stipend. Each faculty member has a stipend for library materials (to keep in your office) per academic year. See Section VII.B.6 for more information.

K. Reprints. Please order extra reprints of articles and distribute them broadly. With prior approval, the law school will pay for extra reprints. You must fill out a Reprint Request Form, obtained from Donna Helfrich, for approval by Associate Dean Robertson. The Reprint Request Form is also available at https://www.law.csuohio.edu/facultystaff/resources. We can also have a card printed for you to insert with your reprints. Please see Associate Dean Robertson for details.

L. Russia Summer Program. We cosponsor, with the University of Arkansas School of Law and the University of the Pacific McGeorge School of Law, a four-week summer school program at the St. Petersburg Summer Law Institute. This provides students from law schools throughout the United States with the opportunity to participate in a five-credit program in international and comparative law in Novgorod and St. Petersburg, Russia. One of our faculty teaches in this program every year. Please talk to Associate Dean Sundahl if you are interested.

M. SSRN/Legal Scholarship Network. C|M|LAW participates in the online SSRN/Legal Scholarship Network, where professors post working, accepted, and published papers. We post when we have at least three papers ready. Please let Associate Dean Robertson know if you would like to post a working paper or an accepted paper on the SSRN/LSN.

N. Summer Research and Teaching Grants. Cleveland-Marshall grants provide financial support for full-time faculty members who want to spend the summer conducting research and writing or developing new teaching
methods and/or curriculum materials. During the Fall, the Cleveland-Marshall Summer Research Grants Committee and the Teaching Committee will advise faculty of the deadline for applications and provide you with the information that each committee requires. Funding decisions are announced during Spring term. Sample memos inviting research and teaching grant applications are attached as Appendices 10 and 11.

O. Research Assistants. All full-time faculty are entitled to 320 hours of research assistance per fiscal year (July 1 through June 30). This number may be exceeded, but an explanatory memo must be sent to Associate Dean Robertson requesting the additional hours. You may distribute your 320 hours among more than one research assistant, if you so desire. If you are interested in having a Teaching Assistant for your classes, please contact Associate Dean Robertson. Legal Writing Professors are allotted 480 hours total for the year for their research assistants and tutors.

If your Research Assistant or tutor must be a law student, you need to post the opening with our Office of Career Planning, x6871. If you do not require a law student, you must post the position on the university website for 3-5 days. Please see the OCP Administrative Secretary for details. Once you’ve selected a research assistant or tutor, send the student to Ms. Salviejo, LB 120, or Ms. Natran, LB 145, to take care of the appropriate paperwork. It is imperative that your research assistant completes all necessary paperwork before beginning employment with you.

RAs and tutors must record their time on the University myTime program. You are responsible for training them and approving their time.

Notify the law library of your research assistants so that they can obtain special borrowing privileges and be given a code for copying materials.

P. Teaching Schedules, Variances and Course Releases. In recognition of the importance of scholarly productivity, the faculty, in May 2008, adopted a set of policies that permit a faculty member to apply for a course release, or a variance to the standard teaching schedule. The policy is attached as Appendix 2.

Q. Travel Funds. The Cleveland-Marshall fund supports faculty travel for research purposes and attendance at seminars and conferences relevant to your teaching or scholarly interests. With budget constraints and the rising cost of travel, we must be more selective about these expenditures so that
we have sufficient funds for the entire year. Please contact Associate Dean Robertson for information regarding the current travel policy.

You must receive approval from Associate Dean Robertson and Dean Boise well in advance of your planned trip. Please submit your request no less than three weeks in advance of your planned travel. Please submit your request no less than 3 weeks in advance of your planned travel. Please fill out a blue travel request form, which you can obtain from and return to Donna Helfrich. The form requires you to provide an estimate of expenses and information about the reason for the travel. Please consult the CSU Travel Policy and other related documents (e.g., per diem charts) at www.csuohio.edu/offices/controllers (under Policies-Travel). A copy of the CSU Travel Policy is attached as Appendix 9. Ms. Helfrich will contact you once Associate Dean Robertson and Dean Boise have approved your request. Upon return from your travels, you will need to complete a green reimbursement form and submit it to Ms. Helfrich with your receipts and boarding passes if you traveled by plane.

**R. Sabbaticals.** After seven years of service at CSU or after seven years from completing a prior Professional Leave at CSU, Tenured faculty may apply for a one- or two-semester sabbatical to pursue an individual program of professional development. Each fall the Provost notifies the faculty of the criteria process and timeline for sabbatical applications. The relevant portion of the CSU Faculty Handbook and a copy of the Fall 2008 memo from the Provost is attached as Appendix 12. The Dean consults with the Deans Advisory Committee regarding which applications to approve.

**S. Bar Association Memberships.** The law school has an ABA group membership that covers basic dues for all faculty. If you want to join a particular section or committee, you are responsible for those membership fees. The law school will also pay for one additional bar association membership for each faculty member—e.g., Cleveland Metropolitan Bar Association or Ohio State Bar Association. In the alternative, we will pay for a comparable professional law-related association individual membership. Please see Jeane White (x2306).
X. TEACHING AND COURSE RELATED MATTERS

A. PRELIMINARY MATTERS

1. Your Teaching Schedule. We begin planning for the courses offered each academic year one year in advance. Specific course offerings for each summer, fall, and spring term must be finalized three or four months prior to the beginning of each term.

In late fall, Associate Dean Sundahl solicits faculty teaching preferences for the following summer and academic year. Please complete the online form that he emails to faculty. Requests for course releases or variances must be submitted in writing at the same time as the teaching preferences form. See Appendix 2, Cleveland-Marshall College of Law Policies on Standard Teaching Schedules, Variances, and Course Releases § 7. After reviewing your form, Associate Dean Sundahl will meet with each of you. Tentative course schedules are circulated during the spring semester. Review carefully any tentative course schedules you receive and contact Associate Dean Sundahl or Assistant Dean Lifter with your comments and concerns. When you submit your preferences, you should also indicate if you need, or prefer, a technology room for your classes.

The law school administration works to accommodate faculty preferences regarding requests to teach particular classes, limitations on class size, times and days that courses are offered, and other matters. However, please keep in mind that your course is one of over 100 courses scheduled each semester, and specific curricular needs will control what and when you teach.

Once you have tenure, you may want to consider teaching in the Summer. Our Summer term is short (7 weeks), so each course meets twice as often as Fall or Spring. Please talk to Associate Dean Sundahl if you are interested.

2. Seminars and Upper Level Courses that Satisfy the ULWR. In a seminar or upper level course (other than L860: Independent Legal Research, in which students write a paper to satisfy the ULWR), faculty have the option of holding class meetings for the hours required for a two-credit-hour course while offering the course for three credit hours. This recognizes the substantial amount of time and effort students and faculty are
expected to spend on papers that satisfy the upper level writing requirement, as stated in the guidelines for supervising ULWR papers. See Appendix 6. A faculty member may offer the option to students of taking the seminar or upper level course for either two credit hours if a student elects not to write a paper to satisfy the ULWR or three credit hours if a student elects to write a paper to satisfy the ULWR.

3. **Proposing New Courses.** Faculty can propose new courses to teach by submitting a proposal to the Curriculum Committee. The proposal should include a course description, specify the credit hours sought, and explain other relevant matters. See Appendix 4, New Course Proposals. In deciding the parameters of the course, you may want to consider whether the course fits our criteria for perspective, skills, or seminar courses. Attachments A, D, and B to Appendix 4 explain those criteria. If you will require students to research and write a paper, you should also consider whether the paper will satisfy the Upper Level Writing Requirement. See Appendix 4, Attachment C.

4. **New Concentrations.** We have five concentrations that enable students to focus their upper level studies in particular areas: Business Law, Civil Litigation and Dispute Resolution, Criminal Law, Employment and Labor Law, and International and Comparative Law. (We suspended the Tax concentration in 2007-08 for incoming students.)

Faculty may create new concentrations by submitting a proposal to the Curriculum Committee for approval by it and the faculty. The requirements for Concentrations are set forth in Appendix 7.

**B. COURSE PLANNING AND PREPARATION**

1. **Selecting and Ordering Course Materials.** You are responsible for selecting your own course materials. Upon request, legal publishers will furnish you with complementary copies of the casebooks and related materials they publish on the subject you are teaching. You may also want to consult with other faculty members who teach the same course regarding the materials available. The phone numbers and Cleveland-Marshall's account representatives for the major legal publishers are:
Faculty place their own orders electronically with the CSU Bookstore. You may also choose to use materials you have compiled as a supplement to (or even in lieu of) a commercially available casebook or other course materials. If you use your own materials, please notify the CSU Bookstore.
on the book ordering webpage. See the section below on photocopying for
more information on this option.

2. Preparation of Course Syllabi. The University requires that you
provide students with a written syllabus at the beginning of your course,
outlining the topics you will cover and the assignments related to each. The
written syllabus must also contain information regarding your expectations
of the class, the factors you will take into consideration in determining final
course grades, attendance policies, and your availability to students outside
of the classroom—including office hours, office room number, telephone
number and e-mail address. Two examples of course syllabi are attached to
this manual for your convenience (Appendices 5A and 5B). You are
required to provide a copy of your syllabus for each course to Associate
Dean Sundahl by the end of the first week of the semester. Course syllabi
from previous years are on reserve at the library circulation desk.

3. Course Materials Webpages. Library staff will assist you in setting up,
maintaining, and adding items to Course Materials webpages for any classes
you teach. Course Materials webpages are password-protected resource
pages for individual classes, and are accessible throughout the semester in
which the course is taught. Any items a faculty member places on Course
Reserve, whether print or electronic, will be placed on a Course Reserve
page. Electronic Course Reserve items will be linked from the page; print
Course Reserve items will be represented by a link to their Scholar records.
All Course Reserve items that appear on Course Materials webpages will be
listed under the heading “Library Materials.” (CONTACT: ext. 2250).
Course Materials webpages can be used for much more than just gathering
your Course Reserve materials into one place. Course Materials webpages
can be used as a complete online resource for your class. You can add items
such as syllabi, assignments, readings, relevant web links, CALI lessons,
PowerPoint presentations, podcasts, videos, and more to your Course
Materials page. For more ideas on creating a customized online resource
page for your class, see Course Webpage Options on the library webpage
under Faculty Services. (CONTACT: Sue Altmeyer ext. 4894).

4. Posting of First Class Assignments. Post your first class assignments
on the law school website:

    http://www.law.csuohio.edu/first_assignments/create_firstassignment.php3
First class student assignments can be read at:

http://www.law.csuohio.edu/first_assignments/view_firstassignment.php3

5. Photocopying. Harold Jackson (687-4888; LB 116) is in charge of photocopying. Please submit your course syllabus and any other materials you want duplicated for your classes as far in advance as possible to avoid being caught in the last minute rush. (You can find out the approximate number of students in your class by going to your CampusNet account under Instructor/Class Roster. See Class Roster infra at XI.C.1.) The logistics of the system are greatly simplified by having a set of handouts prepared prior to the first class, but it is not always possible to anticipate all the materials you will use throughout a course.

For smaller photocopying jobs that you might want to do on your own, photocopiers are available for your use in the Office of the Dean, LB 114, and behind the Student Services Center reception desk.

Each class is allowed fifty (50) pages of free photocopies per semester to ensure students are provided with a syllabus and initial handouts. After the fifty-page limit, students will be charged .05 cents per page.

If you anticipate having a substantial amount of material reproduced as class handouts, talk to Harold Jackson about having the materials copied as a set and packaged for sale to students by the copy center. These materials are sold at .05 cents per page to students, plus the cost of covers and binding.

6. Posting of Office Hours. University regulations require that all full-time faculty post office hours indicating the times you will be available each week to meet with students. You must also note your office hours on your syllabus. Please make every effort to meet with all students who want to see you during office hours even if that means setting up additional meeting times.

7. Placing Course Materials on Reserve. If there are resources such as specific treatises or articles that will provide helpful optional reading for your students, contact (687-2250) to arrange to have the materials put on reserve in the law library for easy access by your students.

8. Student Pictures. Shortly after the start of the term, the Automation Department distributes picture rosters of students enrolled in each class.
You may also see photos of students in your class on Campus Net. See Class Roster, infra at XI.C.1. To view photos of all currently enrolled students, see https://intra.law.csuohio.edu/roster/roster.php. If you have questions, contact Automation at automation@law.csuohio.edu or 523-7555.

9. Technology in Classroom. All of the classrooms in the law school are equipped with presentation technology. These classrooms feature lcd projectors, document cameras, computers, DVD/VCR units, as well as inputs for external USB drives and laptop computers. All classroom presentation computers have standard office software, including PowerPoint, and are connected to the Internet. The classrooms in the main law school building make use of a standardized control system. If you would like an overview of the technology control systems, please contact a member of the automation staff for assistance. Smart Podium Instructions are also available online on the Faculty Resources page.

The seminar rooms (LB 64, 65, and 66 - located across the hallway from the law clinics) are equipped with lcd monitors and wall ports for the connection of laptop computers. If you would like to use the technology in these rooms, but do not own a laptop, please contact the automation department for assistance.

C. Course Procedural Matters

1. Class Roster. You can download your class roster on Campus Net. (See Campus Net, infra at XII.F for how to access this site). It will be under the Instructor tab. You may access contact information for every student in your class: Once you have the class roster on the screen, click on the word “details” next to the student’s name. You may also download the pictures of students in your class by clicking on Roster with Pictures, which is on the left hand side directly above the light brown bar that identifies the semester and course number of your class.

2. E-mail Class Lists. You can communicate with students via individual e-mail or class ListServs. To obtain a class ListServ, contact the Network Administrator at automation@law.csuohio.edu or 523-7555.

3. Student Mail. Student mailboxes no longer exist. If you need to give a document to an individual student, please do so through Mr. Payton and notify the student to pick it up at the Student Services Center reception desk.
4. Monitoring Class Attendance. ABA Standard 304(d) states, "A law school shall require regular and punctual class attendance." C|M|LAW Academic Regulation 1 states, "Students are required to attend classes with substantial regularity. Unsatisfactory attendance in any course, unless otherwise defined by the course faculty member with reasonable notice to students enrolled, shall be absence from more than two weeks of classes in a single semester (or, in the case of Summer term, absence from more than one week of classes) and shall be cause for lowering the final grade entered, involuntarily withdrawing a student from the course or entering the grade of ‘F,’ in the sole discretion of the course faculty member." See Student Handbook 2010-11, Academic Regulation 1. Some professors meet this requirement by taking attendance at the beginning of each class or by circulating a copy of the class roster during each class so that students can document their attendance by initialing the roster next to their names. You should state the class attendance requirement in your course syllabus. Students may be administratively withdrawn from a course due to excessive absenteeism. See Assistant Dean Lifter for details on this process.

5. Excused Absences for Election Work. In order to foster student engagement and participation in the civic sphere, Cleveland State University has encouraged students to serve as poll workers and in polling support positions for the last several national and statewide elections. In Spring 2008 the Faculty Senate of Cleveland State University adopted a policy pertaining to student absences arising because of such service in these elections. See Appendix 8, C.S.U. Poll Worker Excused Absence Policy.

6. Class Time. Our hour is 50 minutes. We are expected to teach that length of time for each hour whether we teach a 2-, 3-, or 4-credit-hour course. If we give a break in a class, we must make up that time. For example, if you teach a 4-credit-hour course in two 100-minute sessions with a 10-minute break, you need to make up that 10 minutes.

7. Class Cancellations. Class cancellations should be avoided, and missed classes must be made up before reading week begins. If you have to cancel a class for any reason, even if you have given your students prior notice, please inform Assistant Dean Lifter at 687-4557 or her secretary, Ms. Layla Davis, at x2396. If neither answers, then call Mr. Payton (687-2344). They will post a notice of the cancellation and e-mail your class (with copy to Associate Dean Sundahl). Please provide as much advance
notice as possible. For evening classes, please call by 4:00 p.m. If you are cancelling a class, please make sure you speak with a live person. Do not rely on voice mail or e-mail unless receipt of the message is confirmed.

8. Makeup Classes. ABA Standard 304 requires that classes meet for a specific total number of minutes per academic credit hour during the semester, and our courses are scheduled to meet those requirements. Accordingly, makeup classes must be scheduled if you cancel a class. Depending on your students’ schedules, you may also be able to make up lost time by starting classes earlier or extending classes. Check with Ms. Natran and Ms. Layla Davis to determine classroom availability if you are planning extended or makeup sessions.

Other options for making up classes include bringing in a guest speaker (in lieu of cancelling class), having an online discussion if you use TWEN (or some other comparable website for your class), or videotaping a lecture. To videotape a class lecture, contact Automation at automation@law.csuohio.edu or 523-7555 at least one week in advance of the date you intend students to watch the video.

Makeup classes cannot be scheduled during the designated reading period (nor during the exam period) because that time is reserved for students to prepare for exams.

9. Student Evaluations. Student evaluations are required for all courses. Near the end of the semester, you will receive a packet of student evaluations. Most professors set aside 10-15 minutes of class time to have students complete the evaluations. You must not be in the room while students complete the evaluations. Please ask a student to collect the completed forms and return them to the Records Officer. Evaluation forms for evening students can be returned to the Legal Writing mail slot. You will not receive copies of your evaluations until you have submitted final grades for the course. The evaluations for all courses are bound by year and available to students at the Reserve Desk in the law library. A set is also kept in the Records Office for use by faculty and staff.

D. INDEPENDENT LEGAL RESEARCH AND UPPER LEVEL WRITING REQUIREMENT

Students must complete the upper level writing requirement in order to graduate. The purpose of the writing requirement is “to have each student
undertake at least one rigorous writing experience” other than those provided in the first-year legal writing course or the third semester of legal writing. Appendix 6 contains the complete policy regarding Upper Level Writing Requirement and Independent Legal Research Standards. A significant number of students do this as independent study, especially those writing notes for Law Review or the Journal of Law and Health. Students ask faculty members to supervise their projects. If you agree to do so, our standards urge regular contact with the student and significant review and discussion of drafts. See id. You may agree to supervise any project you choose; it does not have to be in your area of scholarly expertise. Every faculty member is requested to supervise three notes for L860. You may not, however, supervise more than six students per year without approval from the Dean or his designate. Id.

In addition, pursuant to guidelines adopted by the faculty in November 2006, faculty supervising notes for L860 credit are asked to coordinate submission dates with the appropriate law review and/or journal. See id. at C.

Papers completed for Independent Legal Research and/or Upper Level Writing Requirement must be retained for two years: You can keep them yourself, or you can give them to Ms. Carter or Mr. Payton for storage with the exams.

E. EXAMINATIONS AND GRADING

1. Introduction. This section provides information regarding midterm and final exams. Over the past few years, we have changed many of our procedures regarding exams: Most exams are now taken on computer, we have new grading guidelines and proctoring procedures, and we require advanced notice for both take home exams and midterms. If you have a question about exams or grading that is not answered here, or the information here is not clear, please ask Associate Dean Sundahl, Assistant Dean Lifter, or Records Officer Rechner.

2. Midterm Exams. Midterm Exams are an increasingly popular option used in many classes, both first year and upper level.

a. Scheduling. Students may take midterm exams on computer, as they do final in class exams. You must give Automation two weeks advance notice so that the exam software can be made available to
your class. You must also give Assistant Dean Lifter two weeks advance notice. See Proctoring infra.

b. **Anonymity.** If you give a midterm that is worth 10% or more of the final grade in the course, students must obtain exam numbers so that your grading is anonymous. See Academic Regulation 3.9.

c. **Proctoring.** If your midterm is worth 10% or more of the final grade in the course, you cannot proctor your own midterm. This is consistent with our new proctoring policy for final in-class exams. Please contact Assistant Dean Lifter two weeks before your midterm so that she can arrange for a staff member to proctor your exam. As with the final exam protocol, you need to fill out the Exam Instruction sheet so that the proctor knows the procedural details for administering the exam. See Appendix 15.

If your midterm is not worth 10% or more of the final grade, you can proctor your own exam.

d. **Materials for your Exam.** If you proctor your exam, you are responsible for bringing bluebooks, scantron sheets, and pencils to the exam. Bluebooks and scantron sheets are available from Mr. Jackson in the Copy Room. Pencils are available from Ms. Rechner in the Records Office.

e. **Provisions for Students with Disabilities.** If a student has received accommodations for taking exams pursuant to Academic Regulation 3.7, they will take the midterm exam under those same conditions. Assistant Dean Lifter will notify you of any such students in your class.

f. **Rescheduling an Individual Student’s Exam.** If a student is unable to take the midterm at the scheduled time, s/he must make arrangements with Assistant Dean Lifter to reschedule the exam. No student may take the exam prior to the scheduled time; All rescheduled times will be after the regular exam time. This is consistent with our policy regarding final exams. See Academic Regulation 3.6.

g. **Word Counts on In-Class Exams.** Please see Word Counts under Final Examinations, infra.
h. Take-Home Exams. Please see Take-Home Exams under Final Examinations, infra. Unlike in the case of a Final Exam, no notice need be provided to Dean Lifter.

3. Final Exams.

a. Reading Period. Students are afforded a relatively short reading period between the last day of classes and first day of final exams. Therefore, this period cannot be used to makeup classes or to give in-class or take-home exams. The reading period for each term is indicated on the master Course Schedule available in the Student Services Center and on our website at www.law.csuohio.edu/current_students/academic_calendar.html.

b. Scheduling of Final Exams. Assistant Dean Lifter circulates a tentative schedule of Fall term exams along with the tentative course schedules in the Spring of the prior year. She circulates a tentative schedule for the Spring term exams during the Fall semester. Please review these immediately and let her know if you identify any problems or conflicts with the exam schedules.

If you plan to give a take-home exam, you must notify Assistant Dean Lifter by the ninth week of the term with the information identified under Take-Home Exams, infra.

c. Preparation of Final Exams. If you need help typing your exam, please allow at least five working days for typing and duplication, which will be taken care of by the word processing department through Laverne Carter, Office Manager. On the first page of the exam, please indicate the course name, number, section, instructor name, and semester; leave a blank for the student exam number—all of this will facilitate collecting exams at the end of the exam. Please number the pages of your exam so as to ensure each student has all pages of the exam.

You must complete the Exam Instruction Form for each exam you administer. See Appendix 16. Please make sure your instructions are complete because the proctor will rely on this document when proctoring your exam. If your exam is broken down into parts, please explain exactly how the exam is to be administered. If your exam has
multiple choice questions, you must specify whether students must use the blue (up to 5 choices for the answers) or green (up to 10 choices) scantron sheet. Also, please indicate whether copies of your exam should be given to the library (after the exam period) for inclusion in the online Past Exams (see infra at XI.E.6). If there are any questions about your instructions, someone will contact you before your exam.

So that we can be sure that we have all exams and complete instructions for the proctor before the start of the exam, we will need to have copies of your exam with instructions for the proctor at least 24 hours before the scheduled beginning time of the exam. This means that you cannot bring the exam in with you on the day of the exam. You must have the exam and instruction form copied in time for it to be delivered to Assistant Dean Lifter at least 24 hours before the scheduled start time. For example, if your exam is scheduled for Monday at 9 a.m., Jean Lifter must have the exam by Friday at 9 a.m. (As you can tell, we are not counting weekends in the timeframe.) You will need to give the exam to Ms. Carter sufficiently prior to that for her to have the exam copied. The exams are copied and secured so that no students have access to them prior to the exam.

d. **Exams Taken on Computer.** So many students prefer to take exams on computer that we will now assume that you will allow this option, unless we hear otherwise from you. Each semester the IT staff sends out an email explaining this policy and asking those who do not want to allow students to take exams on computer to inform the IT staff.

As a faculty member, preparing for a computerized exam is exactly the same as preparing for one written by hand. Both groups will receive printed copies of your exam questions. After the exam is completed, the computerized exams are printed by the law school’s technology department and are then delivered to Assistant Dean Lifter for distribution. If you want exams printed in large font or printed every other line, please inform the Automation Department prior to your exam date.

Students who can provide their own laptop computers are strongly encouraged to do so. However, students who do not have their own laptop computers may request the use of one of the law school owned laptops, subject to availability. If demand exceeds supply, the
available laptops will be assigned via a lottery. This lottery will be held before the examination period so that students who wish to use a law school owned laptop will know whether or not one will be available to them. Thus far, we have had enough computers for student use and have not had to use the lottery system.

e. **Word Counts on In-Class Exams.** Now that most of us allow students to take in-class exams on computer, many have thought about how to convert blue books pages to word counts on the computer. In the 2008-09 academic year, the Teaching Committee researched this issue and made the following recommendation:

Among other approaches that might be taken, faculty at Cleveland-Marshall and other law schools have found success with simple page-to-words ratios for converting blue-book page limits to word limits for PC test takers. Based on our study, a fair estimate for the conversion would be to assume that each side of a single-spaced bluebook page contains between 250 and 300 words.

f. **Proctoring In-Class Final Exams.** Please see the Exam Procedures Memo attached as Appendix 15, which explains the specifics of our proctoring system. Proctors will be assigned to proctor your exam by Laverne Carter. During the proctoring of your exam, you must be available to answer any questions that may arise during or immediately after your exam is administered. You must either be in your office or provide Assistant Dean Lifter with a telephone number so that she is able to contact you immediately during you exam, if necessary.

You will be notified once your exams are ready for pickup from Assistant Dean Lifter. See the Section D of the Exam Procedures Memo (Appendix 15) for further information regarding picking up your exams.

g. **Rescheduling Exams.** The exam schedule is available to students before they register for classes each term and can be obtained online at www.law.csuohio.edu/currentstudents/course_and_examschedule/current_year_schedule. Students with two exams in close proximity may be able to reschedule one of the exams to a later date. See Academic Regulation 3.6(b). In such cases, Assistant Dean Lifter
will request copies of exams to administer. Full instructions as to timing, permitted resources, etc. must accompany all such exams. Occasionally students experience exceptional situations (personal illness, death in the family, and the like) preventing them from taking the exam at the scheduled time. If this occurs, Assistant Dean Lifter should be informed immediately; thereafter, the student will work directly with her to schedule a makeup date. In addition, a few of your students may take the exam separately from the rest of the class due to accommodations we make for students with documented disabilities. Students seeking special arrangements must formally submit documentation to Assistant Dean Lifter at least one month before the last day of classes to schedule their exams. She will notify you if we need exams for rescheduling purposes.

h. **Take-Home Exams.** Professors may utilize take-home exams to measure the students' comprehension of the course materials. Certain caveats accompany this type of exam. You must tell Assistant Dean Lifter by week nine of the semester (1) that you will give a take-home exam and (2) who will distribute and collect the exams. You must give students very specific directions as to when the exams will be available, what resources they can consult in preparing their answers, and the date (including a specific time) their answers are due. Take-home exams may not be distributed or administered during the reading period. The reading period is set aside for students to study; giving exams during this time defeats this purpose. Take-home exams may be given only during the exam period. Mr. Payton may distribute and collect take-home exams. You must contact him well in advance to make appropriate arrangements and must provide him with any exam materials and a completed Take-Home Exam Form (provided in Appendix 18 and available online on the Faculty Resources page). The library will not assist in the administration of take-home exams.

4. Grades

a. **Grading Guidelines.** You will receive memoranda each term covering the grading procedures at Cleveland-Marshall. We have an anonymous grading system and an academic policy that states all courses "shall be graded in a responsible and professional manner.” Faculty meeting minutes, April 28, 1988. The policy also states:
[I]t is expected that all first-year core courses, all Perspective courses with twenty or more students, and all upper-class courses which are either required for graduation or recommended for the bar examination, shall be graded on the basis of a reasonable distribution of grades across the various grade categories. The advisory guidelines currently in effect shall serve as prima facie evidence of what constitutes a reasonable distribution, respectively, in the first year and at the upper levels; the upper-level advisory guidelines shall apply to Perspective courses. As heretofore, the Dean will have discretion to disallow any course grades which do not reflect a responsible and professional system of grading.

The grading guidelines (new in Summer 2008) are as follows:

<table>
<thead>
<tr>
<th>Grade</th>
<th>REQUIRED CORE CURRICULUM GUIDELINES FOR CONTRACTS, CIVIL PROCEDURE, CRIMINAL LAW, PROPERTY, TORTS &amp; LEGISLATION AND THE REG. STATE</th>
<th>GENERAL GRADING GUIDELINES FOR OTHER LAW COURSES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>STANDARD %</td>
<td>RANGE PERMITTED %</td>
</tr>
<tr>
<td>A</td>
<td>10</td>
<td>8-12</td>
</tr>
<tr>
<td>A-</td>
<td>10</td>
<td>8-12</td>
</tr>
<tr>
<td>B+</td>
<td>11</td>
<td>9-13</td>
</tr>
<tr>
<td>B</td>
<td>16</td>
<td>14-18</td>
</tr>
<tr>
<td>B-</td>
<td>10</td>
<td>8-12</td>
</tr>
<tr>
<td>C+</td>
<td>13</td>
<td>11-15</td>
</tr>
<tr>
<td>C</td>
<td>12</td>
<td>10-14</td>
</tr>
<tr>
<td>C-</td>
<td>5</td>
<td>3-7</td>
</tr>
<tr>
<td>D+</td>
<td>5</td>
<td>2-10</td>
</tr>
<tr>
<td>D</td>
<td>5</td>
<td>2-8</td>
</tr>
<tr>
<td>F</td>
<td>3</td>
<td>0-6</td>
</tr>
</tbody>
</table>

The Advisory Grade Distribution guidelines set forth the range—in terms of percentages—of As, B+s, Bs, etc. for each course. Grades fitting within the ranges are prima facie evidence of the reasonable grade distribution required by our academic grading policy. See Id. The ranges provide a certain amount of flexibility to the professor while also establishing uniform standards that prevent one professor from routinely awarding no grade lower than a B and another professor teaching the same course from refusing to give any grade.
higher than a C+. The Grade Distribution Form is available online on the Faculty Resources page.

After you have completed your grading, you must fill out and turn in to Marcie Rechner, our Records Officer, for every course, the Advisory Grade Distribution form on which you calculate the number and percentage of grades in each grade category. A copy of the Advisory Grade Distribution Form is attached as Appendix 18. (This form is provided to you with the grading memo at the end of each term.) The completed form must be reviewed and approved by Associate Dean Sundahl before the grades can be accepted by the school. Please indicate the high “A” in each class when you submit your grades as many honors and awards are based on these designations.

b. **Anonymity.** Student exams are graded anonymously. All precautions should be taken to protect anonymity. Students should be warned not to place their names or any other identifying marks on their exams. The anonymity of the grading process is facilitated through the use of exam numbers. Students fill out exam number cards at Student Records in the Student Services Center and deposit them in a box. The cards are compiled into a list matching students with exam numbers. Students use the same number for each exam they take at the end of a particular term. Students must, however, use a different number for midterm and final exams.

c. **Upper Level Writing Requirement and Courses Requiring Papers.** Obviously, no anonymity exists in courses where students write a paper rather than take an exam, since you work closely with individual students as they select their topics, prepare outlines, and submit various drafts to you for approval throughout the course. Cleveland-Marshall has specific criteria for student papers which satisfy the Upper Level Writing Requirement. See Appendix 6.

d. **Other Factors Affecting Final Grades.** Many professors base course grades solely on student performance on the midterm and/or final exam. Although an accepted practice, this should not be viewed as a limitation on the methods used to assess a student's performance in a class. For example, you can give more frequent exams or quizzes, require formal class presentations on particular subjects, assign writing and research projects, or base part of the grade on
general class participation. Three caveats are warranted. First, as previously noted, ABA accreditation standards require class attendance, so a student’s grade should not be adjusted upward for merely showing up for class. The grade can be adjusted downward for poor attendance, and you have the right to withdraw a student administratively from class if absenteeism becomes extreme. Second, you must state in your written syllabus provided to students at the start of the course the factors that will affect their final grades. Finally, you are highly encouraged to provide written feedback to students on their exams and other assignments explaining the reason for the grade you assign.

e. **Turning in Grades.** Your grades are due approximately 21 days from the Friday of the week your exam is given. We will notify you well in advance as to the exact date.

It is imperative that you turn your grades in on time. Late grades have a number of serious consequences apart from student anxiety about their grades. We cannot determine who keeps or loses their scholarships; we cannot determine who will be academically dismissed; we cannot determine who has satisfied their graduation requirements; we cannot provide the Ohio Supreme Court with the final law school certification of completion required for students to take the Bar; we cannot determine Dean’s List or class rankings, the latter of which affects the Law Review and Journal—knowing who has qualified for membership and who may participate in the write-on competition.

After you have graded your exams, give the list of exam numbers and corresponding grades to the Records Officer; she will return the list to you with the students’ names matched with their exam numbers. You can then make adjustments in the final grade for each student based on other criteria that you made known to your class in your syllabus, such as class participation and attendance. You then return the list of exam numbers, names and final course grades to the Records Officer for processing. Our Records Officer, Marcie Rechner, enters grades for each course into CampusNet. Due to security concerns, the Records Officer is able to post grades only at certain limited times. This means the grades you submitted might not be posted for several days.
f. **Grade Changes.** After you have finalized your grades, you may not change a student's grade unless you have made a computational error in the test score or final grade. In accordance with the Academic Regulations, you must submit a request to change a grade to the Academic Standards Committee, and you must provide an explanation of the computational error. See Academic Regulation 2.4(c). A student may also petition the Academic Standards Committee for a grade change. See Id at 2.4(d). Assistant Dean Lifter supervises the petitioning process and will provide additional information to students or professors upon request.

Once grades are posted, students may elect to change up to two certain elective course grades to a Pass, if they received a grade higher than a C-. See Academic Regulation 4.6.

g. **Incompletes.** A faculty member may give a student a grade of Incomplete if the student’s work has been satisfactory but the student, through no fault of her own, has not been able to complete the course work. See Academic Regulation 2.2. The course work must be completed, and a final grade submitted, no later than the last day of classes of the subsequent semester. This includes the summer term; so, if you give an I in the Spring term, you must submit a letter grade by the last day of classes in the Summer term. Id. If the course work is not completed, a grade of F will be recorded. Id. A student may seek an extension by petitioning the Academic Standards Committee.

h. **The Honor Code.** C|M|LAW has an Honor Code governing student conduct during examinations, while researching and writing papers, and in performing other school-related assignments. The Honor Code and the procedures for adjudicating possible violations are provided in the Student Handbook. It is advisable to direct your students’ attention to parts of the Code that are relevant to any assignment or exam you give. It is also important that you become familiar with the procedures for handling potential violations of the Code. The current version of the Student Handbook can be found at [https://www.law.csuohio.edu/currentstudents/resources/studenthandbook](https://www.law.csuohio.edu/currentstudents/resources/studenthandbook).

5. **Maintaining and Reviewing Student Exams and Papers.** Ms. Carter manages the law school system that provides students an opportunity to
review their exams in the Student Services Center during specific dates and times each semester.

After your grades are finalized, please submit your exams and papers to Mr. Payton at the Student Services Center reception desk. If you prefer students contact you directly to review their exam, please tell Mr. Payton so that he can inform inquiring students from your class. Obviously, exam reviews are much more valuable to students if you have provided comments on the exams as to strengths and weaknesses.

If you wish to review an exam personally with a student, please provide your course name and the student’s exam number to Mr. Payton or Ms. Carter, and they will provide the student’s exam to you. Please return the exam to Mr. Payton or Ms. Carter promptly.

Ms. Carter oversees the long-term storage of exams and papers. We retain exams and papers for two years. If you elect to retain your own exams for exam review purposes, you must retain the exams for two years or give them to Ms. Carter for storage.

6. **Past Exams Online.** The library maintains a secure webpage for posting past exams. See [https://www.law.csuohio.edu/lawlibrary/instruct#exams](https://www.law.csuohio.edu/lawlibrary/instruct#exams). Please consider placing your past exams online. When you submit your exam for copying, Ms. Carter will ask if you want your exam given to the library for this purpose. In addition, please consider putting the top A answer, or answer grid, online.

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**XI. FACULTY PERSONNEL POLICIES**

The "Green Book" is CSU’s official source of faculty personnel policies and bylaws. It includes the standards for promotion and tenure, leaves of absence (including Family Medical Leave Act), and sabbaticals. Although the law school faculty is not part of the bargaining unit, Green Book standards still apply to us. The most up-to-date version of the Green Book is at [http://www.csuohio.edu/organizations/facultysenate](http://www.csuohio.edu/organizations/facultysenate) (on right side of webpage, click on 8.0: **Personnel Policies and Bylaws**). In addition to the Green Book, the law school has its own policies and procedures regarding promotion and tenure. A copy of these may be obtained from the Personnel Action Committee Chair or at [https://www.law.csuohio.edu/facultystaff/pac](https://www.law.csuohio.edu/facultystaff/pac)
(click on Cleveland-Marshall Procedures and Criteria for Promotion and Tenure). Also at https://www.law.csuohio.edu/facultystaff/pac, you may click on Criteria, Standards, and Procedures for the Appointment of Non-tenure-track Clinical and Legal Writing Professors. If you have questions about the terms and conditions of your employment, please consult Budget Director Jeane H. White or Dean Boise.

## XII. OPERATIONS AND OTHER MATTERS

### A. Bylaws. In May 2009, the law faculty adopted Bylaws that govern membership and voting rights, faculty meetings, committees, and other related matters. A copy is attached as Appendix 13.

### B. Committees. Committees are an integral part of faculty governance, and the tasks they perform are critical to the law school operation. As part of the annual review, the Dean will solicit faculty committee preferences. Three standing committees are the Dean’s Faculty Advisory Committee, Faculty Affairs Committee (elected), and Personnel Action Committee. Other current committees are:

- Academic Standards
- Admissions
- Awards and Competitions
- Bar Exam
- Building
- Cleveland-Marshall Fund/Baker-Hostetler Chair
- Cleveland-Marshall Summer Research Grants
- Curriculum
- Faculty Appointments
- Graduate Studies, International Programs and Joint Degree Programs
- Honor Council
- Summer Teaching Grants
- Teaching
- Special Committee on Health Law Programming

Each fall the Dean provides each committee with a charge setting forth certain work that the committee should engage in. Faculty committees are free to set their own agendas and pursue activities that the committee
believes are within their purview. Each committee is expected to provide the Dean with a written progress report in December and May.

C. Consulting and Other Extramural Employment. In October 2008, the CSU Board of Trustees adopted a new policy that requires written preapproval by the Dean for certain kinds of work outside of the law school. A copy of the policy is attached as Appendix 14.

D. Counseling Center. The University Counseling Center assists faculty, staff and students who want to seek psychological counseling. It is advisable to schedule appointments in advance by calling extension 2277. Interviews are confidential. The Center is located in Rhodes Tower 1235.

E. E-Mail. Most law school communication is conducted by e-mail. All e-mail addresses at the law school (students, faculty, and staff) are in this format: firstname.lastname@law.csuohio.edu. You are responsible for checking e-mail on a regular basis for announcements and other communications. We have created internal listservs for convenience:

- **adjunct.fall@law.csuohio.edu**
  adjunct faculty members (to be used during the Fall Semester)

- **adjunct.spring@law.csuohio.edu**
  adjunct faculty members (to be used during the Spring Semester)

- **all@law.csuohio.edu**
  all law school personnel (excluding students and adjuncts)

- **clinicians@law.csuohio.edu**
  staff attorneys/clinical faculty in the law clinics

- **deans@law.csuohio.edu**
  law dean, associate deans and assistant deans only

- **faculty@law.csuohio.edu**
  tenured (including emeriti), tenure-track, legal-writing, clinical and visiting professors

- **faculty.fullprofessorpac@law.csuohio.edu**
  all tenured full professors

- **faculty.legalwritingandclinicalpac@law.csuohio.edu**
  composed of all current tenured professors, tenure-track professors, and legal writing and clinical professors with five-year appointments
• **faculty.tenuredpac@law.csuohio.edu**  
tenured professors

• **faculty.tenuredtenuretrack@law.csuohio.edu**  
composed of all current tenured and tenure-track professors

• **law.administration@law.csuohio.edu**  
law school professional staff, assistant deans, secretaries to the Dean and Associate Deans, Assistant Director for Public Service in the Library, and Director of Technology Services

• **law.staff@law.csuohio.edu**  
law school civil service staff

• **legal-writing@law.csuohio.edu**  
legal writing faculty

• **library.staff@law.csuohio.edu**  
law library professional and civil service staff

• **research.services@law.csuohio.edu**  
research services librarians

• **faculty.services@law.csuohio.edu**  
faculty services staff

• **students@law.csuohio.edu**  
current law students

For the most recent version of our email lists, please see [https://www.law.csuohio.edu/lawlibrary/technology/emaillists](https://www.law.csuohio.edu/lawlibrary/technology/emaillists).

**F. Campus Net.** Campus Net is the CSU online site on which you can access information about yourself and your students. The site is easily accessible from bottom of the law school home page by clicking on Campus Net. Follow the instructions on Campus Net for how to log on. For information about students in your class, look under the Instructor tab. See Class Roster supra at XI.C.1. for details.

Campus Net also contains your personal contact information (address, phone numbers, emergency contact numbers) that CSU uses to send you information. You can change that information online once you have accessed your Campus Net account.

**G. Fax.** The fax machine (216-687-6881) is located behind the Student Services Center reception workstation. Incoming faxes will be placed in
your mailbox. Cover sheets for outgoing faxes are available next to the fax machine. Please see Mr. Payton if you need assistance.

H. Faculty Meetings. Regular faculty meetings are scheduled once a month, usually on Thursday at 4:00 p.m. in the Faculty Presentation Room, LB 60. Additional meetings are called as needed. Faculty attendance is expected, so you must inform Holli Goodman (x2300) if you are unable to attend. We welcome attendance and participation by adjunct faculty. With the exception of executive sessions, faculty meetings are open to the public.

I. Health Services. The Health and Wellness Services Department is located in the Science & Research Building, Room 153. To make an appointment, please call 687-3649. See http://www.csuohio.edu/offices/health/.

Hours of operation are: Monday & Tuesday 8:00 a.m. to 5:30 p.m. and Wednesday through Friday 8:00 a.m. to 5:00 p.m. The clinic is staffed by nurse practitioners and a physician who are qualified to discuss your health history, perform physical examinations, and provide for your care. There is no charge for most visits. A minimal charge may be assessed for medications, laboratory tests, and physical exams.

If a patient’s injury or illness cannot be treated on campus, the patient may be taken to St. Vincent Hospital by University Police officers if available at the time. Serious cases are attended and transported by Cleveland Medical Emergency Service. The Emergency Service is available to the University Police Department through radio contact. The University Police extension is 2020.

J. Identification Cards. CSU Faculty ID cards can be obtained at the CSU Vikingcard Office, located in Room 112 of Main Classroom. You do not need an appointment to get your card issued, but you should take another piece of photo identification and a copy of your teaching contract. The CSU Faculty ID card entitles you to discount tickets to athletic events and other benefits such as free use of CSU’s recreational facilities, and allows you to check books out of the law and university libraries. For more information, call extension 9888.

K. myTime/myPay. The University uses an online program for recording and reporting compensation and sick and vacation days (myTime). Faculty are expected to record sick days on their myTime tables. See
http://mycsu.csuohio.edu and click on Employee Self Service on the right margin to access myTime.

L. Parking. The 17th-18th Garage (Lot WG) is located between Chester and Euclid with the entrance on East 17th Street; it directly connects to the law school via an elevated, enclosed walkway through the business school. There is a slightly closer garage south of Chester (Lot PF) with entrances on East 19th and East 21st Streets. Appropriate parking passes are required to park in certain garages on campus. If you have not already received a packet of information from Parking Operations, please contact them at extension 2023.

M. Receiving Mail at the Law School. Mail can be sent to you at the university's mailing address: Cleveland State University, 2121 Euclid Avenue, LB 138, Cleveland, Ohio 44115-2214. Mail addressed to faculty as well as memos and other items distributed by C|M|LAW personnel will be placed in a mailbox assigned to you in the Student Services Center behind the reception desk. **NOTE:** In order to receive overnight or other express mail, you must use the actual street address of the law school: 1801 Euclid Avenue, LB 138, Cleveland OH 44115.

N. Secretarial Services. Full-time faculty are assigned a specific staff member to provide secretarial support. The Word Processing Unit is located in the first floor support area near the copying center (LB 115).

O. Security. Due to our urban setting, you should be alert to possible security problems. Always keep your valuable belongings out of sight in your office, and do not leave your office door open or unlocked when you are not in your office. Be careful walking around campus in the evenings. You can request an escort to walk you to your car by calling extension 2020 on a campus phone. Please note that your phone is equipped with a quick-dial “911” button.

P. Supplies. You may obtain office supplies from Mr. Jackson in Support Services, LB 116.

Q. Building and Physical Plant Issues. When a problem occurs in the building and requires attention, you can call the Physical Plant Dispatch telephone number, X2500, to report the problem. Their hours are 7:45 am to 5:00 pm each day. After 5 pm, you must contact the CSU Police Department, X2020, and they will contact the proper department on campus.
to address your problem. There is someone on duty in each department during the evening hours and the Police department will contact them for you. You can also call Sandra Natran with your building problems during normal working hours, who will contact Physical Plant for you or initiate a Service request form if your request requires specific attention by a certain department; such as painting an office, carpentry work, or moving items.
Appendix 1

Cleveland-Marshall College of Law
Statement on Professional Ethics and Academic Responsibility

The basic functions of the University are the advancement and dissemination of knowledge, the development of critical intelligence in the young, and the education of citizens and professional workers for the society of which the University is a part.

The indispensable condition for the successful discharge of these functions is an atmosphere of intellectual freedom. Unless he or she is free to pursue the quest for knowledge and understanding, wherever it may lead, and to report and discuss the findings, whatever they may be, the University faculty member cannot properly perform his or her work. It is imperative, therefore, that the University maintain an atmosphere of intellectual freedom and that faculty members uphold that freedom by their own actions. To make that freedom operational, it is equally imperative that the University establish democratic mechanisms for meaningful faculty participation in the governance of the institution.

Freedom entails responsibilities. It is incumbent upon the faculty member to accept the responsibilities which are concomitant with the freedom he or she needs and, for the most part, enjoys. Those responsibilities are: (1) to students, (2) to scholarship, (3) to colleagues, (4) to the University, and (5) to the larger community which the University serves.

A) Responsibilities to Students

As teachers, faculty members have the responsibility for creating in the classroom or laboratory and in relations with students a climate that stimulates and encourages the students’ endeavors to learn. To the best of their ability, exemplify high scholarly standards, and respect and foster the students’ freedom to choose and pursue their own goals.

Regardless of rank or position, the instructor of record is required to file with the department and to provide each student with a course syllabus specifying at a minimum:

a) the instructor’s office and phone number

b) the instructor’s office hours

c) the basis for determining the student’s grade

Adequate supporting documentation regarding student performance should be continually maintained. Any changes to items a) through c) should be provided to

Adopted by the faculty on January 17, 2008. This Statement is derived primarily from Cleveland State University’s Greenbook § 8.1.14 (Attachment C to 8.1).
the student in writing. Documentation shall be maintained for one semester.

Refusal to fulfill this responsibility after reasonable warnings and an opportunity to rectify the condition is cause for the Dean to recommend that the Chief Academic Officer initiate the procedure for sanctions.

1) The faculty member has the obligation to make clear the objectives of the course or program, to establish requirements, to set standards of achievement, and to evaluate the student's performance.

2) The faculty member has the responsibility to meet classes as scheduled and, when circumstances prevent this, to arrange equivalent alternate instruction.

3) The faculty member has the responsibility to teach courses in a manner that is consistent with the course description and credit published in the catalogue and with the announced objectives of the course.

4) The faculty member owes to the student and the University a fair and impartial evaluation of the student's work. Such evaluation should be consistent with recognized standards and must not be influenced by irrelevancies such as religion, race, sex, or political view, or be based on the student's agreement with the teacher's opinions pertaining to matters of controversy within the discipline.

5) Every student is entitled to the same intellectual freedom that the faculty member enjoys. The faculty member must respect that freedom. He or she may not impose restraints upon the student's search for or consideration of diverse or contrary opinion. More positively, the faculty member has an obligation to protect the student's freedom to learn, especially when that freedom is threatened by repressive or disruptive action.

6) The faculty member has obligations as intellectual guide and counselor to students. He or she has a responsibility to be available to students without undue delay. In advising students, he or she should make every reasonable effort to see that information given to them is as accurate as possible. The progress of students in achieving their academic goals should not be thwarted or unduly retarded because a faculty member has neglected obligations as advisor and counselor.

7) Faculty members should conduct themselves at all times so as to demonstrate respect for the student. They should always respect the confidences deriving from the faculty-student relationship.

8) The faculty member must avoid exploitation of students for personal advantage. For example, in writing and oral presentations, he or she makes due acknowledgement of their contributions to the work.
B) Responsibilities to Scholarship

The faculty member's responsibilities to scholarship derive from the University's commitment to truth and the advancement of knowledge. Furthermore, society has a vital state in maintaining the university as an institution where knowledge can be sought and communicated regardless of its popularity, its political implications, or even its immediate usefulness. The faculty member has an ethical responsibility both to make full appropriate use of that freedom in teaching and research and to guard it from abuse.

More specifically:

1) Faculty members are committed to a lifetime of study. Although no one can know everything, even about a limited subject, they must constantly strive to keep abreast of progress in their field, to develop and improve scholarly and teaching skills, and to devote part of their energies to the extension of knowledge in their area of competence.

2) The faculty member has the responsibility of being unfailingly honest in research and teaching, refraining from deliberate distortion or misrepresentation and taking regular precautions against the common causes of error.

3) In order to maintain or increase their effectiveness as a scholar, faculty members may find it advantageous to assume certain obligations outside the university, such as consulting for government or industry, or holding office in scholarly or professional societies. Such activities are appropriate in so far as they contribute to their development as a scholar in the field, or at the very least, do not interfere with that development. On the other hand, acceptance of such obligations primarily for financial gain, especially when such activities may be incompatible with the faculty member's primary dedication as a scholar cannot be condoned.

C) Responsibilities to Colleagues

As a colleague, the faculty member has obligations that derive from common membership in the community of scholars. He or she respects and defends the free inquiry of associates and avoids interference with their work. In the exchange of criticism and ideas he or she shows due respect for the rights of others to their opinions, refraining from personal vilification. He or she acknowledges contributions of others to the work. When asked to evaluate the professional performance of a colleague, the faculty member strives to be objective.

D) Responsibilities to the Institution

The faculty member's primary responsibility to his or her institution is to
seek to realize maximum potential as an effective scholar and teacher. In addition, the faculty member has a responsibility to participate in the day-to-day operation of the University. Among the faculty member's general responsibilities to the University the following may be particularly noted:

1) When acting or speaking as a private person, the faculty member should make clear that the actions and utterances are entirely his or her own and not those of the University.

2) The faculty member must never attempt to exploit his standing within the University for private or personal gain. He or she may, on appropriate occasions, cite his connection with the University, but only for purposes of identification not permitting the impression to prevail that the University in any way sponsors any of his private activities.

3) University facilities, equipment, supplies, etc., must never be used for personal or private business.

4) A faculty member has the duty to ensure that the regulations of the University are designed to achieve the University's goals as well as being in accord with the principles of academic freedom. Recognizing the importance of order within the institution, the faculty member observes the regulations of the University, but in no way abdicates the right to attempt to reform those regulations by any appropriate orderly means.

5) Effective faculty participation in the governance of the University promotes academic freedom and the goals of the institution. Each faculty member should take part in the institution's decision-making processes to the best of his or her ability and should accept a fair share of the faculty's responsibilities for its day-to-day operation.

6) During periods of disturbance or high tension on campus, a faculty member should do everything possible to prevent acts of violence and to reduce tension.

7) A faculty member determines the amount and character of the work and other activities he pursues outside his responsibilities within the University and his primary loyalties to it.

E) Responsibilities to the Community

As a member of the community, the faculty member has the rights and obligations of any citizen. These include the right to organize and join political or other associations, convene and conduct public meetings, and publicize an opinion on political and social issues. However, in exercising
these rights, the faculty member must make it clear that he or she does not speak for the University, but simply as an individual. The faculty member does not use the classroom to solicit support for his or her personal views and opinions.

Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions on the other. If such conflicts become acute, and the faculty member's attention to obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, he or she cannot escape the responsibility of that choice, but should either request a leave of absence or resign the academic position.

F) Service to the Legal Profession

Faculty members are encouraged to work with the practicing bar and judiciary to improve the profession.

G) Service to the Public

Faculty members are encouraged to engage in pro bono and other public service activities.

H) Annual Evaluation Process

The law school will evaluate, on an annual basis, the extent to which faculty meet the criteria specified in (A)-(G) above through the annual reports that faculty members complete and submit to the Dean. The Dean will review these annual reports and discuss them at individual conferences with each faculty member. Pursuant to ABA Standard 404(a), faculty members need not meet these criteria uniformly.
APPENDIX 2

Cleveland-Marshall College of Law, Cleveland State University
Policies on Standard Teaching Schedules, Variances, and Course Releases

1. Standard Teaching Schedule. The standard teaching requirement for legal writing, tenured and tenure track faculty is two courses in the fall semester and two courses in the spring semester, typically totaling 11 to 13 credit hours.

The teaching load for a faculty member who teaches four courses totaling 14 or more credit hours in one academic year (exclusive of summer teaching for which additional compensation is received) may be set, at the discretion of the Dean, at three courses the following year, provided that the three courses total 10 or more credit hours.

Rationale: CSU Personnel Policies and Bylaws, also known as the Greenbook, do not set a standard teaching load for non-bargaining unit tenured or tenure-track or for legal writing professors. Cleveland-Marshall’s two course per semester, 11-13 credit hours standard is consistent with other schools. For example, Toledo, Capital, Ohio Northern and Cincinnati require four courses per year. Case and Ohio State each require three courses a year. Harvard requires 10 hours a year with “generous release time.” Other CSU faculty generally teach 16-24 credit hours per AY.

Cleveland-Marshall classes taught by tenured, tenure track and legal writing faculty generally range from 2 to 4 credit hours. In some instances (such as seminar courses) faculty can choose to teach a course for either 2 or 3 hours. In other courses the credit

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2 Adopted by the faculty May 8, 2008. Except where otherwise noted, the proposed standards apply to legal writing and clinical professors as well as tenured and tenure track faculty. “Academic year” (AY) as used in these proposals excludes the summer term.

3 Article 13.1 of the CSU AAUP Collective Bargaining Agreement governs faculty workloads. It provides at §13.1D: “The teaching load for faculty shall range from 8 – 12 credit hours per term or 16 – 24 credit hours per academic year. Faculty reassigned to professional activities other than instructional activities may have their instructional load reduced below these levels. Faculty who are active in productive and assessable scholarship/research/creative activity, and/or University or professional service (including service to the community) shall normally be assigned responsibility for 8 credit hours per term. Faculty may be assigned a higher load if their teaching assignments involve less than full responsibility for a course (e.g., team-teaching assignments, laboratory monitoring, supervision of interns, etc.) or if they concentrate primarily on instructional activities rather than participating significantly in productive and assessable scholarship/research/creative activity, and/or University or professional service (including service to the community). . . . The maximum teaching load for a faculty member shall be 12 credit hours per term.” In general, CSU faculty members who publish regularly teach five courses an AY, but as the above language indicates, faculty may be assigned more or fewer than five courses based on other professional commitments. The average credit hours per course vary among colleges and departments. For example many Business Administration and Civil Engineering courses are 3 credit hours, while Psychology and Biology classes are usually 4 credit hours. Introductory, specialty courses and courses with laboratory components range from 1 to 7 credit hours. On average, however, other CSU colleges offer more 4-credit hour courses than we do.

4 Students participating in a clinic can register for 2 to 5 credit hours per semester; externs can register for 4 to 6 credit hours.
hours are set (for instance first year courses that are 3 credits in the fall and 2 in the spring).  

Due to the wide range of credit hours per course, a professor’s usual four course schedule might exceed the typical credit hour standard of 11-13 credit hours on a regular basis. In other instances a professor may be asked to pick up an additional course due to the unavailability of the faculty member originally scheduled to teach that course. If either scenario results in a professor teaching 14 or more hours in a particular year, exclusive of any credit hours for which additional compensation is received, the dean and the faculty member teaching the overload may negotiate a downward adjustment from the standard four course schedule the following academic year. This adjustment does not require a formal application as provided in §6. The name of any faculty member who negotiates such an adjustment is not included in the list of faculty receiving a course release or variance published by the Dean pursuant to §7.

This standard is not applicable to Cleveland-Marshall clinical professors. Clinicians contract to teach a particular clinical course each year (e.g. Employment Law Clinic, Urban Development Law Clinic) which involves a seminar component and significant work with students, but the contract does not describe these professors’ obligations in terms of credit hours.

2. Variance to Standard Teaching Schedule. A faculty member may request a variance from the standard two-courses per semester teaching schedule. For example, Professor A could apply to teach three courses in the fall semester and one course in the spring semester. Professor B could apply to teach two courses in the fall, one in the spring and one in the summer term, provided that no additional compensation is received for teaching the summer course.

The request for a variance is subject to application process set forth in §7 below and to the limitations in §6 below.

Rationale: This type of schedule flexibility has been individually negotiated by certain faculty members but has never been identified as an option available to all faculty members. It is beneficial to individual professors and to the law school to allow flexibility in scheduling. In addition, this system might encourage more people to teach in the summer.

3. Course Release. A faculty member may apply for a one-semester, one-course release if other substantial professional commitments, such as chairing a major university or law school committee, working on a significant publication, assuming a

5 Legal Writing and Civil Procedure are 6 hour courses (divided into two, 3-hours courses taught by the same instructor). Property, Torts and Contracts are 5 hours (divided into a 3 hour fall course and 2 hour spring course taught by the same instructor). Evidence, Estates & Trusts, Corporations, Tax I, Tax II, and Land Use Control (for JD/MUPDD students) are 4 hour courses. Many classes are offered for 3 credit hours, although most third-semester writing classes are 2 credits, and professors often elect to teach seminar courses for two rather than three hours. Some courses including First Amendment and Legal Profession are offered for 3 credits during the AY and for 2 credits in the summer. [Note: The nature of first-year courses has changed upon semesterization of these courses pursuant to curricular reform implemented in 2012.]
particularly burdensome teaching load, or a combination of these or similar professional commitments place significant demands on the faculty member’s time and the Dean determines that a course release is in the law school’s best interests. See §7 below for application process.

_Rationale:_ Teaching releases have been awarded in the past for a variety of reasons on an ad hoc basis. There has been no formal application procedure and no clear criteria for such releases. While not limiting the discretion of law school administrators to grant or deny course releases in any particular case, this standard is intended to make all faculty aware that course releases are available and to identify some of the situations that have justified past releases. This negotiated process also appears consistent with that used in other CSU colleges governed by the CBA. See FN 2 for details.

In considering whether a “particularly burdensome teaching load” justifies a release, the Dean will generally consider a number of factors. These include the number of students in the professor’s classes, the nature and quantity of feedback mechanisms and assignments the professor incorporates into his or her courses, the level of preparation required for the courses and other relevant factors.

4. **Tenure-Track Faculty.** Untenured tenure-track faculty who commence their teaching careers at Cleveland-Marshall are usually allowed two course releases prior to the semester in which they are reviewed for tenure. Generally a new faculty member takes the first course release during the first two years and the second release in the year before being reviewed for promotion and tenure. This release time is negotiated by the faculty member and Dean and does not involve the formal application procedure set forth at §7 below. A faculty member should, however, include this request in the teaching preference form submitted by faculty each year.

Untenured lateral hires are not governed by this provision, but may negotiate pre-tenure course release(s) with the Dean.

_Rationale:_ This is a codification of current practice. The release time allows new faculty time to work on teaching and scholarship and generally become acclimated to academia. This standard does not apply to clinical or legal writing faculty. It does not automatically apply to tenure-track lateral hires who are untenured, but those individuals may negotiate with the Dean for one or more course releases as a condition of employment.

5. **Professorships.** Faculty members who hold a named professorship may apply for a one-course release each academic year in exchange for a reduced financial stipend. The faculty member should include this request in the teaching preference form submitted by faculty each year. The form must be submitted by the identified due date and is not subject to the application process set forth in §7 below. [Note: The Dean’s policy regarding course releases for named professors may have changed. Please check with the Dean.]

_Rationale:_ This is a codification of the professorships standards.
6. Relationship to CSU Professional Leave Policies. Absent extraordinary circumstances, a faculty member may not use any of the mechanisms described above, either alone or in combination, to obtain a complete teaching release for either a fall or spring semester. Such releases must be generally obtained pursuant to university policy and procedures for professional leaves (i.e. sabbaticals) set forth in §8.1.8.A.3 of CSU’s Personnel Policies and Bylaws (i.e. the “Greenbook”).

*Rationale:* Our obligations as Cleveland-Marshall law professors are not limited to teaching and scholarship. Service to and involvement in the law school and university communities are core components of our professional responsibility throughout the academic year. Faculty with no teaching responsibilities during either the fall or spring may be tempted to disassociate from the law school and university during that semester, thereby unilaterally transforming teaching release time into a professional leave. This transformation arguably usurps university professional leave policies governing “Leaves with Pay” (i.e. sabbaticals) under §8.1.8.A.3, which must be obtained through the application process set forth at §8.1.8 C.

An exception for “extraordinary circumstances” is included to allow reconsideration of the application of this general policy in a compelling case. For example, a professor who receives a Fulbright or similar grant or other unique opportunity for professional development that provides no significant financial remuneration may be able to obtain a release from teaching and perhaps all other law school responsibilities without meeting all the university requirements for a professional leave.

7. Application Process for Course Release or Variance. A faculty member seeking a variance from the usual two-course per semester schedule under §2 or a course release based on substantial professional commitments explained in §3 should submit a written application to the Dean and the Associate Dean in charge of course scheduling. The application is due when the Associate Dean solicits faculty teaching preferences for the upcoming academic year. The application should explain the reason for the request and not exceed two typed pages. If a course release is sought based on substantial professional commitments, the application should also identify and briefly explain all course releases and professional leaves the applicant has received during the proceeding five years.

At the completion of a semester in which a faculty member has received a course release due to substantial professional commitments, the recipient shall submit a brief report to the Dean reporting on the faculty member’s activities during that semester.

*Rationale:* In past years, some faculty members have submitted formal written applications for course releases while others have secured releases through informal discussions with the Associate Dean in charge of scheduling or the Dean. Some faculty

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6 See Greenbook, §8.1.2.A.1.c

7 Under CSU by-laws that govern law school operations, all “Extended leaves [that] last more than five weeks … must be approved in accordance with Section 8.1.8(C)” of the Greenbook.
members submitted requests well in advance of the affected semester and some asked to
be released long after the course schedule has been finalized. This proposed application
process is modeled after that used for summer research and teaching grants. It is designed
to impose a minimal burden on the applicant, while also providing timely notice to the
Associate Dean and Dean of the faculty member’s request and sufficient information on
which to evaluate the request.

The requirement that a faculty member who receives a teaching release because of other
substantial professional commitments report on his/her activities at the end of the
semester ensure accountability similar to that required when other law school benefits are
received, such as an official professional leave or a summer teaching or writing grant.
This report is not required of a faculty member who holds a professorship or a faculty
member who has obtained a teaching release by redeeming banked hours.

8. Decisions on Applications. The Dean shall make the final decision on all
applications for course releases and adjustments to standard teaching schedules
based on the recommendation of the Associate Dean in charge of course scheduling.
Decisions on course scheduling are not subject to faculty review.

The Dean shall publish a list at the beginning of each AY of faculty members who have
been granted a teaching release or variance for that year. The Dean may exercise
discretion to omit a faculty member from the list if the release was granted for personal
rather than professional reasons.

Rationale: Creating a course schedule that satisfies students, faculty, and our accrediting
agencies is a daunting task. The Dean and the Associate Dean in charge of scheduling are
in the best position to evaluate the individual requests of faculty members in light of
larger institutional concerns such as course coverage and equitable workload distribution.

Moreover, principles of faculty governance empower the faculty to establish and revise
the curriculum and approve the content of specific courses. The task of assembling a
comprehensive course schedule each academic year does not fall within faculty
governance powers, but is relegated to law school administration.

The requirement that the Dean publish a list of faculty members whose applications were
approved is intended to increase the transparency of the system. The Dean does not have
to provide the rationale for the decision.
I. A faculty member of the College of Law applying for Graduate Faculty membership must have demonstrated scholarship through publication within the preceding five years of:

A. two works from the following categories:

   (1) an article or a substantial and substantive book review essay published in a law review, or
   (2) a law-related article published in a scholarly journal of other disciplines or as a chapter in a book, or
   (3) a Uniform Law, Model Statute, Restatement, or American Law Institute Reporter's Study or equivalent work of which the candidate was a principal;

or,

B. a substantive book or monograph, treatise, or textbook or casebook containing significant original substantive material.

II. A faculty member of the College of Law applying for a renewed term on the Graduate Faculty must have demonstrated scholarship as defined in Section I (above) accomplished since the beginning of the member's last term of membership on the Graduate Faculty.

The Graduate Faculty application Guidelines and our college Criteria can also be found on the university's web page at:

http://www.csuohio.edu/gradcollege/faculty/membership/application_guidelines.pdf

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8 College of Law Criteria for Membership on the Graduate Faculty (as enacted by Graduate Council on December 12, 2005)
APPENDIX 4

NEW COURSE PROPOSALS

MEMORANDUM

TO: Persons Interested in Proposing a New Course at Cleveland-Marshall College of Law

FROM: Phyllis L. Crocker, Professor of Law and Associate Dean for Academic Affairs

RE: New Course Proposals

DATE: 11 November 2008

Individuals interested in teaching a new course at Cleveland–Marshall must present a proposal to the Curriculum Committee for its approval. Proposals must be submitted no later than the end of the second week of classes in the semester prior to the one in which you wish to teach the course. If the Committee approves the course, the Dean’s office will determine, in consultation with the individual, if and when the course may be offered.

The proposal must contain the following: a complete description of the proposed course, including the subject matter and goals of the course, the number of credits sought, the basis for assigning a grade in the course. It is advisable to include the proposed textbook, a tentative syllabus, and list of readings.

In deciding the number of credit hours, consider the scope of the course as well as the class meeting times. In the fall and spring semesters, two credit hour courses typically meet once a week for one hour forty minutes; three credit hour courses typically meet twice a week for one hour fifteen minutes per session, a three credit hour course could also meet once a week, on a Saturday for example, for two and one-half hours. A seminar or other upper level course that requires preparation of a ULWR paper (see attachment D) may meet for the hours required for a two credit course while offering the course for three credits.

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9 This memo is based on an April 19, 2004 memo from Peter Garlock, Chair of the Curriculum Committee to the faculty, and has been supplemented as policies have changed.

10 A professor may also permit students to take a seminar or upper level course for two credits if a student does not write a paper satisfying the ULWR and for three credits if a student writes a paper satisfying the requirement.
In the summer term, a two-credit course meets twice a week for one hour forty minutes; a three-credit course meets three times a week for one hour forty minutes, or twice a week for two and one-half hours. The summer term is only seven weeks long, hence the longer class times.

Depending on the type of course, you may also want to consider whether it satisfies our criteria for designation as an administrative law course (see Attachment A) criteria, as a perspective course (see Attachment B), as a seminar (see Attachment C) or a skills course (see Attachment E). If so, your description must include a statement of how the course will satisfy that requirement. [Note: The administrative law designation has been deleted in accordance with curricular reforms adopted in 2012.]

In deciding the basis for assigning a grade in the course you have a number of options to consider: a final examination (in-class or take-home), a final paper, a series of small papers or quizzes, group or individual presentations, or a combination. In addition you might want to count class participation as part of the final grade, or if students will participate in group exercises, you will want to decide how to grade those. You must identify your basis for assigning grades in the course.

If you decide that you want students to submit a paper, you may consider whether you want the paper to count toward satisfying the Upper Level Writing Requirement (see Attachment D). Each student must complete the ULWR in order to graduate. Typically, students satisfy the ULWR through independent study with a faculty member or a seminar. If you want the course paper to satisfy the ULWR you must explain how you will accomplish that.

If the Committee votes to approve the course, the course shall be approved on an experimental basis. The Spring or Fall semester after teaching the course the instructor shall inform the Committee whether the course should be adopted permanently. In the absence of a request for permanent approval, the course shall be dropped from the curriculum. An instructor seeking permanent approval shall provide the Committee with a statement indicating why the course is successful enough to be continued, a syllabus for the course, a list of readings if possible, whether and how the course has changed from its original conception, and anything else relevant to the committee’s decision. At that point the Committee shall decide whether the course shall be adopted on a permanent basis or discontinued. The Committee shall report that decision to the faculty. Unless there is faculty objection, the course shall become a permanent part of our law school course offerings and shall be added to the Student Handbook.

For good cause an instructor may seek approval of the Committee to teach the course a second time as an experimental course before requesting approval as a permanent course.
ATTACHMENT A

DESCRIPTION OF, AND CRITERIA FOR, THE PERSPECTIVE COURSE

The basic goal of a perspective course is to provide students with a viewpoint on the nature and function of law that is different from traditional doctrinal analysis of American law, whether that analysis involves cases, statutes, codes, constitutions, or other traditional sources of law. A perspective course should help students understand how law shapes and is shaped by forces outside the legal system, including such forces as economics, politics, culture, ideas, society, and religion. Many students come to law school with deficient training in the humanities and social sciences, and a perspective course may help them understand how other disciplines illuminate the study of law. Students can also gain understanding of how our legal system works by studying another legal system or body of law, or by studying the theory or history of law.

It is important to note what a perspective course is not. The course is not intended to be a study of a traditional law subject that incidentally draws on the methodology of another discipline. It is not intended merely to investigate a specialized area of law or the law as it applies to a particular group of people. The course is not designed merely to provide an introduction to the institutions of American government, including courts, or to methods of legal analysis. Such courses, while important and useful, do not provide the kind of broadening experience that forces students to reflect critically on the nature of law or legal institutions.

Criteria

A perspective course should meet one of the following criteria:

1. A study of the theory of law, including courses that examine theory from a critical perspective.

2. A study of the history of law and legal institutions.

3. A study of law with the primary focus on the methodology of another intellectual discipline, such as economics or social science.

4. A study of the law of another legal system, for example, national, regional, international, or religious. Such courses should, where possible, have a focus that enables students to compare American law and legal institutions with those of other arenas.

Approved by the faculty on May 17, 2001.
ATTACHMENT B

CRITERIA FOR DESIGNATION OF A COURSE AS A SEMINAR\(^\text{12}\)

1. A seminar is a small class, enrollment in which should normally not exceed fifteen students, that is designed to examine intensively a single topic or a limited range of topics within a general area of law. A seminar is not designed to offer a comprehensive survey of a field of law.

2. A seminar is designed to foster maximum interchange in discussion between students and instructor and among students.

3. A seminar shall require a substantial paper or equivalent written product.

4. A grade in a seminar may be based entirely on the paper, or on some combination of a paper, class participation, final examination, or other relevant factors.

5. A seminar may be given for two or three credits.

\(^{12}\) Approved by the faculty on Oct. 21, 2004.
ATTACHMENT C

UPPER LEVEL WRITING REQUIREMENT

The purpose of the Upper Level Writing Requirement is to have each student undertake at least one rigorous writing experience prior to graduation, in addition to Legal Writing, Research and Advocacy (L504) and the third semester of legal writing. Although the focus of this requirement is writing skills, effective legal writing requires application of the broad spectrum of skills essential to effective lawyering generally. Thus, research, analysis, and organization are important components in the preparation of any quality product of legal writing. For this reason, the goal of the Upper Level Writing Requirement is to require each student to demonstrate his or her ability to apply each of these skills in producing one substantial, cohesive piece of legal writing prior to graduating from law school.

1. Students may satisfy this requirement by completion of any one of the following:
   
a. A seminar for which a paper is required;
   
b. A specially designated upper level course for which a paper is required or offered for writing credit; or
   
c. An appropriate two or three semester-hour Independent Legal Research (L860) project.

2. The Upper Level Writing Requirement is satisfied by the completion of a paper, brief, casenote, or other piece of legal writing that combines writing, research, analytical and organizational skills into one substantial written product under the direction of a faculty supervisor. As a general rule, “faculty supervisor” means full-time tenured or tenure-track faculty member, full-time legal writing professor, or full-time clinical professor.

3. What constitutes a “substantial” written product is left to the discretion of the instructor, subject to review by the Curriculum Committee at the time the course is submitted for approval.  

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13 The Upper Level Writing Requirements were approved by the faculty in November 1997 and amended in May 1999.

14 Please note the following as a point of comparison for courses other than Independent Research in which a student may satisfy the ULWR:

The text page minimum for Independent Legal Research (L860) projects completed to satisfy the Upper Level Writing Requirement should ordinarily be 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, per credit hour, but in no case less than 10 pages, exclusive of footnotes or endnotes, per credit hour. Faculty may, in their discretion, define a “page” in terms of font size, margins, approximate number of words, etc.

4. To complete the Upper Level Writing Requirement, it is assumed that the student will undertake exhaustive library or other approved investigation under the supervision of a faculty member. In order to insure a meaningful one-on-one consultation and critique between the student and instructor, it is strongly urged that the instructor:

a. Require the student to meet regularly with the faculty sponsor during the course of the project;
b. Require the student doing an Independent Legal Research (L860) project to obtain the faculty sponsor’s written approval of a proposal prior to signing up for credit;
c. Require the student to submit and discuss an outline of the writing project prior to commencing the first draft;
d. Provide written comments concerning submitted drafts and discuss those comments in a meeting with the student;
e. Require the student to submit a detailed research path of one or two pages with the rough draft, indicating the full extent of the student’s research and sources used and showing unproductive investigation as well as that which produces materials bearing on the problem;
f. Require the student to familiarize himself or herself with the concept of plagiarism;
g. Make clear to the student that the Upper Level Writing Requirement is unrelated to, and independent of, any non-curricular requirements, such as those needed for acceptance of the paper by a student journal.

5. Any instructor wishing to designate a course as satisfying the Upper Level Writing Requirement must first obtain authorization from the Curriculum Committee.

6. Faculty have discretion, while awarding a passing grade to a student enrolled in a course to determine that nonetheless the student has not satisfied the Upper Level Writing Requirement. Students should be advised of this faculty option.

7. Copies of papers submitted in satisfaction of the Upper Level Writing Requirement shall be retained by the administration in the same manner as final examinations.
ATTACHMENT D

CRITERIA FOR SATISFYING
THE SKILLS COURSE REQUIREMENT

In order to graduate every student must complete one skills course “providing substantial instruction in professional skills generally regarded as necessary for effective and responsible participation in the legal profession. A professional skills course must engage each student in skills performances that are assessed by the instructor.” 15

This new requirement was prompted by the A.B.A. adding the professional skills requirement to those skills that we are already required to, and do, provide substantial instruction: substantive law, legal analysis and reasoning, legal research, problem solving and oral communication, writing in a legal context, and the professional ethics. See ABA Standard 302(a) (4). Examples of the types of professional skills contemplated by this new requirement are: “[t]rial and appellate advocacy, alternative methods of dispute resolution, consulting, interviewing, negotiating, problem solving, fact investigation, organization and management of legal work, and drafting.” Interpretation 302-2 to A.B.A. Standard 302(a) (4), A.B.A. Standards for Approval of Law Schools (2007).

To satisfy the experiential skills course requirement, a course must meet the following criteria: 16

1. A substantial (at least 50% of class time) and regular part of the course consists of providing each student with multiple opportunities to engage in Experiential Learning.

2. Experiential Learning is defined as:

   a. exercising lawyering skills in real-world or simulated real-world settings,
   b. interacting personally and immediately with others to work toward resolution of a legal matter, and
   c. receiving substantial individualized feedback on the assigned lawyering skill tasks.

3. Examples of lawyering skills include:

   a. Trial advocacy
   b. Advocacy before appellate courts, administrative agencies, or legislative bodies
   c. Alternative dispute resolution
   d. Counseling
   e. Interviewing
   f. Negotiation

15 Adopted by the faculty as a new graduation requirement on May 8, 2008. This requirement applies to students admitted to the College of Law beginning in the 2008-09 academic year.

16 Adopted by the faculty on April 26, 2012.
g. Investigating and organizing facts  
h. Organization and management of legal work  
i. Drafting

A proposal to create a course that satisfies the skills requirement must include the following description:

1. The skills taught,  
2. The skills performances each student will engage in,  
3. The class time devoted to those skills, and  
4. How the professor will assess each student’s skills performance.
APPENDIX 5A

Syllabus Sample: Conflict of Laws (Assistant Professor Brian Ray)

CONFLICT OF LAWS SYLLABUS I

Professor Brian Ray
L 632, sec. 1
MW 2:45-4:10
LB 66

Required course materials

Currie, Kay, Kramer, Roosevelt Conflict of Laws 7th ed. 2007)
Occasional supplements

My availability

My office is located on the first floor: Room 153. My phone number is: 687-2528 and my e-mail is: brian.ray@law.csuohio.edu. My office hours are MW 4:15-5:15. These hours are not exclusive. You should feel free to make an appointment at any time or just stop in whenever my light is on.

Course Overview

Conflict of laws deals principally with three questions: Which state's courts have jurisdiction over a dispute? Which state's laws apply to a dispute? Can judgments by the courts of one state be enforced in another state? These questions can arise between states of the United States, between federal and state courts and between foreign states.

This course will focus on the development of choice-of-law rules in the United States and cover, to a lesser extent, other areas of conflict of laws, including jurisdiction and recognition/enforcement of judgments. We will deal with choice of law both in interstate and international settings and include some comparisons with European legal systems.

Class attendance and preparation

Attendance at and preparation for class are required. I understand that there are times when because of illness or personal matters you may be unable to attend class or you may not be prepared for class. To account for these times, each student can miss class or "pass" when called on four times over the course of each semester. If you miss class and/or "pass" more than four times, I reserve the right to lower your grade or withdraw you from the course. If you cannot prepare for class on a particular day, please e-mail me before class. I will not call on you, but that will count as one of the four absence/pass days.
Absences to observe religious holidays do not count as missed classes if you inform me in advance that you will be absent.

**Grades**

An 8-hour, open-book, take-home exam will constitute 80% of your final grade. Participation in class will make up the remaining 20% of your grade.

I may also distribute practice exercises at certain points in the semester. I will provide feedback on these exercises, but they will not be part of your grade.

**Assignments**

The assignments listed here are somewhat tentative and may change depending on how quickly we move through the material for each day. To account for that, I have only listed specific assignments through February 15. I will distribute the second installment of the syllabus later in the semester.

January 12-21: The Traditional Model  
*Jurisdiction Selecting Rules*  
CB: 1-39

February 2-4: The Traditional Model  
*Escape Devices — Characterization & Substance/Procedure*  
CB: 39-61

February 9-11: The Traditional Model  
*Escape Devices — Renvoi, Public Policy, Penal Laws & Tax*  
CB: 61-84

February 16: Modern Approaches  
*Statutory Solutions & Party Autonomy*  
CB: 891-118

February 18-23: Modern Approaches  
*Interest Analysis — Introduction & False Conflicts*  
CB: 118-67

February 25: Modern Approaches  
*Interest Analysis — Unprovided-For Case & True Conflicts*  
CB: 167-204

March 9: European Conflicts  
Guest Lecture by Professor Milena Sterio  
Assignment TBA
APPENDIX 5B

Syllabus Sample: Evidence (Adjunct Professor David Neel)

SYLLABUS
Spring 2009 Evidence — LB 207
David W. Neel, Esq., Lecturer
dwneel.lawgmail.com
216-522-0011

Tuesdays & Thursdays 7:30 - 9:10 p.m.

Course Materials:

The required book for this course is:

Waltz, Park & Friedman's Evidence, Cases and Materials (Foundation, 11th ed., 2008) (“WP”)

The following book is recommended but not required:

Graham C. Lilly, Principles of Evidence - This book will give you sensible and fairly straightforward information about black letter rules of evidence and some useful information about the policies underlying those rules. (Other excellent hornbooks are available. Use the hornbook that suits you best.)

Office Hours:

Please call me directly at 216-522-0011 to schedule an appointment.

Course Goals:

When you complete this class, you should possess a fairly sophisticated understanding of the Rules of Evidence. More than any other course (in my humble opinion), the study of evidence law trains you to think more like a lawyer. If you study, participate, practice, interact with your peers and reflect throughout the term, then by the end of the course you will be thinking more like a lawyer. That, primarily, is the goal I set before you, in addition, of course, to learning the rules of evidence.

Class Attendance Policy:

Class attendance is mandatory; however, if you have another important commitment that a reasonable person would say should take precedence over this class, then you may miss a class. You do not have to advise me beforehand or tell me the reason. You are allowed four such absences. Passing when called upon counts as an absence. (See also following section.) If you miss more than four classes for any reason, I reserve the right to administratively withdraw you from the course or to impose lesser sanctions.
including, but not limited to, lowering your final grade in this class, in my sole discretion.

**Class Participation:**

I expect you to be prepared for each class. Unsatisfactory preparation, as determined in my sole discretion, counts as an absence. Each of you will be called upon at least once to present an assigned case to the class and to discuss assigned problems from the casebook.

- Your case presentations should be no more than 5 minutes in length. A guideline for your presentation is as follows:

  - Basic facts leading to litigation - E.g., In *Old Chief v. United States*, the defendant was arrested after a fight involving a gun. He had a prior conviction.

  - Proceedings below — E.g., The government charged Old Chief with, among other things, a violation of 18 U.S.C. §922(g)(1), which makes it unlawful for anyone to . . . . Old Chief objected to admission of evidence that . . . . The government responded that . . . . On appeal, the U.S. Court of Appeals for the Ninth Circuit held that the district court did not abuse its discretion by . . . . The U.S. Supreme Court granted certiorari.

  - Specific issue(s) before the court ruling on the case — E.g., At issue was evidence pertaining to one element required to prove a violation of 18 U.S.C. §922(g)(1)

  - The court's ruling on each issue — E.g., The S. Ct. reversed the court of appeals' decision.

  - The court's reasoning for its decision.

  - Doctrine, black letter law or analysis that the case establishes, stands for or approves.

**Grading:**

A total of 200 points is possible in this class based upon the following distribution:

- 80% (160 possible points) of your grade is based on the final exam.

- 20% (40 possible points) is based on your class participation.

**Assignments:**

For every assignment, read the applicable Federal Rule(s) of Evidence ("FRE") in Appendix A of WP and the corresponding Advisory Committee Note(s) in Appendix B.
### Relevance

1. 1/13/2009  WP 1-70
2. 1/15  WP 72-107; FRE 401-03
   
3. 1/20  No Class
4. 1/22  WP 384-418; FRE 403-06
5. 1/27  WP 418-38; FRE 403-06, 104(a)-(b)
6. 1/29  WP 439-63; FRE 412-15
7. 2/3  WP 463-84; FRE 407-11
8. 2/5  WP 100-03, 106-12; FRE 801(a)-(c). Skim FRE 803(3)
9. 2/10  WP 112-25; FRE 801(a)-(c)
10. 2/12  WP 125-32, 137-45; FRE 801(a)-(c), 602, 104(a); Questions 1-2, p. 145; FRE 804(b)(2), 104; Skim FRE 803(3) and 807
11. 2/17  WP 146-60; FRE 803(1), 803(2), 803(3), 805; Questions p. 159
12. 2/19  WP 160-72; FRE 801(d)(2), 805
13. 2/24  WP 173-88; FRE 801(d)(2), 104 (Note: The final sentence of the present FRE 801(d)(2) was added in 1997, after the *Bourjaily* decision)
14. 3/3  WP 210-22; FRE 803(3), 105. Prepare the answer hypotheticals on pp. 221-22 before class
15. 3/5  WP 222-37; FRE 803(4). Questions, pp. 227-28
16. 3/10  WP 237-53; FRE 801(d)(1), 803(5)-(6), 611, 612
17. 3/12  WP 254-67; Questions, pp.260-61; FRE 106, 803(5)-(7), 805, 806
18. 3/17  Spring Recess —— No class
19. 3/19  Spring Recess —— No class

### The Hearsay Rule and Its Exceptions

7. 2/5  WP 100-03, 106-12; FRE 801(a)-(c). Skim FRE 803(3)
8. 2/10  WP 112-25; FRE 801(a)-(c)
9. 2/12  WP 125-32, 137-45; FRE 801(a)-(c), 602, 104(a); Questions 1-2, p. 145; FRE 804(b)(2), 104; Skim FRE 803(3) and 807
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11. 2/19  WP 160-72; FRE 801(d)(2), 805
12. 2/24  WP 173-88; FRE 801(d)(2), 104 (Note: The final sentence of the present FRE 801(d)(2) was added in 1997, after the *Bourjaily* decision)
13. 2/26  WP 188-201; 98-100, 202-10; FRE 804(a), 804(b)(1), 804(b)(3)
14. 3/3  WP 210-22; FRE 803(3), 105. Prepare the answer hypotheticals on pp. 221-22 before class
15. 3/5  WP 222-37; FRE 803(4). Questions, pp. 227-28
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18. 3/17  Spring Recess —— No class
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**Witnesses — Competency, Impeachment and Expert Witnesses**

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**Documents — Authentication and Best Evidence Rule**

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APPENDIX 6

Upper Level Writing Requirement
and Independent Legal Research Standards

The Upper Level Writing Requirement and Independent Legal Research (L860) Standards, as approved by the faculty in November 1997 and amended in May 1999 and supplemented in November 2006 are as follows:

A. Upper Level Writing Requirement

The purpose of the Upper Level Writing Requirement is to have each student undertake at least one rigorous writing experience prior to graduation, in addition to Legal Writing, Research and Advocacy (L504) and the third semester of legal writing. Although the focus of this requirement is writing skills, effective legal writing requires application of the broad spectrum of skills essential to effective lawyering generally. Thus, research, analysis, and organization are important components in the preparation of any quality product of legal writing. For this reason, the goal of the Upper Level Writing Requirement is to require each student to demonstrate his or her ability to apply each of these skills in producing one substantial, cohesive piece of legal writing prior to graduating from law school.

1. Students may satisfy this requirement by completion of any one of the following:
   a. A seminar for which a paper is required;
   b. A specially designated upper level course for which a paper is required or offered for writing credit; or
   c. An appropriate two or three semester-hour Independent Legal Research (L860) project.

2. The Upper Level Writing Requirement is satisfied by the completion of a paper, brief, casenote, or other piece of legal writing that combines writing, research, analytical and organizational skills into one substantial written product under the direction of a faculty supervisor. As a general rule, “faculty supervisor” means full-time tenured or tenure-track faculty member, full-time legal writing professor, or full-time clinical professor.

3. If the written product consists of an Independent Legal Research (L860) project, it must satisfy the page requirements for L860, as listed in Section B below. What constitutes a “substantial” written product in other courses shall be left to the discretion of the instructor, subject to review by the Curriculum Committee at the time the course is submitted for approval, as stipulated in paragraph 5.

4. To complete the Upper Level Writing Requirement, it is assumed that the student will undertake exhaustive library or other approved investigation under the supervision of a faculty member. In order to insure a meaningful one-on-one
consultation and critique between the student and instructor, it is strongly urged that the instructor:

a. Require the student to meet regularly with the faculty sponsor during the course of the project;
b. Require the student doing an Independent Legal Research (L860) project to obtain the faculty sponsor’s written approval of a proposal prior to signing up for credit;
c. Require the student to submit and discuss an outline of the writing project prior to commencing the first draft;
d. Provide written comments concerning submitted drafts and discuss those comments in a meeting with the student;
e. Require the student to submit a detailed research path of one or two pages with the rough draft, indicating the full extent of the student’s research and sources used and showing unproductive investigation as well as that which produces materials bearing on the problem;
f. Require the student to familiarize himself or herself with the concept of plagiarism;
g. Make clear to the student that the Upper Level Writing Requirement is unrelated to, and independent of, any non-curricular requirements, such as those needed for acceptance of the paper by a student journal.

5. Any instructor wishing to designate a course as satisfying the Upper Level Writing Requirement must first obtain authorization from the Curriculum Committee.

6. Faculty have discretion, while awarding a passing grade to a student enrolled in a course or in Independent Legal Research (L860), to determine that nonetheless the student has not satisfied the Upper Level Writing Requirement. Students should be advised of this faculty option.

7. Copies of papers submitted in satisfaction of the Upper Level Writing Requirement shall be retained by the administration in the same manner as final examinations.

B. Independent Legal Research (L860) Standards

1. The minimum number of credit hours of Independent Legal Research (L860) that will satisfy the Upper Level Writing Requirement is two credit hours.

2. The text page minimum for Independent Legal Research (L860) projects completed to satisfy the Upper Level Writing Requirement should ordinarily be 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, per credit hour, but in no case less than 10 pages, exclusive of footnotes or endnotes, per credit hour. Faculty may, in their discretion, define a “page” in terms of font size, margins, approximate number of words, etc.
3. Independent Legal Research (L860) may also be taken for one hour of credit, usually requiring a minimum of 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, as described above, but such projects will not satisfy the Upper Level Writing Requirement.

4. A maximum of three semester hours of Independent Legal Research (L860) credit may be elected to count toward the J.D. or LL.M. degree.

5. No faculty member may sponsor more than six (6) students per academic year, exclusive of the summer term, in Independent Legal Research (L860) without the approval of the Dean or his or her designate.

C. Supplementary Guidelines Regarding Law Review and Journal Notes

In November 2006 the faculty adopted additional guidelines for faculty supervision of Law Review and Journal Notes:

1) supervisory faculty of notes for L860 credit should attempt to coordinate their schedule of topic, outline, bibliography and draft submissions with that of the journal for which the note is being written;

2) the law review and the journal should make available to every faculty member each fall a written schedule detailing the stages in which the writing of the note becomes due;

3) each faculty member is requested to be available to supervise up to three notes for L860 credit;

4) a summary of each faculty member’s research interests should be made available to the law review and journals staffs each year.

D. 3-Credit-Hour ULWR Seminars with Reduced Class Time

Faculty members may teach a seminar or upper level course (in which students write a paper to satisfy the ULWR) worth three credit hours but in the time block of a two-credit-hour course. This is allowed under the ABA Standards and Interpretations that permit “regularly scheduled class sessions” to include “in a seminar or other upper-level course other than an independent research course, the minutes allocated for preparation of a substantial paper or project if the time and effort required and anticipated educational benefit are commensurate with the credit awarded.” ABA Interpretation 304-3(d). In light of the ABA Standard and Interpretation, faculty have the option, in a seminar or upper level course other than L860 (Independent Legal Research) in which students write a paper to satisfy the ULWR, of holding class meetings for the hours required for a two-credit-hour course while offering the course for three credit hours. This recognizes the substantial amount of time and effort that students and faculty are expected to spend on papers that satisfy the upper level writing requirement. Faculty may also offer the option to students of taking the seminar or upper level course for two credit hours if a student...
elects not to write a paper to satisfy the ULWR or for three credit hours if a student elects to write a paper to satisfy the ULWR. This policy is also available online on the Faculty Resources page.
APPENDIX 7

Guidelines and Requirements for Concentrations
at Cleveland-Marshall College of Law

Faculty must present proposals for new concentrations to the Curriculum Committee for approval. The Curriculum Committee will then submit the proposal to the faculty for approval.

I. Guidelines

A. For a discipline to become a Concentration at Cleveland-Marshall College of Law:

1. There shall be at least eight courses available in the discipline, beyond foundational courses, at least four of which are offered at least annually. [Foundational courses include, for example, bar courses, courses required for graduation, and basic courses within the Concentration as determined by the faculty in that discipline.]

2. Faculty within a discipline seeking to create a Concentration shall, where appropriate, survey practitioners within the discipline to determine the needs of the practice. The purpose of this survey is to ensure that our Concentration requirements will create well-prepared graduates within the discipline.

B. For a student to satisfy the requirements of a Concentration:

1. The student shall take at least six courses in the area, no more than two of which are foundational courses.

2. The student shall complete a major project in the Concentration area. (This project might include a major writing project, such as an upper level writing requirement or its equivalent, an appropriate clinic experience, or an externship, as determined by the faculty within the discipline. This project shall be in addition to the six courses required in #1 above.)

A student who satisfies the requirements of a Concentration shall have that fact noted on his or her transcript and may indicate completion of the Concentration on a resume. In addition, the faculty may decide to provide a “Certificate of Concentration.”

17 Adopted by the faculty on February 22, 2001.
II. **Requirements for all Concentrations**

A. A student shall attain a minimum cumulative GPA of 3.0 in Concentration courses.\(^{18}\)

B. A student may not earn below a C+ in more than one non-foundational course.\(^{19}\)

C. A student may take no more than one course on a pass/fail basis toward completion of a Concentration, whether a substantive course for which a grade is normally given or an externship or other course that is mandatorily graded on a pass/fail basis.\(^{20}\)

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\(^{18}\) Adopted by the faculty on May 11, 2001.

\(^{19}\) Id.

\(^{20}\) Adopted by the faculty on October 11, 2001.
APPENDIX 8

CSU Poll Worker Excused Absence Policy

In order to foster student engagement and participation in the civic sphere, Cleveland State University has encouraged students to serve as poll workers and in polling support positions for the last several national and statewide elections. In Spring 2008 the Faculty Senate of Cleveland State University adopted a policy pertaining to student absences arising because of such service in these elections.

I. CSU faculty members are required to
   a. excuse all students from class attendance and from any assignments, quizzes, and other coursework otherwise due during the period beginning at 6:00 p.m. on the evening before any statewide election and ending at 12:00 midnight on election day who (i) serve in any of the official poll worker and polling support positions, including the Center for Election Integrity official observer or monitor positions (which can include, for example, polling place translators and technical support workers with respect to the voting machines)\(^{21}\), and (ii) satisfy their notification obligations described in paragraph II, below; and
   b. allow such students to make up any assignments, quizzes, and other coursework otherwise due during this period, as described in paragraph II, below.

II. Any CSU student who desires to exercise the excused poll worker service option must
   a. have officially applied and been selected to serve;
   b. be scheduled for training that will be completed at least two days prior to the election;
   c. inform the faculty members whose classes are affected in writing (electronically or in whatever manner the particular faculty member requests) no later than the second Friday before the election;
   d. arrange with each affected faculty member to make up any coursework or quizzes that were missed due to the absence; and
   e. provide official documentation to each affected faculty member at a later appropriate point that confirms the student’s service as a poll worker or in a polling support position.

At all times, the responsibility for making up coursework rests with the student.

\(^{21}\) Dean Mearns decided, in Fall 2008, based on available C.S.U. policies and information received from the C.S.U. administration, that this policy applies to students who work as B.O.E. poll workers and to those who volunteer as election observers or monitors for a bona fide organization such as the Democratic or Republican Party, or the Lawyers Committee for Civil Rights Under the Law.
I. PURPOSE

1.1 The purpose of the University Travel Policy is to facilitate travel of faculty, staff and students by the most expedient means and at the most reasonable cost.

II. BASIC POLICY

2.1 With prior approval, the University will pay all or a prearranged portion of reimbursable expenses for travel to attend an important meeting for one or more of the following purposes:

   a) to represent the University on official business;
   b) to present a professional paper;
   c) to chair a national or regional committee meeting; or
   d) to participate in professional development activities.

2.2 This policy applies to all University travel regardless of the source of funding.

2.3 Reimbursements for travel outside the USA will be made at the appropriate US currency rate of exchange.

III. AUTHORIZATION OF TRAVEL

3.1 To obtain authorization for travel for which reimbursement is expected, the top portion of the Travel Approval and Expense Report must be completed indicating the purpose, date, and duration of the trip, estimated total expense, portion to be paid by the University, and bear the appropriate supervisory approval signature.

IV. PREPAYMENT OF EXPENSES

4.1 To request prepayment of common carrier transportation, either:

   a) Contact one of the authorized travel agencies and make your travel arrangements. Instruct the travel agency to deliver your tickets to your department along with an invoice. Attach the original invoice to a Small Order Form or to a Purchase Requisition (if the amount of the invoice exceeds the maximum limit for a Small Order Form). Forward Small Order Forms to Accounts Payable; Purchase Requisitions should be sent to Purchasing Services. Use of a PCard is also permitted.

   b) Purchase your tickets directly (from the carrier, from a web site, or from a travel agent) and obtain a receipt showing proof of payment. Attach the receipt to a Small Order Form or to a Purchase Requisition (if the amount of the invoice exceeds the maximum limit for a Small Order Form). Forward Small Order Forms to Accounts Payable; Purchase Requisitions should be sent to Purchasing Services. Use of a PCard is also permitted.

4.2 To request prepayment of conference registration fees, the traveler shall submit a completed Small Order Form or a Purchase Requisition (if the amount of the registration fee exceeds the maximum limit for a Small Order Form), along with the original registration form and a copy of the registration form. Forward Small Order Forms to Accounts Payable; Purchase Requisitions should be sent to Purchasing Services.
Accounts Payable will submit the registration form along with a check. Use of a PCard is also permitted.

4.3 When airfare and lodging are purchased as a package from a travel-related web site, lodging may be reimbursed in advance of travel, provided that the traveler demonstrates that booking lodging in this manner has saved the University money.

4.4 All other travel expenses shall be paid for by the traveler and original receipts submitted for reimbursement on the Travel Approval and Expense Report.

4.5 Faculty and staff who are traveling out of the country for an extended period may, with the approval of the appropriate Vice President, receive a travel advance.

4.6 Lodging for students may be prepaid by submitting either a Purchase Requisition or a Small Order Form.

V. ALLOWABLE TRANSPORTATION

5.1 Common Carrier

a) Reimbursement for travel by air, rail, bus, or other common carrier shall not exceed the cost of coach fare or the economy rate in the chosen method of travel.

b) The traveler shall be personally liable for any charges assessed due to his/her failure to cancel reservations within the time limit specified by carriers, unless the failure is due to circumstances beyond his/her control.

c) Expenses claimed under this section must be supported by an original receipt.

5.2 Personal Automobile

a) A traveler may be reimbursed for the use of a privately owned automobile at the federal government rate then in effect. The current mileage rate can be found on the University’s web site.

b) Reimbursement for use of a privately owned automobile shall not exceed the round trip coach air fare of all persons traveling in the car or the mileage allowance, whichever is the lesser.

c) Mileage is payable to only one of two or more persons traveling on the same trip in the same vehicle. The names of all persons traveling on the same trip and in the same vehicle must be listed in the designated section of the Travel and Expense Report.

d) The mileage rate provided for in subparagraph (a) of this section is meant to cover all expenses incurred in using a privately owned vehicle for University business except those covered under subparagraph (a) of section 5.4.

e) When a traveler is away from CSU’s campus for the entire day, the total number of business miles driven that day may be reimbursed.

f) When a traveler is on CSU’s campus part of the day, reimbursement will be for the total number of business miles driven, less the traveler’s round-trip daily commute.

g) Mileage while commuting to and from work will not be reimbursed.
h) No traveler may be reimbursed for expenses on the mileage basis unless he/she carries motor vehicle liability insurance with coverage equal to or greater than that required by the Ohio Revised Code Section 4509.51.

5.3 Rented Automobile

a) With prior approval, the traveler may be reimbursed for the rental of an automobile used for official University business; and for gasoline purchased for the rented automobile. Original receipts must be submitted.

b) The traveler must read and comply with the rental agreement’s provisions covering driver eligibility, use of seat belts, and other restrictions.

c) Reimbursement for use of a rented automobile shall not exceed the round trip coach air fare for all persons traveling in the car.

d) Insurance requirements for rented vehicles vary based on vendor and location. Refer to the University’s Driving and Motor Vehicle Policy for more information.

e) The University has an exclusive agreement with Enterprise for rentals made in northeast Ohio. Under this agreement, Enterprise provides vehicles at discounted rates that include liability insurance. The traveler should visit the Department of Risk Management’s web site for more information.

5.4 Other Transportation Expenses

a) Reimbursement may be claimed for parking charges, ferry and taxi fares, and bridge, highway and tunnel tolls.

b) Each item of expense claimed under this section must be listed on the Travel Approval and Expense Report. An original receipt is required for each item of expense greater than five dollars ($5.00).

5.5 Frequent Flyer Credits

a) Frequent flyer credits earned by university employees for travel on university business cannot be used for personal travel. These credits must be applied towards future university travel.

VI. ALLOWABLE LODGING EXPENSE

6.1 The employee will be reimbursed for the actual reasonable expense for lodging in a hotel or motel. Reimbursement is for room and applicable taxes only. Reasonableness is determined by the appropriate supervisor. Use of a PCard is permitted.

6.2 Original itemized receipts are required to support the reimbursement claim for the expense of lodging.

6.3 Cost of lodging of members of the traveler’s family is not reimbursable.

6.4 Tips associated with lodging are incidental expenses as defined in Paragraph 7.7.

VII. MEALS AND INCIDENTAL EXPENSES

7.1 The traveler will be reimbursed for meals and incidental expenses according to the Federal Standard Meal Allowance (FSMA) then in effect. Receipts are not required. When one or more meals are provided, the FSMA reimbursement must be adjusted accordingly.
7.2 Allowable reimbursements vary by city. Rates for most major cities can be accessed from the University’s web site.

7.3 Generally, there will be no reimbursement for meals unless the traveler is away from home over night. However, with supervisory approval, when the traveler is away from home for more than 12 hours and lunch is not provided, the traveler may be reimbursed for the lunch portion of the applicable FSMA (indicate times of departure and return on the Travel Approval and Expense Report).

7.4 Reimbursement for the day of departure and the day of return is equal to 75% of the FSMA.

7.5 If the travel is to more than one location in one day, use the FSMA for the city where the traveler has overnight accommodations.

7.6 There will be no reimbursement for alcoholic beverages.

7.7 Tips and gratuities are included in the FSMA.

7.8 Actual and reasonable expenses for a qualified business meal may be claimed for the traveler and non-university guest(s). The traveler must submit an original itemized receipt along with an explanation of the business purpose of the expense. An overnight stay is not required.

VIII. MISCELLANEOUS EXPENSES

8.1 Expenses incurred for conference registration fees, stenographic fees, storage of baggage, fax or telephone calls for official University business, and rental of equipment or temporary meeting facilities necessary for the conduct of official University business may be reimbursed.

8.2 Miscellaneous expenses must be itemized separately on the Travel Approval and Expense Report. Original receipts must be submitted for all miscellaneous expenses.

IX. REPORTING AND DOCUMENTATION OF EXPENSES

9.1 All requests for reimbursement of travel should be made on the standard CSU Travel Approval and Expense Report. If additional space is required, a supplementary schedule may be attached.

9.2 The Travel Approval and Expense Report must be submitted after completion of travel unless prepayment of registration by CSU is the only expense incurred.

9.3 The Travel Approval and Expense Report should be completed and filed with the appropriate supervisor within two weeks of the travel completion date.

9.4 The Travel Approval and Expense Report must be signed by the traveler and the expenses approved in accordance with Section 3.1 of this policy. The approvals received prior to the trip were intended only to authorize the travel. The Travel Approval and Expense Report is then forwarded to Accounts Payable.

9.5 If the trip is cancelled and there has been any prepayment of fees by CSU, the department will be charged for these expenses. If Cleveland State University is due a refund, it is the responsibility of the department to follow-up with the vendor and ensure that credit is received.

9.6 If a receipt is lost, the traveler must provide a written statement indicating that it was lost. This statement must be signed by the traveler.
9.7 If the traveler received a travel advance, original receipts must be submitted and remaining funds returned to the University within two weeks of the travel completion date. If funds are not returned within a reasonable time, the full amount of the travel advance will be taxed to the traveler and included on his/her W-2. Subjecting the advance to taxation does not relieve the traveler from the responsibility of accounting for the advance and returning any unused funds.

X. AUDITS OF TRAVEL EXPENSES

10.1 The Department of Audits will periodically audit a sample of Travel Approval and Expense Reports. Violation of travel policies could lead to suspension of reimbursement for travel expenses by the University and to disciplinary action.

MEMORANDUM

January 2011

TO: Law Faculty

FROM: Summer Research Grants Committee
       Susan Becker
       Sheldon Gelman
       Alan Weinstein, Chair
       Heidi Gorovitz Robertson (ex officio)

RE: Summer 2011 Research Grant Requests

Tenured, pre-tenured, legal writing, and clinical professors, are invited to submit a funding request for a research grant proposal for the Summer of 2010. The number of available research grants to be awarded and the dollar amount of each grant will be determined by the Dean’s office based on budgetary constraints. The format for application and the criteria for selecting meritorious applications are described below. Applicants should submit four (4) paper copies of their proposal to Alan Weinstein by noon on Monday, February 21, 2011. Please do not e-mail your proposals.

FORMAT FOR APPLICATIONS

Each applicant should submit a brief description (no more than two pages) of the proposed project, the methodology to be used, and the place of the project in the particular scholarly field. In addition, the applicant must report the following information regarding the immediately preceding three projects for which summer grants have been awarded: the title(s) and date(s) of each of the three most recently funded research proposals, a brief description of the draft(s) or published writing(s) that resulted from each grant (even if the money was used to fund different research from that originally proposed in the grant request), and the following details regarding the resulting work product:

- If the applicant has published any articles or chapters, the applicant should include a reprint or copy with his/her application.

- If the applicant has published any books, the applicant should provide a copy of the inside title page and table of contents. If the book does not have a table of contents, then please indicate the number of pages.
If the applicant has produced any articles, chapters, etc., that have either been submitted or accepted for publication but not yet published, the applicant should identify the titles of the articles or chapters, their length, and the journal and volume/issue in which each is scheduled to be published. If the work has not yet been accepted for publication, the applicant should describe where the piece is in the submission process.

Finally, for any writing projects that are still in draft form, the applicant should identify the working title of the draft(s), the nature and anticipated length of the final product(s), the anticipated date(s) of completion, and provide a copy of the draft manuscript(s).

If you have submitted any of the above materials within the past two years, the Committee likely has it on file and there is no need for you to re-submit unless we make a request. Please note that the Committee has had to defer review of some applications in the past due to inaccurate or incomplete information about an applicant’s prior grant history, so responding promptly and completely to any request from the Committee will allow us to review your application in a timely manner.

Please note that a faculty member who applies for a summer research grant after the expiration of a professorship or similar position that included an automatic award of one or more summer grants is subject to the same productivity criteria as other grant recipients. For the first three summer grant applications submitted following the end of the faculty member’s named Professorship, the applicant shall identify the scope and status of all works-in-progress, publications and/or summer teaching projects that were supported by any automatic summer grants that would be included as part of the “three previous grants” reporting period required of all applicants.

**CRITERIA FOR JUDGING THE MERIT OF PROPOSALS**

In making recommendations to the Dean regarding whether summer research grant proposals are worthy of funding, the Summer Research Grant Committee judges the merit of grant applications by considering both the overall quality of the applicant’s proposed project and the applicant’s record of past productivity. Pre-tenured faculty members have a preference in the award of grants. Because the purpose of the summer research grant program is to provide a sufficient financial incentive to devote the majority of the summer to scholarship rather than to other paid employment, anyone who accepts paid summer employment for a duration of the equivalent of more than two weeks is not eligible for a summer research grant.

A faculty member on a nine or ten month contract who is teaching during the summer under the College’s flexibility in teaching load policy, and thus the summer teaching is part of the standard teaching load and not for additional compensation, is eligible to apply for a summer research or teaching grant. A faculty member who applies under these circumstances is not eligible for a summer research grant, however, if s/he accepts paid
employment for a duration of the equivalent of more than two weeks during the semester when his/her teaching load has been reduced as a result of teaching in the summer.

The Committee will be guided by the following principles in its review of grant requests. The purpose of these guidelines is to provide greater transparency to faculty members regarding the decision process, not to bind the discretion of the Committee in extraordinary circumstances that are not foreseen in these guidelines.

Both articles and books (including textbooks and monographs) may be supported with summer research grant money. In general, a substantial article or book (whether on the originally described topic or a different topic) must be completed and submitted for publication before a second grant will be awarded. In the case of an article, however, a second grant may be awarded prior to completion of an article if it can be shown that substantial progress has been made on a substantial article. The faculty member shoulders the burden of proving that this standard has been satisfied. In no event will a third grant be awarded before completion and submission for publication of a substantial article. In the discretion of the Committee, two shorter works may be considered the equivalent of a single, substantial article.

In the case of a book, a second grant may be awarded prior to completion of the book if it can be shown that substantial progress has been made, and a third grant may be awarded prior to completion of the book if it can be shown that substantial additional progress has been made since the award of the second grant. Generally, a fourth grant will not be awarded before completion of a book. If, however, the faculty member publishes at least one substantial article while also working on the book, the Committee may take this productivity into account in determining whether to recommend the award of additional grants for the book.

Abandonment of a project does not change the principles described above; an alternative substantial article or book (as the case may be) must be completed and submitted for publication before subsequent grants will be awarded. Co-authored articles and books are subject to the same principles that apply to articles and books wholly authored by the faculty member.

**Example 1:** In Year 1, Faculty Member A is awarded a grant to write an article on Topic X. After several months of work, Faculty Member A abandons work on Topic X and begins work on a new article dealing with Topic Y. In Year 2, Faculty Member A submits a grant request to continue work on Topic Y and satisfies his burden of proving that “substantial progress” has been made on the article. The Committee should recommend funding the grant. In Year 3, Faculty Member A, having not yet completed the work on Topic Y (or a substantial article on another topic), submits a grant request to continue work on Topic Y (or to start a new project on Topic Z). The Committee should recommend denial of the grant request. No further grants should be awarded until Faculty Member A has completed and submitted for publication a substantial article to satisfy his outstanding obligation under the prior two grants.
Example 2: In Year 1, Faculty Member B is awarded a grant to write a book. In Year 2, Faculty Member B submits a grant request to continue work on the book and satisfies her burden of proving that “substantial progress” has been made. The Committee should recommend funding the grant. In Year 3, Faculty Member B submits a grant request to continue work on the book and satisfies her burden of proving that “substantial additional progress” has been made since submission of the prior grant request. The Committee should recommend funding the grant. During Year 3, however, Faculty Member B instead writes and submits for publication a substantial article. In Year 4, Faculty Member B submits a grant request to continue work on the book. While generally a fourth grant will not be awarded for the writing of a book, the Committee may take into consideration the publication of the substantial article in Year 3 in deciding whether to recommend funding the grant. Because Faculty Member B’s outstanding obligation under the Year-3 grant was satisfied by the completion of a substantial article, the Committee should recommend funding the grant for Year 4 (which would be the third and final grant allocable to the book, absent publication of a substantial article instead, as in the prior year).
Memorandum

January 26, 2009

TO: Full-Time Faculty, consisting of Permanent Tenured & Tenure-Track Faculty and Legal Research and Writing Faculty

FROM: The Teaching Committee (Janice Aitkin, Michael Borden, Patricia Falk, Brian Glassman, Michelle Lapp, Chris Sagers)

RE: Summer Teaching Enhancement Grants

Faculty members interested in submitting a Summer Teaching Enhancement grant proposal for the summer of 2009 should submit an application to Chris Sagers by 5 p.m. Monday, February 23rd, 2009, either in hard copy or by email. The amount of a Teaching Enhancement Grant will be the same as C-M Summer Research Grants.

The purpose of Summer Teaching Enhancement Grants is to encourage both excellence and innovation in teaching. These are related concepts yet not necessarily synonymous. Possible differences between grants that focus on “innovation” and those that further

22 Persons eligible to apply for grants are all full-time faculty members whose primary duties include teaching and who are not otherwise under contract with the law school during the summer. Legal research and writing professors are eligible. Persons who are not eligible include (1) administrators, librarians, and clinicians on 12 month contracts; (2) faculty under contract to teach one or more standard courses during the summer; (3) and faculty who have summer research grants. Should a member of the Committee apply for a grant, that member will be ineligible to consider approval of grant applications. The Dean may substitute another faculty member for the sole purpose of determining approvals of grant applications.
“excellence” in teaching are described below. Innovation means something we have not done before. Thus, it is difficult to determine in the abstract what types of innovations faculty might appropriately propose. As a general guideline, summer teaching grants will not be available for the work regularly expected of law professors. For example, grants are not available for standard preparation for a course new to the instructor.

An applicant awarded both a Summer Research Grant and a Teaching Grant will have one week to decide which grant to accept in order to permit the committee whose grant is not selected adequate time to decide whether to award a grant to another applicant. If the applicant does not select a grant within that time, the chairs of the Teaching Committee and the Summer Research Grant Committee shall meet and agree on which grant to withdraw.

Below follows detailed information regarding submission of a Summer Teaching Enhancement Grant proposal.

**INSTRUCTIONS AND CRITERIA FOR TEACHING ENHANCEMENT GRANTS**

Applications should propose projects that explicitly address the law school’s teaching and learning priorities, and/or the University’s teaching and learning priorities, including but not limited to one or more of the following:

- improvement to the practice and theory of teaching in general
- specific improvement to a particular course or courses
- development of a course not currently offered
- development of a new teaching methodology
- development of an interdisciplinary course
- improvements which make a positive impact on bar passage outcomes
- internationalization of an existing course
- increasing the availability of online resources in a course or courses
- incorporating newer or newly available technologies
- provide opportunities to involve practicing attorneys whose presence will enrich the students’ learning experience

Applications should address the following requirements:

- Applications will include a clear description of the proposed project and the outcomes in terms of one or more of the priorities above, or other priorities identified by the applicant.
- Proposed projects will be substantially completed within 12 months of notice of funding.
- Applicants will undertake to produce either a publishable article detailing the by-products of the research, or a demonstration project. A demonstration project may consist of, but is not limited to a webpage for open access through project home pages established on the law school’s website, a broadly disseminated annotated bibliography of materials relevant to the course improvements, or an electronic discussion forum of the project.
Whether applicants undertake to research and write an article or to prepare a demonstration project, applicants must make a faculty presentation describing the work. Applicants will indicate the proposed date (an approximation) for the faculty presentation in their proposals.

STANDARDS for judging the merit of proposals

The Teaching Committee judges the merits of the applications for summer teaching enhancement grants by considering both the overall quality of the applicant’s proposed project and the extent to which the applicant’s proposal meets the criteria stated above. The Teaching Committee may also consider other factors such as the number of students impacted by the project, whether the project will result in long-term improvements to teaching and the extent to which the project helps to promote collaboration between or among law school faculty teaching in the same or in different substantive areas.

APPLICATION FOR SUMMER TEACHING ENHANCEMENT GRANT

1. Name
2. Title of Project
3. Indicate type of project, referencing one or more of the law school’s teaching and learning priorities, and/or the University’s teaching and learning priorities, or priorities identified by the applicant.
4. How many students will be affected? At what level? Over what period of time?
5. Will your project promote collaboration between or among law school faculty?
6. How will you evaluate the success of this project? (Please check and briefly explain)
   - [ ] Student Evaluation
   - [ ] Student Questionnaire
   - [ ] Assessment Techniques
   - [ ] Other (explain)
7. Will your project result in long term improvements to your teaching? Briefly explain.
8. Proposed date for faculty presentation:
9. Detailed project description: Please attach no more than 2 double-spaced, typed pages. Be sure to (a) write for highly educated reviewers who are not necessarily experts in your teaching area; (b) address the requirements articulated in the section entitled “Instructions and Criteria for Teaching Enhancement Grants” on pages two and three.
APPENDIX 12

SABBATICAL APPLICATIONS

Excerpt from CSU Faculty Handbook (p. 29):

A full-time University faculty member with at least seven academic years of teaching service (may be cumulative, summer teaching does not count) and who has been granted tenure by the date of the leave may be granted professional leave (sabbatical) not to exceed one (1) year (100 percent pay for a one-semester leave, 66.7 percent pay for a two-semester leave; except in the College of Law, 11/12ths of pay for a one-semester leave, 66.7 percent for a two-semester leave). This leave may be for further education, research, or other professional program improvement benefits both the faculty member and the University (Bylaws 8.1.8(A3); Agreement 21.1-3).

Applications for professional leave are normally made in the fall term, prior to November 15th, and require a written plan that describes in detail the project’s purpose and expected outcomes, semester(s) included, any grant or fellowship connected with the leave, and a current curriculum vitae. Procedural and review steps that follow the submission of a professional leave proposal can be reviewed in the CSU-AAUP Contract (Agreement 21.4) and the Faculty Senate Bylaws (Bylaws 8.1.8(C)).
September 19, 2008

TO: Members of the Faculty

This is to notify all eligible University faculty of the opportunity to apply for Professional Leave for the academic year 2009-2010, according to conditions specified in Article 21 of the collective bargaining agreement and Section 8.1.8 C) of the CSU Faculty Personnel Policies. Eligibility criteria for Professional Leave are as follows:

1. Completion of six academic years of service at CSU at the time of the initiation of the leave; [Note: As of 2012, the Collective Bargaining Agreement permits a sabbatical after seven years’ service.]

2. Completion of six academic years of service at CSU following completion of a Professional Leave; [Note: As of 2012, the Collective Bargaining Agreement permits a sabbatical after seven years’ service following prior sabbatical.]

3. Tenure effective as of the date the Professional Leave becomes effective.

The Faculty Professional Leave Program is designed to provide faculty with an extended period of from one to two academic semesters to pursue an individual program of professional development. This will be the thirty-second year that CSU is inviting applications for this program, with continuing mutual benefits to our faculty colleagues and the University.

Faculty who apply for Professional Leave should be aware of the following:

1. Under the governing state legislation, this program must operate on a "no cost" basis. The college must indicate in writing that it is able to cover the responsibilities of the faculty member at no added cost.

2. The most crucial factor in granting Professional Leave is the merit of the proposal. In the faculty review of applications at the department and college levels, the quality of the proposal is the primary criterion. Proposals must follow the guidelines precisely and be realistic in terms of what can be accomplished.

3. As specified in Article 21.4 E of the collective bargaining agreement: "If the number of proposals exceeds the number that can be supported without additional cost or if all applicants cannot be accommodated because of bona fide instructional obligations, then the Dean may limit the number of proposals that may be recommended by the college." Section 8.1.8 C)4)e) of the CSU Faculty Personnel Policies has an identical stipulation for colleges without collective bargaining faculty.

4. Article 21.2E of the faculty collective bargaining agreement states that “…faculty members taking professional leave agree to return to Cleveland State University for at least two (2) semesters (excluding summer) after completing their professional leave or to refund the compensation paid by the University during the leave, unless this obligation is specifically waived or deferred by the University.” Section 8.1.8C) 2) e) of the Faculty Personnel Policies has an identical stipulation.

5. Professional Leave salaries are as follows:
one semester Professional Leave (100% of academic year salary);  
two semester Professional Leave (66.67% of academic year salary).

In submitting proposals for Faculty Professional Leavess, the attached form should serve as the cover sheet, and a current curriculum vitae should accompany the proposal. Please include, immediately following the cover sheet, a one-paragraph abstract of the proposal.

The faculty collective bargaining agreement stipulates the due date for applications for Professional Leave: November 15, 2008. Therefore, I would like to request everyone’s cooperation in observing the following timetable:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 17, 2008</td>
<td>In Colleges with departments, faculty proposals are due in departmental offices. In Colleges without departments, faculty proposals are due in the office of the Dean.</td>
</tr>
<tr>
<td>December 8, 2008</td>
<td>Department faculty committees' recommendations and Chairs’ recommendations are due in the Dean's Office.</td>
</tr>
<tr>
<td>February 20, 2009</td>
<td>College faculty committees' recommendations and Deans’ recommendations are due in the Provost’s Office.</td>
</tr>
</tbody>
</table>

You will find on reserve at the University Library Reserve Desk copies of several applications recommended as models. I also encourage those of you who will be eligible for the program next year, or in the near future, to investigate other sources of support for your period of leave. In this regard, the University Office of Sponsored Programs and Research would be pleased to be of assistance.

Sincerely,

Mary Jane Saunders,
Provost and Senior Vice President for Academic Affairs

MJS/ico

Attachment

cc: Deans and Department Chairs/School Directors
    Elizabeth Cline, Associate Director, Office of Sponsored Programs and Research
FACULTY PROFESSIONAL LEAVE PROGRAM
Application Form
Academic Year 2009-2010

Name:____________________________________ Rank:____________________________________
College:__________________________________ Department:____________________________
Date of hire:_______________________________ Date tenure effective:_________________________
Total years of full-time academic service\textsuperscript{23} at CSU. ________
Date(s) of previous professional leaves(s) if any.__________________________________________

SEMESTER(S) FOR WHICH LEAVE IS REQUESTED: (Check one and specify)

- [ ] One semester (Specify F, S):________________________________
- [ ] Two semesters:______________________________

TYPE OF PROPOSAL: (Check one)

- [ ] Curricular Design
- [ ] Research/Scholarship/Creative Achievement
- [ ] Teaching Improvement
- [ ] Other (Please specify)__________________________________________

PROPOSAL: A short summary/abstract of the proposal for professional leave, written for an educated layperson, must be attached to this form. The full proposal must not exceed five (5) typed pages, and should discuss, answer, or contain the following:

1. major objectives to be achieved during the leave period and their relationship to your ongoing responsibilities as a faculty member at CSU;
2. a specific outline of the project to be initiated or continued in fulfillment of these objectives;
3. expected outcomes from the completion of this project;
4. criteria for evaluating the relative success of the project upon its completion;
5. additional sources of support (e.g., research grants) that you are exploring or have explored relative to the requested period of professional leave.

Applications given a favorable review at the departmental level must be accompanied by a statement from the chairperson indicating how arrangements will be made to cover teaching and other responsibilities of the faculty member. Applications that are given a favorable review at the college level must be accompanied by a statement from the Dean assuring that all leaves in the College are recommended on a “break even” or “no cost” basis.

\textsuperscript{23} Academic Year = two semesters of full-time academic service in rank, excluding summer term. Leaves of absence should not be counted. Periods of less than full-time service may also be accumulated as partial credit towards eligibility.
ARTICLE I — NAME

The name of this organization is The Faculty of the College of Law (“the Law Faculty”).

ARTICLE II — MEMBERSHIP

SECTION 1. MEMBERSHIP GENERALLY

The membership of the Law Faculty is as follows: the President of the University, ex officio; the Vice President for Academic Affairs, ex officio; the Dean and Associate Deans of the College of Law; all persons assigned to the College of Law with the faculty rank of Professor, Associate Professor, Assistant Professor, Emeritus Professor, Clinical Professor, and Legal Writing Professor.

SECTION 2. VOTING RIGHTS

All members of the Law Faculty, except ex officio members and emeritus professors, are eligible to vote on all matters except as follows. Clinical Professors and Legal Writing Professors are not eligible to vote on matters related to hiring, tenure or promotion of tenured or tenure-track faculty, or the hiring or retention of the Dean.

ARTICLE III — OFFICERS

SECTION 1. THE DEAN

The Dean of the College of Law is the chief executive officer of the College of Law and is the chairperson of the Law Faculty. The Dean or the Dean’s designated representative shall preside at faculty meetings of the College of the Law.
SECTION 2. THE SECRETARY

The Dean of the College of Law will appoint a Secretary of the Law Faculty. The Secretary will notify each member of the Law Faculty of the time, place, and agenda of each faculty meeting, and will keep accurate minutes of all such meetings.

ARTICLE IV — MEETINGS

SECTION 1. REGULAR MEETINGS

The Law Faculty will meet at least twice during each of the Fall and Spring semesters. The Dean (or, in the Dean’s absence, his or her designated representative) will call meetings and may call additional meetings as the need arises.

SECTION 2. ADVANCE NOTICE OF ALL MEETINGS

All meetings must be called and the preliminary agenda announced by written or electronic notice to all members of the Law Faculty not less than 48 hours prior to the time set for the meeting.

SECTION 3. QUORUM FOR MEETINGS

Forty percent of the voting members of the Law Faculty who are not on professional or personal leave constitutes a quorum. Faculty excused from attending a specific meeting are not considered faculty 'on professional or personal leave' when calculating the number of faculty necessary to constitute a quorum.

SECTION 4. EXECUTIVE SESSION

A. The Law Faculty can convene an executive session for consideration of personnel matters and any other matter requiring confidentiality.

B. Forty-percent of the members of the Law Faculty eligible to vote on the issue who are not on personal or professional leave constitutes a quorum for an executive session.

ARTICLE V — COMMITTEES

The members of the Law Faculty have an important responsibility to participate actively in the governance of the College of Law. One of the principal means through which the members of the Law Faculty satisfy that responsibility is participation in committees in the College of Law.

SECTION 1. COMMITTEES

The following are the committees of the Law Faculty:
A. The Dean’s Faculty Advisory Committee. The elected Faculty Senators from the College of Law constitute this committee.

B. The Faculty Affairs Committee. The Faculty Affairs Committee must consist of at least six persons, including at least one full Professor, at least one Associate Professor, at least one Assistant Professor and at least one member of the legal writing or clinical faculty. Each member of the Committee is elected for a two-year term. Law Faculty with an administrative position in the Law College or University are ineligible to serve on the Faculty Affairs Committee.

C. The Personnel Action Committee (PAC). The PAC will consist of all tenured members of the Law Faculty. The members of the PAC will elect by majority vote a Chair and Vice-Chair of the PAC. The Chair and Vice-Chair must be full professors without an administrative position in the Law College or University at the time of election.

D. Other Committees. Appendix A lists all other currently constituted committees of the Law Faculty.

SECTION 2. CREATING AND DISBANDING COMMITTEES

Upon recommendation of the Faculty Affairs Committee or the Dean, the Law Faculty may, by majority vote at a regular faculty meeting, create additional standing committees. All other committees or subcommittees may be created: (a) by the Dean, or (b) by the Law Faculty, after consultation with the Dean, by majority vote at a faculty meeting. All committees and subcommittees, except the PAC, may be disbanded by majority vote at a faculty meeting.

ARTICLE VI — ROBERT’S RULES OF ORDER

The rules contained in the most recent version of ROBERT’S RULES OF ORDER will govern the Law Faculty in all regular and special faculty meetings, to the extent that they are not inconsistent with these bylaws or with the special rules of this faculty or the bylaws of the Faculty Senate.

ARTICLE VII — VOTING BY SECRET BALLOT

Voting for election to the Faculty Senate, election to the Faculty Affairs Committee, election of the Chair and Vice-Chair of the PAC, amendment of these bylaws and all personnel action decisions will be by secret ballot. Any faculty member can request a secret-ballot vote on any other issue. Voting will be by secret ballot on that issue if any other faculty member seconds the request.

ARTICLE VIII — AMENDMENT

Any member of the Law Faculty may propose amendments to these bylaws. A proposed amendment to these bylaws must be submitted in writing at a faculty meeting.
and referred to the Faculty Affairs Committee. At a subsequent faculty meeting, not sooner than thirty days after the submission of the proposed amendment, the Faculty Affairs Committee will report its recommendation regarding the proposed amendment. The Law Faculty will determine by majority vote whether to submit the amendment to a secret ballot. A vote of two-thirds of those casting secret ballots is required to amend. These procedures will not be required for amendment of the “Other Policies and Procedures” referenced in Article IX.

**ARTICLE IX — OTHER POLICIES AND PROCEDURES**

These bylaws incorporate by reference all other policies and procedures adopted by the Law Faculty or established by the Dean, the Provost, President or Board of Trustees of CSU, including, but not limited to, policies and procedures for hiring, promotion, tenure and professional leaves.

Approved by faculty vote May 14, 2009.
APPENDIX A—LIST OF CURRENTLY CONSTITUTED COMMITTEES

The following is a list of the currently constituted committees of the Law Faculty other than those listed in Article V, Section 1:

Academic Standards
Admissions
Awards
Bar Exam
Building
Clerkship/Fellowship Committee
Cleveland-Marshall Fund/Baker Hostetler Scholars
Cleveland-Marshall Summer Research Grants
Curriculum
Faculty Appointments
Graduate Studies, International Programs & Joint Degree Programs
Honor Council
Summer Teaching Grants
Teaching
Special Committee on Health Law Programming
8.1.10 Consulting and Other Extramural Employment (Non-Bargaining Unit Members Only)24

1) Faculty members are frequently called upon to render professional counsel or service to public or private agencies for which compensation is direct and in excess of the terms of University contracts. Such services are encouraged if they fulfill a responsibility of the University to the community at large and provide invaluable professional experiences. It is understood, however, that such activities shall in no way limit the extent or quality of a faculty member’s obligation to the University or his or her profession. There are three levels of such activities:

A) Activities that have a minimal impact on the faculty member’s University or professional obligations, e.g., keynote speeches, paid reviews of research articles, books or creative works, and tenure reviews for other universities.

B) Activities that have a somewhat substantial one-time impact on the faculty member’s University or professional obligations, e.g., teaching short courses or workshops, consulting on projects for business, government or nonprofit organizations, expert testimony and self-employment.

C) Activities that have a substantial and continuing impact on the faculty member’s University or professional obligations, e.g., long-term consulting relationships with business, government or nonprofit organizations, expert testimony and self-employment.

The activities described in part A) above are exempt from the pre-approval requirements specified in the remainder of this article but shall be included in the annual spring semester report of extramural employment.

Before performing activities described in parts B) and C) above, the faculty member must obtain the written approval of his or her supervisor; such approval not to be unreasonably denied. In no event shall she or he accept a regular salary or annual retainer for counsel or services without the written consent of his or her supervisor.

24 Approved by the CSU Board of Trustees, October 23, 2008.
Faculty members shall not engage in any outside employment activity which competes directly with the University in its pursuit of grants, awards, projects and other sources of funding. In addition, outside employment will not be undertaken which violates Ohio’s ethics laws governing public employees.

The use of the name, symbol, or address of Cleveland State University in any extramural employment agreement is prohibited. University facilities, equipment, and materials may be used for such purposes only with the prior express consent of the Administration and according to explicit terms for reimbursement.

The faculty member’s supervisor shall at all times be kept informed in writing of the extramural employment of full-time faculty members. Faculty shall submit a report of such activities, indicating the number of hours and for whom the work was performed, to his or her supervisor in the spring semester of each academic year. Consulting activities should make a contribution to the enrichment of the teaching and/or research competence of the faculty member.

2) If the faculty member’s supervisor believes that a faculty member’s outside activities interfere with the extent or quality of the faculty member’s obligation to the University or his or her profession or compete directly with the University in its pursuit of grants, awards, projects and other sources of funding, or if the faculty member fails to abide by the procedures set forth in Section 8.1.10.1, the supervisor and the faculty member shall discuss the situation in an attempt to resolve any problems or misunderstandings. After such consultation, the supervisor may order suspension or termination of any outside employment. Such orders to suspend or terminate outside employment may be appealed to the Provost. During the grievance procedure, the order of the supervisor affecting outside employment normally shall not force suspension or termination of existing contractual obligations, but shall prohibit the faculty member from extending or renewing any existing contractual obligation, or accepting any new outside employment. Nevertheless, if the supervisor determines that continuing the outside employment impairs the faculty member’s obligation to the University or his or her profession, the faculty member shall suspend or terminate the outside employment even if the order is challenged through appeal.

3) Faculty members are expressly prohibited from teaching for other educational institutions, colleges or universities while under contract, unless such teaching is a part of an inter-institutional agreement entered into by Cleveland State University or the faculty member has the prior written consent of his or her supervisor.
APPENDIX 15

EXAM PROCEDURES MEMORANDUM

TO: Faculty

FROM: Mark J. Sundahl, Associate Dean for Academic Affairs
Jean Lifter, Assistant Dean for Academic Affairs
Marcie Rechner, Records Officer

RE: Exam Procedures

DATE: April 20, 2011

ADMINISTRATION OF EXAMINATIONS

Each faculty member will proctor an in-class exam of a colleague at the same time as their in-class exam is being proctored by another faculty member. For this system to work smoothly, it is extremely important that exams be administered in accordance with the following procedures. Note: If you will not be in the building while your exam is being proctored you must be available by telephone in the event that any questions regarding your exam arise. In advance of your exam, please give Jean Lifter the telephone number at which you may be reached.

A. Submitting Exams and Exam Instructions

If you need help typing your exam, please allow at least five working days for typing and duplication, which will be taken care of by the word processing department through Laverne Carter, Office Manager.

On the first page of the exam, please put the course name, number, and section, instructor name and semester and leave a blank for the student exam number—all of this will facilitate collecting exams at the end of the exam (see Proctoring Responsibilities below). Please number the pages of your exam so that it will be certain each student has all of the pages of the exam.

You must complete the Exam Instruction Form for each of your exams. Please make sure that your instructions are complete. This is the document on which the proctor will rely when proctoring your exam. If your exam is administered in parts, please explain exactly how the exam is to be administered. If your exam has Multiple Choice Questions, you must specify whether students will use the Blue (up to 5 choices for the answers) or Green (up to 10 choices) scantron sheets. Also, please indicate whether copies of your exam should be given to the library (after the exam period) for inclusion in the Past

Amended in accordance with memorandum presented to faculty in November 10, 2011 faculty meeting.
Exams online (explained in the Faculty Manual). If we have any questions about your instructions, we will contact you before your exam.

So that we can be sure that we have all exams and complete instructions for the proctor before the start of the exam, we will need to have copies of your exam with instructions for the proctor at least **24 hours** before the scheduled beginning time of the exam. This means that you cannot bring the exam in with you on the day of the exam. You must have the exam and instruction form copied in time for it to be delivered to Jean Lifter 24 hours before the scheduled start time of the exam. So, for example, if your exam is scheduled for Monday at 9 a.m. Jean Lifter must have the exam by Friday at 9 a.m. (As you can tell, we are not counting weekends in the time frame.) You will need to give the exam to Laverne Carter sufficiently prior to that for her to have the exam copied. The exams are copied and secured so that no students have access to them prior to the exam.

B. **Proctoring Schedule**

Proctoring assignments and exam rooms are noted on the exam schedule. Please keep a copy of the exam schedule with you when you proctor in case you need to ask the professor whose exam you are proctoring a question about the exam. Every exam will be given in one room—those handwriting and those taking on computer will take the exam in the same room. We will not provide a separate room for hand writers—we have not needed one in the past. If it becomes apparent to you that a student needs a separate room to hand write the exam, please send the student to Jean Lifter’s office during the day and to the Student Services reception desk in the evening. We will have a space for students to take the exam.

C. **Electronic Devices and Other Personal Effects**

Students are not permitted to bring any electronic devices other than their personal computer to an exam (e.g., cell phones, Personal Digital Devices (PDAs), mp3 players, cameras, or digital or tape recorders). Students may not keep book bags, purses, or briefcases at their table during the exam. If a student brings a bag, purse or briefcase to the exam, they must be left at the front of the exam room and may not be accessed during the exam. If a student has an emergency that requires the student to make or receive a call during an exam, the student should inform Dean Lifter and arrange to have the call made or received from the Student Services Center. Neither the law school nor the proctor shall be responsible for items left in the front of the room.

D. **Proctoring Responsibilities**

1. On the day of the exam, please pick up the exams, exam instructions, and class roster from Jean Lifter’s office.

2. Please bring blue books/blank paper (and scantron sheets and pencils if required) to the exam. The blue books/blank paper will be for all students—blue books for students who are handwriting the exam and blank paper for outlining
for computer exams. Bluebooks, blank paper, and scantron sheets are available in the Copy Room. Pencils may be obtained from the Records Office.

3. Please plan to stay in the exam room for the entire exam.

4. Remind the students that electronic devices (as described above in Section C) are not permitted in the exam room. Tell the students that if they have any bags, purses, or briefcases, they must place the items in their locker or place them in the front of the room before taking the exam.

5. Before the exam begins, please ask that students not sit next to each other, but at least one seat apart if possible. Also, please make sure that students have turned off their cell phones.

6. Please make sure that each student initials the class roster and indicates on it whether s/he is handwriting or taking the exam on computer. Please do this before the exam begins or when students are turning in their exams at the end, but not during the exam itself. Please assure the students that this form will not be submitted to the course instructor but is for administrative use only to make sure that all exams are properly submitted.

7. At the beginning of the exam session, once you have distributed the exam please:

   a. ask students to make sure that they have all the pages of the exam – if there is a problem with the copies, please immediately see Dean Lifter or the staff person at the Student Services Center reception desk;

   b. ask students to put their exam numbers on the front of the exam questions;

   c. ask any student writing the exam to write their exam number and the name of the class on their bluebooks;

   d. if scantron sheets are being used, ask the students (i) to write their exam number on the sheet and bubble in the appropriate numbers and (ii) to write the name of their professor in the NAME box on the sheet – they should not fill in the bubbles for the professor’s name.

   e. inform the students that during the last five minutes of class students must remain in their seats and may not leave even if they have finished the exam (although they are free to leave prior to the five-minute warning);

   f. instruct students to turn in their exam materials by (i) tucking all materials inside the exam materials “jacket” and (ii) placing the materials in a single pile as they leave;
g. inform the students that the exam will be timed according to the classroom clock; and

h. write the time that the exam will end on the blackboard or whiteboard.

8. If a student has a question about the exam that requires information from the course professor, you, and not the student, may find the professor and ask for clarification. The student may not leave the exam room for this purpose.

9. Students who leave the exam room to use the restroom must leave all exam materials and their cell phones in the exam room.

10. If a student has computer problems during the exam, please make note of any significant period during which s/he was unable to work on the exam and extend, for that student, the time allowed on the exam. After a maximum of 20 minutes, a student with computer problems should be advised to switch to answering in a blue book and will be allowed to continue working on the exam for no more than the time lost, up to 20 minutes, after the regular exam ends. Tech staff can be reached during exams by dialing 216/523-7555 or x7555 from a University phone line; if not assisting students in another exam room, they will be in the law library – LL 112 (Eric or Dan); LL 114 (Greg); or LL 115 (Rick).

11. Five minutes before the end of the exam, announce to the students that five minutes remain and that they are to stay in their seats until the end of the exam.

12. At the end of the exam, announce that time is up and instruct all students to stop working on the exam. Except as indicated in paragraph 9, above, do not extend the time for any student.

13. At the end of the exam, have the students turn in their exam materials one at a time. For large classes, call students to line up and hand in their materials row by row in order to ensure an orderly process. When the students hand you their exam materials, make sure that:

   a. each student turns in the exam questions (with their exam numbers on them);

   b. if students have filled out a scantron sheet, they put the name of their professor in the NAME boxes on the sheet (they should not fill in the bubbles on this section of the sheet);

   c. each student’s exam materials are tucked into his/her exam “jacket”; and

   d. this package of materials is placed on a single pile (which pile will then be delivered to Dean Lifter or the Student Services Center per
paragraph 13 below).

14. For daytime exams, please return the exam materials to Dean Lifter’s office. For evening exams, please return the exam materials to the staff person at the Student Services Center reception desk. Please return the exams promptly after the end of the exam.

E. Picking Up Your Exams

Once any computer exams have been printed, the Records Office will confirm that all exams are accounted for by comparing the exam numbers for all students on your roster with the blue book and/or printed exams. The Records Office will take into account exams yet to be taken due to rescheduling or exams taken under accommodations. Thereafter you will be notified that your exams are ready for pick up and grading. We anticipate that your exams will be available the day after you give the exam—allowing time for the exams to be printed and cross-checked. (Rescheduled and/or accommodated exams may, of course, come thereafter.)
APPENDIX 16

EXAM INSTRUCTION FORM

EXAM INSTRUCTIONS

YOU MUST SUBMIT THIS FORM, WITH YOUR EXAM, AT LEAST 24 HOURS BEFORE THE TIME SCHEDULED FOR YOUR EXAM TO JEAN LIFTER

COURSE NAME ___________________________  SEMESTER & YEAR ___________________________

NO. & SEC. ___________________________  ROOM ___________________________

DATE & TIME OF EXAM ___________________________  INSTRUCTOR ___________________________

TIME ALLOWED FOR EXAM (INCLUDING ANY OPTIONAL EXTRA TIME YOU ALLOW STUDENTS)

_________________________________________________________________________________

MATERIALS STUDENTS MAY HAVE DURING THE EXAM

CLOSED BOOK ___________________________

OPEN BOOK-- SPECIFY BOOKS OR MATERIAL ALLOWED

_________________________________________________________________________________

_________________________________________________________________________________

_________________________________________________________________________________

SPECIAL INSTRUCTIONS FOR ADMINISTERING YOUR EXAM

(E.G., DO YOU REQUIRE STUDENTS TO SPEND A CERTAIN AMOUNT OF TIME READING THE EXAM AND OUTLINING BEFORE THEY MAY BEGIN WRITING OR DO YOU REQUIRE THAT THEY ANSWER AS CERTAIN PART OF THE EXAM, TURN IT IN AND THEN ANSWER ANOTHER PART OF THE EXAM?) IF YOU GIVE MULTIPLE CHOICE QUESTIONS, SPECIFY WHETHER STUDENTS WILL USE BLUE (UP TO 5 CHOICES FOR THE ANSWERS) OR GREEN (UP TO 10 CHOICES FOR THE ANSWERS) SCANTRON SHEET.

_________________________________________________________________________________

_________________________________________________________________________________

_________________________________________________________________________________

LIBRARY REVIEW COPIES:

PLEASE WITHHOLD TWO COPIES OF THIS EXAM FOR LIBRARY FILING PURPOSES. ____ YES ____ NO

I GRANT PERMISSION FOR MY EXAM(S) TO BE PLACED ON THE LAW SCHOOL WEB SITE. ACCESS TO THE EXAMS WILL ONLY BE GIVEN TO THE FACULTY, STAFF AND LAW STUDENTS OF CLEVELAND-MARSHALL LAW SCHOOL. ____ YES ____ NO

FACULTY SIGNATURE ___________________________________________________________________
APPENDIX 17

TAKE-HOME EXAM FORM

TAKE-HOME EXAMS

Date_______________________

Professor________________________________________________________________

Course__________________________________________________________________

1) When may students begin to pick up exams?

2) Do you prefer the sign-in/sign-out sheet by name or exam number?

3) How much time do students have to complete the exam?

4) Deadline to submit all exams:

5) Are students allowed to keep their copy of the actual exam, or do they have to return it with their completed examination?

6) Please explain any additional requirements:

7) Contact number for professor: __________________________________________

Please note: Instructor will be notified when exams are ready to be picked up.
APPENDIX 18
GRADE DISTRIBUTION FORM

ADVISORY GRADE DISTRIBUTION FORM

<table>
<thead>
<tr>
<th>COURSE NUMBER</th>
<th>SECTION NUMBER</th>
<th>COURSE TITLE</th>
<th>INSTRUCTOR</th>
<th>SEMESTER</th>
</tr>
</thead>
</table>

INSTRUCTIONS: Complete this summary for each course, whether subject to the guidelines or exempt. Do not include “W” or “I” grades in the totals or percentage calculations, but indicate the number of each in the spaces provided. Make no entries in the final column on the right under the heading “Verified.” Submit this summary form together with your final grade lists. No grades will be submitted to the University Registrar for official recording until this summary has been completed and verified.

<table>
<thead>
<tr>
<th>GRADE</th>
<th>REQUIRED CORE CURRICULUM GUIDELINES FOR CONTRACTS, CIVIL PROCEDURE, CRIMINAL LAW, PROPERTY, TORTS &amp; LEGISLATION AND THE REG. STATE</th>
<th>GENERAL GRADING GUIDELINES FOR OTHER LAW COURSES</th>
<th>ACTUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>STANDARD %</td>
<td>RANGE PERMITTED %</td>
<td>STANDARD %</td>
</tr>
<tr>
<td>A</td>
<td>10</td>
<td>8 – 12</td>
<td>14</td>
</tr>
<tr>
<td>A-</td>
<td>10</td>
<td>8 – 12</td>
<td>12</td>
</tr>
<tr>
<td>B+</td>
<td>11</td>
<td>9 – 13</td>
<td>18</td>
</tr>
<tr>
<td>B</td>
<td>16</td>
<td>14 – 18</td>
<td>19</td>
</tr>
<tr>
<td>B-</td>
<td>10</td>
<td>8 – 12</td>
<td>11</td>
</tr>
<tr>
<td>C+</td>
<td>13</td>
<td>11 – 15</td>
<td>11</td>
</tr>
<tr>
<td>C</td>
<td>12</td>
<td>10 – 14</td>
<td>9</td>
</tr>
<tr>
<td>C-</td>
<td>5</td>
<td>3 – 7</td>
<td>2</td>
</tr>
<tr>
<td>D+</td>
<td>5</td>
<td>2 – 10</td>
<td>2</td>
</tr>
<tr>
<td>D</td>
<td>5</td>
<td>2 – 8</td>
<td>2</td>
</tr>
<tr>
<td>F</td>
<td>3</td>
<td>0 – 6</td>
<td>0</td>
</tr>
<tr>
<td>Totals</td>
<td>100</td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

Number of “W” (WITHDRAW) grades submitted ___________
Number of “I” (INCOMPLETE) grades submitted ___________
Number of “P” (PASS) grades submitted ___________

SIGNATURE OF INSTRUCTOR ___________________________ APPROVED FOR REGISTRAR SUBMISSION ___________________________

DATE ___________________________ DATE ___________________________
APPENDIX 19

QUIZ/PAPER/EXAM VIEWING FORM

QUIZ / PAPER / EXAM VIEWING

Date_______________________

Professor________________________________________________________________

Course__________________________________________________________________

1) Student will identify by: Name__________ -or- Exam Number___________

2) How long will materials be available to students?__________________________

3) Students must review materials in the Student Services Center? Yes___ / No ___

- or -

Students may keep materials? Yes___ / No ___

- or -

Students may check out materials under these conditions:

4) Please explain any additional requirements:

Please note: Materials will be returned to instructor at the end of requested viewing period or at the beginning of the next semester.
To: Faculty from Academic Standards Committee

[Professors David Forte, David Goshien, Kenneth Kowalski, Claire May, Stephen J. Werber (Chair); Student Members Kim Baga and John Rose; Dean Jean Lifter, ex officio.]

Subject: Grading System and Related

March 16, 2007

The Committee extends its thanks to Registrar Marcie Rechner and our ex officio member, Dean Jean Lifter, for their assistance. Without their support and cooperation the Committee could not have completed this Report.

I: INTRODUCTION:

The Dean's charge to the members of the Academic Standards Committee asked that we “consider whether to expand the range of available grades to include “minuses” as well as “pluses.” On January 11, 2007 the Committee forwarded, via e-mail, an initial summary report [dated December 14, 2006] to the faculty describing the letter grade systems utilized by 44 law schools including all Ohio law schools (almost every law school in Illinois, Indiana, Kentucky, Michigan, New York, Pennsylvania, West Virginia was surveyed as well as both Rutgers campuses in New Jersey). All except Ohio State University, the University of Detroit, Mercy and Cardozo School of Law (Yeshiva University) utilized some level of plus/minus grading ranging from a maximum 13 grades to a minimum of 7 grades. Cardozo indicates the tier within the letter grade by the use of plus or minus but this had no bearing on grade point calculation.

In Ohio all schools except Ohio State University utilize some level of plus/minus grading. One school utilizes a 13 letter system, three use varieties of a 12 letter system, one a 10 letter system, and one an 8 letter system identical to ours. See Memorandum of December 14, 2006

The survey also found that the vast majority of schools utilized some form of grading guideline or curve and that the overall grade point averages in these schools were higher than those of Cleveland-Marshall. In Ohio, Akron and Northern Ohio have no grade curve as such and Capital has guidelines similar to ours. The grade norms for the other five schools are higher than those of Cleveland-Marshall.

CWRU: Approximately 2.9 (this may be for first year only).
Cincinnati: Approximately 3.1 for first year with a median of B+ for upper division classes of 20 or more students.
Dayton: first year mean between 2.75 and 2.85, upper division mean between 2.95 and 3.05.
Ohio State: A 25%, B 45%, C 26% with a maximum of 4% for lower grades.
Toledo: first year multiple section mean: 2.5-3.0, upper division mean of 2.6 – 3.2.
Although we did not calculate the norms for schools outside Ohio, the data reveals that almost all have grading practices that yield higher grade point averages than those earned by our graduates.

The current predicted grade point averages for Cleveland-Marshall College of Law are:

First year courses: 2.620  
Upper Division courses: 2.835

These figures are based on an assumed class of 100 students with the grades based on the standard percentages e.g. if the standard for an A is 16%, the calculation assumes 16 students received a grade of A. This procedure is followed for all grades, the quality points determined for each letter grade, the quality points are then totaled and the decimal point inserted. Due to the use of permitted ranges this system provides the most accurate predictor even though it is not fully accurate in terms of actual grading practices. The actual grade point averages at our school are somewhat higher than the curve predictor. [Information on actual grading practices is provided in part 2 (C) below.]

Available literature reviewed by the Committee leads to the following conclusions:

1. Adding a minus system does not increase average grade points for a class.
2. The more grade options available the greater potential there is for an increase in error rate as errors occur at the margins.
3. The more grade options available the less effect of error as the differential between grade points assigned is reduced.
4. A corollary of point 3 appears to be that the addition of available grades allows for a better correlation between a number value assigned to a given performance and the letter grade entered for that performance. This is true if one grades by assigning numerical values that are then changed to letter grades and then to quality points that form the basis for the grade point average.

Simply put: (1) Adding minus grades will not, of itself, lead to higher grade point averages and (2) though there may be an increase in the error rate, the effect of error will be reduced.

The Committee is recommending that Cleveland-Marshall College of Law adopt a plus/minus system. If the faculty adopts such a system we must also modify our grading guidelines, graduation honors standards and Dean's List standards.
II. RECOMMENDATIONS – MOTIONS OF THE ACADEMIC
STANDARDS COMMITTEE:

1. Add grades of A-, B- and C- to the current letter grade system
(Academic Regulation 2.1).

This motion adopts an eleven grade system that adds the grades of A-, B- and C-
to our current system while rejecting the addition of an A+ or a D-. This also calls for a
modification of the quality points awarded for existing plus grades. The Committee
moves for adoption of the following grade system including quality points awarded for
each grade:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Quality Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>4.0</td>
</tr>
<tr>
<td>A-</td>
<td>3.7</td>
</tr>
<tr>
<td>B+</td>
<td>3.3</td>
</tr>
<tr>
<td>B</td>
<td>3.0</td>
</tr>
<tr>
<td>B-</td>
<td>2.7</td>
</tr>
<tr>
<td>C+</td>
<td>2.3</td>
</tr>
<tr>
<td>C</td>
<td>2.0</td>
</tr>
<tr>
<td>C-</td>
<td>1.7</td>
</tr>
<tr>
<td>D+</td>
<td>1.3</td>
</tr>
<tr>
<td>D</td>
<td>1.0</td>
</tr>
<tr>
<td>F</td>
<td>0.0</td>
</tr>
</tbody>
</table>

This system, in common with other schools, makes room for the inclusion of
minus grades by reducing the value of plus grades from .5 to .3 e.g., B+ moves from
a 3.5 to a 3.3.

If the faculty approves this motion, or any other variation of a plus/minus letter
grade system, accommodations must be made in three other areas. The Committee,
therefore, moves three additional motions (numbered 2 – 4). Note, however, that the
recommendations set forth in items (3) Award of Honors and (4) Standard for Deaa’s
List, can be considered without regard to the faculty’s action in regard to motions (1)
letter grades and (2) grading guidelines.
2. Modify the voluntary grading guidelines for First Year and Upper Division Courses as set forth below.

Note: The proposed guidelines are in bold; the current guideline standards are in standard font (proposed are in the left hand columns).

**FIRST YEAR GUIDELINES**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Standard</th>
<th>Range Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>10</td>
<td>8 - 12</td>
</tr>
<tr>
<td>A-</td>
<td>10</td>
<td>8 - 12</td>
</tr>
<tr>
<td>B+</td>
<td>11</td>
<td>9 - 13</td>
</tr>
<tr>
<td>B</td>
<td>16</td>
<td>14 - 18</td>
</tr>
<tr>
<td>B-</td>
<td>10</td>
<td>8 - 12</td>
</tr>
<tr>
<td>C+</td>
<td>13</td>
<td>11 - 15</td>
</tr>
<tr>
<td>C</td>
<td>12</td>
<td>10 - 14</td>
</tr>
<tr>
<td>C-</td>
<td>5</td>
<td>3 - 7</td>
</tr>
<tr>
<td>D+</td>
<td>5</td>
<td>2 - 10</td>
</tr>
<tr>
<td>D</td>
<td>5</td>
<td>2 - 8</td>
</tr>
<tr>
<td>F</td>
<td>3</td>
<td>0 - 6</td>
</tr>
</tbody>
</table>

Predicted g.p.a. 2.622

**UPPER DIVISION GUIDELINES**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Standard</th>
<th>Range Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>14</td>
<td>11 - 17</td>
</tr>
<tr>
<td>A-</td>
<td>12</td>
<td>9 - 15</td>
</tr>
<tr>
<td>B+</td>
<td>18</td>
<td>15 - 21</td>
</tr>
<tr>
<td>B</td>
<td>19</td>
<td>16 - 22</td>
</tr>
<tr>
<td>B-</td>
<td>11</td>
<td>8 - 14</td>
</tr>
<tr>
<td>C+</td>
<td>11</td>
<td>8 - 14</td>
</tr>
<tr>
<td>C</td>
<td>9</td>
<td>6 - 12</td>
</tr>
<tr>
<td>C-</td>
<td>2</td>
<td>0 - 6</td>
</tr>
<tr>
<td>D+</td>
<td>2</td>
<td>0 - 7</td>
</tr>
<tr>
<td>D</td>
<td>2</td>
<td>0 - 7</td>
</tr>
<tr>
<td>F</td>
<td>0</td>
<td>0 - 5</td>
</tr>
</tbody>
</table>

Predicted g.p.a. 2.978
Rational and related data analysis:

A. First Year Guidelines:

The standards and ranges permitted for grades of D and F are unchanged. The standards for all other grades have been modified to accommodate the new grade system. The ranges permitted for all grades of C and above have been tightened to a range of +/- 2 percent. This provides greater consistency in grading and in maintenance of the overall grading system objectives.

In groups (based on the percentage standard):

A and A- = 20% compared to 12% for A grades in the current system.
B+, B and B- = 37% compared to 36% for B+ and B in the current system.
C+, C and C- = 30% compared to 37% for C+ and C in the current system.
Grades below C = 18% compared to 15% in the current system.
Grades of D+, D, and F = 13% compared to 15% in the current system.

The grade of C- carries 1.7 Quality Points, a grade lower than that needed for good academic standing. Thus, the percentage of grades that subject a student to academic dismissal (below a 2.0) have increased by 3%.

The maximum grades allowed by category:

A range = 24%; B range = 43%, C and C+ = 29%
Grades below 2.0 = 31%. (Current maximums: A = 14%, B & B+ = 40%,
C & C+ = 44% and grades below 2.0 = 26%).

This system maintains the current predicted grade point average (to within 0.002 points), provides for a significant number of A- and B- grades while limiting the number of C- grades. It continues to provide discretion to professors in all grade categories although to a lesser extent than in regard to Upper Division classes. As all first year courses involve multiple sections, this slightly more limited discretion may promote greater consistency between sections. The standards and ranges permitted for grades below 2.0 will allow the faculty to maintain academic rigor while simultaneously permitting the award of more grades above C+ (one percent greater for grades of B and above and an additional 8-14% for grades of B-).

B. Upper Division Guidelines:

In a sense the most dramatic changes are not the addition of minus grades nor the higher predicted grade point average, but in the reduction of the standard norm for total grades below 2.0 which is reduced to 6% with the C- grade as compared to the prior 9% for grades of D+ and below including a 3% standard for grades of F (the proposed system has a zero standard for this grade). The changes in grades below 2.0 reflect two
consistent objectives: first, to raise the overall upper division g.p.a. and second, to be more consistent with grading practices as applied by our faculty.

The standard and ranges for all grades have been modified to accommodate the new grading system. The range of grades for all grades above C have been tightened to a range of +/- 3 percent. This provides somewhat more flexibility than the permitted ranges for first year courses while retaining the potential for greater consistency between both multi-section course such as Constitutional Law and Evidence as well as among all electives courses.

In groups (based on the percentage standard):

A and A- = 26% compared to 16% for grades of A in the current system.  
B+, B and B- = 48% compared to 43% for grades of B+ and B in the current system.  
C+, C and C- = 22% compared to 32% for grades of C+ and C in the current system.  
Grades below C = 6% compared to 9% in the current system.  
Grades of D+, D and F = 4% compared to 9% in the current system.

The maximum grades allowed by category:

A range = 32%; B range = 57%, C and C+ = 26%
Grades below 2.0 = 25%, (Current maximums: A = 20%, B & B+ = 50%.
C and C+ = 40% and grades below 2.0 = 21%)

This system increases the predicted grade point average to 2.978 from its current 2.835 – an increase of 0.143. This places the grade point average for upper division courses closer to that of the vast majority of schools including Ohio schools. Utilizing the predicted grade point averages, the predicted graduation standard increases from 2.76 to 2.85. The maximum percentage of grades that subject a student to academic dismissal increase by 4% while grades of D+, D and F decrease by 2%.

The slightly more limited discretion in the grade ranges will, hopefully, yield greater grading consistency among multi-section courses as well as among all electives. This could encourage students to select electives based on substance rather than grading reputation of the professor. (One can dream – yes?). As shown below, actual grading practices yield significantly higher grades than those of the predicted grade point average.
C. COMPARISON TO ACTUAL GRADING PRACTICES

Actual grading practices reveal the extent to which the grade point averages in various classes are higher than the predicted grade point averages.

1. First Year Courses:

To the best of our ability the grade point averages for each section of first year courses, other than Legal Writing were:

Spring 2005:
   2.76, 2.75, 2.74 and 2.62.
Spring 2006 (using corrected data):
   2.79, 2.76, 2.74 and 2.67.

The only averages below 2.7 were in the evening sections.

The grade point average for all Legal Writing sections in Spring 2005 was 3.0 and in Spring 2006 was 2.96 (based on revised data). Legal Writing Professors follow the Upper Division Guidelines. These averages are consistent with other upper division course averages and considerably lower than in many such classes.

2. Upper Division Courses:

A somewhat random review of Upper Division grades awarded in Fall 2006 shows:

Constitutional Law: composite of three sections (minimal variance between sections): 2.97.
Evidence: 3.22 and 2.97 (as these variances were substantial a composite was not utilized).
Administrative Law: 3.14
Environmental Law: 3.37
International Law: 2.96

The proposed guidelines would permit the same grading approach and could yield identical averages. Please do not ask us to do the computations.

Looking at 28 upper division courses in Fall 2006 the total number of grades below C were: D+ = 9; D = 6; F = 2.

This compares to approximately 685 grades of A and B+

Assuming 750 total student grades, a conservative estimate, the percent of grades below C would have been: D+ = .012; D = .008; F = .002: Total = .022.
The proposed grading guidelines permit well in excess of this number but to a lesser degree than reflected in the current guidelines.

3. **Change the method of awarding graduation honors** *(Academic Regulation 4.2)* from a numerical to a percentage system.

**A. HISTORY AND PROJECTIONS: CLEVELAND-MARSHALL**

Academic Regulation 4.2 provides for the award of graduation honors based on the following grade point averages:

- Summa cum laude: 3.7
- Magna cum laude: 3.5 – 3.69
- Cum laude: 3.3 – 3.49

The Committee recommends that the award of graduation honors be based on specific percentages of the graduating class as follows:

- Summa cum laude: Top 5%
- Magna cum laude: Next 10%
- Cum laude: Next 18%

This limits honors to the top 1/3 of the graduating class which is largely consistent with the percentage of honors awards granted to the classes of 2005 and 2006 as well as current projections for the class of 2007. It is also consistent with the percentages in each category when compared to Spring 2005, but is lower in terms of Summa cum laude and Magna cum laude awards when compared to Spring 2006.

If we assume that graduation averages will increase by 0.1 (the increase in predicted graduation grade point average) the comparative picture for the grant of graduation honors based on grade point averages would be:

<table>
<thead>
<tr>
<th>Current Percentage of Graduates Earning</th>
<th>Potential Percentage of Graduates Earning</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Spring 2005 (196 J.D. Graduates):</strong></td>
<td></td>
</tr>
<tr>
<td>Summa cum laude: Top 4.5%</td>
<td>Top 12%</td>
</tr>
<tr>
<td>Magna cum laude: Next 9.6%</td>
<td>Next 14%</td>
</tr>
<tr>
<td>Cum laude: Next 17.3</td>
<td>Next 14%</td>
</tr>
<tr>
<td>Totals: 31.4%</td>
<td>40%</td>
</tr>
<tr>
<td>Current Percentage of Graduates earning</td>
<td>Potential Percentage of Graduates Earning</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td><strong>Spring 2006 (211 J.D. Graduates):</strong></td>
<td></td>
</tr>
<tr>
<td>Summa cum laude:</td>
<td>Top 8.5%</td>
</tr>
<tr>
<td>Magna cum laude:</td>
<td>Next 11.8%</td>
</tr>
<tr>
<td>Cum laude:</td>
<td>Next 12.7%</td>
</tr>
<tr>
<td><strong>Totals: 32.3%</strong></td>
<td><strong>38.5%</strong></td>
</tr>
<tr>
<td><strong>Projected Actual Spring 2007</strong></td>
<td></td>
</tr>
<tr>
<td>(162 Graduates to March 8):</td>
<td></td>
</tr>
<tr>
<td>Summa cum laude:</td>
<td>5.5%</td>
</tr>
<tr>
<td>Magna cum laude:</td>
<td>11.7%</td>
</tr>
<tr>
<td>Cum laude:</td>
<td>15.4%</td>
</tr>
<tr>
<td><strong>Total: 32.6%</strong></td>
<td><strong>40%</strong></td>
</tr>
</tbody>
</table>

The data for actual graduates is based on the graduation honors as specified in the 2005 and 2006 Commencement programs. The potential percentages reflect the addition of an increase in grade point averages of .10. These numbers were based on the grade point averages for each class as of the close of the February semester. That data was based on ranges that did not exactly match the requirements for graduation honors. That same estimate model was used in the initial draft of this Report for Spring 2005 and 2006 graduates and in each instance the estimate was accurate to approximately <1% or in each category. The potential figures are, therefore, presented with a high level of confidence.

The data for Spring 2007 is based on records of the 162 students who have applied for graduation. This list is not yet complete as the grade ranking sheets for Fall semester 2006 show 169 full time 3L students and 51 4L students (total 220). Though not all 220 will graduate this Spring, we can anticipate that a significant portion of the 58 student disparity will graduate in Spring or Summer 2007. Based on prior commencement data, the total graduates should be in the range of 200.

The estimate potential for Spring 2007 is based on Fall 2006 grade point averages. The 40% total is predicted with substantial confidence. The breakdowns between honors levels are less reliable as the grade spreads on the ranking sheets were too broad for accurate predictions. In both cases some adjustments will be made after graduation so as to reflect actual final grade point averages.
B. COMPARISON TO OTHER OHIO LAW SCHOOLS

A review of Ohio law schools reveals no uniform pattern.

Three schools utilize percentages:

<table>
<thead>
<tr>
<th>School</th>
<th>Summa</th>
<th>Magna</th>
<th>Cum laude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Univ. of Cin.</td>
<td>Top 5%</td>
<td>Top 15%</td>
<td>Top 30%</td>
</tr>
<tr>
<td>Univ. of Dayton</td>
<td>Top 2%</td>
<td>Next 3%</td>
<td>Next 7%</td>
</tr>
<tr>
<td>Ohio State Univ.</td>
<td>Top 3%</td>
<td>----</td>
<td>Top 10% and &quot;with honors&quot; for Top 25%</td>
</tr>
</tbody>
</table>

One school, Ohio Northern, awards “high distinction” for 3.6 and above and “distinction” for 3.3 – 3.59.

Four schools utilize a system based on grade point averages:

<table>
<thead>
<tr>
<th>School</th>
<th>Summa</th>
<th>Magna</th>
<th>Cum Laude</th>
</tr>
</thead>
<tbody>
<tr>
<td>Univ. of Akron</td>
<td>3.6 &amp; up</td>
<td>3.4 – 3.59</td>
<td>3.2 – 3.39</td>
</tr>
<tr>
<td>Capital</td>
<td>3.6 &amp; up</td>
<td>3.4 – 3.59</td>
<td>3.2 – 3.39</td>
</tr>
<tr>
<td>Case Western R.U.</td>
<td>3.9 &amp; up</td>
<td>3.65 – 3.89</td>
<td>3.4 – 3.64</td>
</tr>
<tr>
<td>Univ. of Toledo</td>
<td>3.9 &amp; up</td>
<td>3.6 – 3.89</td>
<td>3.3 – 3.59</td>
</tr>
</tbody>
</table>

[Reminder: Cleveland-Marshall numbers are 3.7, 3.5, 3.3]

It is not possible to ascertain the percentages of honors granted at Akron, Capital, Case and Toledo without additional information. In comparison to the schools utilizing grade point average as a basis for honors our cut-off points are within the norms although Case and Toledo are significantly more demanding in regard to Summa status and more demanding as to Magna status. Our standards are, however, higher than those of Akron and Capital. In terms of percentages as compared to the three schools utilizing a percentage system, we award the highest percentage of graduation honors. The difference is especially notable in comparison to Dayton and Ohio State.

C. REASONS FOR MOVING TO A PERCENTAGE SYSTEM

With the change in guidelines, and the projected enhancement of graduation grade point averages, it becomes difficult to predict the number of students that will attain given grade levels in future years. With any g.p.a. based system the percentage of students receiving honors varies from year to year. Review of the past two years and the projection for Spring 2007 reveals modest differences in the total percentages, but significant differences in the level of award.

Some key facts are clearer. The number of Summa graduates will reflect a substantial increase and the percentage of honors graduates will significantly exceed
current levels. If we are to maintain the integrity of graduation honors we must impose a limit that is independent of grading practices. The only negative effect of this change would be a diminished ability of students to predict their needs to attain a specific honors level. This effect is of relatively little consequence in light of the fact that class rankings, by percentages, are posted each year and students can ascertain where they fall.

The current Academic Regulation yields a high percentage of honors graduates. This suggests that our grade point norms, though consistent with those of other schools (a range that awards Summa cum laude at a high of 3.9 and cum laude at a low of 3.2) are yielding excessive honors awards. This diminishes the value of the awards. Nevertheless, the Committee was reluctant to reduce the percentages to a point below that reflected in recent years. The proposed norms will yield a nominally higher percentage of honors graduates than in the past. The major effect of the change to the suggested percentage is that it will yield significantly less honors graduates than current g.p.a. based norms would permit if the grading guidelines are modified.

This proposal seeks to maintain the integrity of our honors awards in a uniform manner readily understood by our students and potential employers. This recommendation is necessary and proper regardless of the faculty’s decision in regard to letter grade and guideline changes.

4. Raise the Required Grade Point Average for Dean’s List (Academic Regulation 4.1) from 3.3 to 3.4.

As with the level of honors awards, the integrity of this award is diminished when excessive awards are granted. Of the 693 students enrolled this Fall semester (2006), 233 were on the Dean’s List (33.6%). Of those on the list only 29 (12.4%) had a g.p.a. of under 3.4. If the proposed 3.4 system were in effect we would still have had 204 students (29.4%) on the Dean’s List. If the new guidelines are approved and the average g.p.a. increases by just 0.1, a figure lower than 0.14% increase for upper division students and virtually identical to the predicted increase in graduation averages, a significantly higher percentage of students will receive this honor. The increase would most likely be at least equal to the number of current students with a semester g.p.a. between 3.3 and 3.4 i.e., another 29 students. If so, the percentage of Dean’s list students would exceed 45%.

A level in the range of 29-30% appears adequate. Although the reason for setting the level at 3.3 cannot be ascertained with certainty, it is probably more than coincidence that it matched the level required for cum laude honors of 3.3. The recommended standard of 3.4 is likely to be consistent with the predicted grade point levels for upper division students as well as to the potential cut-off for the award of graduation honors.
III. SOME RELATED OBSERVATIONS:

1. Disparity in award of honors:

There is a substantial disparity in regard to graduation honors and Dean’s List when the percentage of awards to full time students is compared to that of part time students. The projected honors awards for the class of 2007 reveals that 4 of 26 part time students (15.3%) will graduate with honors compared to 49 of 136 full time students (36%). Similarly, the Dean’s List data for Fall 2006 shows that only 9 part time students made Dean’s List (1.2% of total students enrolled) while 224 full time students made Dean’s List (32.3% of students enrolled). The disparity is further illustrated by the fact that 9 of 196 part time students (1L – 4L) made the Dean’s List while 224 of 497 full time students earned such honors: 4.5% compared to 45%.

2. Alternatives considered:

The Committee considered recommending that graduation honors be limited to a total of 30% through a scale that would leave the Summa cum laude and Magna cum laude percentages as specified but changing the cum laude percentage to 15%.

The Committee also considered recommending that the grade point average for Dean’s List be raised to 3.5.

In part because these changes were more dramatic and/or too limiting in honors awards than those proposed, it was determined to take the more conservative approach to change set forth in the proposals.
Upper Level Writing Requirement
and Independent Legal Research Standards

The Upper Level Writing Requirement and Independent Legal Research (L860) Standards, as approved by the faculty in November 1997 and amended in May 1999 and supplemented in November 2006 are as follows:

A. Upper Level Writing Requirement

The purpose of the Upper Level Writing Requirement is to have each student undertake at least one rigorous writing experience prior to graduation, in addition to Legal Writing, Research and Advocacy (L504) and the third semester of legal writing. Although the focus of this requirement is writing skills, effective legal writing requires application of the broad spectrum of skills essential to effective lawyering generally. Thus, research, analysis, and organization are important components in the preparation of any quality product of legal writing. For this reason, the goal of the Upper Level Writing Requirement is to require each student to demonstrate his or her ability to apply each of these skills in producing one substantial, cohesive piece of legal writing prior to graduating from law school.

1. Students may satisfy this requirement by completion of any one of the following:
   a. A seminar for which a paper is required;
   b. A specially designated upper level course for which a paper is required or offered for writing credit; or
   c. An appropriate two or three semester-hour Independent Legal Research (L860) project.

2. The Upper Level Writing Requirement is satisfied by the completion of a paper, brief, casenote, or other piece of legal writing that combines writing, research, analytical and organizational skills into one substantial written product under the direction of a faculty supervisor. As a general rule, “faculty supervisor” means full-time tenured or tenure-track faculty member, full-time legal writing professor, or full-time clinical professor.

3. If the written product consists of an Independent Legal Research (L860) project, it must satisfy the page requirements for L860, as listed in Section B below. What constitutes a “substantial” written product in other courses shall be left to the discretion of the instructor, subject to review by the Curriculum Committee at the time the course is submitted for approval, as stipulated in paragraph 5.

4. To complete the Upper Level Writing Requirement, it is assumed that the student will undertake exhaustive library or other approved investigation under the supervision of a faculty member. In order to insure a meaningful one-on-one consultation and critique between the student and instructor, it is strongly urged that the instructor:
   a. Require the student to meet regularly with the faculty sponsor during the course of the project;
b. Require the student doing an Independent Legal Research (L860) project to obtain the faculty sponsor’s written approval of a proposal prior to signing up for credit;
c. Require the student to submit and discuss an outline of the writing project prior to commencing the first draft;
d. Provide written comments concerning submitted drafts and discuss those comments in a meeting with the student;
e. Require the student to submit a detailed research path of one or two pages with the rough draft, indicating the full extent of the student’s research and sources used and showing unproductive investigation as well as that which produces materials bearing on the problem;
f. Require the student to familiarize himself or herself with the concept of plagiarism;
g. Make clear to the student that the Upper Level Writing Requirement is unrelated to, and independent of, any non-curricular requirements, such as those needed for acceptance of the paper by a student journal.

5. Any instructor wishing to designate a course as satisfying the Upper Level Writing Requirement must first obtain authorization from the Curriculum Committee.

6. Faculty have discretion, while awarding a passing grade to a student enrolled in a course or in Independent Legal Research (L860), to determine that nonetheless the student has not satisfied the Upper Level Writing Requirement. Students should be advised of this faculty option.

7. Copies of papers submitted in satisfaction of the Upper Level Writing Requirement shall be retained by the administration in the same manner as final examinations.

B. Independent Legal Research (L860) Standards

1. The minimum number of credit hours of Independent Legal Research (L860) that will satisfy the Upper Level Writing Requirement is two credit hours.

2. The text page minimum for Independent Legal Research (L860) projects completed to satisfy the Upper Level Writing Requirement should ordinarily be 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, per credit hour, but in no case less than 10 pages, exclusive of footnotes or endnotes, per credit hour. Faculty may, in their discretion, define a “page” in terms of font size, margins, approximate number of words, etc.

3. Independent Legal Research (L860) may also be taken for one hour of credit, usually requiring a minimum of 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, as described above, but such projects will not satisfy the Upper Level Writing Requirement.

4. A maximum of three semester hours of Independent Legal Research (L860) credit may be elected to count toward the J.D. or LL.M. degree.
5. No faculty member may sponsor more than six (6) students per academic year, exclusive of the summer term, in Independent Legal Research (L860) without the approval of the Dean or his or her designate.

C. Supplementary Guidelines Regarding Law Review and Journal Notes

In November 2006 the faculty adopted additional guidelines for faculty supervision of Law Review and Journal Notes:

1) supervisory faculty of notes for L860 credit should attempt to co-ordinate their schedule of topic, outline, bibliography and draft submissions with that of the journal for which the note is being written;

2) the law review and the journal should make available to every faculty member each fall a written schedule detailing the stages in which the writing of the note becomes due;

3) each faculty member is requested to be available to supervise up to three notes for L860 credit;

4) a summary of each faculty member’s research interests should be made available to the law review and journals staffs each year.

D. 3-Credit-Hour ULWR Seminars with Reduced Class Time

Faculty members may teach a seminar or upper level course (in which students write a paper to satisfy the ULWR) worth three credit hours but in the time block of a two-credit-hour course. This is allowed under the ABA Standards and Interpretations that permit “regularly scheduled class sessions” to include “in a seminar or other upper-level course other than an independent research course, the minutes allocated for preparation of a substantial paper or project if the time and effort required and anticipated educational benefit are commensurate with the credit awarded.” ABA Interpretation 304-3(d). In light of the ABA Standard and Interpretation, faculty have the option, in a seminar or upper level course other than L860 (Independent Legal Research) in which students write a paper to satisfy the ULWR, of holding class meetings for the hours required for a two-credit-hour course while offering the course for three credit hours. This recognizes the substantial amount of time and effort that students and faculty are expected to spend on papers that satisfy the upper level writing requirement. Faculty may also offer the option to students of taking the seminar or upper level course for two credit hours if a student elects not to write a paper to satisfy the ULWR or for three credit hours if a student elects to write a paper to satisfy the ULWR. This policy is also available online on the Faculty Resources page.
What do I have to do to be licensed as an attorney in Ohio?

To get your license in Ohio after law school you must:

- Have a J.D. degree
- Complete the Character and Fitness Evaluation
- Pass the Ohio Bar Examination
- Pass the MPRE (Multistate Professional Responsibility Examination)

What is the Ohio Bar Examination?

The Ohio Bar Examination is a 2 1/2-day test, given every February and July. It consists of three parts:

1. **MBE**: 200 Multistate Bar Examination (MBE) multiple-choice questions covering Constitutional Law, Contracts/Sales, Criminal Law and Criminal Procedure, Evidence, Real Property, and Torts;

2. **ESSAYS**: 12 one-half hour essay questions covering the MBE subjects (see above), Business Associations (Corporations, Agency, and Partnership), Civil Procedure, Commercial Transactions (Commercial Law and Secured Transactions), Legal Ethics, Personal Property, and Wills (Estates and Trusts); and

3. **MPTs**: Two 90-minute Multistate Performance Test (MPT) consisting of a writing assignment based upon a closed universe of materials.

What do I have to file with the Office of Bar Admissions in order to take the Ohio Bar Examination?

You must file two Applications with the Ohio Supreme Court’s Office of Bar Admissions:

- Step 1: Application to Register as a Candidate for Admission (Character and Fitness Application), and
- Step 2: Application to Take the Bar Examination
Step 1: Application to Register as a Candidate for Admission
(Character and Fitness Application)

All applicants for the Ohio Bar Examination must file an “Application to Register as a Candidate for Admission” (also called the Character and Fitness Application) and complete the character and fitness evaluation process before the applicant is allowed to take the bar examination.

**Application:** The deadline for filing the “Application to Register as a Candidate for Admission” is NOVEMBER 15, 2012. This is the deadline for all second calendar year law students, full or part time, to timely file the Application. Please start early because the application contains a detailed questionnaire that covers many aspects of your personal, educational, and employment history. It takes time to gather data and complete the forms. Late filing of the Application increases the fees you must pay and delays your evaluation which can affect the date of the first Bar Exam that you are eligible to take. Students who have potential character and fitness issues should address these early in the process and are advised to timely file. The Application is on the Supreme Court of Ohio’s website at:
http://www.supremecourt.ohio.gov/AttySvcs/admissions/application/default.asp

**Evaluation:** After your Application is filed, the National Conference of Bar Examiners (NCBE) compiles your supporting documents and returns your record to the Supreme Court. You will then be interviewed by members of a local bar association. Your application will be submitted for review to the Board of Commissioners on Character and Fitness at the Supreme Court. The Board meets only twice per year. The answers to the written and oral questions must demonstrate that you possess the requisite character, fitness, and moral qualifications for admission to the practice of law. You cannot sit for the Bar Exam until this evaluation is finalized and you are approved.

Step 2: Application to Take the Bar Examination

A second, separate application, the “Application to Take the Bar Examination,” must be timely filed before an applicant may take the Ohio Bar Examination. For example, the deadline for the July 2013 Bar Examination is APRIL 1, 2013. Please check the Supreme Court’s website for future Bar Examination dates and deadlines. The application is located on the Supreme Court of Ohio’s website at:
http://www.supremecourt.ohio.gov/AttySvcs/admissions/Bar_Exam/default.asp

How can I contact the Bar Admissions Office?

The Supreme Court’s Office of Bar Admissions contact information is:
A list of **important dates and current and future deadlines** is located at: http://www.supremecourt.ohio.gov/AttySvcs/admissions/calendar.asp

**What is the MPRE (Multistate Professional Responsibility Examination)?**

The test is a 60 question, two-hour and fifteen-minute, multiple-choice exam administered three times each year generally in March, August and November at test centers across the country. Passage of the MPRE is a prerequisite to admission to the Ohio Bar. This test is administered by National Conference of Bar Examiners (NCBE), not the Ohio Supreme Court. It is not part of the Bar Exam and must be taken separately. Plan to take the MPRE before the Bar Examination. The dates are available at: http://www.ncbex.org/multistate-tests/mpre/mpre-test-dates-and-application-deadlines/

The remaining 2012 date and the 2013 dates are:

**Saturday, November 3, 2012**
Regular Application **Receipt Deadline:** September 18, 2012
Late Application **Receipt Deadline:** October 4, 2012

**2013 MPRE Administrations** will be April 6, August 17, and November 2. Registration will be available for these administrations beginning in early January 2013.

Law students often take this exam soon after completing a course in professional responsibility. The MPRE tests applicants on the ABA Model Rules of Professional Conduct and the ABA Code of Judicial Conduct. Ohio applicants must receive a score of 85 or better on the MPRE. You must take and pass the MPRE before being admitted to the practice of law in Ohio, including participation in the swearing-in ceremony.

Application deadlines are about six weeks prior to each test, although applicants may apply up to two weeks after that deadline if they pay an additional fee. Registration can be done online. Registration forms and other helpful information are provided at http://www.ncbex.org/multistate-tests/mpre/.

**Take a commercial MPRE preparatory course.** Law school professional responsibility courses are not MPRE preparatory courses. Prep courses are offered by bar review companies such as Barbri and other providers. They offer courses free of charge. Practice books are also available through the course providers. The National Conference of Bar Examiners also offers a one-year subscription for an online practice test.
What are My Chances of Passing the Bar Examination?

(1) The single best predictor for bar performance is your law school grade point average (GPA). Our research indicates that the higher your Cleveland-Marshall Law School GPA, the greater your possibility of success on the bar exam. Review of our bar passage data demonstrates that students with a law school GPA of 3.25 and above pass the bar exam at a consistently high rate. Those students with a law school GPA of 2.75 or below pass at a significantly lower rate. However, the data also indicates that students who increase their GPA from their first year to their final year also improve their bar passage rate.

(2) A second predictive factor is your entering LSAT score, although this is less predictive than law school GPA.


(3) Your participation in Cleveland-Marshall’s Six-Point Plan for Bar Success improves your chances of passing the Bar Examination.

What is Cleveland-Marshall’s Six-Point Plan for Bar Success?

1. Enroll in and Complete the Barbri Bar Review Courses
A full-service commercial bar exam preparatory course is essential to help you review and fill gaps in your knowledge to prepare for the MBE, Essay, and MPT portions of the exam. In order to make sure that you are able to afford a bar review course, C|M|LAW
has made arrangements to underwrite the cost of Barbri Bar Review for you. As a 2L student, you will pay only $700 for the full BarBri bar preparation course; C|M|LAW will cover the rest. You also will be responsible for the $250 refundable book deposit and the applicable taxes (generally under $40).

Make sure that you are enrolled with Barbri and commit to participating fully in the bar review course.

2. Take the Ohio Bar Exam Strategies and Tactics Course
Ohio Bar Exam Strategies and Tactics (“OBEST”) is a three-credit law school course that provides you with an opportunity to preview some of the substantive law covered on the bar and to become familiar with the modes of testing. This class is a supplement to a commercial bar review class, NOT a substitute for one.

Data analysis conducted for a review of our bar preparation program confirms that students who successfully complete the OBEST course and who also participate in other bar preparation programs have higher passage rates than their non-participating counterparts. The data for the last thirteen bar exams indicate that the passing rate for those who took OBEST is 86% compared to 81% for those who did not take the class. The difference in passing rates is even more pronounced for students with a law school GPA below 3.0—those most likely to benefit from the class: 74% of students with a law school GPA less than 3.0 who took OBEST passed while only 47% of students with similar law school GPAs who did not take OBEST passed the exam—a difference of more than 25 percentage points.

3. Participate in C|M|LAW FREE MPT (Multistate Performance Test) Workshops

After graduation, C|M|LAW offers MPT Workshops. The MPT Workshops meet weekly for six weeks before the February and July bar exams. Each week you will discuss strategies for approaching the MPT and take practice MPTs from past bar exams. You will get feedback on your work including suggestions on how to improve your scores and you will receive copies of the official Point Sheet used by bar graders, and copies of a high-scoring MPT response released by the Ohio Supreme Court. The MPT is worth 13% of the possible points on the bar, more than 75 points. The best preparation for the MPTs is to practice taking them. Participation in the MPT Workshops has been highly correlated with bar exam success. A financial incentive for participants is anticipated.

4. Take Bar Subjects in Law School
In addition to the first-year curriculum and other required courses, such as Constitutional Law, Evidence, and Legal Profession, the following courses will be helpful:
- Corporations
- Commercial Law (covers Sales and Negotiable Instruments)
- Criminal Procedure I (and possibly Criminal Procedure II)
Courses Required in Law School after first-year courses:
- 3rd semester Legal Writing (drafting courses are good practice for the MPT)
- Administrative Law Requirement
- Skills Requirement
- Constitutional Law
- Evidence
- Legal Profession
- Perspective
- Upper Level Writing Requirement

5. Take Six to Eight Weeks Off to Study
We strongly recommend that you take a minimum of six weeks (eight would be preferable) completely off of work to prepare for the rigors of the Ohio Bar Examination. This period requires advance planning and preparation in terms of employment situation, vacation time, family support, and financial matters. You must also address time management issues.

6. Make Adequate Financial Arrangements
Plan ahead for the cost of taking the bar exam. Application fees for the Ohio Bar Exam are more than $500. You will have some cost for the Barbri Bar Review Course. In addition, you will have to pay for three nights at a hotel during the bar exam, food, and transportation expenses. You will also have your living expenses while you study. Time lost from employment may add to these financial burdens. Several loans are available to help cover bar expenses.

- First, review your law school student loans and plan ahead to have funds available for bar expenses.
- Second, some private lenders will lend money based on good credit. A list of bar loan lenders is located on the C-M website at: https://www.law.csuohio.edu/lawlibrary/bar/loans
- Third, the Hebrew Free Loan Association will lend money with co-signers. Contact the organization for further information on requirements and terms. http://www.hflaclev.org/ or 216.378.9042

What Additional Resources are Available?
- Mary Jane McGinty is the Director of Bar Exam Preparation. She can be reached at 216.687.2297 or maryjane.mcginty@law.csuohio.edu.
- Kelly Curtis is our Director of Academic Support. She can be reached at 216.687.2359 or kelly.curtis@law.csuohio.edu
- The law library has bar-related materials and other study guides in Room A066 and on reserve.
- Our website contains bar-related links: https://www.law.csuohio.edu/lawlibrary/bar
# Faculty by Date of Birth

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<th>Associate (female)</th>
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<th>Full Professor (female)</th>
<th>Full Professor (male)</th>
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AA = African American  
A = Asian  
C = Caucasian
# PROFESSOR DEMOGRAPHICS

## Faculty by Rank

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## Faculty by Gender

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## Faculty by Race

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## Faculty by Race & Gender

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## Faculty by Race & Position

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## Faculty by Race, Gender & Position

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## College of Law

### List of Retired, Resigned, and Hired Faculty

#### For FY2006 to FY2011

<table>
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<td>Landever</td>
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<td>Tyler</td>
<td>Barbara</td>
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### New Hires:

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<td>Dean</td>
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<tr>
<td>Kalir</td>
<td>Doron</td>
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</table>
SUSAN J. BECKER  
Curriculum Vitae

Home:  
647 Brownstone Circle  
Avon Lake, Ohio 44012  
(440) 930-5560  
E-mail: susan.becker@law.csuohio.edu

Business:  
2121 Euclid Avenue, LB 138  
Cleveland, Ohio 44115  
phone: (216) 687-2323  
fax: (216) 687-6881

ACADEMIC POSITIONS

Cleveland State University, Cleveland-Marshall College of Law, 1990-present  
Professor of Law, 2004-present  
   Charles R. Emrick Jr.-Calfee Halter & Griswald Professor of Law, 2007-2010  
Associate Dean, 1997-1999  
Interim Associate Dean, 1996-1997  
Associate Professor of Law, 1994-2004  
Assistant Professor of Law, 1991-1994  
Visiting Assistant Professor of Law, 1990-1991


Law School Service: Served multiple years on various committees including Bar Pass (Chair), Curriculum Review (Co-Chair), Teaching (Chair), Faculty Appointments (Chair), Adjuncts (Chair), Academic Standards, Judicial Clerkship (Chair), Career Planning, Legal Writing and Research (Chair), Externship (Chair), and Student Pro Bono. Elected by colleagues to Dean Search Committee, University Faculty Senate, Law School Faculty Concerns, Law School Faculty Affairs (Chair), and High Achievement committees (Chair).

University Service: Served multiple terms on University Faculty Affairs Committee, Honors Council, Graduate College Faculty Review Committee, Athletic Committee, Project Lambda Advisor, Safe Space Program Originator and Coordinator, Faculty Advisor to Gay Lesbian and Straight Alliance (GLASA).

Awards:  
2010 CSU Distinguished Faculty Teaching Award  
2009 Shining Star Award for Education, City of Cleveland and LGBT Center  
2007, 2004 and 1999 University Merit Award  
1999 Cleveland State University “Women Who Make A Difference” Award  
1998 Cleveland-Marshall “Excellence in Faculty Writing” Award  
1995 Wilson G. Stapleton Award from Cleveland-Marshall Law Alumni Association  
1993 Oleck Award for Distinguished Legal Writing by Faculty Member
OTHER EMPLOYMENT

**Jones, Day, Reavis & Pogue**, Cleveland, Ohio

**Litigation Associate**, 1985 to 1990.
Involved in all aspects of trial and appellate civil litigation, with primary emphasis in products liability, employment, business, securities and administrative law.

**United States Court of Appeals for the Sixth Circuit**

Duties included extensive research, compilation of bench memos, attendance at oral arguments and drafting of opinions.

**The Chagrin Valley Times**, Chagrin Falls, Ohio

Responsible for complete news and feature coverage of several suburban communities. Recipient of 1980 "Excellence in Journalism" Award from Sigma Delta Chi/Cleveland Press Club for Community Service Reporting.

EDUCATION

**Cleveland State University**, Cleveland-Marshall College of Law
Juris Doctorate, 1983, magna cum laude
Research Editor, CLEVELAND STATE LAW REVIEW
Extern to Judge Leroy Contie, U.S. Court of Appeals for the Sixth Circuit

**Eastern Kentucky University**
Richmond, Kentucky
B.A. - Journalism, 1977; g.p.a. 3.85 (4.0 in major)
Outstanding Journalism Graduate of 1977
President, Society for Collegiate Journalists
Sports Editor, THE EASTERN PROGRESS newspaper

BAR ADMISSIONS

United States Supreme Court
United States Court of Appeals for the Sixth Circuit
United States District Court for the Northern District of Ohio
Ohio Supreme Court and all Ohio inferior courts
Admitted *pro hac vice* in numerous state trial and appellate courts
PUBLICATIONS

Books

THE LAW OF PROFESSIONAL CONDUCT IN OHIO, with Jack Guttenberg and Lloyd Snyder (LexisNexis 3rd ed. forthcoming fall 2012)

THE LAW OF PROFESSIONAL CONDUCT IN OHIO, with Jack Guttenberg and Lloyd Snyder (LexisNexis 2nd ed. 2009)

THE LAW OF PROFESSIONAL CONDUCT IN OHIO, with Jack Guttenberg and Lloyd Snyder (LexisNexis 2007)

DISCOVERY OF EMPLOYEES (ABA Publishing 2005).

Articles

The Critical Role of Judicial Independence in the Quest For LGBT Equality (work in progress)


Thanks, But I’m Just Looking; or Why I Don’t Want to be a Dean, 49 Journal of Legal Education 595 (1999).

Court-Created Boundaries Between a Visible Lesbian Mother and Her Children, XII Wisconsin Women’s Law Journal 331 (1997).

Child Sexual Abuse Allegations Against a Lesbian or Gay Parent in a Custody or Visitation Dispute: Battling the Overt and Insidious Bias of the Experts and Judges, 74 Denver University Law Review 75 (1996).

Making the Move From Law Practitioner to Law Professor, or How Not To Simplify Your Life, 7 ABA Pretrial Practice & Discovery 4(fall 1996).


ABA Litigation News, 1994 to 2001. Associate Editor for bimonthly publication circulated to the 60,000 members of the ABA Litigation Section. A
representative sample of articles authored for this periodical includes:

Recent Supreme Court Decisions: Higher Burden for ADA Plaintiffs, September 1999.

Civil Discovery Standards Seek to Improve Pretrial Practice, May 1999

State Securities Litigation May No Longer Be a Class Act, Nov. 1998

Supreme Court Revises Amicus Rules, July 1998

Courts’ Evolving Role in Daubert Decisions, March 1998


From the Mouths of Babes: Dealing with the Child Witness, Nov. 1997

Pros and Cons of Proposed Amendments to Rule 23, Nov. 1996

Loser Pays Rule Loses Again, May/June 1996

Attempts to Cap Punitive Damages in Products Liability Cases Continue to Spark Heated Debate, May/June 1996

New Developments on Rule 4.2: ABA Delegates Amend Model Rule of Professional Conduct, Oct./Nov. 1995

Common Sense Legal Reforms Act Takes Center Stage, April/May 1995


LEGAL COMMUNITY ACTIVITIES

Ohio American Civil Liberties Union (ACLU), Board of Directors member July 2004 to present; President of the Board May 2009 to present. The ACLU Ohio affiliate has over 13,000 members and engages in extensive educational programming, high impact litigation, and lobbying efforts with the goal of animating and defending the civil liberties grounded in the U.S. Constitution.

ACLU, Ohio Affiliate, Cleveland Chapter, June 1996-June 2004. Member of Chapter’s Board of Trustees, Legislative Concerns Committee, and LGBT Working Group.
Supreme Court of Ohio’s Commission on Rules of Practice and Procedure, (formerly the Rules Advisory Committee). Member, January 2003 – December 2008; Chair of Civil Rules Committee, January 2006-December 2008. The Commission is charged with reviewing and making recommendations to the Supreme Court of Ohio on possible changes to Ohio's civil, criminal, juvenile, and appellate rules of court as well as the rules of evidence and traffic rules. Provided leadership to effectuate major revisions to civil rules including the substantial revamping of rules relating to magistrates and rules governing pretrial practice to accommodate electronic discovery.

Advisory Group of the U.S. District Court for the Northern District of Ohio, Member (Member, 1995-2009); Co-Chair, Committee on Professionalism, (1999 to 2005); Member, Civil Rules Committee (1995-2009). Advisory Group was formed pursuant to congressional mandate to develop and implement a plan to reduce unnecessary cost and delay in civil litigation. The Advisory Group is charged with assisting the court with programs such as electronic filing and technology in the courtroom, and bringing to the court’s attention matters of interest to the bar and community. Provided substantial input to proposed local rules over the years including rules establishing pro bono protocol and issuance of protective orders in civil cases.

Vice-President: Ohio Human Rights Bar Association, 1997-2001. The Ohio Human Rights Bar Association was formed in 1990 to provide education and legal support on issues affecting the lives of lesbians and gay men.


Arbitrator, Cuyahoga County Court of Common Pleas, 1987 – 2000. Heard six to twelve cases per year referred by judges or by consent of parties.

American Bar Association, Litigation and Legal Education Sections. Co-Chair of 1993-94 Subcommittee on Federal Rules Revision for Pretrial Practice and Discovery Committee of Litigation Section; August 1994 to 2000, served as member of the subcommittee.

Ohio CLE Institute. Member of non-profit organization's Young Lawyers Education Committee that plans and produces CLE and other educational programs for new attorneys (1991-1998).
American Inns of Court, Harold Burton Chapter. 1996 – 1998. Selected to join this group of judges, academicians, and attorneys who have earned reputations among their peers as being highly competent and ethical lawyers.

Pro Bono Activity

Legal service. Maintain most pro bono docket providing legal services to individuals and non-profit organizations. I cannot reveal names of most clients due to ethical and fiduciary duty of confidentiality. My involvement in the following cases is public record and is representative of the cases in which I served as counsel or amici curiae:

Adar v. Smith, -- U.S --, 132 S. Ct. 400 (2011)(joined law professors on Amicus Brief of Dean Erwin Chemerinsky submitted on August 10, 2011 arguing in favor of certiorari, which Court declined)


Estate of Mikulski v. Centerior Energy Corp., 8th District No. 94536, 2011 Ohio 696, appeal not accepted for review 129 Ohio St. 3d 1476, 2011 Ohio 4751(joined four other law professors in Brief of Law Professors in Support of Appellants’ Application for En Banc Consideration; court reheard cans en banc and ruled in appellants’ favor)

Montgomery v. Van Over, Case No. CV-2005-05-3036 (Summit County, Ohio 2005) (represented defendant; mediated to successful conclusion).

In re Bicknell, 96 Ohio St. 3d 76 (2002)(represented amici).

In re Maloney, 96 Ohio St. 3d 307 (2002)(represented amici).

In re Bonfield, 96 Ohio St. 3d 218 (2002)(represented amici).


Pro bono counsel for The Cuyahoga Plan of Ohio, a non-profit fair housing agency (1993-1999), and Archwood United Church of Christ (1996-1999). Provided legal advice to both entities on a variety of matters such as contractual arrangements, insurance coverage, and employment matters.
SPEAKING ENGAGEMENTS

“The Role of Judicial Independence in the Quest for LGBT Rights,” presented as part of conference of the Politicization of the Judicial Elections which I helped organized and host at CM Law, October 21, 2011.


“Personal Bias and Legal Ethics,” Diversity Management Conference co-sponsored by CSU, Cleveland-Marshall, the ACLU, Cleveland Clinic and others May 14, 2010.


“Walking the Fine Line between Inspiring and Indoctrinating Students,” SALT Conference on Teaching for Social Change, University of California at Berkeley, March 14, 2008

“Many are Chilled but Few are Frozen: Transformative Learning and the Death of Legally Sanction Discrimination Against Sexual Minorities in the U.S.,” American Constitution Society, Sept. 20, 2007, Cleveland

“Ohio Civil Procedure: Common Issues and Hidden Problems,” 5-hour program for Ohio Magistrates, August 11, 2006, Mohican State Park (with Frank Osborne, Esq.).


“For Better or Worse: The Debate Over Same-Sex Marriage,” June 23, 2004, The City Club, Cleveland, Ohio

“Litigating Cases Involving Allegations of Child Sexual Abuse when the Accused is a Gay or Lesbian Parent,” Theory Meets Practice Conference, American University, Oct. 11, 2003 (Co-sponsored by National Center for Lesbian Rights).


ACLU’s Civil Liberty Under Attack series, presented “The Impact of the PATRIOT Act on the First Amendment,” April 2002, Ohio ACLU, Cleveland Chapter (similar presentation made to college students attending "Speaking of Rights" Conference at Cleveland ACLU on Oct. 5, 2002).


Re-Orienting Law & Sexuality Conference, organizer of program at Cleveland-Marshall College of Law, Oct. 23, 1999; presenter of “Reconstructing Families: Adoption of Children by Same-Sex Partners.”


“Discovery Dilemmas Posed by Former Employees,” presented for 1.5 ethics credit CLE November 11, 1997.*

“The Cultural Anxiety Surrounding Same Sex Marriage,” presented as part of “The Case for Same-Sex Marriage” program sponsored by the LesBiGay Law Students’ Association and the United Church of Christ, April 8 and 9, 1997.


"Recent Changes in the Law Governing Expert Witness" presented for 1-hour CLE credit, September 6, 1994.*

"Recent Changes to the Ohio and Federal Rules of Civil Procedure and Evidence," 1.25 hour CLE presentation for Ohio CLE Institute's "Bridging the Gap" program for new lawyers; presented in Columbus August 26, 1994, November 11, 1994 in Akron and December 3, 1994 in Cleveland.


"Operation Crackdown: The War on Drugs Controversy" Moderator of panel discussion on constitutionality of boarding up of houses used for illegal drug sales November 16, 1992 Cleveland-Marshall College of Law.

"Introduction to Mock Trial Case Study" presented at Pre-law Minority Conference for High School Students American Bar Association, Young Lawyer's Division Public Service Conference, Cleveland, October 23, 1992.

"An Overview of Civil Discovery in Ohio," presented at Ohio Family Support Association Annual Meeting in Columbus, Ohio, for 1.5 CLE credits October 21, 1992.

"Informal Discovery of Former Employees," originated and presented 1 hour CLE ethics program July 7, 1992.*

"Expert Witness II: Cross Examination of Experts," originated and presented for 2 hours CLE credit March 31, 1992.*


"Free Speech and its Impact on the Independence of the Judiciary", panel participant
in Ohio-Ukraine Judiciary Program, Case Western School of Law, August 12, 1992.

(*Presented at Jones Day, Cleveland; videotaped for use at other Jones, Day offices.)

OTHER COMMUNITY INVOLVEMENT

**Board Member, Cuyahoga Plan of Ohio, Inc.** February 1993 – December 1998. Trustee of regional agency dedicated to furthering Fair Housing initiatives and monitoring compliance with fair housing laws. Also served as member of Board’s personnel committee and as Special Counsel to the Board from 1993 to 1999.

**Coordinator, Habitat for Humanity Project.** Summer and fall 1996. Helped coordinate 13 U.C.C. churches which joined together to build a home for a family in Cleveland.

**Board Member, Federation for Community Planning** January 1994 to January 1996. Trustee of organization dedicated to meeting the health and human services needs of area residents through applied research, planning, policy analysis, and program development.

[SJBprof/Becker resume February 2012]
CRAIG M. BOISE  
Curriculum Vitae

Office
Cleveland State University  
Cleveland-Marshall College of Law  
2121 Euclid Avenue, LB 138  
Cleveland OH 44115-2214  
(216) 687-2300  
craig.boise@law.csuohio.edu

Academic and Administrative Experience

CLEVELAND-MARSHALL COLLEGE OF LAW, Cleveland, OH  
Dean and Professor of Law (July 2011 – present)  
As chief academic and administrative officer of the law school, duties include  
representation of law school in university administration, fund development,  
appointment of full-time and adjunct faculty, appointment of law school  
committees, and alumni and community relations.

DEPAUL UNIVERSITY COLLEGE OF LAW, Chicago, IL  
Graduate Tax Program, Director (2009-present)  
Professor of Law (2009-present)  
Faculty Recruitment Committee, Chair (2010-2011), Member (2009-10)  
Dean Search Committee, Member (2010-11)  
Strategic Plan Committee, Member (2009-10)

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, Cleveland, OH  
Associate Professor of Law (2007-09)  
Assistant Professor of Law (2003-07)  
Center for Business Law & Regulation, Associate Director (2006-08)  
ABA Self-Study/Strategic Plan Committee, Member (2008-09)  
Faculty Appointments Committee, Member (2006-07)  
Dean Search Committee, Member (2005-06)

SUMMER INSTITUTE FOR GLOBAL JUSTICE, Utrecht, Netherlands  
Lecturer (Summer 2007)

WASHINGTON & LEE UNIVERSITY SCHOOL OF LAW, Lexington, VA  
Visiting Assistant Professor of Law (Fall 2006)  
Courses taught: Federal Income Taxation, International Financial System  
Integrity Seminar, International Tax Policy Seminar, International Taxation,  
Offshore Financial Centers-Cayman Islands, Taxation of Corporations and  
Shareholders, Tax Treaties Seminar
Legal Employment

THOMPSON HINE LLP, Cleveland, OH
Senior Tax Associate (1999-2003)

AKIN GUMP STRAUSS HAUSER & FELD LLP, New York, NY
Tax Associate (1998-99)

CLEARY GOTTLIEB, STEEN & HAMILTON LLP, New York, NY
Tax Associate (1997-98)

HUSCH BLACKWELL SANDERS LLP, Kansas City, MO
Tax Associate (1995-97)

THE HONORABLE PASCO M. BOWMAN II, U.S. Court of Appeals for the Eighth Circuit, Kansas City, MO
Law Clerk (1994-95)

Education

NEW YORK UNIVERSITY SCHOOL OF LAW, LL.M-Taxation (1999)

UNIVERSITY OF CHICAGO LAW SCHOOL, Juris Doctor (1994)


Scholarly Publications: Law Review Articles and Book Chapters

Optimal Tax Treaty Administrative Guidance, 88 TEXAS LAW REVIEW SEE ALSO 175 (2010).

Regulating Tax Competition in Offshore Financial Centers, in OFFSHORE FINANCIAL CENTERS AND REGULATORY COMPETITION (Andrew P. Morriss, ed., 2010).


Other Scholarship

Amicus Brief on behalf of the Ohio School Boards Association before the Ohio Supreme Court, in *HealthSouth Corporation v. Levin*, No. 2004-K-749 (Appeal from B.T.A. April 22, 2008).


Community Service, Honors and Awards

**CLEVELAND LEADERSHIP CENTER**
Board of Trustees, *Member* (2012-present)

**CLEVELAND METROPOLITAN BAR ASSOCIATION**
Board of Trustees, *Member* (2011-present)

**LAW AND LEADERSHIP INSTITUTE**
Board of Directors, *Member* (2011-present)

**CLEVELAND MUSIC SCHOOL SETTLEMENT BOARD OF DIRECTORS**
*Vice-Chair* (2006-07)
*Member* (2002-08)

**CLEVELAND BRIDGE BUILDERS LEADERSHIP PROGRAM**
Class of 2001, *Member*

**CLEVELAND CLINIC FOUNDATION CHILDREN’S HOSPITAL FOR REHABILITATION**
Board of Directors, *Member* (2001-03)

**KARAMU HOUSE – Cleveland, OH**
Board of Directors, *Member* (2000-03)

**KALEIDOSCOPE MAGAZINE – “40 Under 40” Club**
Class of 2002, *Member*

**WCPN/WVIZ – CLEVELAND PUBLIC RADIO AND TELEVISION**
Community Advisory Board, *Member* (2001-02)
Sponsored Research and Grant Activity

Offshore Financial Center Comparative Research—Isle of Man, Curaçao (co-principal investigator for $10,000 grant), Mercatus Center at George Mason University (2007-2009)

Academic Prizes, Honors and Awards

VALUE OF RESEARCH honoree, Case Western Reserve University (2007)

Thomas R. Mulroy Prize for Excellence in Appellate Advocacy, University of Chicago School of Law (1993)

Phi Kappa Phi National Fellow, University of Missouri-Kansas City (1991)

Vice Chancellor’s Student Honor Award, University of Missouri-Kansas City (1991)

Roach Scholar, University of Missouri-Kansas City (1991)

Professional Affiliations

OHIO BAR, Admitted 2000 (currently inactive)

NEW YORK BAR, Admitted 1998 (currently inactive)

MISSOURI BAR, Admitted 1994 (currently inactive)

AMERICAN BAR ASSOCIATION — Section on Taxation
Committee on Committees, Member (2004-2007)
Diversity Committee, Chair (2003-2005)
Subcommittee for Important Developments - Committee on Foreign Activities of U.S. Taxpayers, Co-Chair (2001-2003)

CLEVELAND METROPOLITAN BAR ASSOCIATION
Board of Trustees, Member (2011-present)
General Tax Committee, Chair (2001-2002)
State and Local Tax Clinic, Chair (2002)

CORPORATE BUSINESS TAXATION MONTHLY
Editorial Advisory Board, Member (2002-Present)

Select Lectures and Presentations

“Breaking Open Offshore Piggybanks: Redux” – Faculty Presentation, WAKE FOREST UNIVERSITY SCHOOL OF LAW, February 2009.

“Hotels and Houses: Monopoly Money at the State Level” – Faculty Presentation, UNIVERSITY OF CINCINNATI COLLEGE OF LAW, December 2008.

“Hotels and Houses: Monopoly Money at the State Level” – Faculty Presentation, DEPAUL UNIVERSITY COLLEGE OF LAW, October 2008.


“Scheme Liability, Section 10(b), and Stoneridge Investment Partners v. Scientific Atlanta” – Panel Discussion Moderator, Center for Business Law and Regulation Supreme Court Preview Symposium, CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, October 2007.


“Playing With Monopoly Money: Phony Profits, Fraud Penalties, and Equity” – Faculty Presentation, WASHINGTON & LEE UNIVERSITY SCHOOL OF LAW, September 2006.


“The Intersection of Race and Tax” ABA TAX SECTION-DIVERSITY COMMITTEE (panel moderator), May 2004.


EDUCATION

New York University School of Law
J.D. 1998
  Member, NYU Review of Law and Social Change
LL.M. 2003 (General Legal Studies)
  John Bruce Moore Award for Excellence in Law and Philosophy, Awarded by Professor Thomas Nagel

James E. Beasley School of Law, Temple University
LL.M. 2004 (Legal Education)
  Abraham L. Freedman Teaching Fellowship

Pennsylvania State University
  B.A. 1992 (English)

PUBLICATIONS

Law Review Articles
Mistake and Disclosure in a Model of Two-Sided Informational Inputs 73 Mo. L. Rev. 667 (2008)
The Promissory Character of Adequate Assurances of Performance (Work in Progress).

Research Agenda
Article. Waste in Corporate Law: Rhetoric and Reality
Article. Evolving Fiduciary Standards in Corporate Compliance Derivative Litigation
Article. A Comparative History of the Development of the Corporate Form in France and the United States
Book: A Comparative Exploration of the Role of Free Market Ideology as Expressed in Law and Social Structures in France and the United States

General Research Interests

Corporate Law and Theory; Contract Law and Theory; Comparative Law

PRESENTATIONS

Mistake and Disclosure in a Model of Two-Sided Informational Inputs. Capital Law School Faculty Lecture Series, Columbus, Ohio. November 2, 2006.


The Promissory Character of Adequate Assurances of Performance, Faculty Scholarship Colloquium, Indiana University School of Law – Indianapolis, Indianapolis, Indiana. March 6, 2009.

TEACHING EXPERIENCE

Assistant Professor
Cleveland-Marshall College of Law, Cleveland State University 2004-

Courses
Agency and Partnership
Contracts
Corporations

Abraham L. Freedman Teaching Fellow and Lecturer in Law 2002 - 2004
James E. Beasley School of Law, Temple University Philadelphia, PA
• Courses
  Sales
  Legal Research and Writing

• Guest Lecturer
  Bankruptcy
  Constitutional Law

LEGAL EXPERIENCE

Associate  
Mar. 2001 - July 2001
Leboeuf, Lamb, Greene & MacRae, L.L.P.  
Paris, France

- Represented French hi-tech and industrial corporations in cross-border transactions; drafted shareholders agreements, licensing agreements, joint development agreements, non-disclosure agreements
- Assisted in representation of client in high-profile international murder case and estate dispute; prepared motions and letters to judge and clients; reviewed and translated voluminous trial record
- Conducted business with clients and colleagues in French language

Associate  
Leboeuf, Lamb, Greene & MacRae, L.L.P.  
New York, NY

- Represented issuers and underwriters in all phases of public finance transactions including tax-exempt bond and certificate of participation financings; negotiated and drafted public offering Official Statements, bond purchase agreements, opinion letters, underwriters agreements; negotiated with State treasurer’s office as to state law requirements
- Represented international airport in development, planning and financing of long-term capital growth plan; assumed significant responsibility in drafting and negotiating Master Trust Indenture, collaborated with financial advisor, underwriters and feasibility consultants to maximize value and flexibility of Indenture
- Represented energy corporation in analysis and negotiation of waste-to-energy transactions
- Represented biotechnology, financial services and e-commerce corporations in various acquisitions, roll-ups and IPO transactions; worked with senior management in drafting registration statements; drafted stock purchase agreements, underwriters agreements and shareholders agreements
- Advised board of directors of numerous corporate clients as to duties under state fiduciary and federal securities law
- Represented financial services corporations in defense of billion dollar class action alleging fraud in the sale of variable annuities; co-ordinated investigation of corporate wrongdoing;
assisted in planning defense strategy and in structuring settlement; advised management on interpretation of stipulation of class action settlement and other facets of implementation of settlement

- Represented indigent clients pro bono in eviction proceedings; wrote briefs and motions and argued same before housing court

EXPERT WITNESS EXPERIENCE


LANGUAGES

- Fluent in French; Proficient in Italian
Carolyn Broering-Jacobs
Director of Legal Writing and Legal Writing Professor of Law
Cleveland-Marshall College of Law
Cleveland State University
2121 Euclid Avenue LB 49, Cleveland, OH 44115
Phone: (216) 687-5166; Fax: (216) 687-6881
Email: carolyn.broering-jacobs@law.csuohio.edu

Education

The Ohio State University College of Law, Columbus, Ohio
Juris Doctor, summa cum laude, 1994
Class Rank: 4/220

- Order of the Coif
- Ohio State Law Journal, Executive Editor
- Student Funded Fellowship, Board Member and Treasurer
- Law Journal Past Editor Award
- American Jurisprudence Awards for Torts, Labor Law, and Trial Practice
- Judge Joseph M. Harter Award for Trial Practice
- Moot Court Semifinalist

The University of Notre Dame, South Bend, Indiana
Bachelor of Arts in Government, With Honors, 1991
Concentration in Philosophy, Politics & Economics

Employment

Director of Legal Writing and Legal Writing Professor of Law
Cleveland-Marshall College of Law, Fall 2008-present

Legal Writing Professor, Cleveland-Marshall College of Law, 2000-2005
Full-time professor of legal writing, research, and advocacy.

- Responsible for two sections of first-year legal writing and research course. Taught legal analysis, legal research, citation and writing skills, and both objective and persuasive writing. Created course syllabus, materials, and assignments.
- Advised students in independent legal research and writing projects to satisfy upper-level writing requirement.

Litigation Associate, Baker & Hostetler, 1996-2000
General litigation, with focus on defense of complex commercial disputes.

- Responsible for all aspects of litigation in cases involving breach of contract, Uniform Commercial Code, business torts, RICO, fraud, first amendment, trade secrets, product liability, mass torts, and employment issues.
Carolyn Broering-Jacobs

Law Clerk to the Honorable Sam H. Bell,
United States District Court for the Northern District of Ohio, 1994-1996

Summer Associate, Vorys, Sater, Seymour & Pease, Columbus, Ohio, Summer 1993

Legislative Assistant, Ohio Department of Transportation, Columbus, Ohio, Summer 1992

Research Assistant, Professor Morgan Shipman,
The Ohio State University College of Law, Summer 1992

Professional Service

CMBA Judicial Qualification Committee, 2012-present
Coordinator, Region VI National Moot Court Competition, 2009
CMBA Minority Clerkship Program Problem Drafter, 2012
Counsel, Civil Subcommittee, Ohio Supreme Court Rules Advisory Committee, 2005-2006
BLSA Scholarship Writing Competition Grader, 2004

Academic Committee Work

Cleveland-Marshall College of Law Ad Hoc Curriculum Committee, 2009-2011
Cleveland-Marshall College of Law Budget Committee, 2003-2004
Cleveland-Marshall College of Law Clinical Search Committee, 2011-present
Cleveland-Marshall College of Law Legal Writing Faculty Search Committee, 2008-2009
Cleveland-Marshall College of Law OCP Search Committee, 2011
Cleveland-Marshall College of Law Orientation Committee, 2008-2009
Cleveland-Marshall College of Law Orientation Co-Chair, 2010
Cleveland-Marshall College of Law Teaching Committee, 2011-present
Dean’s Service Award Selection Committee, 2002-2003

Presentations and Publications

Evaluating Persuasion in Grant Writing, Grants Plus, February 2012.


A Tour Through the Supreme Court of Ohio’s New Citation Rules and Style Guide, Cleveland-Marshall College of Law, January and February 2012.

Exploring Techniques for Effective and Correct Writing, Grants Plus, November 2011
New Associate Writing Workshop, Benesch, Friedlander, Coplan & Aronoff, September and December 2011.


Team Teaching Transactional Drafting by Partnering with Practitioners, Transactional Education: What’s Next? June 2010

Give Judges What They Want by Writing Shorter Briefs, Litigation News, Spring 2010

Letter Writing for Legal Professionals, Cleveland/ NEO Chapter, American Association of Legal Nurse Consultants, April 2010

Scholarly Writing: Editing Workshop, Cleveland-Marshall College of Law, February 2010

Citation Form for Law Reviews and Journals, Cleveland-Marshall College of Law, February 2010

Scholarly Writing: Content and Organization, Cleveland-Marshall College of Law, January 2010

The Million-Dollar Comma, the Unpopular Insurance Adjuster, and the Irritated Judge, Cavitch Familo & Durkin, January 2010

An Experiment in Transactional Drafting: Team Teaching a Condensed Course with a Practitioner, Stetson's Virtual Legal Writing Conference: Innovations in Upper-Level Courses, November 2009

Team Teaching with a Practitioner: An Experiment in Transactional Drafting, Southeast Regional Legal Writing Conference. September 2009


Letter Writing for Case Assistants and Paralegals, Baker & Hostetler, March 2005


Relying on and Citing Ohio Opinions: Recent Changes in the Rules for Reporting Opinions and in the Manual of Citations, The Litigation Institute, November 2003

Litigation from Beginning to End: Basic Legal Writing for Litigators, The Litigation Institute, April 2003

Ohio Research and Citation, Cleveland-Marshall College of Law, April 2003

Bar Admissions

State of Ohio
United States District Court for the Northern District of Ohio
United States Court of Appeals for the Sixth Circuit

Community Service

St. Ann PTO, chair of various fundraisers and functions, 2005-present
St. Paul’s Cooperative Preschool, Board Co-President of parent-run preschool, 2006-2008
Youth Challenge, Trustee, 1998-2002
APRIL L. CHERRY
Cleveland State University, Cleveland-Marshall College of Law
2121 Euclid Avenue LB 236, Cleveland, Ohio 44115-2223
Phone: (216) 687-2320; Fax: (216) 687-6881
Email: april.cherry@law.csuohio.edu

CURRENT ACADEMIC APPOINTMENT

Cleveland-Marshall College of Law, Cleveland State University, Cleveland, OH
Fall 2009 – Present: Professor of Law
Fall 1999 – Spring 2008: Associate Professor of Law

Principal Subjects: Property Law; Estates and Trusts; Women and the Law; Reproductive Rights and Technologies (Health Law Seminar)
Occasional Subjects: Children, Parents, and the State (Seminar); Women and the Criminal Justice System (Seminar, Co-taught)


EDUCATION

J.D. -- Yale Law School, New Haven, Connecticut
   Yale Law Journal, Senior Editor
A.B. -- Vassar College, Poughkeepsie, New York.
   Awarded Highest Honors
   Instituto International, Madrid, Spain. (Vassar Program)

OTHER ACADEMIC APPOINTMENTS AND PROFESSIONAL EXPERIENCE


PUBLICATIONS

The Detention, Confinement, and Incarceration of Pregnant Women for the Purported Benefit of Fetal Health, 16 COLUM. J. GENDER & L. 147-97 (2007). Incarceration and civil commitment and threats thereof are sometimes used by judges to control the behavior of pregnant women who come before them on charges unrelated to their pregnancies. This project looks at these preventive detention cases in light of the undue burden standard articulated by the Supreme Court, as well as other conceptions of privacy, in order to determine whether confinement or detention in this context constitutes a violation of the privacy rights or liberty interests of pregnant women.

Roe’s Legacy: The Non-Consensual Medical Treatment of Pregnant Women and Implications for Female Citizenship, 6 U. PA. J. CONST. L. 723-751 (2004). In this essay, I demonstrate how I’ve come to the conclusion that, part and parcel of Roe’s legacy, is that the compelling state interest language used by the Court in Roe has been used to constrain and derogate women’s citizenship.

The Free Exercise Rights of Pregnant Women Who Refuse Medical Treatment, 69 TENN. L. REV. 563-622 (2002). This article explores the constitutional status of pregnant women’s religiously motivated refusals of medical treatment for the benefit of their fetuses in the face of judicial compulsion. I conclude that even under the current Supreme Court’s restrictive free exercise jurisprudence, pregnant women’s right to refuse medical treatment on religious grounds is protected by the First Amendment. Therefore, court orders compelling such treatment are constitutionally impermissible.

Nurturing in the Service of White Culture: Racial Subordination, Gestational Surrogacy, and the Ideology of Motherhood, 10 TEXAS J. OF WOMEN & THE LAW 83-128 (2001) (lead article). This article examines the ways in which the social devaluation of African-American mothers has led to the reproductive subordination of Black women in the context of gestational surrogacy.

Welfare Reform and the Use of State Power in the Prostitution of Poor Women, 48 CLEVELAND STATE L. REV. 67-77 (2000) (symposium issue). This essay argues that the time limitations of the “new” welfare reform regime, the under education and under employment of poor women, coupled with the popularity of describing prostitution as “work” will institutionalize the State's role as the procurer of women for prostitution.

Maternal-Fetal Conflicts, The Social Construction of Maternal Deviance, and Some Thoughts About Love and Justice, 8 TEXAS J. OF WOMEN & THE LAW 245-259 (1999). This essay examines the way in which social deviance theory is used to describe the cause of maternal-fetal conflicts and used as an excuse for judicial control over women described as being in conflict with their fetuses. Ultimately, this essay asks how the law can facilitate justice for women and their fetuses under difficult, possibly fatal medical circumstances.

Choosing Substance Justice: A Discussion of “Choice,” “Rights” and the New Reproductive Technologies, 11 WISC. WOMEN'S L.J. 431-441 (1997). This article addresses the tension between rights and substantive justice in the dialogue concerning new and emerging reproductive technologies.
Social Contract Theory, Welfare Reform, Race and the Male Sex-Right, 75 OR. L. REV. 1037-1094 (1996). This article analyzes traditional and contemporary social contract theory and its emphasis on the sexual subordination of women, as structurally necessary for the survival of the liberal state. The analysis is continued in a discussion of the “new” social contract of welfare reform, which expands the traditional male sex-right to the state, allowing the state to directly proscribe poor women's sexual and reproductive behavior in return for bare subsistence.

A Feminist Understanding of Sex-Selective Abortion: Solely a Matter of Choice? 10 WISC. WOMEN'S L.J. 161-223 (1995). This article analyzes the problem of the selective abortion of female fetuses in light of philosophical, moral and legal values regarding freedom of choice. It further analyzes the limits of choice as a value when deployed to further denigrate a socially and politically degraded insular group.

WORKS IN PROGRESS

Article: “Harassment in Housing: Should the “Mrs. Murphy” Exemption Apply?”
Article: “Reproductive Tourism and the Reproductive Brothel”

PRESENTATIONS


(Revised 1/22/13)
Sponsored by the Governor's Task Force on Domestic Violence and Florida State University College of Law. September 1997.


PROFESSIONAL AND COMMUNITY SERVICE


The Patricia Vance Foundation (non-profit foundation organized to provide assistance to indigent parents who are parties to juvenile dependency proceedings), Board of Directors, Tallahassee, Florida. March 1997 - May 1999.

PHYLLIS L. CROCKER
Cleveland-Marshall College of Law, Cleveland State University
phyllis.crocker@law.csuohio.edu

EDUCATION

NORTHEASTERN UNIVERSITY SCHOOL OF LAW, Boston, MA
J.D., 1985

YALE UNIVERSITY, New Haven, CT
B.A., 1978
  Pearson Prize, Best American Studies Senior Thesis

EMPLOYMENT

CLEVELAND-MARSHALL COLLEGE OF LAW, Cleveland State University, Cleveland, OH
August 1994 - present

  Interim Dean, March 2010-June 2011
  Associate Dean for Academic Affairs, July 2006-June 2010
  Professor since 2005; previously Assistant Professor of Law, 1994-1998,
    Associate Professor of Law, with tenure, 1999-2004
  Courses taught: Capital Punishment, Civil Procedure I and II, Criminal Law,
    Criminal Procedure I and II, Externships

  Visiting Professor of Law, Northeastern University School of Law, Winter/Spring
    2004, Teaching Criminal Justice (first year)

  College of Law Committees: Admissions (1994-2005, Chair 2001-2005); Criminal
    Justice Forum Series (1998-present); Curriculum (1994-1996); Faculty Affairs
    (1994-98, 2002-03); Faculty Appointments (1998-99); Faculty Research and
    Development (1994-95); Judicial Clerkships (1994-1998); Personnel Action
    Committee Subcommittees 2001-2003, 2012 (Chair 2002 and 2003); Self-Study
    (2004-06, Chair, 2011-12); Professional Staff Hiring Committees (2006-pesent)

  University Committees: Curriculum (1995-97, 2011-13); Faculty Senate (1998-
    2000); Research Council (2001-2004); Strategic Planning (2005-06); Search
    Committees for Law Dean (2004 Vice-Chair), Vice President for Advancement,
    Assistant Vice President for Advancement (Chair), Vice Provost for Academic
    Planning (Chair); Deans’ Council (2010-11)

TEXAS RESOURCE CENTER, Austin, TX
September 1989 - June 1994


HARTUNIAN, FUTTERMAN & HOWARD, CHTD., Chicago, IL
October 1986 - August 1989

Associate in small firm specializing in complex federal litigation.

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT
September 1985 - August 1986

Law Clerk to the Honorable Warren J. Ferguson.

SELECTED PUBLICATIONS

Katz & Gianelli, Criminal Law (3d ed. 2009) (co-author since 2006) part of Baldwin’s Ohio Practice Series


Not to Decide is to Decide: The U.S. Supreme Court’s Thirty-Year Struggle with One Case About Competency to Waive Death Penalty Appeals, 49 Wayne L. Rev. 885 (2004) (lead article)

Is the Death Penalty Good for Women, 4 Buff. Crim. L. Rev. 917 (2001)

Crossing the Line: Rape-Murder and the Death Penalty, 26 Ohio N.U. L. Rev. 689 (Symposium Issue 2000)


Feminism and Defending Men on Death Row, 29 St. Mary’s L.J. 981 (Symposium Issue 1998)

Concepts of Culpability and Deathworthiness: Differentiating Between Guilt and Punishment in Death Penalty Cases, 66 Fordham L. Rev. 21 (1997)
WORKS IN PROGRESS

_Hastening Death: Comparing How Courts and Mental Health Professionals Treat the Request to Die By Death Row Inmates and Terminally Ill Persons_

SELECTED PRESENTATIONS

Update on the Ohio Supreme Court/Ohio State Bar Association Joint Death Penalty Task Force, Ohio Capital Habeas Seminar, Cleveland, OH (February 2011)


_The ABA Report on the Ohio Death Penalty_, The ABA Death Penalty Report, Innocence and E-Discovery, The Akron Bar Association & The University of Akron School of Law, Akron, Ohio (October 2009)

_The Death Penalty in Ohio: Is it Fair and Accurate?,_ The Intown Club, Cleveland, Ohio (November 2008)

Ohio’s Death Penalty Symposium, Presenter, Black Lawyers Association of Cincinnati, Ohio (June 2008)

Town Hall Meeting on Ohio’s Death Penalty. Panelist and Organizer, Cleveland Metropolitan Bar Association (May 2008)

Bar Association Law Day Speaker, _Fairness and the Ohio Death Penalty_, City Club of Cleveland (May 2008)

_Debate on the Ohio Death Penalty_, Seasongood College Visitor, University of Cincinnati College of Law (March 2008)

_Ohio’s Death Penalty: Is it Fair and Just?,_ Rotary International, Cleveland, OH (November 2007)

_What’s Wrong with Ohio’s Death Penalty System?,_ Cleveland ACLU Series “Broken Justice: The Death Penalty in Ohio” (May 2006)

_The Legacy of Rees v. Peyton, 384 U.S. 312 (1966): Challenging Competency to Waive or Continue Further Death Penalty Appeals_, The Second Annual Hy Friedman Memorial Seminar, Cuyahoga Public Defenders and Cuyahoga County Bar Association, Cleveland, OH (May 2005)

Appointed but Nearly Prevented From Serving: My Experience as a Grand Jury Foreperson, Faculty Speaker Series, Cleveland-Marshall College of Law, (September 2003)

The Injustice of the Death Penalty: Race, Sex, and Rape-Murder, Executing Justice: America and the Death Penalty, Law and Society Program, Univ. of California at Santa Barbara, CA (April 2003)

Rape-Murder and the Death Penalty, Panel on Feminism and the Death Penalty, National Conference of the National Coalition to Abolish the Death Penalty, Chicago, IL (October 2002)

The Death Penalty in the New Millennium, International Law Symposium, The Cuyahoga County Bar Association and The Hispanic Bar Association, Cleveland, OH (November 2001)


Invigorating the Difference Between Culpability and Deathworthiness, Addressing Capital Punishment Through Statutory Reform Symposium, The Ohio State University College of Law, Columbus, OH (March 2001)

Feminism and Representing Men on Death Row, Twenty Five Years After Furman v. Georgia: A Symposium, St. Mary's University School of Law, San Antonio, TX (March 1998)

Child Abuse and Mitigation: Uncovering the Unspeakable, and New Ideas in Mitigation: Looking Beyond a Bad Childhood, The Annual Death Penalty Seminar, Ohio Association of Criminal Defense Lawyers, Columbus, OH (November 1997)

HONORS AND AWARDS

2010 YWCA Women of Professional Excellence Award

2009 and 2008 Cleveland State University Administrative Merit Recognition Award

2004 Cleveland State University Faculty Merit Recognition Award

2000 Cleveland State University Established Full-Time Faculty Research and Development Grant

2000 Cleveland-Marshall College of Law Excellence in Faculty Writing Award

1999 Cleveland-Marshall College of Law Howard Oleck Award for Distinguished Legal Writing by a Faculty Member

PROFESSIONAL SERVICE

Member, Ohio Supreme Court and Ohio State Bar Association Joint Task Force to Review the Administration of Ohio’s Death Penalty (appointed 2011)

Steering Committee, ABA Death Penalty Moratorium Project, 2010-present


Regional Member, Ohio Judicial Appointments Recommendation Panel for the Cuyahoga County Domestic Relations Court, February 2009

Editorial Board, JOURNAL OF AGGRESSION, MALTREATMENT AND TRAUMA (Haworth Press)

Grand Jury Foreperson, Cuyahoga County Court of Common Pleas May Term 2003


Cleveland Metropolitan Bar Association, Board of Trustees 2010-2011
PROFESSIONAL AFFILIATIONS

American Bar Association
American Bar Foundation, Fellow
Cleveland Metropolitan Bar Association
Cleveland Metropolitan Bar Foundation, Fellow
Illinois Bar, Member (inactive)
Society of American Law Teachers, Member
U.S. Supreme Court, Member
Education:

The Ohio State University, Moritz College of Law
Columbus, Ohio
Juris Doctor, with honors in law
May 2005

- Class Rank: Top 10%
- GPA: 3.63

Saint Mary's College
Notre Dame, Indiana
Bachelor of Arts, Philosophy
May 1999

Experience:

Cleveland-Marshall College of Law
Cleveland, Ohio
Legal Writing Professor of Law
August 2009 to Present

- Responsible for two sections of first-year legal writing and research course.
- Serve as faculty advisor and instructor for thirty-five member moot court team.
- Faculty member selected by Dean to serve on the Curriculum Committee and Self-Study Committee.

Office of the Ohio Public Defender
Columbus, Ohio
Assistant Public Defender
December 2007 to August 2009

- Briefed and argued criminal appeals before state and federal courts.
- Drafted writs and other documents related to post-conviction proceedings in state and federal courts.
- Collaborated with five person team to identify effective litigation strategies on issues of statewide importance.
- Performed administrative and management functions related to the practice of law, including supervision and direction of non-legal personnel.

Schottenstein, Zox & Dunn, LPA
Columbus, Ohio
Associate
September 2005 to July 2007

- Briefed and argued civil appeals before state courts.
- Represented clients in court and before quasi-judicial and administrative agencies.
- Drafted dispositive motions, including motions to dismiss and motions for summary judgment.

Professional:

- Published multiple articles in bar journals and employment law publications.
- Gave presentation to Columbus Bar Association members regarding legal developments in employment litigation.
- Active member in local, state, and national bar associations.
WORK EXPERIENCE

July 2009 to Present
Cleveland-Marshall College of Law, Community Health Advocacy Law Clinic
Director and Clinical Professor of Law
Teaches seminar course and supervises law students in the Community Health Advocacy Law Clinic. Law students address the unmet legal issues of low-income patients at MetroHealth outpatient hospitals.

August 1994 to June 2009
Cleveland-Marshall College of Law, Law and Public Policy Clinic/Community Advocacy Clinic
Clinical Professor of Law
Taught seminar course and supervises law students in the Law and Public Policy Clinic and in the Community Advocacy Clinic. Law students address public policy and legal issues related to government agencies, community groups and neighborhood development corporations.

July 1997 to Present
Cleveland-Marshall College of Law, Pro Bono Program
Director
Organizes pro bono and community service opportunities for the law school community.

April 1987 to July 1994
Cleveland-Marshall College of Law, Street Law Clinic
Associate Director (July 1990 to July 1994); Assistant Director (July 1989 to June 1990)
Team-taught Street Law, a weekly law school clinical course. Supervised school placement of law students. Evaluated law student performance in the field. Directed Violence Anonymous, a legal/community service program for youngsters referred by the Juvenile Court.

EDUCATION

Cleveland-Marshall College of Law, Cleveland, Ohio
Juris Doctor, June, 1988
Students’ Civil Rights Council Scholarship
Tau Epsilon Rho Law Society
Member of ABA-Law Student Division
Legal Advisor, Cleveland Heights High School, Street Law Program

Emory University, Atlanta, Georgia
Bachelor of Arts in English, May, 1985
Emory University Scholarships 1983-85
United States Senate Internship in Washington, D.C. with Senator John H. Glenn
Volunteer Tutor, Atlanta Reading Project

Oxford University, Oxford, England
University College Summer Scholar, 1983

COURT ADMISSION

Supreme Court of Ohio
PROFESSIONAL AWARDS

Big Brothers, Big Sisters, “Mentor Award,” May 2009, May 2010
Partnership for a Safer Cleveland, “Partner Award,” November 2009, November 2010
Who’s Who Among Executives and Professionals, 2009, 2010
Crain’s Cleveland Business “Woman of Note,” July 2004
Cleveland Bar Association, Board of Trustees Award, June 2002
Martin Luther King, Jr. H.S. Mediation Award, May 2002
Principal for the Day Award, April 2002
Cleveland Bar Association Volunteer of the Month Award, June 2001
Cleveland Bar Association Young Lawyers’ Section Public Interest Award, June 2000
Cleveland State University Emerging Leadership Award, June 1999
Cleveland Municipal School District Volunteer Award, April 1999
American Bar Association/West Publishing Partnership Award, February 1999
Cleveland Bar Association Young Lawyers’ Section Chair Award, June 1997
Cleveland Bar Association Annual Meeting Award, June 1997
American Bar Association Child Advocacy Award, April 1997
Who’s Who Among Young Americans, 1995-1997
American Bar Association Award, Cleveland Host Committee for ABA Conference
Program Chairperson, 1992
Cleveland-Marshall College of Law Service Award, 1992
Appointment by Cleveland City Council President Jay Westbrook to Peace Task Force
(People Empowered Against Child Endangerment), 1992
Special Counsel, Attorney General Lee Fisher, 1991

CIVIC ACTIVITIES

Volunteer and Advisory Board, Sing Out, Cleveland Rape Crisis Center, 1990 – Present
Board Member, 1993 – 1999, Board President, 1997 - 1999
Member, Cleveland State University Alumni Association Awards Program, 2000-Present, Chair, 2004
Member, Benjamin Rose Institutional Review Board, 2002 to 2004
Advisory Board, Martin Luther King, Jr. H.S., 1997-2009
Committee Member, “Just Solutions,” 1997-2001
CIVIC ACTIVITIES (Continued)

Judge, Ohio Mock Trial Program, 1997-Present
Volunteer, Habitat for Humanity, 1997-Present
Volunteer, St. Augustine’s Soup Kitchen, 1996-Present
Judge, Cleveland Municipal Schools Art and Essay Contest, 1996-Present
Faculty Advisor, Student Public Interest Law Organization, 1996-Present

PROFESSIONAL MEMBERSHIPS

William K. Thomas Inn of Court, Barrister, 2008 - Present
Cleveland Metropolitan Bar Association, Nominating Committee, Member, 2005
Cleveland Metropolitan Bar Association, Law School Liaison Committee, Co-Chair, 2002-Present
Cleveland Bar Association, Education Initiative, Vice-Chair 1996-1997, Co-Chair 1997-Present
Cleveland Bar Association, Board of Trustees, 1999-2002, Executive Council, 2000-2002
Cleveland Bar Association, Young Lawyers’ Section Chair, 1996-1997
Cleveland Bar Association, Young Lawyers’ Section, Executive Council, 1990-2000
Cleveland State University Professional Staff Organization Law School Delegate, 1995-1996
American Bar Association, Young Lawyers’ Division, Pro Bono Section
American Association of Law Schools, Section on Clinical Education

PRO BONO

Private Cases, 1989-Present
Guardian ad Litem, Cuyahoga County Juvenile Court, 1990-2004
Guardian ad Litem, Cuyahoga County Domestic Relations Court, 1994-2003
RESUME

Michael H. Davis
216-687-2228
216-687-6881 (FAX)
michael.davis@law.csuohio.edu

Employment:
Professor of Law 1986-present
Associate Professor of Law 1982-1985
Cleveland State University College of Law
Assistant Professor 1979-1982
University of Tennessee
General Practice 1978-1979
Nantucket, Massachusetts
Associate 1976-1978
Paul, Weiss, Rifkind, Wharton & Garrison
Law Clerk 1975-1976
Hon. Sherman G. Finesilver
United States District Court, Denver

Education:
Harvard Law School LL.M. 1979
Hofstra Law School J.D. 1975
(Class Rank: 1; Law Review; Moot Court; Law Fellows)
Occidental College B.A. 1967

Research Grants:
Western Reserve AIDS Fdn 1990
Faculty Development, U.Tenn. 1980


Languages: French (fluent); Italian (proficient); Hebrew (fair)


Publications: See attachments "A" & "C"
Professional Activities: See attachment "B"
A

Publications:


"Section 27(3) of TRIPS: Excluding pharmaceuticals from patentability" (manuscript).


"Paying Twice for the Same Drugs," Op-Ed Article (with Dr. Peter Arno), Washington Post, March 27, 2002

"Legitimacy, Globally" 69 UMKC L. Rev. 733 (2001) (with Neacsu)

"Why Don’t We Enforce Existing Drug Price Controls? The Unrecognized and Unenforced Reasonable Pricing Requirements Imposed Upon Patents Deriving in Whole or in Part From Federally-Funded Research," 75 Tul. L. Rev. 631 (with Arno) (2001)

"Extending Copyright and the Constitution: ‘Have I Stayed Too Long?’" 52 Fla. L. Rev. 989 (2000); (to be reprinted by Kluwer Law Int’l.).


"États-Unis Le droit de l'audiovisuel" 5 Rev. fr. Droit adm. 495 (3), mai-juin 1989


"New Jews, New Destruction," Jewish Frontier
"I Know It's Not Racism, But What Is It?" Jewish Frontier (January 1986)

"The Law/Politics Distinction, the French Conseil Constitutionnel, and the U. S. Supreme Court," 34 Am. J. Comp. Law 45 (1986)


B
Professional Activities:

2009  Counsel of Record, Amicus Brief, Bilski v. Kappos, United States Supreme Court

2007  Student Trademark Project, Successful Opposition before TTAB of trademark "Cocaine." [Selected as a topic case for the 14th Intercollegiate Ethics Bowl, Annual Meeting of the Association for Practical and Professional Ethics, San Antonio, 2008]

2003-  Contributing Editor, Technological Innovations and Intellectual Property

1992- Present  Member, Advisory Committee on Private International Law, Secretary of State, U.S. State Department

1995- Present  Director, Union for the Public Domain, Washington, D.C.

1985- 2002  Contributing Editor (Correspondant Étranger), Revue Francaise de Droit Administratif

2002  “Patent Basics for Engineers,” Course given to Bio-engineering students at CSU.

2002  Counsel of Record, Amicus Brief, Eldred v. Ashcroft, United States Supreme Court (Student Project)


2002  Panelist, Bioethics Panel, University of Virginia, SPILO Conference on Public Service and the Law


2000  Albania Judicial Magistrate IP Law Training Program, East-West Management Institute, NYC, NY
1986-  American Reporter, Table-Ronde Internationale
1992  Annuelle de la Groupe d'Etudes et de Recherches sur
la Justice Constitutionnelle, Université de droit,
d'economie et des sciences d'Aix-Marseille

1986-  Co-Editor, Annuaire Internationale de Droit
1992  Constitutionnel

1992-  Member, Drug Pricing Working Group, Montefiore
1997  Medical Center, N.Y.C. and the Kaiser Family
Foundation

1997  Visiting Professor of Law, Hofstra University School of
Law, Hempstead, NY (Summer Semester)

1997  Expert Witness, Dynaquest Corp. v. Proden, No. C2-95-
438, U.S. Dist. Ct, S.D.Oh, E.D.

1996  Visiting Professor of Law, University of Aix-Marseille,
Aix-en-Provence, France (Spring Semester)

1995-6  Member, IPCRI (Israel-Palestine Commercial Research
Institute), Jerusalem

1995  Lecturer, Intellectual Property, National Law Center
for Inter-American Free Trade, Mexico City

1995  Panelist, "Where the Working Class Lives: International
Law and the Global Division of Labor" Conference on
Critical Legal Studies, Washington, D.C.

1995  Member, CEELI Copyright and Trademark Law Panel, Sofia,
Bulgaria

Bariloche, Argentina

1994  Panelist and Witness, U.S. Congress, House Small
Business/Regulation, Business Opportunities, and
Technology Committee

1990-  Co-counsel (pro bono), People With Aids Health

1992  Legal columnist, PC Sources Magazine

1992  Faculty, CEELI (Central and East European Legal
Initiative) Faculty Law Training Institute, Lodz,
Poland.

1992  Member, CEELI Copyright Law Revision Panel, Sofia,
Bulgaria

Interpharm, Inc. No.T-2624-91, Federal Court of Canada, Trial Division

1991 Counsel of Record for Amici Curiae The Council for Responsible Genetics, The Taxpayer Assets Project of the Center for Study of Responsive Law, and Professors Roger Sperry et al., in Genetics Institute, Inc. v. Amgen, Inc., No. 91-13, U.S. Supreme Court

1990-1991 Visiting Professor of Law, Hofstra University College of Law

1976-1989 Participating Attorney, Legal Services for the Cape and Islands, MA

1987 Panelist, "Independent Regulatory Commissions: l'expérience américaine", Université de Paris I--Panthéon-Sorbonne

1987 Panelist, "Liberté de l'information dans la jurisprudence constitutionnelle," Groupe d'Études et de Recherches sur la Justice Constitutionnelle de la Faculté de Droit et de Science Politique d'Aix-Marseilles

1982-1987 Officer, Committee on Graduate Legal Studies, AALS, (Chairperson, 1985-1987)


1986 Panelist, "Abortion Law in Comparative Constitutional Law," Groupe d'Etudes et de Recherches sur la Justice Constitutionnelle de la Faculté de Droit et de Science Politique d'Aix-Marseille, Centre de Droit et Politique Comparés de Toulon

1985 Speaker, "Copyright Considerations and Performance," Conference '85, Organization of Ohio Orchestras

1985 Lecturer, "Media and the Law," Cuyahoga Community College Lecture Series

1984 Diplôme, Université d'Aix-Marseille 1, Langue et Littérature Françaises

1983 Lecturer, Copyright Program, Cleveland Art Institute

1982 Research Associate, Centre d'Etudes Juridiques Comparatives, Paris

1982 Panelist, Legal History Seminar, Conference on Critical Legal Studies, Cambridge, MA
1979 Lecturer, Tennessee CLE Program, Products Liability, Knoxville, TN

1976-1978 Volunteer Attorney, Community Law Offices, NYC

1978 Panel Member, Moot Court Competition, Cardozo Law School, NYC


1978 Lecturer, Orientation Program, Harvard Law School, Foreign Student Graduate Program, Cambridge, MA

1984 Counsel, Cleveland Art Foundation
Letters to the Editor

“Fighting About the ’60s All Over Again,” The New York Times, May 20, 2010, Section A Opinion P 26


“Judges Shouldn’t Be Swayed By Overzealous Prosecutors,” The Plain Dealer, September 27, 2000 P 8B


PATRICIA J. FALK
Charles R. Emrick, Jr.-Calfee, Halter &
Griswold Endowed Professor of Law
Cleveland-Marshall College of Law
Cleveland State University
2121 Euclid Avenue, LB 138, Cleveland, OH 44115
Phone: (216) 687-3904; Fax: (216) 687-6881
email: patricia.falk@law.csuohio.edu

EDUCATION
Legal
J.D. (with distinction), University of Nebraska-Lincoln, 1983
Joint J.D.-Ph.D., Law-Psychology Program
Class Rank: Top 10%
Honors: Order of the Coif
Nebraska Law Review
Certificate of Superior Scholarship
Moot Court Board
Junior Moot Court Competition Award for Best Brief
William Holt Scholarship
American Jurisprudence Award in Criminal Law

Bar Admission: Nebraska, 1986

Graduate
Ph.D., University of Nebraska-Lincoln, 1988
Joint J.D.-Ph.D., Law-Psychology Program
Major: Social Psychology
G.P.A.: 3.9/4.0
Honors: Departmental Letters of Commendation
Carl Warden Fellow
Research Grant-in-Aid (American Psychological Assoc.)
Research Grant-in-Aid (Happold Fund)
National Research Service Award (NIMH)

Undergraduate
B.A. (summa cum laude), Union College (Schenectady, NY), 1979
Major: Political Science
Honors: Political Science Departmental Honors
National Political Science Honor Society
Becker Scholarship for Excellence in Political Science
Nott Scholar
Dean's List
WORK EXPERIENCE

Cleveland-Marshall College of Law, Cleveland State University
Charles R. Emrick, Jr.-Calfee, Halter & Griswold Endowed Professor of Law (August 2010-present)
Associate Dean for Faculty Development and Student Achievement (July 2006-June 2009)
Professor (August 2003-present)
Associate Professor (August 1996-August 2003)
Assistant Professor (August 1991-August 1996)

Teaching Areas: Criminal Law, Evidence, White Collar Crime, Social Science and Law, Family Law, Psychology of the Courtroom, and Women and the Criminal Justice System (team taught with five colleagues).

Honors: Administrative Faculty Merit Recognition Award, 2008
Wilson G. Stapleton Award for Faculty Excellence (Cleveland-Marshall Law Alumni Association), 2007
Merit Recognition Award, 2004
Distinguished Faculty Award for Service, 2003
Faculty Award for Excellence in Writing, 1997

Seattle University School of Law
Visiting Professor, Summer 2011

Responsibilities: Taught Criminal Law

Capital University Law School
Visiting Professor, Academic Year 2010-2011

Responsibilities: Taught Criminal Law, White Collar Crime, Evidence, and Law and Social Science

University of Westminster School of Law, London, England
Visiting Professor of Law, February-June 2000

Responsibilities: Taught Criminal Law and Women and Crime.

Novgorod State University, Novgorod, Russia
Visiting Professor of Law, April 2000

Responsibilities: Taught White Collar Crime.

United States Department of Justice—Antitrust Division—San Francisco Field Office
Trial Attorney, November 1985-July 1991
Responsibilities: Investigation and prosecution of major criminal bid-rigging and price-fixing cases under the Sherman Antitrust Act, as well as investigation and prosecution of complex civil antitrust matters, including mergers.

Honors: Recipient of awards for special achievement and outstanding performance.

United States Magistrate Arthur L. Burnett, Sr.
Judicial Law Clerk, September 1984-August 1985

Responsibilities: Performed extensive legal writing and research, including preparation of draft opinions.

Department of Psychology, University of Nebraska-Lincoln
Instructor, August 1983-May 1984

Responsibilities: Independently taught four courses in social psychology and theories of personality.

Department of Psychology, University of Nebraska-Lincoln
Graduate Teaching Assistant, August 1980-May 1983

Responsibilities: Wrote, revised, and graded student exams, discussed course materials with undergraduates, and supervised other teaching assistants.

State of Nebraska Department of Banking and Finance
Law Clerk, June-November 1980

Responsibilities: Performed extensive legal and factual research, wrote comprehensive memoranda, and prepared materials for use at trial in securities fraud cases.

PUBLICATIONS:


*reprinted in PSYCHOLOGICAL PERSPECTIVES ON LESBIAN & GAY MALE EXPERIENCES 420 (Linda D. Garnets & Douglas C. Kimmel eds., 1993).

* reprinted in 1 J. LESBIAN STUD. 37 (1997).


WORKS IN PROGRESS:

Patricia J. Falk, The Promise of Rape Reform Unfulfilled: A Critique of Ohio's Rape and Other Sexual Offense Statutes

PRESENTATIONS:

Patricia J. Falk, Ohio Rape Law, Presentation to SANE (Sexual Assault Nurses) meeting (Cleveland, OH, March 3, 2004).

Patricia J. Falk, Rape by Drugs, Presentation to the Cleveland State University Department of Sociology (Cleveland, OH, November 4, 2003).

Patricia J. Falk, Teaching Law in England, Faculty Speaker Series, Cleveland-Marshall College of Law, (Cleveland, OH, September, 2000).


Patricia J. Falk, Rape by Fraud, Presentation at Cleveland-Marshall faculty brown-bag lunch (Cleveland, OH, October 16, 1996).


Patricia J. Falk, Novel Theories of Criminal Defense Based Upon the Toxicity of the Social Environment: Urban Psychosis, Television Intoxication, and Black Rage, Presentation at Cleveland-Marshall faculty brown-bag lunch (Cleveland, OH, October 21, 1994).
Patricia J. Falk, Discussion leader, Nebraska Symposium on Motivation: The Individual, the Family, and Social Good: Personal Fulfillment in Times of Change (Lincoln, NE, April 1994).


LEGAL SCHOLARSHIP NETWORK (SSRN)
Editor, 15 issues of Cleveland-Marshall Legal Studies Papers

October 27, 2006—Volume 2, No. 2
December 8, 2006—Volume 2, No. 3
February 23, 2007—Volume 3, No. 1
April 12, 2007—Volume 3, No. 2
May 10, 2007—Volume 3, No. 3
September 14, 2007—Volume 3, No. 4
November 5, 2007—Volume 3, No. 5
February 28, 2008—Volume 4, No. 1
April 4, 2008—Volume 4, No. 2
May 14, 2008—Volume 4, No. 3
October 23, 2008—Volume 4, No. 4
February 10, 2009—Volume 5, No. 1
March 17, 2009—Volume 5, No. 2
April 3, 2009—Volume 5, No. 3
April 28, 2009—Volume 5, No. 4

FACULTY FOCUS
Editor, 26 issues of Electronic Newsletter for Cleveland-Marshall Faculty Members

October Faculty Focus 2006
November Faculty Focus 2006
December Faculty Focus 2006 (Google Book Citations)
January Faculty Focus 2007 (Service Activities)
February Faculty Focus 2007 (Mentoring Our Students)
March Faculty Focus 2007
April Faculty Focus 2007 (2006 Law Review Citations)
Summer Faculty Focus 2007
August Faculty Focus 2007 (Citations in Appellate Briefs)
October Faculty Focus 2007
November Faculty Focus 2007 (2007 Law Review Citations)
December Faculty Focus 2007
January Faculty Focus 2008 (Citations to Work on SSRN/LSN)
February Faculty Focus 2008 (Google Book Citations)
March Faculty Focus 2008
April Faculty Focus 2008
Summer Faculty Focus 2008
August Faculty Focus 2008
September Faculty Focus 2008
October Faculty Focus 2008
November Faculty Focus 2008
December Faculty Focus 2008
January Faculty Focus 2009 (2008 Law Review Citations)
February Faculty Focus 2009 (Judicial Citations: 2005-2009)
March Faculty Focus 2009
April Faculty Focus 2009

CONFERENCES AND SPEAKER SERIES (worked in an organizational capacity):


Teaching for Social Change: 2008 SALT Teaching Conference, University of California-Berkeley School of Law, Berkeley, California (March 14-15, 2008). (Chair)

Academic Freedom and Teaching Activism in the Post 9/11 World: 2006 SALT Teaching Conference, Suffolk University Law School, Boston, Massachusetts (September 8-9, 2006). (Co-chair)

Class in the Classroom: 2004 SALT Teaching Conference, University of Nevada, Las Vegas, William S. Boyd School of Law (October 2004).


SERVICE

Law School Service

Committees:

Ad hoc Committee on Moot Court Issues (2007-2008, 2006-2007) (Chair)
Admissions Committee (1998-1999)
Baker-Hostetler Committee (1999-2000) (Chair)
High Achievement Committee (1998-1999)
Honors Council (2001-2002)
Law Student Outcomes Assessment Plan Committee (1996-1997)
Named Professorship Committee (2009-2010) (Chair)
Search Committee, Director, College Budget and Administration (2007-2008) (Chair)
Search Committee, Director, Legal Careers Opportunity Program (LCOP) (2008-2009) (Chair)
Search Committee, Director, Law Library (2007-2008)
Search Committee, Director, College Budget and Administration (2006-2007) (Chair)
Search Committee on the Legal Careers Opportunity Program (LCOP) (2008-2009) (Chair)

Personnel Action Subcommittees:

Professor Kunal Parker's Promotion Subcommittee (2005-2006)
Professor Susan J. Becker's Promotion Subcommittee (2003-2004)
Professor David Snyder's Tenure and Promotion Subcommittee (2000-2001)
Professor Heidi Gorovitz Robertson's Tenure and Promotion Subcommittee (1999-2000)

Criminal Law Group:
Toward More Reliable Jury Verdicts: Law, Technology, and Media Developments Since the Trials of Dr. Sam Sheppard Conference, Cleveland-Marshall College of Law (April 2001)


Criminal Law Concentration (2001-2002)

Grant from the Hubert A. and Gladys C. Estabrook Charitable Trust, administered by Porter, Wright, Morris & Arthur LLP ($30,000) (2002)

Miscellaneous:

Special Moot Court Advisor to two teams in the Sutherland Cup Competition (1996-1997)
Special Moot Court Advisor to team in the John J. Gibbons Competition (1995-1996)

University Service

Distinguished Faculty Service Awards Committee (2005-2006 (Chair), 2003-2004)
Faculty Misconduct Investigation Committee (2000-2001)
Faculty Senate Academic Steering Committee (2006)
Honors Initiative Committee (2002-2003) (Chair)
Research Officers Council (2009)
Search Committee, Honors Program Director (2008-2009)

Public Service

Newspaper Articles:


Patricia J. Falk, SALT Teaching Conference a Great Success, SAL7 EQUALIZER 7 (December 2006).


Dee McAree, Two States Tell Deadbeat Dads to Stop Having Children, THE RECORDER, Sept. 27, 2002).


James Ewinger, *Just When You Think You are Divorced; Judge Says Couple Must Live Together*, THE PLAIN DEALER, June 7, 1995, at 1B.

**Television and Radio:**

WCPN, October 26, 2005, 9:00 a.m. (regarding rape law and the punishment of rape).

CNN, July 5, 2004 (regarding the 50th anniversary of Marilyn Sheppard’s murder).

Channel 8 News at 5:00 p.m., October 8, 2002 (regarding Issue 1—treatment for nonviolent, first-time drug offenders).

Channel 5 News at 6:00 p.m., November 7, 2000 (regarding the defense of an alleged murderer of a Cleveland police officer).

National Public Radio, All Things Considered, May 11, 2001 (regarding Congressman Trafficant’s case).

Channel 3 News at 11:00 p.m., May 15, 1996 (regarding eyewitness testimony).

Channel 8 News at 6:00 p.m., June 20, 1994 (regarding the O.J. Simpson case).

**Reviewer:**


**Peer Reviewer:**

ANNALS OF HEALTH LAW
VIOLENCE AND VICTIMS
BEHAVIORAL SCIENCES AND THE LAW

Board of Directors:

Cleveland Rape Crisis Center (2007-present)

Society of American Law Teachers (SALT) (2005-present)

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Cleveland, Ohio 44115
216–687–2342
david.forte@law.csuohio.edu

Education:

Columbia School of Law, J.D.
Certificate of Achievement with Honors, Parker Program in International and Foreign Law
Harlan Fiske Stone Scholar

University of Toronto, Ph.D.
Field: Political Economy
Dissertation: The Principles and Policies of Dean Rusk
Junior Fellow, Massey College

University of Manchester, England, M.A. (Econ.)
Field: International Affairs
Dissertation: The Response of Soviet Foreign Policy to the Common Market

Harvard College, A.B.
Field: Government
Honors Thesis: The Theory of International Relations of Henry Cabot Lodge

Bar Memberships:

Supreme Court of Ohio
U.S. District Court, Northern District of Ohio
U.S. Court of Appeals, Sixth Circuit
U.S. Supreme Court

Professional Experience

Cleveland-Marshall College of Law
Professor of Law, 1981–present
Charles R. Emrick, Jr.—Calfee, Halter, & Griswold Endowed Professor of Law, 2004-2007
Associate Professor of Law, 1976–81
Associate Dean for Academic Affairs, 1986–88
Responsible for coordination and implementation of the academic program, faculty development, curricular reform, adjunct faculty hiring.
Olympia Summer Seminars, Olympia, Greece
Religion and Politics in the 21st Century
Visiting Professor, Summer 2011

The Witherspoon Institute, Princeton, New Jersey
Visiting Scholar, Center for the Study of Religion and the Constitution, 2008-09

University of Trento, Trento, Italy
Visiting Professor, 2004
Fulbright Distinguished Chair, 2003
Course on Islamic Law, Faculty Seminars

Liberty Fund, Indianapolis, Indiana
Visiting Scholar, 1998–99
Research, writing, and conducting seminars on Liberty, Natural Law, Islamic Law, American Civilization, Classic Fiction and Drama, Religious Liberty.

The Heritage Foundation, Washington, D.C.
Bradley Resident Scholar, 1992
Research and writing on Judicial Review, Academic Speech, Abortion, Establishment and Free Exercise Clauses, the Founding Period, Relations with China and the former Soviet Union.

City of Lakewood, Ohio
Criminal and civil actions, arraignments, warrants, bonds, trials, motions, sentencing.
Ruled on all construction design, signage, and requests for code variances for the City of Lakewood.

United States Mission to the United Nations
Counselor for Legal Affairs, 1985–86

Skidmore College, Saratoga Springs, New York
Instructor in Government, 1969–1974

Professional Activities and Awards
Distinguished Faculty Teaching Award, Cleveland State University, 2008
Ohio State Advisory Committee to the U.S. Commission on Civil Rights
James Madison Society, Princeton University
Bishop Gassis Sudan Relief Fund, Board of Directors, Executive Committee
Ashbrook Center for Public Affairs, Adjunct Scholar
Salvatori Center on the American Founding, The Heritage Foundation, Board of Directors

Contributor, The Arena, Politico.com

Pontifical Council for the Family, Vatican, Consultor, 1999-2009

Philadelphia Society, Board of Directors, 2006-2009

Wilson G. Stapelton Award for Faculty Excellence, Cleveland-Marshall Alumni Association, 2003

American Journal of Jurisprudence, Board of Editors, Book Review Editor, 1997-2003

Ohio Association of Scholars, President, 1997–98, Chairman, Board of Directors

Distinguished Faculty Service Award, Cleveland State University, 1997

Cleveland Bar Association, Professional Ethics Committee, Chairman, 1989–90; Member 1987–1996 President’s Award, 1990


Ohio Humanities Scholar, 1986–1987, Ohio Humanities Council

President, Islamic Legal Studies Institute, Cleveland State University, 1986–1987

Buckeye Institute for Public Policy Solutions, Board of Academic Advisers, 1995-2011

National Lawyers Association, Board of Academic Advisers

The Federalist Society, Religious Liberties Practice Group

Peer Reviewer, Journal of the Early America Republic; Journal of Law and Religion

Addresses and Papers


“A Brief History of the Shari’a,” Colloquium on the Shari’a, University of Hawaii School of Law, Honolulu, Hawaii, March 12, 2012.


“Will the Arab Spring become Democracy's Winter?” panel with Professor Feisal Amin Rasoul Istrabadi, University of Indiana College of Law, Bloomington, Indiana, February 20, 2012.


“Is It Time We Stopped Trusting Judges?” Indiana University School of Law, Indianapolis, Indiana, January 24, 2012.


“Can Islam Travel the Catholic Road to Democracy,” Ohio State University College of Law, Columbus, Ohio, October 19, 2011; University of Chicago School of Law, October 10, 2011; Capital University School of Law, Columbus, Ohio, October 7, 2011.

“Is the Shari’a Coming to America? And Should We Care?” Debate with Daniel Mach, Director of the American Civil Liberties Union Program on Freedom of Religion and Belief, Cornell Club, New York City Federalist Society Lawyers’ Chapter, September 26, 2011.


“Islam and Democracy?” Houston and Jackson Lawyers’ Federalist Societies, June 16, 17, 2011.

“May It Please the Court,” The Claremont Institute’s Spring Conference on Politics and the Constitution, Washington, D.C. June 4, 2011.

“What’s Wrong with the Shari’a?” and “Should We Ban the Shari’a?” Columbus, Tampa, and Orlando Lawyers’ Federalist Societies, and Midwest, Southern, and New York Federalist Society Leadership Meetings, May 11, 21, April 30, and March 19, 31, 2011.


“Should We Trust Judges? Did the Framers?” Barry University School of Law, Orlando, Florida, March 31, 2011.


“Should We Trust Judges?” William Mitchell School of Law, St. Paul, Minnesota, March 14, 2011.


Free Speech for Plutocrats—One Year Later, editorial, Ashbrook Institute, Ashland, Ohio (Ashbrook.org), January 2011.


“Do We Trust Judges? Did the Framers?” Debate with Professor Bruce Miller, Western New England School of Law, Springfield, Massachusetts, October 6, 2010; lecture, Boston University School of Law, October 7, 2010.


“God and Man in Islam and Christianity,” Legatus, Cleveland, Ohio, April 21, 2010.

“The God of War; The Law of War,” Boston University School of Law, Boston, Massachusetts, April 15, 2010.

“The Catholic/Muslim Road to Democracy?” Boston College School of Law, Newton, Massachusetts, April 13, 2010.

“Just What is Natural Law, Anyway?” Western New England School of Law, Springfield, Massachusetts, April 12, 2010.

“Do We Trust Judges? Did the Framers?” Widener University School of Law, Harrisburg, Pennsylvania, April 8, 2010; Dickinson School of Law, Carlisle, Pennsylvania, April 9, 2010; New England School of Law, Springfield, Massachusetts, April 14, 2010; Washburn School of Law, Topeka, Kansas, March 15, 2010.


“Theories of Justice,” Cleveland Marshall College of Law Faculty Talk, Cleveland, Ohio, February 17, 2010.

“Children of Abraham,” Heritage Presbyterian Church, Amherst, Ohio, February 7, 2010.


“Just What is Natural Law, Anyway?” Roger Williams Law School, Bristol, Rhode Island, November 6, 2009.

“Religion and Democracy: Church and Mosque,” Case Western Reserve Law School, Cleveland, Ohio, November 1, 2009.

“Preview: Upcoming Cases before the Supreme Court,” ACS, Case Western Reserve Law School, Cleveland, Ohio, October 28, 2009.

“McDonald v. Chicago,” at First Monday in October Faculty Forum, Cleveland-Marshall College of Law, October 5, 2009.


“Islam and the Prospects for Democracy,” Intercollegiate Studies Institute, San Francisco, California, June 27, 2009

Lincoln...or Buchanan? editorial, Ashbrook Institute, Ashland, Ohio (Ashbrook.org), February 2009.


The Republic Stands, editorial, Ashbrook Institute, Ashland, Ohio (Ashbrook.org), November, 2008.


“The Ten Amendments and the Constitution,” St. Louis University School of Law, St. Louis, Missouri, September 25, 2008.


“Islam and the West,” Intercollegiate Studies Institute, Rancho Santa Fe, California, June 20, 2008.


“Abortion and Informed Consent,” debate with Professor Elizabeth Marsh and Professor Stephen Gilles, Quinnipiac University School of Law, Hamden, Connecticut, March 27, 2008.


“Religion: Friend or Foe to Liberty?” Western State Law School Fullerton, California, March 12, 2008.


Seminar on Originalism, Claremont-McKenna College, Claremont, California, March 11, 2008.


“Religion and the Constitution,” Church of the Saviour, United Methodist Church, Cleveland Heights, Ohio, February 24, 2008.

“Justice Cardozo, Justice Thomas, and the Commerce Clause,” Willamette University School of Law, Salem, Oregon, February 9, 2008.


“Why Do We Have A Constitution?” Admissions open house, Cleveland-Marshall College of Law, Cleveland State University, January 24, 2008.

“Is Democracy Compatible with Islam?” Ohio Northern School of Law, Ada, Ohio, November 13, 2007; University of Cincinnati School of Law, Cincinnati, Ohio, October 25, 2007; Columbus Lawyers’ Federalist Society, Columbus, Ohio, October 24, 2007.


“The Future of Abortion in the Courts,” Ohio State University School of Law, Capital University School of Law, Columbus, Ohio, October 26, 2007.

“Originalism and the New Supreme Court,” debate with Professor John Valauri, Chase School of Law, Northern Kentucky University, October 25, 2007.


Constitution Day Speaker, Kent State University, Kent Ohio, September 18, 2007.

Constitution Day Speaker, Cleveland State University, September 17, 2007.


“Justice Cardozo and the Commerce Clause,” Ohio State Law School, Columbus, Ohio, March 30, 2007.

Bill of Rights Institute, Seminar for high school teachers on the First Amendment, Western Reserve Historical Society, Cleveland, Ohio, March 20, 2007.

“How Justice Cardozo Nearly Saved the Commerce Clause,” University of St. Thomas School of Law, Minneapolis, Minnesota, February 23, 2007.


“Originalism and the New Supreme Court,” University of Missouri at Kansas City School of Law, Kansas City, Missouri, February 21, 2007.

“Islam and Pluralism,” University of Kansas School of Law, Lawrence, Kansas, February 20, 2007.


“The Constitutional Justification for the Partial Birth Abortion Act,” debate with Professor Hadley Arkes, Amherst College, at University of St. Thomas Law School, Minneapolis, Minnesota, December 1, 2006.


“The Originalist Tradition in U.S. Constitutional Interpretation,” graduate seminar on comparative constitutional law, University of Trento, Italy, May 17, 2006.


Testimony on H.R. 5037, “Respect for America’s Fallen Heroes Act.” Committee on Veterans’ Affairs, Subcommittee on Disability Assistance and Memorial Affairs,” April 18, 2006.


“Originalism and the Constitution,” seminar for high school teachers, Ashbrook Institute, Ashland University, Ashland, Ohio, March 25, 2006.

“Originalism and the New Supreme Court,” University of Texas Law School Federalist Society, Austin, Texas, March 6, 2006.


“The Constitution and the New Supreme Court,” First Unitarian Church of Cleveland, Shaker Heights, Ohio, March 5, 2006.

“Divided Justice: The New Supreme Court and Abortion,” debate with Professor Jessie Hill of Case Law School, City Club, Cleveland, Ohio, March 1, 2006.


“Is the Role of a Judge to Interpret the Law or Make the Law?” debate with Professor Elizabeth Spahn, New England School of Law, Boston, Massachusetts. November 16, 2005.


Recovering Civic Virtue, editorial, Ashbrook Institute, Ashland, Ohio (Ashbrook.org), November 1, 2005.


The New Supreme Court,” Tallahassee Lawyers’ Federalist Society, October 11, 2005.


The United States Supreme Court After Justice O’Connor: Transition or Transformation?, Panelist, Cleveland-Marshall College of Law, August 24, 2005.

The Supreme Court Appointment Process, WCPN Radio, Cleveland, Ohio, July 11, 2005.


Testimony on Proposed Smoking Ban, Lakewood City Council, Lakewood, Ohio, January 24, February 2, February 23, June 27, 2005.


The Race At Case: Advisor to Student Political Conventions, Case University, Cleveland, Ohio, October 2, 2004.


Presentatione (Foreword), LYDA FAVALI, QIRĀD ISLAMICO COMMENDA MEDIEVALE E STRATEGIE CULTURALI DELL’OCCIDENTE (2004).

“Islamic Law and the Prospects for Democracy,” Federalist Society, University of Miami School of Law, April 1, 2004; Oklahoma City University School of Law, February 17, 2004; Washington & Lee University School of Law, February 12, 2004; St. Louis University School of Law, February 5, 2004.

“Adultery in Islamic Law,” Association of American Law Schools Annual Meeting, Atlanta, Georgia, January 3, 2004; and to St. Louis University School of Law Faculty Seminar, February 5, 2004.


“Islamic law and Democracy,” Boston College Law School Federalist Society, Newton, Massachusetts, October 27, 2003.
Faith and Ideology, St. Mark’s Review (Australia), 2003(1).


“Islamic Law and the State.” Seminar, University of Trento, Italy, May 9, 2003.


Saddam Hussein and his war against civilians, KLRA radio, Los Angeles, March 31, 2003.

Osama bin Laden and the War in Iraq, BBC Radio, March 28, 2003


Middle East Backgrounder, WCPN radio, March 10, 2003.


“A Pilgrimage of Learning,” Board of Trustees, Cleveland State University, November 20, 2002.

Assessment of Iraq’s Acceptance of UN Resolution, BBC Radio, November 13, 2002.

“Introduction to Islam,” Jewish Community Center LearnInn, Newbury, Ohio, November 6, 2002.


The Return of Uncle Sam, editorial, Ashbrook Institute (Ashbrook.org), September 11, 2002.

Roundtable on Islam, Christianity, and Natural Right, American Political Science Association, Boston, Massachusetts, August 31, 2002.

“The Return of Uncle Sam,” 23rd Meeting of Peoples, Rimini, Italy, August 20, 2002. Reported in David Forte a Rimini: una lezione sul terrorismo, TEMPI (Milan), August, 2002

It’s Still Evil—Stupid, editorial, Ashbrook Institute (Ashbrook.org), July 10, 2002


“Willful Ignorance: How Positivism Taught Us Not to Care for the Truth, Ohio Association of Scholars, Columbus, June 7, 2002.


“Natural Law and the Clash of Civilizations,” Salvatori Center, Claremont-McKenna College, Claremont, California, April 8, 2002.


Islamic Law and Islamic Civilization,” Washington University School of Law Federalist Society, St. Louis, Missouri, March 27, 2002.

“Islamic Law and American Foreign Policy,” Mrs. J. Reynolds Medart Lecture Series, Maryville University, St. Louis, Missouri, March 27, 2002.


“Natural Law, A Philosophy for All Humanity,” Humanities Conference, Lakeridge Academy, North Ridgeville, Ohio, March 8, 2002.


United States Department of State, Bureau of Democracy and Human Rights
“Natural Law and Civilization,” Al-Quds Center for Political Studies; Faculty of Law, Amman University
“Comparative Religions and Radicalism,” Royal Center for Interfaith Studies


“Terrorism and U.S. Foreign Policy,” Judge Thomas Inn of Court, Cleveland, February 13, 2002.


“Islam and Islamic Law,” to Federalist Societies of Ave Maria School of Law, Wayne State School of Law, University of Toledo School of Law, University of Chicago Law School, NYU Law School, October 22-November 5, 2001.


“The Varieties of Islam,” Rotary Club of Cleveland, November 1, 2001; First Unitarian Church, Shaker Heights, Ohio, October 21, 2001.


“Invitation to a Discussion on Faith, Law, and Peace,” Institute on Religion and Public Policy and Georgetown Center on Christian-Muslin Understanding, Georgetown University, Washington, D.C., October 18, 2001


“Natural Law As Aspiration,” Case-Western Reserve Law School Faculty Forum, Cleveland, Ohio, March 6, 2001.


“Ancient and Modern Natural Law,” Roman Forum, St. Rose Church, Cleveland, Ohio, January 17, 2001.

“Names and Naming,” Holy Name Society Family Breakfast, Our Lady of Mount Carmel, Cleveland, Ohio, January 14, 2001.


“We were the Framers Wrong about the Supreme Court?” Case Western Law School Reserve Federalist Society, Cleveland, Ohio, November 21, 2000.


“If Only Catholics Had the Vote: Politics and the Family,” First Friday Club, Catholic Diocese of Cleveland, November 2, 2000.


“What Does the Supreme Court Owe to Framers?” Robert E. Henderson Constitution Day Lecture, Ashbrook Institute, Ashland University, September 15, 2000.


John XXIII and the Social Teaching of the Catholic Church, Roman Forum, St. Rose Church, Cleveland, Ohio, April 19, 2000.

Panel, “Fairness in the Profession,” Supreme Court of Ohio Judicial College, Columbus, Ohio, April 12, 2000.


Pope Pius XI and the Social Teaching of the Church, Roman Forum, St. Rose Church, Cleveland, Ohio, March 15, 2000.


Commentary of the draft criminal code of Kosovo, Central and East European Law Initiative, American Bar Association, February 24, 2000.


Pope Leo XIII and the Social Teaching of the Church, Roman Forum, St. Rose Church, Cleveland, Ohio, February 15, 2000.


“Natural Law—What is This Idea?” West Shore Unitarian Universalist Church, Westlake, Ohio, November 7, 1999.


“The Revival of Natural Law,” WOSU Radio, Columbus, Ohio, August 19, 1999.

“Family or Families,” Third Meeting of Politicians and Legislators of America, Buenos Aires, Argentina, August 3-5, 1999.


“How to Practice Natural Law,” University of Richmond School of Law Federalist Society, March 17, 1999, Richmond, Virginia.

“Justice Cardozo’s Commerce Clause—To Save a Constitution,” Federalist Society, Case Western Reserve School of Law, Cleveland, Ohio, March 2, 1999.


“Doing His Job, or Crossing the Line: Independent Counsel Kenneth Starr,” City Club Forum, Cleveland City Club, April 3, 1998.


“Recent Cases on Abortion and on The Boy Scouts,” WMIH Radio, Cleveland, Ohio, March 25, 1998.


“Liberty and the Good Life,” Keynote Address, Buckeye Foundation Annual Retreat, Findlay, Ohio, October 1, 1996.


The Illiberal Court, NATIONAL REVIEW, July 29, 1996.

Natural Law and the Rule of Law, ON PRINCIPLE (John M. Ashbrook Center for Public Affairs), April 1996.


Debate: The Property Protection Act, with Melvin Durschlag, Case Western Reserve Law School, Cleveland, Ohio, March 25, 1996.

Testimony on the Blasphemy Law in Pakistan, Senate Foreign Relations Committee, Subcommittee on Near East and South Asian Affairs, Washington, D.C. March 6, 1996.

“The Natural Knowledge of God,” Roman Forum, St. Rose Church, Cleveland, Ohio, February 21, 1996.


The Supreme Court's Right Turn, THE WORLD & I, October 1995.


_NATO vs. the UN_, Op-Ed article, _Wooster Daily Record_, January 23, 1995.


“How the Wall of Separation Was Built,” University of Washington Law School Federalist Society, Seattle, Washington; University of Seattle School of Law, Puget Sound, Washington; Willamette School of Law, Salem, Oregon; University of Oregon School of Law, Eugene, Oregon; Lewis Clark School of Law, Portland, Oregon; November 1–4, 1994.


The Catholic Viewpoint on Living Wills and Advanced Directives, Panelist, St. Ann Church, Cleveland Heights, Ohio, October 9, 1994.


Deymanyuk as a Stateless Person, WCPN radio, Cleveland, Ohio, July 29, 1993.


“War Crimes in the Former Yugoslavia,” Cleveland City Club Round Table, June 10, 1993.


“The Qur’an, its History and Art,” the Rowfant Club, Cleveland, Ohio, October 8, 1992.

Human Rights Protections under the United States Constitution, Law Faculty Training Institute, ABA Central and East European Law Initiative, Lodz, Poland, August 30–September 14, 1992.


The Supreme Court and Abortion, WOSV radio, Columbus, Ohio, May 4, 1992.

“The Wall of Separation: How It Came to Be, Do We Need It?” The Heritage Foundation, April 30, 1992.


“The Rehnquist Court and the Role of the Supreme Court,” Washington Semester, American University, April 7, 1992.


Commentary on draft Ukrainian constitution, to Dr. Futay, adviser to Ukrainian constitutional drafting committee, March 18, 1992.


“Why did Marbury Sue?” Institute for Humane Studies, George Mason University, February 26, 1992.


Professional Ethics Opinion 92–1, Nepotism Restraints on a Judge's Administrative Appointments, Cleveland Bar Association, Professional Ethics Committee, February 5, 1992.


“Reapportionment and Redistricting: The Jewish Voice and the Jewish Vote: the Constitutional Limits,” American Jewish Committee/American Jewish Congress panel on Ohio Reapportionment, Beachwood, Ohio, October 17, 1991.


Testimony on Informed Consent Bill, Ohio House of Representatives, Columbus, Ohio, May, 1991.


President's Award, Cleveland Bar Association, for work as Chairman of Professional Ethics Committee, June, 1990.

Testimony before the U.S. Senate Committee on Foreign Relations on the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment, Washington, D.C., January 30, 1990.


Continuing Legal Education, Constitutional Law, Ohio Bell Corporation, September 15, 1989.


“Theft in Islamic and Common Law,” Annual Meeting of the American Society of Criminology, Atlanta, Georgia, October 31, 1986.


“Terror and Terrorism,” Symposium on Terrorism, Capital University Law and Graduate Center, Columbus, Ohio, March 15, 1986.


In The Matter of M.S. (I.N.S. 1985). Successfully obtained from Immigration and Naturalization Service grant of asylum for convert from Islam on grounds of well-founded fear of religious persecution.


“Islamic Issues before U.S. Courts,” University of Utah School of Law, Salt Lake City, Utah, February 13, 1984.


**Theories of Justice: Readings in Legal and Moral Philosophy**, course materials prepared for course on Jurisprudence, Cleveland State University, 1983.

Liberty Fund Fellow, Program in Law and Philosophy, Institute for Humane Studies, Menlo Park, California, Summer 1982.


Seminar on Legal and Moral Philosophy, Institute for Humane Studies, San Diego, August 5–14, 1980.


Institute on Law and Ethics, Council for Philosophical Studies, Williams College, Williamstown, Massachusetts, Summer 1977.

Panelist, Middle East Law, International Conference on Comparative Law, University of Utah, Salt Lake City, Utah, February 24, 25, 1977.

Parker Fellow, assisted Columbia-Leyden-Amsterdam Program in American Law, at the University of Leyden, Holland, Summer 1976.


Publications:

Books:

THE HERITAGE GUIDE TO THE CONSTITUTION, Senior Editor, Henry Regnery Co. (2006).


Articles:

May it Please the Court, CLAREMONT REVIEW OF BOOKS, Vol. XI, No. 4, Fall 2011, pp. 50-53.

Originalism in the Classroom, in 24 ACADEMIC QUESTIONS 137 (2011).


Appealing to the Judge’s Better Angels, HERITAGE LECTURES, No. 1111, February 19, 2009.


Encicliche Sociali, Capitalismo e Socialismo, in ATLANTIDE, December 2006.


Who was William Marbury? Experience 25 (Winter 2003).


Natural Law and the Limits to Judicial Review, 1 Catholic Social Science Review 42 (1996).


Apostasy and Blasphemy in Pakistan, 10 Conn. J. Int’l L. 27 (1994).


L'atteggiamento del 'URSS verso il Mercato Commune, in MERCURIO–SINTESI DEL PENSIERO ECONOMICO E SOCIALE CONTEMPORANEO (Rome), August, 1968.


Review Articles:


Reviews:


On D. Pearl, TEXTBOOK ON MUSLIM PERSONAL LAW, __ J. AM. ORIENTAL SOC'Y __ (1989).


On T. Ansay and D. Wallace, INTRODUCTION TO TURKISH LAW, 100 J. AM. ORIENTAL SOC'Y 147 (1980).


**University and Law School Governance:**

Academic Standards Committee, Chair, 1988–93, 1994–98, Member 2002–05
Adjunct Faculty Committee, 1989–92
Admissions Committee, 1977–79
Advisor, Niagara Moot Court Competition, 1980–81, 1982–83
Associate Dean for Academic Affairs, 1986–88
Baker-Hostetler Chair Committee, 1994–97
Centennial Committee, 1996
    Committee on Style
Cleveland-Marshall Faculty Forum Co-ordinator, 2003
Cleveland-Marshall Fund Committee, 2009-2012
    Subcommittee on Summer Grants, 2002–03
Committee on Graduate Studies, Chair 1983–84, 1989–92, Member 1988–92; 1999–2000
Faculty Appointments Committee, Chair 1979–82, 2000-01, 2004-05; Member 1976–78, 1992–93, 1999–00, 2005-06
Faculty Honors Committee, Chair 1986–88
Faculty Jurisprudence Seminar, Director 1980–83, 1986–88
Faculty Reinspection and Review Committee, Chair 1984, Member 1991, 2004
Faculty Research Luncheon Series, Coordinator 1978–83, 1986–88
Foreign Exchange Committee, 1992–93
Interim Dean Search Committee, Chair, 2010
L860 Ad Hoc Committee
Law Student Academic Outcome Assessment Plan, Chair, 1996–98
Library Committee, 2002–03
Library Director Search Committee, Chair, 1994–95, 2007
Self-Study Committee, 2010-2011
Special Committee on Academic Misconduct, Chair 1979
Student Life Committee, 1998
Strategic Planning Committee,
    Steering Committee, 1997–98
University *ad hoc* Committee on Program Review, 2002–03
University Appropriate Use Advisory Committee, 2000
University Assessment Committee, 1996–98
University Committee on Academic Space, 2004-2005
University Curricular Review Committee, 1979–81
University Employee Benefits Committee, 1995–97
University Faculty Affairs Committee, 2005-06
University Faculty Awards Committee, 2000, Chair 2010
University Financial Aid Committee, Chair 1979–81, Member 1977–79
University Graduate Council, 2005-2007
University Provost Search Committee, 2000
Upper-Level Curriculum Review Committee, 1990
Values Task Force, 1990
Community Service:

Member, St. Luke Parish/Pastoral Council, 2007-2011
Member, Advisory Board, R.S.V.P. (Responsible Social Values Program), 1996–98
Member, National Association of Scholars
Trustee, Harvard University Club of Cleveland
Harvard Schools and Scholarship Committee
Server, St. Luke’s Church
Harvard Class Agent
Acolyte, Cantor, St. John's Cathedral
Boy Scout Merit Badge Counselor
CCD Instructor, St. Rose of Lima Church
Member, Lawyers for Life, Cleveland
Cuyahoga County Republican Committee
   Elected Precinct Committeeman, Lakewood, Ohio, 1984–85
Citizens Curriculum Review Committee, Lakewood Public Schools
Coordinator, Tiger Cubs, Boy Scouts of America
Civil War Re-enactor
Choir, St. Paul’s Church, Princeton, N.J.
Address:

2804 E. Overlook Rd.
Cleveland Heights, OH  44118
(216) 321-2838

Education:

University of Chicago Law School
1160 East 60th Street
Chicago, IL  60637
LL.M. 1975

Indiana University
School of Law
735 West New York Street
Indianapolis, IN  46202
J.D. 1973, Magna Cum Laude

DePauw University
Greencastle, IN  46315
B.A. 1969

Bar Admissions:

Ohio  1980
Indiana  1973
United States Supreme Court  1988

Professional Experience:

Cleveland-Marshall College of Law
Cleveland State University
1801 Euclid Avenue
Cleveland, OH  44115

Professor of Law, 1983 to Present
Associate Professor of Law, 1980-1983
(Tenure granted: 1980)
Assistant Professor of Law, 1977-1979
Gonzaga University
School of Law
Spokane, WA 99202
Assistant Professor of Law, 1975-1977

Murphy, McAtee, Murphy & Costanza
First National Bank Building
East Chicago, IN 46312
Associate Attorney, 1973-1975

Publications:


Gard, The Dubious Constitutionality of Local Controls Over the Religious Use of Land (International Cultural Foundation, Inc.).


Gard, Purpose and Promise Unfulfilled: A Different View of Private Enforcement


**Significant Litigation:**


Engineering & Manufacturing Services, Inc. v. Ashton, 387 Fed.Appx. 575 (6th Cir. 2010)(Co-counsel for Plaintiff-Appellant: Successful appeal from grant of summary judgment in action challenging City of Cleveland fire inspection procedures as violative of fourth amendment).

Swiecicki v. Delgado, 463 F.3d 489 (6th Cir. 2006)(Counsel for Plaintiff-Appellant: Held that City of Cleveland police officer, working as security guard at Cleveland Indians Stadium, was not entitled to qualified immunity from claim of false arrest without probable cause based on content of plaintiff-appellant’s speech).

Shimman v. Miller, 995 F.2d 651 (6th Cir. 1993)(Co-counsel for Plaintiff-Appellant: Recognized right of union member to access to union newspaper pursuant to 29 U.S.C. section 411).

Warner v. Celebrezze, F.2d (6th Cir. 1992)(Appointed counsel for habeas corpus petitioner: After five days of evidentiary hearing petitioner’s convictions for murder and aggravated robbery were vacated on grounds of prior counsel’s ineffectiveness, affirmed on appeal).

Russo v. Massullo, Case Nos. 90-3240 & 90-3241 (6th Cir. 1991), petition for
certiorari denied, No. 90-1928 (Co-counsel for Plaintiffs-Appellants: Successful appeals from grant of summary judgment to defendant law enforcement officers on grounds of qualified immunity).

Gross v. City of Cleveland Heights, Case No. 90-3316 (6th Cir. 1991) (ACLU pro bono counsel for Plaintiff-Appellant: Established constitutional invalidity of municipal ordinance prohibiting display of political signs in residential neighborhoods).


Krach v. Lakeside Transportation Co., Case No. 1:08 CV 2082 (N.D. Ohio 2009) (Co-counsel for Plaintiff: Wrongful death action settled for seven figure amount).

Stephens v. Freeman-McCown, Case No. 1:97 CV 2747 (N.D. Ohio 1997) (Counsel for Defendant: Dismissal of action by consultant alleging tortious interference with contract and intentional infliction of emotional distress by CEO of the Cleveland Metropolitan Housing Authority).

Hadad v. Village of Moreland Hills, 970 F. Supp. 1227 (N.D. Ohio 1997) (summary judgment opinion) (Counsel for Plaintiff: Jury verdict, after eight days of trial, for police officer terminated after informing news media and prosecutor of alleged corruption in local government. Case ultimately settled for $500,000).

Riley v. E. G. Baldwin Co., Case No. 1:94 CV 0921 (N.D. Ohio 1996) (Co-counsel for Plaintiff: Age discrimination in employment action settled one week prior to trial for seven figure amount).


White v. Clinton County Board of Commissioners, 99 Ohio St.3d 1 (1996) (Amicus Curiae Brief for Investigative reporters and Editors: Established duty of board of county commissioners to maintain full and accurate records of proceedings pursuant to Ohio Sunshine Law and Public Records Act).

Jurcisin v. Cuyahoga County Board of Elections, Ohio St.3d (1987)
(AmicusCuraie Brief for ACLU: Established constitutionality and validity of referendum adopting civilian police review board).

Professional Conferences (Selected):


November 30, 1993: “Sexual Harassment in Employment: Case Evaluation”, Employment Law Seminar, Cuyahoga County Bar Association, Cleveland, Ohio (Speaker).


November 14, 1991: “Our Constitutional Rights – Will They Survive the 90’s”, National Council of Jewish Women, Cleveland, Ohio (Speaker).

November 7, 1987: “Representing the Discharged Employee”, Cuyahoga County Bar Association, Young Lawyers Section and PELA, Cleveland, Ohio (Speaker).

May 19, 1984: “Trends in Church-State Relations”, Anti-Defamation League of B’nai B’rith, Ohio-Kentucky-Indiana Regional Advisory Board Annual Meeting (Speaker).

Professional Activities (Selected):


Lecturer on Torts, Supreme Bar Review, 2001-present.

Member, Board of Directors, Cleveland Chapter, ACLU of Ohio Foundation, 1993-1995.

Testimony, Investigation of Corruption in Work Place by Labor Unions, Hearings before the U.S. Senate Committee on Labor and Human Resources, 98th Cong., 2d Session.
CURRICULUM VITAE for PETER D. GARLOCK

Cleveland-Marshall College of Law
Cleveland State University
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ACADEMIC and PROFESSIONAL TRAINING

B.A. – Yale University, 1960, magna cum laude
LL.B. – Yale Law School, 1966
Ph.D. – Yale University, 1972 (International Relations) (Dissertation: The United States and the Indian Crisis, 1941-43: The Limits of Anti-Colonialism)

Academic honors: Phi Beta Kappa, Yale, 1960
Woodrow Wilson Fellowship, 1960-61
French Government Grant, Alliance-Francaise Grant, Fulbright Travel Grant, 1961-62
Syracuse University Africa-Asia Fellowship, 1966-67

Bar Membership: New York; admitted 1974

EMPLOYMENT

Law Teaching and Law

1975-present -- Associate Professor of Law, Cleveland-Marshall College of Law, Cleveland State University
Courses taught: Criminal Law; Torts; American Legal History; Child, Family, & State; Juvenile Law (seminar)

1974-75 -- Research Associate in Law, Carnegie Council on Children, New Haven, Conn.

1973-74 -- Assistant Director, American Bar Association--Institute of Judicial Administration Juvenile Justice Standards Project, New York, N.Y.

1966-67 -- Legal Officer, Ministry of Finance, Government of Kenya, East Africa

Other Academic


1960-61-- Carnegie Teaching Fellow, Dept. of History, Yale University, New Haven, Conn.

PUBLICATIONS


Article in progress: “Probation and the Boston Juvenile Court, 1908-30: Implementing the Rehabilitative Ideal”

PRESENTATIONS, CONSULTING

Presentation, “Teaching American Legal History in a Law School,” Annual Meeting, Ohio Academy of History, Denison University, Granville, OH, April 2011

Faculty Presentation on juvenile court history, Cleveland-Marshall College of Law, April 1992


Faculty Consultant, Training Seminars, Annual Conference of National Council of Juvenile Court Judges, Reno, Nev., July 1974

PROFESSIONAL HONORS, AWARDS

Wilson G. Stapleton Award for Faculty Excellence, presented by the Cleveland-Marshall Alumni Association, 2010

Participant, National Endowment for the Humanities Seminar in American Legal History, Stanford University, Summer 1982 (Prof. Lawrence M. Friedman, seminar leader)
Howard L. Oleck Award for Outstanding Legal Writing by the Faculty, Cleveland-Marshall College of Law, 1978-79

National Endowment for the Humanities Grant for Travel to Collections, May 1990


ORGANIZATIONAL MEMBERSHIPS

American Society for Legal History
Organization of American Historians

LAW SCHOOL COMMITTEES CHAIRCED

Coif (1992-94)
Curriculum (2001-05, 2006-07)
Financial Aid (1980-81, 1983-84)
First Year Scheduling and Curriculum (1987-88)
Grading (1984-85)
Graduate Studies (1984-87)
Interdisciplinary Programs (1977-78)

UNIVERSITY SERVICE

University Faculty Affairs Committee (2004-05)
University Faculty Council (precursor of Faculty Senate) (1976-78)
EDUCATION

Legal

J.D., Case Western Reserve University School of Law, Cleveland, Ohio, May 1986

Academic Record:
Magna Cum Laude; 3.89 G.P.A., ranked 3rd of 204

Honors:
Order of the Coif
Law Review, Associate 1984-1985, Articles Editor 1985-1986
(supervised symposium issue on the legal implications of health care cost containment)
Edwin Z. Singer Prize for Business and Commercial Law
Halter Scholarship Award

Outside Activities:
worked 20 hours per week as a registered nurse 1st year and 12 hours per week 2nd year

Attended the 24th Economics Institute for Law Professors sponsored by the Law and Economics Center of George Mason University School of Law, July 11-24, 1993, on the campus of Dartmouth College

Undergraduate

A.B., Baldwin-Wallace College, Berea, Ohio, A.B., June 1983; Major: Psychology

Academic Record:
Summa Cum Laude; 4.00 G.P.A.

Outside Activities:
worked full time as a registered nurse; also completed senior year as a full-time student

Cleveland State University, Cleveland, Ohio, attended 1978-1982 on part-time basis before transferring to Baldwin-Wallace College

Academic Record:
4.00 G.P.A.

Diploma, Fairview General Hospital School of Nursing, Cleveland, Ohio, (including first-year affiliation with Cuyahoga Community College), June 1978

Passed Ohio State Board Exams, July 1978
G.P.A. and ranking not used

Outside Activities:
worked 12-20 hours per week as a sales clerk

EMPLOYMENT

Legal

Cleveland-Marshall College of Law, Cleveland, Ohio; Assistant Professor of Law, 1989-1994; Associate Professor of Law with tenure, 1994-1998; Full Professor of Law, 1998-present; Leon M. & Gloria Plevin Professor of Law, 2004-2007 (inaugural holder of 3-year, rotating, endowed professorship)

Washington University, St. Louis, Missouri; Visiting Professor of Law, Spring 2006

The University of Alabama School of Law, Tuscaloosa, Alabama; the John J. Sparkman Chairholder of Law, Spring 2000 (Visiting)

University of Michigan Law School, Ann Arbor, Michigan; Visiting Professor of Law, Fall 1996

University of Florida College of Law, Gainesville, Florida; Visiting Associate Professor of Law, Spring 1995

Sullivan & Cromwell, New York, New York; Associate in the tax group, 1987-1989

The Honorable Monroe G. McKay, USCA 10, Salt Lake City, Utah; Judicial Clerk, 1986-1987

Jones, Day, Reavis & Pogue, Cleveland, Ohio; 1986 Summer Associate;

Sullivan & Cromwell, New York, New York; 1985 Summer Associate;

Other

Fairview General Hospital, Cleveland, Ohio, Registered Nurse in Maternity Surgery Unit, June 1978-April 1985 (assistant head nurse 1981-1983)

PUBLICATIONS

Textbook

Articles


Simplifying and Rationalizing the Federal Income Tax Law Applicable to Transfers in Divorce, 55 TAX LAW. 363 (2002); earlier version at JOINT COMMITTEE ON TAXATION, STUDY OF THE OVERALL STATE OF THE FEDERAL TAX SYSTEM AND RECOMMENDATIONS FOR SIMPLIFICATION JCS-3-01, VOLUME III (ACADEMIC PAPERS), April, 2001, at 19

Some Meandering Thoughts on Plaintiffs and Their Attorneys’ Fees and Costs, 88 TAX NOTES 531 (2000), revised at 97 TAX NOTES 1627 (2002)


Power and Presumptions; Rules and Rhetoric; Institutions and Indian Law, 1994 B.Y.U. L. REV. 451

Form, Substance, and Section 1041, 60 TAX NOTES 519 (1993)


Tufts and the Evolution of Debt-Discharge Theory, 1 FLA. TAX REV. 115 (1992) (portions reprinted in FEDERAL INCOME TAX ANTHOLOGY, P. Caron, K. Burke, & G.
McCough eds. Anderson Co. 1997)

The Emasculated Role of Judicial Precedent in the Tax Court and Internal Revenue Service, 39 OKLA. L. REV. 741 (1986)


Selected Other Shorter Works

Throwing Cold Water on Expensing of Assets, 123 TAX NOTES 499 (2009)

Loose Application of Depreciation Doctrine, 120 TAX NOTES 989 (2008)

Advance Trade Discounts: A Reprise, 117 TAX NOTES 1155 (2007)

Another Take on the Mortgage Debt Relief Situation, 117 TAX NOTES 2007)

Expensing and the Interest Deduction, 116 TAX NOTES 1069 (2007)

No Credit for Gross Withholding Taxes on Portfolio Investments?, 114 TAX NOTES 1167 (2007)


On Capital Gains and Marginal Tax Rates, 25 ABA Section of Taxation Newsletter (Point/Counterpoint Column) (Winter 2006)

The Payroll Tax Liabilities of Low- and Middle-Income Taxpayers, 106 TAX NOTES 711 (2005)

Only Congress Can Create Deductions, 20 ABA Section of Taxation Newsletter (Point/Counterpoint Column) (Fall 2000) (portion reprinted in GP Solo Magazine, September 2001)

The Rich Don’t Carry the Heaviest Burden, CLEVE. PLAIN DEALER, April 15, 2002, at B7


And the 1999 Award for the Worst Judicial Opinion in a Tax Case Goes to …, 83 TAX NOTES 1642 (1999)

A Brilliant Instance of Flabby Thinking, 76 TAX NOTES 124 (1997)
*Redlark v. Commissioner* and the Highlights of Recent Tax Legislation (published outline accompanying presentation noted below)

Section 1041: Transfers of Property Between Spouses or Incident to Divorce (published outline accompanying presentation noted below)

**PRESENTATIONS**

Asked to and did testify before the Senate Committee on Finance at a hearing on “The Housing Decline: The Extent of the Problem and Potential Remedies,” December, 2007 (submitted testimony on file with the author)

*Murphy and the Evolution of “Basis,”* ABA Tax Section, Teaching Taxation Committee, May, 2007

*The Taxation of Income Available for Discretionary Use*, Northwestern University School of Law Tax Law Colloquium, University of Michigan School of Law Tax Law & Policy Workshop, Cleveland-Marshall College of Law, each May 2005

*The Payroll Tax Burden of Low- and Middle-Income Taxpayers*, AALS Tax Section, January, 2005

Guest on WCPN (local NPR affiliate) regarding President Bush’s tax cuts, August 2003


*Tax Accounting Versus Financial Accounting for Advance Payments and Deposits*, ABA Tax Section, Teaching Taxation Committee, October 2002

*Replacing the Internal Revenue Code with a Pure Consumption Tax*, Cleveland-Marshall College of Law, November 2000

*The Death of the “Death Tax”: An Introduction*, introductory remarks at a day-long conference of the same name that I organized at Cleveland-Marshall College of Law, October 2000


*The Income Tax versus Consumption Tax Debate*, The University of Alabama Law School, April 2000

*Reflections on Clear Reflection of Income*, ABA Tax Section, Tax Accounting Committee, May 1998

*Evolving Standards of Judicial Deference to IRS Guidance*, ABA Tax Section,
Teaching Taxation Committee, January 1997 (panel moderator)

*Redlark v. Commissioner* and the Highlights of Recent Tax Legislation, Cleveland Tax Institute, October 1996


*Interpreting the Internal Revenue Code: The Role of Purpose*, AALS Tax Section, January, 1995; University of Florida College of Law, February 1995

*Tax Issues Affecting the Family: Transfers of Property Between Spouses or Incident to Divorce*, ABA Tax Section, May 1993

**COURSES TAUGHT**

- Taxation I (Basic Tax)
- Taxation II (Taxation of Business Enterprises)
- Advanced Corporate Tax
- Federal Income Taxation of International Transactions

**PROFESSIONAL MEMBERSHIPS, ASSOCIATIONS, & SERVICE**

Invited participant (along with about two dozen leading tax and economic academics from across the country) by the majority and minority staffs of the Senate Finance Committee to participate in a two-day “roundtable” on fundamental tax reform (December 2011)

Testimony, Senate Finance Committee, on the tax consequences of home mortgage foreclosures and workouts (December 2007)

Academic Advisor to the Joint Committee on Taxation in connection with a study mandated by Congress on the overall state of the Federal tax system (June 2000 through April 2001)

Elected member, American Law Institute Board of Advisors, *Florida Tax Review*


American Bar Association:
- Section of Taxation, Committee on Teaching Taxation, Member 1990-present
- Vice Chair of the Subcommittee on the Law Student Tax Challenge Problem, 2010-present

Admitted to the Bar of the State of New York

Admitted to practice before the United States Tax Court

**REFERENCES**

Available On Request
RESUME

Sheldon Gelman
8970 Wilson Mills Road
Chesterland, Ohio 44026
216-687-2324 (office)
440-479-8984 (cell)
440-729-7801 (home)
216-687-6881 (office fax)

Academic Position:

Cleveland-Marshall College of Law, Cleveland, Ohio 44115, Professor of Law (since 1995); -- Joseph C. Hostetler – Baker & Hostetler Chair in Law (3 year appointment) (2007-2010); Associate Professor of Law (tenured) (1984-1995); Assistant Professor of Law (1980-84)

Education:


Rutgers School of Law, Newark, N.J., J.D. (1973); Gann Prize in Evidence (June, 1973); (B+/A- grade average; first year pass/fail)

University of Chicago, Chicago, Ill.; doctoral student, Department of Anthropology (1967-70); U. S. Public Health Service Trainee (1967-68); National Institute of Mental Health Fellow in Anthropology (1968-9); NIMH Fellowship awarded for 1969-70 but declined by me; concentration in social anthropology

Rutgers College, New Brunswick, N.J., A.B. (with highest honors) (1967); Cooper Logic Prize (June, 1967); semi-finalist, Woodrow Wilson Fellowship competition (1967); phi beta kappa

Publications & Presentations:

Submitted Articles:


The Biological Alteration Cases, 36 William & Mary Law Review 1203 (1995) (lead article) (recipient, 1996 Cleveland-Marshall Oleck Faculty Writing Award)


Mental Hospital Drugs, Professionalism and the Constitution, 72 Georgetown Law Journal 1725 (1984)

Book

Medicating Schizophrenia: A History (Rutgers University Press 1999) (co-recipient 1999 Cleveland-Marshall Oleck Faculty Writing Award)

Invited Scholarship, Home Law Review Publications, and Other:

The Mystery of David Barnhizer, Law Notes [a publication of the Cleveland-Marshall Law Alumni Association] 38 (Spring 2007)


Mental Hospital Drugging--Atomistic and Structural Remedies, 32 Cleveland State Law Review 221 (1983-4)

Selected Presentations
"Ohio Senate Bill 5, presentation and panel organizer, AAUP National Governance Conference, Washington D.C., November 11, 2011


"Role of the Presidents in the Enactment of Senate Bill 5," presentation to Ohio Faculty Council, Columbus, Ohio, 10/14/2011

"Court Packing and the Historians," presentation to the Northeast Ohio Faculty Colloquium, October 8, 2010

Revisiting the Supreme Court’s Psychiatry and Law Jurisprudence, Cleveland-Marshall faculty lunch presentation, Fall 2006

End of Life Decisions: Legal and Ethical Issues, co-presentation (with Dr. Allyson Robichaud) sponsored by the Cleveland State University Biomedical and Health Institute, February 14, 2006

The Psychiatry and Law Cases in the Supreme Court, Cleveland-Marshall faculty lunch presentation, Fall 2005


History of Antipsychotic Medications, invited presentation at the Association of Behavior Analysis Convention Washington D.C., May, 2000

Law, Society and Psychiatry: A Case Study, presented at the meeting of the Working Group on Law, Culture and Humanities at the Georgetown Law Center, March 28, 1998

University Service (partial list)

Vice President, Cleveland State University Faculty Senate (elected by university faculty, 2011-2013); Member, Academic Steering Committee of the Cleveland State University Faculty Senate (by virtue of Senate Vice Presidency); University Faculty Affairs Committee (elected by university faculty, 2010-2012); Member, Parking Advisory Committee (appointed by Academic Steering, 2011-12); Member, Cleveland State University Presidential Search Committee (2008-09); President, Cleveland State University Faculty Senate (2005-2008); Faculty Observer, Cleveland State University Board of Trustees (by virtue of Senate
Gelman, page 4

Presidency) (2005-2008); Cleveland State University Representative, Ohio Faculty Council (by virtue of Senate Presidency) (2005-2008); Member, University Distinguished Service Award Committee (2009); Member, University Honors Council (2004-2008); Chair, Law College Personnel Action Committee (2005); College of Law Representative to the Academic Steering Committee of the Cleveland State University Faculty Senate and elected Senator (2004-05); Chair, Search Committee for Director of University Honors Program (2003-04); Member, President's Ad Hoc Committee on the Honors Initiative (2002-03); Chair, Research and Scholarship Committee (law school); Chair, Library Committee (law school); Chair, Awards & Competitions Committee (law school); member, Self Study Committee (law school); member, Institutional Review Board (university); member, Admissions & Standards Committee (university); Founding Advisor & Advisor, Journal of Law and Health (various years)

Service & Teaching Awards

Dean Stapleton Award for Faculty Excellence (to be awarded by the Cleveland-Marshall Law Alumni Association, May 24, 2012)

Cleveland State University Distinguished Faculty Award (for Service) (October, 2008)

Award for Outstanding Contributions to the Undergraduate Honors Program by a Faculty Member (presented at the Honors Graduation Recognition Ceremony, April, 28, 2007)

Law Practice:

Attorney, New Jersey Department of the Public Advocate, Div. of Mental Health Advocacy, class action office (1975-1979, full time; after 1979, part time, pro bono); representation of institutionalized mental patients; cases included Rennie v. Klein 462 F. Supp. 1131 (D. N.J. 1973), class injunction issued 476 F. Sup. 1294 (D.N.J. 1979), modified 653 F. 2d 836 (3rd Cir. 1983) (en banc), vacated and remanded 458 U.S. 1119 (1982))

Attorney, Passaic County Legal Aid Society (1974-75); litigation, debtor-creditor, consumer fraud & general poverty law

Associated with Sidney Krieger, Esq. (1973-74); general practice, contract law, litigation

Bar Memberships:
New Jersey Supreme Court (1973) (inactive); U. S. District Court for the District of New Jersey (1973); U. S. Court of Appeals for the Third Circuit (1979)
LEGAL WRITING PROFESSOR OF LAW
BRIAN A. GLASSMAN

I. Education
A. Boston University School of Law, Boston, Massachusetts. J.D., 1981

II. Work Experience
A. Consultant, Cleveland, Ohio (1988-93). Provided timely, cost-effective legal research and writing services to attorneys. Responsible for advertising, client development, production, bookkeeping, office management and supervision of independent contractor attorneys.

B. Staff Attorney, The Legal Aid Society of Cleveland, Cleveland, Ohio (1981-87). Work included client counseling, trial and appellate practice, administrative hearings, and presentations to community groups.

III. Teaching
A. courses taught at the Cleveland-Marshall College of Law
   1. First-Year Legal Writing (1993-present)
   2. drafting courses
      a. Legal Drafting: General (Fall 2010)
      c. Transactional Drafting: Issues in Employment Law (Fall 2001, Spring 2002)
      d. Transactional Drafting: Issues in the Arts (Fall 2000, Spring 2001, Fall 2001, Fall 2006, Spring 2011)
   5. Summer Externship Program, Faculty Supervisor (2005)
   7. First-Year Legal Writing (1990-91) (adjunct)
B. courses taught at Case Western Reserve University School of Law
   1. Law and the Visual Arts (Spring 2004)

IV. Scholarship
A. Presentation at the Association of American Law Schools Annual Meeting, New Orleans, Louisiana (2010). "Law Schools' Management of Their Art Collections, or 'So You Didn't Think You Were Running an Art Museum?"


D. **Presentation at the Legal Writing Institute Conference, Knoxville, Tennessee** (2002). "Many Birds, One Stone: How to Teach the Doctrinal Law You Love AND Advance Your Teaching Career" (co-presenter)


V. Service/Outreach

A. Cleveland-Marshall College of Law

1. **Member, Art Committee** (2000-present). The Committee oversees the Law School's acquisition, installation, maintenance, repair, relocation, removal, and deaccession of works of art.
   a. drafted Art Committee's "Statement of Purpose; Procedures; and Standards"

2. **Member, Academic Standards Committee** (2011-present).

3. **Member, Honor Council Committee** (2009-11).

4. **Member, Teaching Committee** (2008-09).

5. **Member, Building Committee** (1994-2008).

6. **Member, Legal Writing Ad Hoc Committee** (2007-08).

7. **Member, Awards Committee** (2000-01).

8. **Member, Legal Writing Hiring Committee** (2000).

9. **Member, Samuel H. and Maria Miller Pro Bono Fellowships Committee** (1999).

   a. conceived idea for conference
   b. wrote materials (conference description, etc.)
   c. co-coordinated conference (all phases of planning), including
      (1) identifying/selecting speakers
      (2) editing of advertising
      (3) preparing budget
      (4) fundraising
      (5) managing conference within budget
   d. moderated one of the six panel discussions


B. Cleveland State University

1. **Member, University Art Committee** (2008-present). The Committee directs the enhancement of Cleveland State University's artistic and cultural environment. Its duties include the selection and placement of works of art on permanent public display on campus.

2. **Member, Percent for Art Committee** (2003-2007). The Committee, working with a budget of over $300,000, was responsible for acquiring works of art to be installed and displayed at the west end of the CSU campus. Tasks included selecting sites, artists, and the works of art themselves.

3. **Presentation at Cleveland State University Art Department** (2010). "International Law and Museum Practices Governing the Movement of Art in Peacetime"


7. **Presentation at Cleveland State University Music Department** (2004). "Law and the Music Business"


10. **Presentation at Cleveland State University Art Department** (2002). "Copyright and Contract Law Basics for Artists"

11. **Presentation to Cleveland State University Art Students** (2001). "Contracts, Consignment Law, and Artists' Muscle in the Marketplace"

12. **Presentation at Cleveland State University Art Department** (2000). "Contracts, Consignment Law, and Artists' Muscle in the Marketplace"

C. community (legal)

1. **Art Liaison, Cleveland-Marshall College of Law** (2000-present). Responsible for promoting and creating art-related exchanges between the Law School and 1) other parts of Cleveland State University, 2) the local art community.
2. Presentation at Case Western Reserve University, Cleveland, Ohio (2012). "Copyright, Appropriation Art, and Fair Use"

   a. conceived idea for panel presentation
   b. wrote materials (description of event, etc.)
   c. responsible for all phases of planning, including
      (1) selecting location
      (2) identifying/selecting speakers
      (3) fundraising
      (4) publicity
   d. moderated panel presentation


5. Presentation at The Artist Archive of the Western Reserve, Cleveland, Ohio (2002). "Artists' Rights Under the Copyright Act and federal Visual Artists Rights Act"


8. Featured in article appearing in The Plain Dealer (2001). "CSU Lecturer Says Lawyers Need to be Good Writers"

D. national (legal)
1. Member, Executive Committee, Association of American Law Schools Section on Art Law (2009-present).

E. non-legal, volunteer community service (some through Cleveland-Marshall Pro Bono Project), including
1. Cleveland Food Bank
2. community garden
3. Habitat for Humanity
4. soup kitchens
5. Hebrew Cultural Garden
EDUCATION

Columbia University School of Law, New York, NY
LL.M. October 2007

Honors: Harlan Fiske Stone Scholar

University of Baltimore School of Law, Baltimore, MD
J.D. May 2000 – magna cum laude

Honors: The University of Baltimore Law Review, Associate Managing Editor
        Heuisler Honor Society
        Law Faculty Award

University of Maryland at College Park, College Park, MD
B.A. – Journalism, May 1992; Minor: Spanish

SCHOLARSHIP

What’s So Reasonable about Reasonableness: Easing the Burden for Actionable Retaliation under Title VII’s Opposition Clause, work-in-progress, estimated time of completion—Spring 2013.


Family, Cubicle Mate and Everyone in Between: A Novel Approach to Protecting Employees from Third-Party Retaliation Under Title VII and Kindred Statutes, 30 QUINNIPIAC LAW REVIEW 249 (2012).

Express Yourself: Striking a Balance Between Silence and Active, Purposive Opposition Under Title VII’s Antiretaliation Provision, 28 HOFSTRA LAB. & EMP. LAW JOURNAL 107 (2010).


TEACHING EXPERIENCE

Cleveland-Marshall College of Law, Cleveland, OH
Assistant Professor of Law, August 2008 - present
Courses taught: Contracts, Civil Liberties, Employment Discrimination.

University of Baltimore School of Law, Baltimore, MD
Adjunct Professor of Law, Summer 2004
Taught litigation process course; used an actual civil case filed in the Maryland Circuit Court as a model to instruct students on aspects of the pre-trial litigation process, including conducting the client interview, drafting and filing pleadings and motions, conducting discovery, holding mock depositions and reviewing with students federal and state rules of civil procedure.
Coordinating Teaching Assistant, 1999 to 2000
Interviewed and helped to select candidates for teaching assistant positions; supervised supervising and other teaching assistants.

Teaching Assistant, 1998 to 1999
Assisted with instructing first-year students legal research and writing as part of the Legal Skills Program; graded research and Blue Book assignments; coached students in preparation for mock settlement exercises and oral arguments.

LEGAL EXPERIENCE

Ober, Kaler, Grimes & Shriver, Baltimore, MD
Litigation Associate, February 2005 to June 2008
Participated in various aspects of litigation in both general civil and employment-related matters in federal and state courts; researched and drafted position statements in employment discrimination matters filed with the EEOC; researched and drafted position paper on behalf of the University of Baltimore analyzing the constitutionality of adding a lower-division program to its curriculum in light of an agreement between Maryland and the federal government regarding desegregation.

Hogan & Hartson, L.L.P., Baltimore, MD
Litigation Associate, October 2002 to December 2004
Researched and drafted complaints, answers, motions to dismiss and/or for summary judgment in various actions filed in state and federal courts; participated in taking and defending depositions; drafted appellate briefs in several cases raising tort claims and agency issues in the Court of Special Appeals of Maryland and argued one such case, Kowalski v. Euclid Sys. Corp., Inc., et al., Case No. 2613 (September Term 2002), before the Court; represented plaintiff in bailment action filed in the District Court for Baltimore City and negotiated terms of settlement agreement; drafted motion for summary judgment in multi-million dollar asbestos-related action filed in the Circuit Court for Baltimore City; managed discovery in multi-million dollar class action filed in the Circuit Court for Howard County, which involved drafting numerous discovery-related motions and oppositions; assisted with discovery in declaratory judgment action filed in the Delaware Court of Chancery.

The Hon. Eric L. Clay, U.S. Court of Appeals for the Sixth Circuit, Detroit, MI
Law Clerk, September 2001 to September 2002
Researched and drafted bench memoranda and opinions on numerous areas of federal and state law, including antitrust, employment discrimination, qualified immunity, the federal constitution, plea agreements, the Federal Sentencing Guidelines, and bankruptcy; briefed Judge in preparation for oral arguments and cases.

The Hon. Deborah K. Chasanow, U.S. District Court for the District of Maryland, Greenbelt, MD
Law Clerk, August 2000 to August 2001
Researched and drafted opinions concerning various federal and state legal issues, including employment discrimination, civil rights, and federal jurisdiction.

Hogan & Hartson, L.L.P., Baltimore, MD
Summer Associate, Summer 1999
Researched legal issues and drafted memoranda on numerous areas including labor law and securities.

Ober, Kaler, Grimes & Shriver, Baltimore MD
Summer Associate, Summer 1998
Researched legal issues and drafted memoranda on intellectual property, health care and real property issues.

**NON-LEGAL PROFESSIONAL EXPERIENCE**

**National Telephone Cooperative Association (NTCA), Washington, DC**
Managing Editor, May 1996 to August 1997
Directed editorial/production schedule of 64-page bimonthly magazine, *Rural Telecommunications*; wrote columns/feature articles for association publications, covering such issues as personal communications services and the effect of the Telecommunications Act of 1996 on rural communities; assigned writing/editing assignments to editorial staff.

Editor, October 1994 to May 1996
Served as primary editor for association bimonthly newsletter, *NTCA Exchange*; provided editorial assistance on *Rural Telecommunications* and *Washington Report* newsletter.

**National Association for Practical Nurse Education and Service, Silver Spring, MD**
Editor, November 1992 to October 1994
Planned editorial content for the *Journal of Practical Nursing*; solicited feature/clinical articles from health care practitioners; wrote/edited columns for the *Journal of Practical Nursing*.

**ADMISSIONS, LANGUAGES AND COMMUNITY INVOLVEMENT**

**Admissions:** Maryland Bar – 2000; U.S. District Court for the District of Maryland – 2001; U.S. Court of Appeals for the Fourth Circuit – 2001

**Languages:** Spanish (Working Knowledge); completed one-month Spanish course in Costa Rica, January 2005

**Community Involvement:** Cleveland Employment Inns of Court – 2011-present; Community Law in Action (CLIA) volunteer – 2005-2006.

**LAW SCHOOL SERVICE**
Faculty Affairs Committee (2010-2012) (Chair, 2011-2012); Clerkship/Fellowship Committee; Co-Chair of Planning Committee for Symposium, *The Politicization of Judicial Elections and Its Effect on Judicial Independence and LGBT Rights*, October 21, 2011; Faculty Advisor—Christian Legal Society (2011); Co-Faculty Advisor—Black Law Students’ Association; Dean’s Faculty Advisory (Faculty Senate) (2009-2010); Cleveland-Marshall Fund/Baker & Hostetler Scholars Committee (2010-2011); Honor Council (2009-2011); Special Committee on Orientation Planning (2008-2009).
UNIVERSITY SERVICE
Diversity Committee, 2010-present.
Carole O. Heyward  
180 Stanford Road  
Berea, Ohio 44017

Experience

July 2007 to Present – Clinical Professor, Urban Development Law Clinic  
September 2003 to June 2007 – Staff Attorney, Urban Development Law Clinic  
Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio  
As an attorney and member of the clinical faculty, I provide legal services to non-profit organizations engaging in community, real estate and economic development projects. I provide legal advice on a wide range of real estate and general corporate matters including environmental matters, site assembly, zoning, building codes, property management, joint development ventures, grant compliance, due diligence, governance, conflicts of interest, employment matters, complex contractual relationships, tax issues, risk management, various federal and state regulatory requirements and negotiate and draft a variety of documents including corporate resolutions and contracts including commercial leases, construction, purchase, development and operating agreements. I am responsible for teaching a seminar that focuses on real estate and corporate law as well as supervising law students who provide advice to the Clinic’s clients under my supervision.

July 2006 to Present – Assistant Law Director, North Olmsted, Ohio  
As a part-time assistant law director, I provide advice on issues relating to real estate, housing and economic development.

April 2000 to September 2003 - General Counsel, Metropolitan Strategy Group, Cleveland, Ohio  
As General Counsel, I handled all legal matters affecting the agency including monitoring and enforcing a variety of fair housing/lending laws. I litigated cases in both federal and state courts, oversaw research and investigations seeking to identify barriers in the Northeastern Ohio housing market, and assisted municipalities with drafting ordinances relating to housing.

September 1998 to April 1999 - Vice President, Administration and Finance, Biomec Inc., Cleveland, Ohio  
Biomec was a start-up corporation founded in 1998 to transfer and commercialize biomedical technology from academic and research environments. As Vice President of Finance & Administration, I was responsible for all administrative/financial functions, including preparation of financial statements, shareholder relations, implementing/administering employee benefit plans, and grant/contract management/compliance. As in-house counsel for general corporate matters, I provided advice concerning intellectual property, employment issues, federal grants, regulatory matters, due diligence, acquisitions and negotiated and drafted a wide variety of contracts including consulting and nondisclosure agreements, technology development and licensing agreements and supplier contracts.

May 1998 to September 1998 - Staff Attorney, Housing Advocates, Inc., Cleveland, Ohio  
As a Staff attorney, I litigated civil rights cases involving housing discrimination in state and federal courts. My responsibilities included investigating complaints of discrimination, drafting motions/pleadings, taking:defending depositions, drafting interrogatories and requests for production of documents and responding to same, developing/recommending litigation strategies, and negotiating settlements.
1993 to March 1998 - Associate, Messerman & Messerman, Co. L.P.A., Cleveland, Ohio
As an Associate at Messerman & Messerman, Co., L.P.A., a small law firm specializing in complex civil litigation and white-collar criminal defense, I managed and conducted all phases of the litigation process in large and complex cases in state and federal courts, including taking/defending depositions, drafting interrogatories and requests for production of documents, interviewing witnesses, drafting pleadings and motions, recommending litigation strategies and negotiating settlements.

Speaking Engagements

Housing Research & Advocacy Center, Bruening Foundation, *New Construction & Building Codes*, May 2004 for Continuing Education credits approved by the American Institute of Architects and the Ohio Board of Building Standards, Cleveland, Ohio.

Neighborhood Progress Inc., Cleveland Neighborhood Development Coalition, *Due Diligence in Real Estate Acquisitions*, June 2004, Cleveland, Ohio.

Lake County, Ohio Board of Building Standards, *Accessibility & The Ohio Building Code*, February 2005 for Continuing Education credits approved by the Ohio Board of Building Standards, Painesville, Ohio.


City of Shaker Heights, *Fair Housing for Realtors*, October 2005 for Continuing Education credits approved by the Ohio Board of Realtors, Shaker Heights, Ohio.

City of Shaker Heights, *Fair Housing for Realtors*, October 2006, Shaker Heights, Ohio.


Through Adaptive Re-use of Vacant Properties, Cleveland, Ohio.

Community Service

Chair, Real Estate Committee, The Legal Aid Society of Cleveland, December 2011 to present.

Volunteer Juvenile Magistrate, Criminal Diversion Program, Olmsted Township, Ohio, December 2007 to present.

Community Volunteer, Kiwanis of Berea, Ohio, January 2011 to present.

Member of the Board of Directors, The Legal Aid Society of Cleveland, October 2004 to December 2011; Secretary and Treasurer, November 2005 to the December 2007; Chair, Governance Committee, January 2008 to December, 2008; Secretary and Treasurer, Chair, Finance Committee, 2009.

Member of the Board of Directors, Equal Justice Foundation, Columbus, Ohio, December 2007 to January 2011; Treasurer, Chair Finance Committee, January 2010 to January 2011.


Publications


Hope for Homeowners: Too Little, Too Late?, Journal of Affordable Housing, Fall 2008.

Education


Bachelor of Arts, with Honors in Economics, Baldwin-Wallace College, Berea, Ohio, Pavsek Award for Excellence in Economics.
CANDICE HOKÉ
C|M Law  Cleveland State University  2121 Euclid Ave., Cleveland, OH  4115
216.687.2313 W  216.798.4643 M  216.397.8266 H  Email shoke@me.com  shoke@law.csuohio.edu

EDUCATION

Yale Law School, New Haven, CT.  J.D., 1983
Yale Law Journal, Senior Editor

University of Chicago, Chicago, IL.  1978-79
Graduate studies with Faculty of Political Science. Concentration in political philosophy and organization theory.

Hollins College, Roanoke, VA.  B.A., 1977
Political Philosophy major with Departmental Honors; Bushnell Award for “finest spirit of leadership.”

EMPLOYMENT

Cleveland-Marshall College of Law, Cleveland-State University, Cleveland, OH  1994 - present
Associate Professor of Law, 1995-present. Tenured in 1995-96.  Currently teaching: Election Law, Regulatory Law, and Employment Law. Prior courses include: Federal Jurisdiction; Jurisprudence; Constitutional Federalism Seminar; Work-Family Issues; Civil Procedure; and Agency & Partnership.
Director, Center for Election Integrity  2005 – 08
Project Director, Public Monitor of Cuyahoga Election Reform  2006 – 08

Visiting Research Engineer, University of California-Berkeley, Berkeley, CA  Summer 2007
Research Team Leader, Cleveland-based Diebold Documentation Assessment Workgroup for California Secretary of State’s Top-to-Bottom Review of Voting Systems (TTBR) conducted by the University of California.

Case Western Reserve University Law School, Cleveland, OH  1993 - 94
Visiting Associate Professor of Law. Taught Civil Procedure, Federal Courts, Employment Law, and Jurisprudence.

University of Pittsburgh School of Law, Pittsburgh, PA  1987 - 93
Assistant Professor of Law. Taught Civil Procedure, Employment Law, Constitutional Federalism and the Regulatory State, and Jurisprudence.

Hill and Barlow, Boston, MA.  1985 - 87
Associate with primary emphasis in employment litigation.

Northeastern University, Boston, MA.  Summer 1986
Adjunct Assistant Professor teaching Federal Administrative Law for the graduate program in Public Administration.

The Honorable Hugh H. Bownes of the U.S. Court of Appeals for the First Circuit  1983 - 85
Boston, MA and Concord, NH. Law clerk for two one-year terms.
Thelen, Marrin, Johnson and Bridges, San Francisco, CA.          Summer 1981
Summer Associate.

Legal research and case preparation for public interest law firm.
Constitutional, statutory, and administrative work in both federal and state systems.

North Carolina Drug Commission          Two terms, 1974 - 77
Governor's sole appointee to the State agency charged with allocation of all Federal and State funds for drug abuse education, treatment and related programs. Served as a liaison between Commission and the Governor's Office, and citizens' groups and the agency on drug policy matters. Proposed successful policy and budget reforms that emphasized education and treatment programs, and crafted legislative reforms of drug laws for first offenders that were enacted.

North Carolina Governor's Office          May-August 1974
Assistant to the Special Assistant for Appointments
Researched statutory authority and recommended candidates for appointment to State boards and commissions.

RECENT GRANT ACTIVITY

FOUNDATION

Solicited to provide strategic leadership of national, state and local nonprofits working in Ohio to achieve successful, fair election administration by consortium of national foundations including Carnegie Corporation, Open Society Institute, Rockefeller Brothers, Quixote, Tides, and Democracy Alliance. Via Center for Election Excellence, $75,000 (2008).

FEDERAL

U.S. Election Assistance Commission (EAC) to the CSU Center for Election Integrity (Abigail Horn, P.I., Candice Hoke, Center Director) to evaluate and propose best practices for recruiting and training college poll workers; the work led to the EAC’s Guidebook published in hard copy and also on the web www.eac.gov; $346,000 (2006).

CONFERENCE LEADERSHIP 2010 – 12


Hoke Vita
http://www.acsac.org/2010/workshop/

SELECTED PUBLICATIONS

MONOGRAPHS AND BOOK CHAPTERS


VOTING AND REGISTRATION TECHNOLOGY ISSUES: LESSONS FROM 2008 (with David Jefferson), Chapter 3 of AMERICA VOTES! SUPPLEMENT (Benjamin Griffith, ed. American Bar Association Press 2009); solicited.


DOCUMENTATION ASSESSMENT OF THE DIEBOLD VOTING SYSTEMS, commissioned by the California Secretary of State and part of larger study conducted by the University of California, July 20, 2007 (with David Kettyle). http://www.sos.ca.gov/elections/elections_vsr.htm

COLLABORATIVE PUBLIC AUDIT FINAL REPORT of Cuyahoga County’s November 2006 General Election (with co-author workgroup) http://www.urban.csuohio.edu/cei/

COLLEGE POLL WORKER GUIDEBOOK, U.S. EAC Publication (Center for Election Integrity study project with Abigail Horn, Principal Investigator). http://www.eac.gov/election/poll%20workers

FINAL REPORT OF THE CUYAHOGA ELECTION REVIEW PANEL (July 20, 2006) (with Ronald Adrine and Thomas J. Hayes) found at http://www.urban.csuohio.edu/cei


PAPERS IN PEER-REVIEWED AND PUBLIC POLICY CONFERENCE PROCEEDINGS


Hoke Vita


ARTICLES

The Dangers of On-Screen and Online Electronic Ballot Marking (with David Jefferson) (to circulate Spring 2012).

Litigating Voting Technology: The Quest for Counted-as-Cast Protections, to be published by Case Western Reserve Law School, in Symposium: Baker v. Carr After 50 Years: Appraising the Reapportionment Revolution, Case Western Reserve Law School; reflects three solicited national conference presentations.


WORK IN PROGRESS

Faulty Risk Analysis In Election Technologies And Its Legal Consequences (with David Jefferson)

Licensing the Software Development Workforce: partially presented at the Summit on Education for Secure Software, and the basis for the DHS SwA presentation.


SELECTED PRESENTATIONS: TESTIMONY, CONFERENCES, AND OTHER PRO BONO CONSULTATION

FEDERAL

Licensing the Software Engineering Workforce, DHS Working Groups on Software Assurance, MITRE: McLean, VA, scheduled for June 29, 2011 (workshop leadership to craft a proposed licensing program).


U.S. Justice Department, Antitrust Division: regarding the merger of the two largest voting system companies and subsequent divestiture of assets; leading a national collaboration of nonprofit research and advocacy entities dedicated to fair elections (February–May 2010).

Executive Office of the President, Office of Legal Counsel: discussions of election cyber security and omission of election systems from federal legislation and Executive Orders regarding critical infrastructural assets warranting federal protection and planning; federal legislative needs for fair, secure, accurate, and accountable elections (May-June 2009, March 2010).

Tracking Voting Technology Field Performance: The Federal Role, Public Hearing of U.S. Election Assistance Commission; solicited written and oral testimony with request to include discussion of the technical monitoring program established in Cuyahoga County, Ohio. (Washington, D.C., Dec. 8, 2008).


U.S. Senate, Committee on the Judiciary, Subcommittee on the Constitution.
As requested, reviewed, edited and commented on draft legislation; drafted additional legislative proposals; wrote legal memoranda in support of proposed legislation, and provided written testimony for the record. (Summer and fall 1995.)

U.S. Justice Department, Office of Legal Counsel
As requested, consulted on the constitutionality under Tenth Amendment and Spending Power of the President’s proposed health reform bill. (April - May 1994.)

STATE AND LOCAL


Statewide Voter Registration Database and Other Election Security Issues, Ohio Election Summit sponsored by the Ohio Secretary of State, Columbus, OH, Dec. 2, 2008.

ACADEMIC


Federalism Issues in National Health Reform, Fifteenth Annual Health Law Teachers Conference, sponsored by the American Society of Law, Medicine, and Ethics, et al., Indianapolis, IN, June 2-4, 1994.


Fundamental Rights Analysis and Pennsylvania’s Abortion Control Act, program on Reproductive Freedom, co-sponsored by the University of Pittsburgh Women’s Studies Program and local organizations, January 29, 1992.

Citizens’ Responsibilities During War, Panel on the Gulf War, University of Pittsburgh, January 24, 1991.


LEGAL PROFESSION AND NON-GOVERNMENTAL ORGANIZATIONS

Moderator and Panel Member, Overseas Vote Foundation Annual Summit, Pew Charitable Trusts, February 10, 2011


Voting Technology: History and Litigation, American Bar Association, Chicago, IL, September 2008 (Section on State and Local Government Fall Meeting).

Litigation on Voting Technology Issues, Annual Meeting, American Bar Association, New York, New York, NY, August 8, 2008 (program co-sponsored by 4 Sections and Councils).


Working With Election Officials for Increased Transparency, National Post-Election Audit Summit, Minneapolis, MN, October 2007.

Election Reform Tasks Ahead, Greater Cleveland Voter Coalition, September 2006.


Are Campus Proscriptions of “Hate Speech” Consistent with Freedom of Expression? for the Pittsburgh ACLU Bill of Rights Celebration, December 15, 1991

OTHER ELECTION REFORM ACTIVITIES

ADVISORY BOARDS AND ELECTIONS POLICY DEVELOPMENT

Member, Standing Committee on Election Law, Advisory Commission, American Bar Association, (2007-2010; three appointments).

Member, Advisory Council, Voting Rights Institute, Ohio Secretary of State. Workgroups on Voting Technology and Auditing; Election Official Education. (2007-10).

Member, Board of Directors, Verified Voting Foundation (2007-10); Chair, Capacity Building and Development Committee.

Member, Advisory Board, Florida Voters Coalition.

Member, Advisory Board, Richard Austin Election Center, Michigan (2007-10).

Consultant for various Federal, State, and local officials (and their staff), and nonprofit civic advocacy organizations dedicated to election reform on elections legal and policy issues (November 2004 – present).

Drafter, Ohio legislative and administrative proposals for post-election auditing and other election administrative issues (Dec. 2007 – April 2010).

Project Director, Public Monitor of Cuyahoga Election Reform for the Center for Election Integrity. Innovative administrative and technical monitoring of election preparation in most populous county in the State, including poll worker, polling location, voting technology and election security issues; drafted numerous internal and public reports on these and other issues. Initiated and won unanimous approval for, then directed the first post-election audit in Ohio; structured the audit as a bipartisan-nonpartisan partnership; used scientific sampling criteria designed to reach a 99% confidence rate; reported hardware and software vulnerabilities related to effective auditing. Published a comprehensive report: Collaborative Public Audit of the November 2006 General Election, Cuyahoga County, Ohio.

Drafter, Federal legislative proposals: by request of congressional staff and national advocacy organizations, critiqued and supplied additional draft legislative provisions that focused on technical voting system issues, post-election auditing, cyber security and Internet voting; supplied additional legislative proposals. Offices included: Senators Schumer and Feinstein; Representatives Maloney and Holt. (Dec. 2006 – April 2010).

Member, Cuyahoga Election Review Panel (with The Hon. Ronald Adrine and Thomas Hayes). Joint appointment by the Cuyahoga Board of Election and the Cuyahoga Board of County
Commissioners (May-July 2006); investigated causes of nationally notorious election debacle and developed over 300 recommendations for comprehensive reform; vast number implemented.

Consultant on Ohio election law issues for proponents of an Ohio constitutional ballot initiative to establish a State minimum wage with COLA provision for automatic increases annually (Summer 2005).

*Provisional Ballots in Ohio and Indiana,* submitted written testimony to the U.S. Election Assistance Commission concerning the two States’ practices in the November 2004 General Election (February 2005).

Consultant regarding Ohio and federal election law issues; drafted memoranda on Ohio and federal election law issues for national public interest attorneys, organizations, and for media representatives on wide range of election law and election administration issues, including powers of Secretary of State over county Boards of Elections and election technology; provisional ballots, absentee ballots, voter registration issues; election employees’ rights, including whistleblower protection (Fall 2004 - Summer 2005).

Neutral facilitator for negotiations between the Cuyahoga County Board of Elections executive staff and third party plus Democratic presidential candidates’ representatives who planned to participate in the presidential recount; on-site consultant for citizen groups and third parties during the recount. (December 2004).

**EDITORIAL CONSULTING**

Peer-reviewed election-related articles for two issues of *Publius* (2005-08).


Evaluated proposed text in 1992 on *Feminist Jurisprudence* (blind review) for Little, Brown/ now Aspen.


**MISCELLANEOUS**

*Center for Election Integrity’s* work has been profiled in a Pew Charitable Trusts’ *electionline.org* publication and in the weekly AEI-Brookings Election Reform Project.


Hoke Vita
BAR ADMISSIONS

U.S. District Court for Massachusetts (1985).

SELECTED ACADEMIC AND PROFESSIONAL SERVICE

Executive Committee, Yale Law School (four year term, 2007-10).

American Bar Association: lectures and policy reform projects, 1989 - present.

Numerous university, law school, and bar association-professional activities;
   Current committees:
   University Computing Services Committee
   Law School Teaching Committee.

11/2011
LOLITA BUCKNER INNISS  
Cleveland-Marshall College of Law, Cleveland State University

CURRENT ACADEMIC APPOINTMENT  
CLEVELAND-MARSHALL COLLEGE OF LAW, CLEVELAND STATE UNIVERSITY  
Cleveland, Ohio  
Fall 2010 to present: Joseph C. Hostetler-Baker & Hostetler Professor of Law  
2004-Spring 2010: Associate Professor  
1998-2004: Assistant Professor  
Subjects taught: Property Law, Race and the Law (seminar); Comparative Equity Jurisprudence (Canada/United States and U.S. Virgin Islands/United States; seminar) and Law in Literature and Film (seminar)  
Honors and awards: Spring 2011 Faculty Scholarship Initiative Award; Fall 2010 Joseph C. Hostetler-Baker & Hostetler Chair in Law; 2009 Provost’s Merit Award  
Selected examples of service: Association of American Law Schools Women in Legal Education Conference Planning Committee; Secretary to the University Senate; Chair of the University Admissions and Standards Committee; Chair of the Cleveland-Marshall Fund Committee; Member of the Law School Dean Search Committee; Vice-Chair of the Law School Promotion and Tenure Committee; Co-Advisor to the Black Law Students Association

EDUCATION/ACADEMIC HONORS AND AWARDS  
PhD, OSGOODE HALL LAW SCHOOL, YORK UNIVERSITY  
Toronto, Canada June 2011  
Dissertation Supervisor: Dr. Obiora Okafor. Dissertation Advising Committee: Dr. Obiora Okafor, Dr. Toni Williams (University of Kent, UK), and Ms. Sonia Lawrence  
Dissertation Title: “Sisters Underneath their Skins:” Theorizing Maternal Performativity in Legal Discourses of White Women’s Race-Involved Child Custody Disputes 1941-2004; 527 pages  
• Research Topics: Feminist Legal Studies; Comparative Equity Jurisprudence; the African Diaspora and Law in North America  
• Research Methodologies: Qualitative Methods including Grounded Theory, Critical Discourse Analysis; Legal History; Feminist Legal Theory  
• Honors and Awards: Mary Jane Mossman Merit Award for work in Feminist Theory; Harley D. Hallett Merit Award; Graduate Associate of the Institute of Feminist Legal Studies, Osgoode Hall Law School

FELLOW, NEW YORK UNIVERSITY-CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE (CNRS)  
Awarded competitive fellowship on the topic of “Memory and Memorialization: Representing Trauma and War.” Project involves interdisciplinary research on memories of slavery in historical and socio-cultural manifestations.

DOCTORAL WORKSHOP MEMBER, HARVARD INSTITUTE FOR GLOBAL LAW & POLICY (IGLP)  
HARVARD LAW SCHOOL, HARVARD UNIVERSITY  
Cambridge, Massachusetts June 2011  
Selected based on competitive application process to participate in intensive ten-day program that brings together international specialists from the arts and sciences as well as the professional schools to study the intersections between law, social justice, economics, and global policy.
LLM WITH DISTINCTION, OSGOODE HALL LAW SCHOOL, YORK UNIVERSITY
Toronto, Canada February 2007
Thesis based; Thesis Supervisor: Dr. Obiora Okafor. Advising Committee: Dr. Obiora Okafor, Dr. Toni Williams (University of Kent, UK), and Ms. Sonia Lawrence
Thesis Title: A Critical Legal Rhetorical Analysis of In Re African American Slave Descendants; 161 pages
  • Peter Hogg Merit Scholar

J.D. UNIVERSITY OF CALIFORNIA
Los Angeles, California May 1986
  • Articles Editor, National Black Law Journal
  • Federal Court Extern, Judge Consuelo Marshall, Ninth Circuit District Court
  • Moot Court Honors
  • Vice-chair, Black Law Students Association

A.B. PRINCETON UNIVERSITY
Princeton, New Jersey June 1983
  • Major: Romance Languages and Literature
  • Independent Research Focus: French-Caribbean women writers and the colonial experience
  • Senior Thesis Title: “Amour, Colère et Folie: Les Femmes de Marie Chauvet” (In French, 63 pages)
  • Certification (minor): African American Studies
  • Certification (minor): Latin American Studies
  • Princeton in France participant
  • Latin American Travel Award
  • National Urban League Essay Prize

OTHER ACADEMIC APPOINTMENTS
PACE LAW SCHOOL, PACE UNIVERSITY, WHITE PLAINS, NEW YORK
2009 Spring: Visiting Associate Professor
Subjects taught: Land Use Law; Critical Race Theory (seminar)

OSGOODE HALL LAW SCHOOL, YORK UNIVERSITY, TORONTO, ONTARIO CANADA
2006-2007: Adjunct Professor
Subject taught: Comparative Racism and the Law (Canada/United States)

WAYNE STATE LAW SCHOOL, WAYNE STATE UNIVERSITY, DETROIT, MICHIGAN
1997-1998: Martin Luther King Jr./Cesar Chavez/Rosa Parks Visiting Associate Professor
Subjects taught: Criminal Law; Criminal Procedure and United States Immigration Law

WIDENER LAW SCHOOL, WIDENER UNIVERSITY, WILMINGTON, DELAWARE
1995-1997: Visiting Associate Professor
Subjects taught: United States Immigration Law; Administrative Law; Immigration Clinical Seminar, and Law and Literature

SETON HALL LAW SCHOOL, SETON HALL UNIVERSITY, NEWARK, NEW JERSEY
1994-1995: Clinical Associate Professor
1993-1994 Adjunct Professor
Subjects taught: Immigration Law Clinic; Legal Writing and Analysis

Lolita Buckner Inniss
BAR ADMISSION
New Jersey 1988
Michigan 1997

LEGAL PRACTICE EXPERIENCE
1993-1995 Sole Practice, Princeton, New Jersey
Work primarily in criminal defense, real estate and immigration

1989-1993 Sumners, Council and Inniss, Trenton, New Jersey
Founding partner of general litigation firm, work primarily in criminal law, real property and immigration law

1988-1989 Union County Prosecutors Office, Elizabeth, New Jersey
Trial team Assistant Prosecutor, handled adult and juvenile trials


LANGUAGE SKILLS
• Competent in French
• Conversant in Spanish

PUBLICATIONS

• “Other Spaces” in Legal Pedagogy, Forthcoming 27 HARVARD JOURNAL OF RACIAL AND ETHNIC JUSTICE (Formerly HARVARD BLACKLETTER LAW JOURNAL) ___2012


• Lea VanderVelde's Mrs. Dred Scot, Forthcoming ___CANADIAN JOURNAL OF WOMEN AND THE LAW ____ (2012) (with Kim Brooks, Sonia Lawrence, Emily Grabham and Maneesha Deckha)

• Mayeri’s Reasoning From Race, TEXAS LAW REVIEW (2011) [DICTA—ONLINE]

• It’s the Hard Luck Life: Women’s Moral Luck and Eucatastrophe in Child Custody Allocation, 32 RUTGERS WOMEN’S RIGHTS LAW REPORTER 56 (2011)


• Social Factoring the Numbers with Assisted Reproduction, Co-authored with Bridget Crawford 19 Texas Journal of Women and the Law 1 (2009)


• Bicentennial Man--The New Millennium Assimilationism and the Foreigner Among Us 54 Rutgers Law Review 1101 (2002)

• Reprint of Tricky Magic: Blacks as Immigrants and the Paradox of Being of Foreignness Immigration and Nationality Law Review, Vol. 21 (2001) (Selected as best immigration law article of the year by journal editors)

• Tricky Magic: Blacks as Immigrants and the Paradox of Foreignness 49 DePaul Law Review 85 (1999)


Blogs
• “Ain’t I a Feminist Legal Scholar” http://innissfls.blogspot.com
• “Comparative Racism and the Law (Canada/U.S.)” http://racelawinniss.blogspot.com

Lolita Buckner Inniss
Letters to the Editor

- Africa’s Role in the Slave Trade: Reply to Henry Louis Gates”, NEW YORK TIMES April 25, 2010

Selected Works In Progress

- Article: Cherokee Freedmen and Borders within a Borderless Nation

- Book Prospectus: “The Princeton Fugitive Slave Case: Jimmy the College Apple Man and Memories of Slavery”

- Book Chapter: “There is No Such Thing as a Free Lunch: My Road to Law School Teaching” in PROFESSIONAL FORBEARANCE, Karla Erickson and Angela Onwuachi-Willig, editors (Forthcoming, New York University Press 2012)

- Article: Thief? Us. Criminal Sanctions for Enrolling Non-Resident Children in Public School Districts

- Article: Legal Scholarship as Integrity

- Article: The Ideograph of the Failed State

SELECTED RECENT PRESENTATIONS AND MEDIA APPEARANCES


- Their Eyes Were Watching God: Law, Race, Gender and Culture”, WCPN (NPR) Cleveland Public Radio Show, September 2011

- “Women as Scholars,” Plenary Panel Member, AALS Women Re-thinking Equality Conference June 22, 2011


- The Adventures of Huckleberry Finn: Law, Race, Gender and Culture”, WCPN (NPR) Cleveland Public Radio Show, April 2011

- “Commentary on Form Based Code” Marketplace, NPR nationally syndicated segment, March-April 2011

- “The Princeton Fugitive Slave Case: Jimmy the College Apple Man and Memories of Slavery”, Presentation, Slavery and the University Conference, Emory University February 2011

- “(Un)Becoming Women: Legal Discourses on Women’s Blood and Belonging”, Panel Presentation, Aging as a Feminist Concern Conference, Emory University January 2011

Lolita Buckner Inniss
• “Reflections on the 50th Anniversary of *To Kill a Mockingbird*: Law, Race, Gender and Culture,” WCPN (NPR) Cleveland Public Radio Show, October 2010

• “Generational Feminism, Popular Culture and Law,” Panel Presentation, National People of Color Legal Scholarship Conference, September 2010, Seton Hall Law School, Newark, New Jersey

• "Critical Race Theory from Theory to Method: Critical Discourse Analysis as a Mechanism for Exploring the Intersection of Race and Gender," Panel Presentation, UCLA Critical Race Theory Symposium, March 2010, UCLA School of Law

• “Hurricane Katrina, Housing Norms and Race,” Cleveland Marshall Black Law Students' Association Martin Luther King Jr. Panel Presentation, The Effects of Media on Race, January 2010, Cleveland Marshall College of Law

• “Dirty, Sexy, Money: An Analysis of Child Custody Allocation Between Women and the Fathers of their Children where Sexual Misconduct of the Women is Raised as a Factor,” Panel Presentation, November 2009, Rutgers University Law School, Newark, New Jersey

• “Panopticism, Synopticism, and Black Women in Child Custody Cases” Lecture given for the Distinguished Speaker Series, March 2009, Pace Law School, White Plains New York

• “The Façade of New Urbanism and the Form-Based Code”, Opening Address, October 2008 Property Rights Foundation of American Twelfth Annual Conference Albany, NY

• “A ‘Ho New World: Raced and Gendered Insult as Ersatz Carnival and the Corruption of Freedom of Expression Norms.” Clason Lecturer, April 2008, Western New England College of Law Springfield, Massachusetts
WORK EXPERIENCE

DORON M. KALIR, ESQ., OF COUNSEL  April 2008 – Present
Provides Litigation Services for Federal Litigation, Employment, and Antitrust Matters

• Authored a $1.3M diversity commercial litigation complaint with the SDNY (April 2009, case settled).
• Authored a $14.1M antitrust complaint with the SDNY alleging various antitrust and state law violations (March 2009, case settled).
• Successfully represented employees in various discrimination matters, including sex discrimination and retaliation arbitration proceedings against one of the nation’s largest banks.
• Authored a Sixth Circuit Court of Appeals Appellate Brief in a Class Action matter (Oct. 2010).
• Adjunct Professor, COLUMBIA LAW SCHOOL (Sept. 2009 – Sept. 2010)
• Adjunct Professor, SEIGAL COLLEGE, Cleveland, OH (Oct. 2010- Present)

AXINN, VELTROP & HARKRIDER LLP  New York, NY  April ’07 - April 2008
One of NYC’s leading Antitrust & IP boutique firms; Associate, Antitrust Department

• Litigation: Represented a large institutional pharmacy in antitrust proceedings against a leading Prescription Drug Provider (PDP).
• Deals: Represented clients in pharmaceutical, software, and hospitality-related transactions; represented clients in compliance with DOJ Civil Investigation Demands.
• Pro-Bono: Served as Vice Chair and Legal Counsel to a Board of Directors of a 12,000-member 501(c)(3) organization in New York.

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  New York, NY  2002- April 2007
One of NYC’s leading law firms; Associate, Antitrust Department

• Appeals Work: Member of litigation teams representing clients in the Third, Ninth, and Eleventh Circuits. Played a key role in authoring briefs to the Fifth Circuit Court of Appeals in a notable 2006 consummated-merger case.
• Co-authored a pro-bono amicus brief to the U.S. Supreme Court in a student-speech case.
• Deals: Member of teams representing clients in multi-billion dollar transactions; supervised Second-Requests’ and Subpoenas’ mass-productions; participated in negotiations with DOJ, FTC, and joint-interest parties.
• Publications: Co-authored several NY LAW JOURNAL articles on contemporary antitrust issues; member of the Skadden team authoring the U.S. Chapter in the 3-volume MERGER CONTROL WORLDWIDE (Cambridge Univ. Press, 2005).
• Pro-Bono: represented and gained asylum to human-rights victims on multiple occasions; awarded the Skadden Pro-Bono Publico prize multiple times.

FEDERAL TRADE COMMISSION – ANTITRUST DEPARTMENT  New York, NY  Summer 1999
Antitrust Summer Associate – NY Regional Office

• Participated in a variety of antitrust matters before the FTC Regional Office, including deposition practice, merger evaluation, and policy-shaping issues.

Israeli Work Experience

ANTITRUST AUTHORITY, ISRAELI GOVERNMENT  Jerusalem, Israel  1995-1996
Litigation Associate

• Represented the Israeli Government in a seminal merger appeal before the Israeli Supreme Court.
COURT OF APPEALS – JERUSALEM DISTRICT  Israel  1993-1994
Clerk to Hon. Judge (currently Justice) M. Naor
- Authored draft opinions for Israel's first statutory Antitrust Court.
- Authored draft opinions and conducted research on variety of legal issues.

ISRAELI KNESSET (PARLIAMENT) Jerusalem, Israel  1993-1994
Advisor to Standing Committee on the Interior
- Authored report on poverty in Israel; authored a study on local Religious Councils and their impact.

EDUCATION
COLUMBIA LAW SCHOOL New York, NY  1998-2001
- Associate-in-Law 2000-2001 (taught a mandatory "Legal Methods" class to LL.M candidates).
- Teaching Assistant, Contracts, Prof. E. Allan Farnsworth, Fall 2000.
- LL.M, James Kent Scholar (Highest Honors) 1999.

HEBREW UNIVERSITY SCHOOL OF LAW Jerusalem, Israel  1991-1997
- University President Award for Academic Excellence 1997; Academic Achievements 1996.
- Editor, Mishpatim - Hebrew University Law Review 1996.
- Chair, Hebrew University Debating Team 1994-1996 (National Champion, 1995).

OTHER PUBLICATIONS
- Translation: AHARON BARAK, PROPORTIONALITY - CONSTITUTIONAL RIGHTS AND THEIR LIMITATIONS (Forthcoming Cambridge University Press, 2012)

BAR ADMISSIONS
- Ohio Bar – Admission Request Pending
- United States Court of Appeals for the Sixth Circuit
- New York State Bar; U.S. District Court, Southern District of New York
- Israeli Bar

OTHER
- Hiking Leadership: Hiking and Backpacking Leader, Appalachian Mountain Club (AMC); led hikes and climbed mountains extensively in the US and around the world.
- Israeli Consulate, NY City: Frequent speaker for the consulate.
- Volunteer Work: Vice Chair of the Board & Legal Counsel, Dor-Chadash, a 501(c)(3) organization bringing together Israelis and Americans in NYC, (2005-2008).
- Tennis: Skadden Tennis Team captain and champion (2003-5).
Curriculum Vita (short version)

**W. Dennis Keating**

Professor (Tenured Associate Professor, 1986; Tenured Full Professor, 1990)
Department of Urban Studies
College of Urban Affairs
Cleveland-Marshall College of Law (joint appointment)

Named Distinguished Levin College Professor (2003)

Senior Research Fellow, Center for Neighborhood Development

Maxine Goodman Levin College of Urban Affairs
Cleveland State University

Tel: (216) 687-2298
Fax: (216) 687-9342
Email: dennis@wolf.csuohio.edu

**EDUCATION**

A.B. Loyola College, Baltimore (1965)[summa cum laude]

J.D. School of Law, University of Pennsylvania (1968)

M.C.P. (1971) and Ph.D. (1978) in City and Regional Planning, University of California at Berkeley

**CLEVELAND STATE UNIVERSITY**

**TEACHING** (1983-2006)

Undergraduate Courses: Introduction to Urban Studies, Changing Urban Neighborhoods (First College), Urban Planning

Graduate Courses: Urban Policy, Housing and Community Development, Neighborhood Planning, Introduction to Urban Planning, and Plan Implementation

Joint Graduate-Law courses: Land Use Law, Housing and Community Development Law

**ADMINISTRATION** (1986-2006)

Associate Dean, Levin College/Chair, Department of Urban Studies (1992-2006)
Director, Office of Student Services (2001-2006)

Interim Levin College Dean (June-December 2000)

Interim Director, The Urban Center (September 1993-January 1995)

Director, Master of Urban Planning, Design and Development Program (MUPDD) (1990-1993)


Acting Director, Ph.D. in Urban Studies Program (1989-1990)

Acting Director, Law and Public Policy Program (January-July 1989)

Acting Director, Center for Neighborhood Development (March 1987-March 1988)

Acting Chair, Department of Urban Studies (April-September 1986)

CSU and Levin College SERVICE


Levin College: College Operations Committee, several strategic planning committees; Levin Chair search committee; PAC; program faculties for MUPDD and Ph.D. programs.

RESEARCH (1985-present only)

Diverse Suburbs (currently for Temple University Press book)

History of Cleveland’s lakefront and history of the First Suburbs Consortium of Northeast Ohio (2003-2005)


The Long Term Impact of Community Development Corporations on Cleveland Neighborhoods (1999-2000): Research Council, CSU

Teaching Neighborhood Collaborative Planning (1998): American Planning Association

Housing Strategy for the Homewood-Brushton Neighborhood (1991): Department of City Planning, City of Pittsburgh, PA

Evaluation of Rent Control (1990): United Nations Habitat, Jamaica Ministry of Construction (Housing)

Oberlin Strategic Plan (1989-1991): City of Oberlin

Building a Metropolitan and State Housing Agenda (1989-1990): Cleveland and Gund Foundations and BP


Cleveland Housing Court Evaluation (1986): Cleveland Foundation

[N.B. Reports/Studies are not named here]

**PUBLICATIONS** (1983-present only)

My work has often been cited in the Social Sciences Index of Citations.

**BOOKS**

Rebuilding Urban Neighborhoods (with Norm Krumholz)(1999, Sage Publications)

Rent Control: Regulation and the Rental Housing Market (with Teitz and Skaburskis)(1998, Sage Publications)


Revitalizing Urban Neighborhoods (with Krumholz and Star)(1996, University Press of Kansas)


BOOK CHAPTERS

Since 1986, in addition to the books that I authored and co-authored (see above), I wrote chapters that appeared in thirteen books. I also contributed several entries to the Encyclopedia of Housing, the International Encyclopedia of Social and Behavioral Sciences, and the Encyclopedia of Urban American History.


SPECIAL JOURNAL ISSUE


ARTICLES

Between 1985-2006, I published 19 articles in academic and legal journals, of which 12 were solely authored.


BOOK REVIEW ESSAYS

Since 1985, I have published 28 book review essays in academic journals.

REFEREE

I have acted as a referee for eleven academic journals, nine publishers, two foundations, and the U.S. Department of Housing and Urban Development.

CONFERENCE PRESENTATIONS

Between 1983-2006, I made 47 paper presentations at national and international academic and professional conferences. I was a panel moderator or discussant 36 times during this same period at such conferences, and also at many local meetings.

GUEST LECTURES/VISITING FELLOWSHIPS
I have lectured at major universities, including the Universities of: Illinois at Urbana-Champaign and Chicago, Pennsylvania, and Washington and Brown University. In 1988, I was a Visiting Scholar at the City of Birmingham Polytechnic in England. In 2000, I was a Visiting Fellow at the Department of Urban Studies at the University of Glasgow, Scotland, United Kingdom and I was in residence there as a Fellow in Fall, 2003.

COMMUNITY/PROFESSIONAL SERVICE

Since 1983, I have served on advisory committees to such local organizations as Neighborhood Progress, Inc., the Cuyahoga Plan, and the Greater Cleveland Roundtable. I served on the boards of the Friendly Inn Settlement and the Heights Community Congress and was active in the Metropolitan Strategy Group. During 1993-1999, I served two consecutive terms as an elected member of the Board of Governors of the Urban Affairs Association.
S A N D R A  J.  K E R B E R

professional profile

(216) 687-2284
sandra.kerber@law.csuohio.edu

ACADEMIC ACHIEVEMENTS

LEGAL

Juris Doctor Degree - CLEVELAND-MARSHALL COLLEGE OF LAW, CLEVELAND STATE UNIVERSITY, Cleveland, Ohio - September, 1981

Admitted to practice - Ohio - May 10, 1982

Admitted to United State Supreme Court Bar (Washington DC) – May 5, 2004

Honors and Specifics - Dean's List (six quarters) - G.P.A.: 3.27 - Class Standing: 45/298

Activities - Participated in the Legal Intern Program, working on civic and criminal cases writing motions and memoranda for various law problems; research; communication with clients as a legal intern.

GRADUATE

English, 21 semester hours - CASE WESTERN RESERVE UNIVERSITY, Cleveland, Ohio - 1968-1971; G.P.A.: 3.6

UNDERGRADUATE

Bachelor of Arts Degree - BALDWIN-WALLACE COLLEGE, Berea, Ohio - June, 1965

Honors and Specifics - Dean's List - Sigma Delta Pi, Honorary Fraternity - G.P.A.: 3.21 - Major: English - Minor: Spanish (Education); Instituted the Writing Lab with Prof. Rosenfeld (1964-1965)

PROFESSIONAL HIGHLIGHTS

EMPLOYMENT

CLEVELAND–MARSHALL COLLEGE OF LAW, Cleveland State University, Cleveland, OH

Legal Writing Professor of Law 1990 – present

Granted Renewal of Five Year Contract January 2011
Granted Promotion to Five Year Contract  
April 2006

Featured in *The Cleveland-Marshall College of Law Faculty: Intellect and Inspiration* for A Commitment to Teaching Excellence  
2007

Teaching Legal Writing Research and Advocacy, Advanced Legal Writing,

Teaching LCOP Legal Skills in conjunction with Criminal Law  
1990-1996

**Adjunct Faculty**  
1971-1990

Taught the summer Legal Writing Skills class to students admitted through the LCOP program. Taught legal writing and legal research evenings. Assisted and advised both LCOP and other law students, individually, with such legal writing assignments and requirements as outlining skills, memoranda, Law Review articles, appellate briefs, upper level writing, articles for The Journal of Law and Health, law school examinations and bar examinations. Ex-officio member of LCOP Committee.


**Private Legal Practice**  
1982 - 1992

Associated with BUCUR & KAPLOW LAW OFFICES, Cleveland, Ohio.

Successfully practice law in the Greater Cleveland Area, concentrating in personal injury, probate practice, domestic, labor and employment, and municipal areas.

**PROFESSIONAL LECTURING/PRESENTATIONS**


Test Tactics - BALSA, CASE WESTERN RESERVE SCHOOL OF LAW, Cleveland, Ohio (1990)

Success in Law School Through Writing - National Bar Association, CLEVELAND-MARSHALL COLLEGE OF LAW, Cleveland, Ohio (1992)

Presented on a Panel before a Contingent of Lawyers and Judges from six African nations (May 1998)

Faculty guest speaker at the CMLAA Officers’ Lunch meeting (February, 2008)
Ohio Essay Writing Workshop (semiannual), Cincinnati, Columbus, Cleveland - Ohio Bar-Bri, Division of HARCOURT BRACE JOVANOVICH, Cleveland, Ohio (1986-1994)

**SEMINARS**

Regularly attend Legal Writing Institute Conferences and legal seminars in areas of domestic relations, probate practice, tax, employment law, advocacy writing, advanced legal writing and editing in furtherance of professional growth.

Attended by invitation only: (I was among 20 attendees selected from law schools throughout the US): Legal Research and Writing Summit (LexisNexis) Santa Fe, NM May 2008

Attended by invitation only (I was among 20 attendees selected from law schools throughout the US): Legal Research and Writing Summit (LexisNexis) Marco Island, FL June 2010.

**PROFESSIONAL AFFILIATIONS**

Member - Ohio Bar Association, Ohio Women's Bar Association, American Bar Association, Legal Writing Institute, Life member of Cleveland-Marshall College of Law Alumni Association, Baldwin-Wallace College Alumni Association

**PROFESSIONAL COMMITTEE WORK, SERVICE and PUBLICATION**

Planned Giving Committee, Baldwin-Wallace College 1996-present

Recipient of Merit Bonus for outstanding performance May 1998

Faculty Advisor to Cleveland State University Law Review 1997 – present

Captain for Legal Writing Department for Faculty & Staff Annual Appeal 2001-2004

Judicial Selection Committee Coalition For the State of Ohio Judicial Candidates:Judge4Yourself 2003 – present

Cleveland-Marshall College of Law Alumni Association Reunion Committee 2006

Assistant Editor of *The Journal of the Legal Writing Institute* 2004 – 2009

Advisory Editorial Panel, Board of Reviewers and Contributor for


(As a member of the Ohio Delegation)

Elected to Faculty Affairs for 2 two year terms 2008-present
Advised Moot Court teams & Accompanied them to the competition 1998, 2001, 2002

Radio Program guest interview of me on LCOP Program and Preparation for Law School Admissions 1990

Advanced Westlaw Certification May, 2002

Edited The Imperial Republic: A Structural History of American Constitutionalism from the Colonial Era to the Beginning of the Twentieth Century, (Ashgate Press 2002)


Published Legal Writing Assignments and Authorities, (1995 to present)


Recipient of Cleveland State Law Review Award for Outstanding Dedication to Legal Scholarship and Education (1998-1999)

Recipient of the Dean's Merit Bonus (May 2008)

Recipient of the CSU Provost Award for outstanding teaching and service (May 2008)

Sponsored Ohio Supreme Court Justice Stratton to speak to my Advanced Legal Writing Class on Judicial Opinion Writing and opened her presentation to all law students (Fall 1996)

PERSONAL DATA

Enjoy domestic and international travel including but not limited to Portugal, Spain, France, Italy, Germany, England, Scotland, Amsterdam, China, Thailand, Korea, Poland, Czech Republic, Turkey, Alaska, Hawaii. I am also a spectator sports fan, aficionado of theater, The Cleveland Orchestra, art, walking and working out.

REFERENCES

Excellent personal and professional references available upon request.
KENNETH J. KOWALSKI
Clinical Professor of Law
Cleveland-Marshall College of Law
Cleveland State University
2121 Euclid Avenue, LB 138
Cleveland, Ohio 44115
(216) 687-4825

EDUCATION:

J.D., The Ohio State University, 1981
M. Ed., Cleveland State University, 1974
B.A., Case Western Reserve University, 1971

LAW TEACHING:

1990 to present:
Cleveland Marshall College of Law, Cleveland State University, Employment Law Clinic. Director. Design of Clinic curriculum; teaching of lawyering skills; supervision of law students in representation of clients in employment matters; responsibility for conduct of litigation; teaching of employment discrimination law lecture course and trial advocacy course; administrative duties.

1989 to 1990:
Cleveland Marshall College of Law, Cleveland State University, Fair Employment Practices Clinic. Staff Attorney. Supervision of law students in employment discrimination litigation.

OTHER PROFESSIONAL EXPERIENCE:

1982 to present:
The Housing Advocates, Inc., Cleveland. General Counsel. Counsel for not-for-profit public interest organization; representation of low and moderate income persons and community groups in federal and state housing and landlord-tenant litigation at both trial and appellate levels; contributing editor of newsletter; supervision of legal interns, law clerks and counselors.

1982 to 1989:
1981 to 1982:
United States District Court for the Southern District of Ohio, Columbus. Law Clerk to The Honorable Judge John D. Holschuh.

1971 to 1978:
Cleveland Board of Education. Teacher.

**PUBLICATIONS:**


Co-editor, Supplement to Chapter Three, ADisparate Treatment, @Employment Discrimination Law, BNA Books (1998).


**SELECTED PRESENTATIONS:**

Moderator, “Iron Lawyer Competition,” Co-sponsored by Federal Bar Association, Northern District of Ohio Chapter; and Ohio State Bar Association

Moderator, “A Whole Trial in 3 Hours, Seminar for New Lawyers,” Sponsored by Federal Bar Association, Northern District of Ohio Chapter

Presenter, NLRB Region 8 Labor Law Conference, Presentation “Recent Developments in Employment Law: Supreme Court Decisions, Appellate Decisions and Related Topics”, September, 2010

Presenter, “Federal/State Update on EEO Cases”, Ohio State Bar Association CLE Institute, EEO Law Update Seminar, Columbus, Ohio. Presentation at CLE event sponsored by Employment & Labor Section of OSBA. September, 2007

Trainer, Basic Attorney Fee Award Issues, Northeast Ohio Legal Services, Youngstown office, May, 2002


Presenter, “Case and Client Selection and Pre-filing Activity”, Effectively Representing the Discharged Employee, Seminar, Ohio Employment Lawyers Association, Columbus, Ohio (March 1997).


COURT ADMISSIONS:

Supreme Court of the United States
Supreme Court of Ohio
United States Court of Appeals for the Sixth Circuit
United States Court of Appeals for the Tenth Circuit
United States Court of Appeals for the D.C. Circuit
United States District Court for the Northern District of Ohio
United States District Court for the Southern District of Ohio
United States District Court for the District of Columbia
PROFESSIONAL MEMBERSHIPS:

National Employment Lawyers Association
Ohio Employment Lawyers Association
Cleveland Employment Lawyers Association
Association of American Law Schools
Clinical Legal Education Association
American Bar Association
Ohio Housing Coalition
Ohio District Court Review, Advisory Board

COMMUNITY ACTIVITIES:

Lakewood Schools - School Facilities Design Committee, Co-Chair
City of Lakewood, Fair Employment Wage Board
Lakewood Schools - Designing Our Next 50 Years Committee
City of Lakewood, Citizens Advisory Committee
Trustee, Greater Cleveland Community Shares
Trustee, Cudell Neighborhood Improvement
Member, Cleveland Housing Court Eviction Revision Committee
CURRICULUM VITAE
(March, 2012)

STEPHEN R. LAZARUS
14401 Onaway Road
Shaker Heights, Ohio 44120
(216) 283-1220 (Home)
(216) 687-2347 (Office)

LAW COURSES TAUGHT (* indicates those taught last, current or next academic year):

* Civil Procedure
  Clinical Law Practice
* Constitutional Law
* Ethics and Professional Responsibility
* Evidence
* Fair Housing Law Clinic
  First Amendment
  Immigration and Nationality Law
* Introduction to Law (Legal Process)
  Judicial, Public Interest and US Attorney Externships
  Property
* Torts
  Trial/Evidence
* Trial Practice

COURT ADMISSIONS:

New York Supreme Court 10-13-65
U.S. District Court, S.D.N.Y. 12-15-66
U.S. District Court, E.D.N.Y. 12-20-66
U.S. Court of Appeals, 2d Circuit 12-11-67
U.S. Court of Appeals, D.C. Circuit 03-03-72
District of Columbia Court of Appeals 10-12-72
District of Columbia Superior Court 10-12-72
U.S. District Court, D.C. 11-06-72
U.S. District Court, N.D. Ohio 07-09-74
Supreme Court of Ohio 10-11-74

TEACHING AND PRACTICE:

Cleveland State University
Cleveland-Marshall College of Law
Cleveland, Ohio 44115 1973 – Present

Attachment A
I joined the faculty in September, 1973 and was awarded tenure in 1976. I assisted in the organization of the school's in-house Legal Clinic which had begun operation the year before as a criminal law (only) clinic, supervised students in the clinic, developed teaching and practice materials, and organized seminars taught in conjunction with our clinical practice.

In addition to my work in the in-house Legal Clinic between 1973 and 1978 and my participation in the Housing and Fair Housing Law Clinics I have taught the other courses listed above at various times since 1973. My seminar in Immigration and Nationality Law was the first of that subject offered by the school, and has attracted not only our own students, but also those of other area law schools, and local practitioners who wish to expand their practice. My Trial/Evidence seminar, co-taught, originally, with Professor David Barnhizer, merged the teachings of the traditional courses in Evidence and Trial Practice to illustrate their interdependence. We found that a preliminary understanding of the trial process and the attorney's perspective in it contribute to greater student understanding of the principles taught in the traditional Evidence course.

With Professor Frederic White I helped to create and currently share supervision of our school's Housing Law Clinic as well as its Fair Housing Law Clinic. Law students work under direct supervision of attorneys from Housing Advocates, Inc., a public interest law firm, in the areas of housing discrimination, including access to public housing, zoning, receivership, insurance redlining, mortgage loan abuses, and other housing areas. Weekly seminars deal with litigational strategies for the office caseload and with the ethical considerations that necessarily arise.

Since 1986 I have experimented with extensive use of in-class quizzing as a pedagogical device. I have found the quizzes to be highly effective not only in maintaining student effort but also in providing me feedback with regard to student problems and in providing a basis for more frequent and fruitful post-class as well as in-class discussion.

In 1980 I received the Cleveland State University Student Government Faculty Appreciation Award. In 1992 I was recipient of the Cleveland-Marshall Law Alumni Association's Wilson G. Stapleton Award for Faculty Excellence. In 2001 I was named "Professor of the Year" by the Cleveland-Marshall College of Law Student Bar Association. In 2007 I became the first member of the law faculty to receive the Cleveland State University Distinguished Faculty Teaching Award.
Urban Law Institute - Antioch School of Law
1626 Crescent Place, NW
Washington, D.C. 20036 1972 - 1973

Antioch School of Law opened in September, 1972, as the only fully clinical law school in the nation. As Attorney/Professor I participated, from February through September, 1972, in the planning and development of the school's clinical curriculum, its student orientation program, and in the ongoing practice of the school's teaching law firm component, the Urban Law Institute, an O.E.O.-funded public interest and poverty law firm. From September, 1972 through July, 1973 I continued the tasks above and also taught and supervised law students, paralegal students, and graduate research assistants as part of the school's Lawyering Process course and Legal Clinic. In addition, I developed materials on D.C. Housing Law to be used by our students and lawyers in our clinical work.

Williamsburg Neighborhood Legal Services
260 Broadway
Brooklyn, New York 11211 1968 - 1971

An O.E.O.-funded neighborhood legal services program providing counsel and representation to the indigent residents of the Williamsburg section of Brooklyn, New York. As Staff Attorney from 1968 to 1970 and Assistant Attorney in Charge in 1970 to 1971 I represented clients in the various courts and administrative agencies in and around New York City, and assisted in administering the operations of our office, developing materials, and teaching and supervising lawyers, law students, and paraprofessionals. Special focus was placed on the laws and regulations dealing with Unemployment Insurance and Immigration and Nationality Law.

Walker and Walker
111 Broadway
New York, New York 10006 1968

A small private law firm specializing in architectural and building-construction law. As sole associate in an office of two partners I assisted in the office's civil litigation practice.

The Legal Aid Society
11 Park Place
New York, New York 10007 1965 - 1967

The main branch of a private organization funded both privately and publicly to provide legal assistance to the poor of New York City. As Staff Attorney I engaged in civil litigation in the courts (local, state, federal) and administrative agencies in and around New York City and Nassau County. Special emphasis was placed in deportation proceedings before the Immigration and Naturalization Service, consumer frauds, and landlord and tenant litigation.
Stephen R. Lazarus

United States Army, 42nd Infantry Division,
New York State National Guard 1964 - 1970

In December, 1964 I joined the 242nd Signal Battalion of the 42nd Infantry Division. My active-duty service at Fort Dix, New Jersey in 1965 consisted of basic infantry training and advanced training as a voice-FM radio operator.

EDUCATION:

Harvard Law School, LL.B., 1964

Tyng Foundation Scholar
Sutherland Law Club

Williams College, A.B., 1961

Tyng Foundation Scholar
Dean's List
Major: History
Football, Baseball, Sport Parachuting

Baldwin High School, 1957

National Honor Society
Class President
Football, Baseball (Co-Captain)

COMMUNITY SERVICE:

Consultant and Trainer, Trial Advocacy Skills Training, Legal Services Corporation.

Chair, The Supreme Court of Ohio, Commission on Professionalism

Certified Grievance Committee, Cuyahoga County Bar Association

Chair, Certified Grievance Committee, Cleveland Metropolitan Bar Association

Vice President, Housing Advocates, Inc., Chair, Litigation Priorities Committee

Life Member, Cleveland-Marshall Law Alumni Association

Member, Ludlow Community Association

Lecturer, The Supreme Court of Ohio Judicial College (Constitutional Law, Evidence)

Lecturer, Ohio Common Pleas Judges Association

Lecturer, Cleveland Bar Association
Lecturer, Cuyahoga County Bar Association

Lecturer, Cuyahoga Criminal Defense Lawyers Association

Lecturer, Cleveland Employment Lawyers Association

Lecturer, Supreme Bar Review

Author, MPRE Review (Supreme Bar Review, 2nd ed., 2010)

RECENT PRESENTATIONS:

"Constitutional Law"
Black Law Students Association Course Review, December, 2011

"Torts"
Black Law Students Association Course Review, December, 2011

"Lopez, Morrison, and Raich under the Interstate Commerce Clause"
Legal History Class, Professor Peter Garlock

"The Multistate Professional Responsibility Examination"
Supreme Bar Review, October, 2011

"Objections to Evidence, Before and During Trial"
Trial Practice Intersession Course, July, 2011

"Ohio Ethics"
Supreme Bar Review, June, 2011

"Ohio and Federal Rules of Evidence"
Supreme Bar Review, June, 2011

"Seeking Professional Responses to Discomforting Scenarios"
Ohio Ethics Commission, Richfield, Ohio, June, 2011

"Medical Marijuana in Political and Constitutional Context"

"The Multistate Professional Responsibility Examination"

"Ohio and Federal Rules of Evidence, Ohio Bar Essay Questions"
Bar Passage Class, February, 2011

"Evidence"
Black Law Students Association Course Review, December, 2010
Panel Moderator, "Student to Lawyer Symposium"
Ohio Supreme Court Commission on Professionalism, December, 2010

"Preparation for Examinations" Academic Excellence Program, November, 2010

"The Multistate Professional Responsibility Examination"
Supreme Bar Review, October, 2010

"Direct Examination, Exhibits and Objections"
Lead Trainer and Lecturer, Legal Services Corporation

"Ohio Ethics"
Supreme Bar Review, June, 2010

"Ohio and Federal Rules of Evidence; Distinctions"
Supreme Bar Review, June, 2010

"Clark v. Milano and George Washington School District: Does the First Amendment Protect Students Against Suspension for Violation of a School Celebrity T-Shirt Ban"
Argument on Summary Judgment with Professor Kevin O'Neill in Legal Writing Class of Professor Karin Mika, April, 2010

"Discomforted Lawyers - Seven Problematic Scenarios and Fifteen Ethical Quandaries"
Littler Mendelson, P.C., Cleveland, Ohio, April, 2010

"The Multistate Professional Responsibility Examination" -
Public Lecture, Cleveland, Ohio, February, 2010

Moderator, Panel Discussion on Law School Curricular Innovations Enhancing Practice Experience, Ohio Supreme Court Commission on Professionalism, Columbus, Ohio, December, 2009

"Evidence"
Black Law Students Association Course Review, December, 2009

"Recent Developments in Ohio Ethics Law: Code and Cases"
New Lawyers Training, Cleveland Metropolitan Bar Association, November, 2009

"Passing the Multistate Professional Responsibility Examination"
Supreme Bar Review, Cleveland, Ohio, October, 2009

Cleveland State University Black Faculty and Staff Organization, October, 2009

"The Court's Most Recent View of Confrontation: Melendez-Diaz v. Massachusetts"
First Monday in October presentation to law faculty, October, 2009
"Ohio Ethics"
Panelist, Cleveland Metropolitan Bar Association, September, 2009

"The Making of Objections"
Trial Practice Intersession Course, July, 2009

"Ohio Ethics"
Supreme Bar Review, June, 2009

"Ohio and Federal Rules of Evidence"
Supreme Bar Review, June, 2009

"Constitutional Law"
Black Law Students Association Course Review, May, 2009

"Evidence"
Black Law Students Association Course Review, February, 2009

"Mentor Orientation" Panel (Moderator) for "Lawyer To Lawyer Mentoring Program" sponsored by the Ohio Supreme Court Commission on Professionalism, Justice Center, Cleveland, February, 2009

"Ohio Ethics" (videotape presentation for statewide use)
Supreme Bar Review, February, 2009

"Ohio and Federal Rules of Evidence" (videotape for statewide use)
Supreme Bar Review, February, 2009

"Incorporating Quizzes, Midterms, and Other Feedback Mechanisms into Your Classes" (with Professor Susan Becker)
Presentation to Faculty, January, 2009

"Constitutional Law"
Black Law Students Association Course Review, December, 2008.

"Evidence"
Black Law Students Association Course Review, December, 2008

"Answering Multiple Choice and Essay Questions on Evidence on the Ohio Bar Examination"
Supplementary Bar Review Course, October, 2008

"An Examination of Background, Structure and Significance of *Boumediene v. Bush* (2008)"
Faculty Presentation, First Monday in October, College of Law, October, 2008

"The Making of Objections"
Trial Practice Intersession Course, July, 2008
"Ohio Ethics"

"Ohio and Federal Rules of Evidence"
Supreme Bar Review, June 2008

"Evidence"
Black Law Students Association Course Review, April, 2008

"Impact of U.S. Supreme Court Decision in Parents Involved in Community Schools v. Seattle School District (2007) on Activities of the Fund for the Future of Shaker Heights," with Fair Housing Law Clinic Student Christopher Germano

"Answering Evidence Questions on the Multistate and Ohio Bar Examination"
Supplementary Bar Review Course, February 2008

"Evidence"
Black Law Students Association Course Review, December, 2007

"First Monday in October: Gonzalez v. Carhart (2007) (Partial Birth Abortion Case)
Faculty Presentation, College of Law, October, 2007

"Not an Oxymoron: Lawyers' Ethics"
Undergraduate Honors Program, Cleveland State University, October, 2007

"Court Systems and Religion: Will the Wall Come Tumbling Down?"
Americans United for Separation of Church and State, Braenahl, Ohio, September, 2007

"Evidence Refresher; Exhibits"
Legal Services Corporation Trial Advocacy Skills Training Course, Ann Arbor, Michigan, July, 2007

"Ohio Evidence"
Supreme Bar Review, June, 2007

"Ohio Ethics"
Supreme Bar Review, June, 2007

"Constitutional Law"
Black Law Students Association Course Review, April, 2007

"Governmental Lawyers' Ethical Obligations Under the New Ohio Rules of Professional Conduct" Cleveland Bar Association, Governmental Attorneys Section, March, 2007

"Evidence Essay Questions on the Ohio Bar Examination"
Supplementary Bar Review Course, February, 2007
"Ohio Ethics" (videotape presentation for statewide use)

"Constitutional Update: The United States Supreme Court: 2004-2005 Terms; Recent Cases and Recent Trends"
Judicial College of the Supreme Court of the State of Ohio, Columbus, Ohio, December, 2006

"Evidence"
Black Law Students Association Course Review, December, 2006

"First Monday in October: The Decision in Hamdan v. Rumsfeld; What it Means and What it Doesn't"
Faculty Presentation, College of Law, October, 2006

"Constitutional Update: The United States Supreme Court: 2004-2005 Terms; Recent Cases and Recent Trends"
Judicial College of the Supreme Court of the State of Ohio, Independence, Ohio, October, 2006

"Class Preparation and the Socratic Method"
Academic Excellence Program, September, 2006

"Evidence Essays"
Supplementary Bar Review Course, July, 2006

"Ohio Evidence"
Supreme Bar Review, June, 2006

"Law School Developments"

"Evidence Essay and Multistate Questions"
Ohio Bar Examination Strategies and Tactics, February, 2006

"The Making of Objections"
Trial Practice Intersession, January, 2006

"The United States Supreme Court; October, 2004 Term: A Few Significant Constitutional Cases"
Anthony J. Celebrezze Inn of Court, January, 2006

"Lay and Expert Opinion Under the Ohio and Federal Rules of Evidence"
Common Pleas Judges' Winter Educational Conference, Columbus, Ohio, December, 2005

"The Interplay of Hearsay, Impeachment and Character Evidence"
Cleveland Bar Association, Litigation Section, September, 2005
"The United States Supreme Court After Justice O'Connor: Transition or Transformation?" and

"The Meaning(s) of 'Judicial Activism'"
Faculty and Law School Presentation, College of Law, August, 2005

"Direct and Cross Examination; Objections"
Legal Services Corporation Trial Advocacy and Skills Training Course, Ann Arbor, Michigan, August, 2005

"What's Admissible? Evidence Issues in Your Courtroom"
Judicial College of the Supreme Court of the State of Ohio, Independence, Ohio, May, 2005

"Civil Procedure"
Black Law Students Association Course Review, May, 2005

"What's Admissible? Evidence Issues in Your Courtroom"
Judicial College of the Supreme Court of the State of Ohio, Columbus, Ohio, December, 2004

"Professional Relationships and Obligations of Lawyers"
New Lawyer Training Program, December, 2004

"Evidence"
Black Law Students Association Course Review, December, 2004

"Candor, Competence, Conflicts and Confidentiality in the Ohio Code of Professional Responsibility and Under the Proposed Ohio Rules of Professional Conduct"
Cuyahoga County Criminal Defense Lawyers Association, November, 2004

"Developments in Ohio Evidence Law; Questions, Answers and More Questions"
Cuyahoga County Bar Association, Municipal Court Committee, Independence, Ohio, October, 2004

"Legal Ethics and Professionalism"
Orientation Lecture, College of Law, August, 2004

"Evidence Under Federal and State Rules"
Supreme Bar Review, June, 2004

"Civil Procedure"
Black Law Students Association, May, 2004

"Property"
Black Law Students Association, May, 2004

"The Hamdi and Padilla Cases Recently Argued in the United States Supreme Court"
Faculty and Law School Presentation, College of Law, May, 2004
"Law School Studies and Examination Preparation"
Hispanic Law Students Association, February, 2004

"The Making of Objections"
Trial Practice Intersession, January, 2004

"The Model Rules of Professional Conduct" (videotape presentation for nationwide use)
Supreme Bar Review, January, 2004

"The Federal Rules of Evidence" (videotape presentation for nationwide use)
Supreme Bar Review, December, 2003

"Evidence"
Black Law Students Association, December, 2003

"Lawyers' Education and Legal Careers"
A.B. Hart Middle School, November, 2003

"The Pedagogical Legitimacy, Utility and Feasibility of In-Class Quizzing"
Faculty Presentation, College of Law, October, 2003

"First Year Study and Exam Preparation and Performance"
Academic Excellence Program, October, 2003

"Freedom of Artistic Expression and the Power of the Purse" (Moderator)
Law and Urban Planning Conference, September, 2003

"Contemporary Issues in Legal Ethics"
Cleveland Employment Lawyers Association, September, 2003

"Evidence Under Federal and State Rules"
Supreme Bar Review, Columbus and Cleveland, Ohio, June, 2003

"Ohio Legal Ethics"
Supreme Bar Review, Cincinnati and Cleveland, Ohio, June, 2003

"The Making of Objections"
Trial Practice Intersession, January, 2003

"Constitutional Law"
Black Law Students Association, December, 2002

"Law School Professionalism: Ethical Duties of Faculty and Students"
Faculty Lecture Series, October, 2002

"Civil Rights and Civil Liberties"
St. Ignatius High School, September, 2002

"Independence Day and the Constitution"
Radio Broadcast, June, 2002
"Evidence Under Federal and State Rules"
DVD Bar Review, June, 2002

"Ohio Legal Ethics"
DVD Bar Review, June, 2002

"Constitutional Law"
Black Law Students Association, May, 2002

"School Vouchers: What Are They Worth?"
Faculty and Law School Presentation, April, 2002

"The Establishment Clause"
St. Ignatius High School, February, 2002

"The Making of Objections"
Trial Practice Intersession, January, 2002
ACADEMIC EMPLOYMENT

Cleveland-Marshall College of Law, Cleveland, Ohio
8/2010-Present, Associate Professor and Director, Center for Health Law & Policy
8/2008-5/2010, Assistant Professor

COURSES:

Real Property I & II
Estates & Trusts
Inheritance Rights of Children Seminar
Aging and the Health Care System Seminar

LAW SCHOOL COMMITTEES:

Dean Search Committee (Member, 8/2010-5/2011)
Faculty Appointments Committee (Member, 8/2008-5/2011)
Health Law Special Committee (Member, 8/2008-5/2009; Chair, 8/2009-Present)
Ad Hoc Committee to Review Curriculum and Academic Programs (Member, 8/2009-5/2011)
Ad Hoc Named Professorship Committee (Member, 8/2009-12/2009)

OTHER LAW SCHOOL SERVICE:

Faculty Advisor, Asian Pacific Islander Law Student Association (8/2011-Present)
Faculty Advisor, Health Law Society (8/2009-Present)
Faculty Advisor, Black Law Student Association (8/2008-Present)
Faculty Advisor, Journal of Law & Health (8/2008-Present)
Faculty Coach, Frederick Douglass Moot Court Team (8/2009-Present)

UNIVERSITY COMMITTEES:

Admissions and Standards Committee (8/2011-Present)
Institutional Review Board (IRB) (Member, 8/2009-Present)
Center for 21st Century Health Professions (Member, 8/2009-Present)
Faculty Senate (Member, 8/2008-5/2010)
McNair Scholars Program (Mentor, 6/2011-Present)
AWARDS/RECOGNITION:

Brocher Foundation Visiting Researcher (Summer 2012)
Stetson University College of Law Visiting Scholar (Spring 2012)
Provost Merit Recognition Award (Spring 2011)

University of Pittsburgh School of Law, Pittsburgh, Pennsylvania

COURSES

Real Property
Estates & Trusts
Real Estate Transactions

COURSES:

Real Property I & II
Torts I & II
Wills & Trusts
Environmental Justice Seminar
Real Estate Transactions
Sports Law

LAW SCHOOL COMMITTEES:

Faculty Recruitment Committee (8/2004-5/2007)

OTHER LAW SCHOOL SERVICE:

Faculty Advisor, Black Law Student Association (8/2003-5/2007)
Faculty Advisor, Arab & Chaldean Law Students’ Association (8/2003-5/2007)
Faculty Advisor, Phi Alpha Delta (8/2003-5/2007)

RECOGNITION:

James T. Barnes, Sr. Memorial Faculty Scholar Award (Spring 2004)
Seattle University School of Law, Seattle, Washington
5/2005-8/2005, Summer Visiting Professor

COURSE:

Tort Law

Hamline University School of Law, St. Paul, Minnesota
8/2002-5/2003, Visiting Professor

COURSES:

Real Property II
Wills & Trusts
Legal Writing & Research

William Mitchell College of Law, St. Paul, Minnesota
6/2001-7/2001, ABA CLEO Summer Institute Professor

COURSES:

Legal Reasoning
Tort Law

SCHOLARLY PUBLICATIONS

LAW REVIEW ARTICLES


Graveside Birthday Parties: The Legal Consequences of Forming Families Posthumously, 60 CASE W. RES. L. REV. (Summer 2010).

Two Fathers, One Dad: Allocating Paternity Between the Men Involved in the Artificial Insemination Process, 13 LEWIS & CLARK L. REV. 949 (Fall 2009).


What You Don’t Know Can Hurt You: The Importance Of Information In The Battle Against Environmental Discrimination, 29 WM. & MARY ENVTL. 327 (Winter 2005).


BOOKS:

THE INHERITANCE RIGHTS OF CHILDREN: CASES AND MATERIALS (Carolina Legal Press, 2010).


THE LAW OF TRUSTS (E-BOOK), (CALI forthcoming 2012)

OTHER PUBLICATIONS:


Do You Like My Body: The Sad Saga Of Anna Nicole’s Final Time In The Spotlight, On The Docket, DETROIT LEGAL NEWS (Mar. 8, 2007).

Let She Who Has The Womb Speak, On The Docket, DETROIT LEGAL NEWS (Mar. 8, 2006).

The connection between abused animals, children, On The Docket, DETROIT LEGAL NEWS (Mar. 28, 2005).

Lewis, Booth & Hanson, KINSHIP CARE RESOURCE MANUAL, 1st ed. (1995).

PRESENTATIONS:

November 5, 2011, Exploring the Family, Joint Conference of Asian American Law Faculty (CAPALF) and Northeast People of Color Conference (NEPOC), Hofstra University, Hempstead, New York, *Balancing the Inheritance Rights of Marital and Nonmarital Children.*


October 9, 2008, Junior Faculty Exchange, Capital University School of Law, Columbus, Ohio, *Dead Men Reproducing: Responding To the Existence of Afterdeath Children.*


October 17, 2007, Faculty Workshop, Cleveland Marshall College of Law, Cleveland, Ohio, *The Intestacy System And The Evolving Family.*

Summer 2002, Works-In Progress, Northeast People of Color Scholarship Conference, Bahamas, *The Extraterritorial Application of NEPA.*

WORKS-IN PROGRESS

*Until Health Do Us Part: Expanding the Availability of Assisted Suicide*

*Due Date: Remedying Surrogate Contract Breaches*

*Abolishing Spendthrift Trust in the Interest of Fairness*

*CHILDREN OF THE DEAD: POSTHUMOUS REPRODUCTION*
PRACTICE EXPERIENCE


2/1999-2/2000  Family Law Attorney, West Texas Legal Services, Wichita Falls, TX

8/1993-12/1995 Elder Law Attorney and EEO Officer, Mid-Minnesota Legal Assistance, Minneapolis, MN


EDUCATION

August 1997  University of Houston School of Law, Houston, TX
L.L.M. in Energy And Environmental Law

July 1989  Humphrey Institute of Public Affairs, Minneapolis, MN
M.P.A. in Administration and Land Use Policy
Master’s Thesis: External Factors That Put Issues On The Legislative Agenda: A Case Study Of The Issue Of Child Abuse
Honors: APPAM Fellowship; Cum Laude

May 1988  University of Minnesota School of Law, Minneapolis, MN
J.D.

December 1983  Grambling State University, Grambling, LA
B.A. in Political Science
Honors: Valedictorian, Summa Cum Laude

AWARDS

Summer 1984  Association for Public Policy Analysis and Management Senior Fellowship
Harvard University, John F. Kennedy School of Government

Summer 1983  Policy Skills Fellowship
University of Minnesota Hubert H. Humphrey Institute of Public Affairs
Summer 1982 Summer Graduate School Orientation Fellowship Carnegie-Mellon University

BAR MEMBERSHIP: Minnesota, October 1988

PROFESSIONAL AFFILIATIONS:

Member, Society of American Law Teachers
Member, Association of American Law Schools (Health, Environmental Law, Minority, Property, Wills & Trusts Sections)
Member, American Bar Association, Legal Education Section
Board Member, Joint Commission PTAC
Member, American Society of Law, Medicine & Ethics
Contributing Editor, Estate & Trusts Jotwell Blog
GWENDOLYN ROBERTS MAJETTE

• 26300 Village Lane, Apt. 415 • Beachwood, OH 44122 • (301) 785 - 4865 • grm32@law.georgetown.edu

EDUCATION

Georgetown University Law Center
LL.M. with distinction, Global Health
G.P.A.: 3.6/4.0
Honors: Global Health Law Scholar

Washington, DC
February 2009

The George Washington University School of Law
J.D.
Honors: Dean’s Fellow

Washington, DC
May 1993

Emory University
B.B.A., Business Administration

Atlanta, GA
May 1989

PROFESSIONAL EXPERIENCE

Cleveland State University – Cleveland - Marshall College of Law
Assistant Professor of Law – The Center for Health Law and Policy
Teaching Health Law, Law and Medicine, and Contracts.

Cleveland, OH
August 2010 - Present

American University Washington College of Law
Lecturer – Health Law and Policy Institute

Washington, DC
June 2009, June 2010 & June 2011

United States Senate
Office of Senator Debbie Stabenow
Legislative Fellow
Worked on MEDICARE, MEDICAID, CHIP, and health care reform policy. Drafted legislation to encourage the use of health information technology and to improve the quality of physician care. Worked with hospital leadership and insurance administrators to improve Medicare. Resolved problems generated by implementation of health care regulations. Prepared materials for briefings and congressional hearings. Represented the Senator at events and in constituent meetings. Participated in briefings by the Centers for Medicare and Medicaid Services, MedPAC, the Congressional Budget Office, the General Accountability Office, and think tanks focusing on health care reform.

Washington, DC
September 2008 - March 2009

United States House of Representatives
Committee on Ways & Means - Health Subcommittee
Fellow
Analyzed proposed legislation related to health research. Drafted proposed legislation on MEDICARE Part B reimbursement. Participated in legislative strategy discussions on MEDICARE and CHIP legislation. Conducted document reviews and drafted sample questions for congressional hearings. Participated in briefings by CMS and members of the health care industry. Drafted briefing and information memos. Resolved problems generated by implementation of health care regulations.

Washington, DC
September 2007 - May 2008

Florida Coastal School of Law
Assistant Professor
Taught Health Care Law which covers the regulation of the access, quality, and financing of health care, including Medicare, Medicaid, CHIP, HIPAA, private insurance, and universal coverage. Taught Law & Medicine which covers the creation and termination of the doctor-patient relationship; confidentiality; informed consent; licensing of physicians and health care institutions; and medical malpractice. Taught Contracts and Professional Responsibilities.

Jacksonville, FL
August 2005 - August 2007

Campbell University School of Law
Visiting Assistant Professor
Taught Health Care Law and Contracts.

Buies Creek, NC
August 2004 - May 2005
GWENDOLYN R. MAJETTE
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Howard University
SCHOOL OF LAW - Legal Writing Instructor
Taught law students how to analyze and research legal issues; write and speak persuasively; draft legal documents; and make an oral argument. Taught Health Care Law during the Spring 1998 semester.

SCHOOL OF MEDICINE - Adjunct Assistant Professor
Taught Health Care Ethics to health care professional students through a multi-disciplinary approach.

People to People Health Law Delegation
Health Law Delegate
Met with key public and private sector players in the South African health care delivery system, such as the legal advisor to the Minister of Health and the executive officer to the Hospital Association of South Africa, to discuss the strengths and weaknesses of health care delivery in South Africa.

Washington Hospital Center
Volunteer & Contract Attorney
Provided legal advice to hospital administrators on multiple issues, including medical licensure for physicians, informed consent for research proposals, and hospital liability for organ preservation procedures. Developed the Midlantic Legal Fellowship program.

Jackson & Campbell, P.C.
Associate
Reviewed managed care contracts. Drafted policy and procedures for revoking nursing certificates. Took depositions, prepared witnesses for trial, and interviewed potential witnesses and clients. Drafted memoranda, motions, briefs, and opinion letters on issues related to health care, medical malpractice, and insurance coverage.

PUBLICATIONS

• Gwendolyn Roberts Majette, PPACA and Public Health: Creating a Framework to Focus on Prevention and Wellness and Improve the Public’s Health, ___ J.L. Med. & Ethics ___ (forthcoming Fall 2011).


ACADEMIC PRESENTATIONS

• ASLME and Loyola University Chicago School of Law – The 34th Annual Health Law Professors Conference June 2011

* Presenter – Coherency within the Patient Protection and Affordable Care Act: A Framework to Create a Health Care System that Protects the Human Right to Health
GWENDOLYN R. MAJETTE
Page 3

• Yale University – Unite for Site Global Health and Innovation Conference
  April 2010
  ▪ Poster Presentation: Global Health Governance: The Impact of Global Health Law on Efforts to Strengthen Health Systems

• American University Washington College of Law:
  The Presidency of Barack Obama, The Legacy of Senator Ted Kennedy: Has the Time for Health Care Reform Arrived?
  September 2009
  ▪ Presenter – President Obama’s Framework for Health Care Reform

• American University Washington College of Law:
  Obama vs. McCain, Forum on the Presidential Candidates’ Health Care Reform Platforms
  September 2008
  ▪ Presenter – Obama’s Plan to Improve Health Care for All Americans

• University of Maryland School of Law: 30th Annual Health Law Teachers Conference
  June 2006
  ▪ Poster Presentation: Innovative Entrepreneurial Medicine & Access to Care

• Yale Law School: The Legacy of Brown v. Board of Education - Reflections of the Last 50 Years
  April 2004
  ▪ Facilitator - Brown 101

• Howard University School of Law: Legal Reasoning in Action: Learning by Doing
  March 2000
  ▪ Presenter -- That’s Interesting, But What Does the Case Say?

• Howard University Women's Health Institute: "Health Issues and Concerns of Women of Color: A Call to Action"
  April 1999
  ▪ Conference Planning Committee
  ▪ Panel Moderator - Access: What A Difference Color Makes

PRESENTATIONS, CONSULTING & CLE

• United States Department of Health and Human Services, HRSA, BPHC,NHS C
  National Health Service Corps from Training to Service: Meeting the Needs of the Underserved
  June 2011; August 2010; August 2009; August 2008; August 2007; August 2006; September 2005; September 2004; June 2002
  ▪ Presenter – Negotiating Your Contract: Another Foreign Language

• United Way of America
  2009 United Way Capitol Hill Day
  February 10, 2009
  ▪ Presenter – An Overview of Health Care Reform in the 111th Congress

• World Learning for International Development, Center for International Understanding, Bluefield State College
  June 4 - 10, 2005
  ▪ Lead Trainer – Constitutional Judges Study Tour – Macedonia

• United States Department of Health and Human Services, Centers for Disease Control and Prevention (CDC)
  August & May 2003
  ▪ Chair – CDC Special Emphasis Review Panel for Research on the Impact of Law on Public Health

• Introduction to Health Care Law Series, D. C. Bar CLE Program
  September 1997 - February 1998
  ▪ Course Design and Planning Committee
GWENDOLYN R. MAJEITE
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BAR ADMISSIONS

• Maryland
• District of Columbia
• United States Supreme Court

CIVIC ACTIVITIES

• Barack Obama for President
  • Obama Volunteer Health Policy Committee (May 2008 – November 2008)

• Virginia Protect the Vote 2008
  • Election Day Attorney Volunteer

PROFESSIONAL ASSOCIATIONS

• American Health Lawyers Association
• American Society of Law Medicine & Ethics
• Charlotte E. Ray American Inn of Court: Secretary 1996; member 1995 - 1996
• District of Columbia Bar Health Law Section: Elected Steering Committee Member 1997 - 1999;
  Programs and Education Committee 1996 - 1997
1

CURRICULUM VITA
Ralph D. Mawdsley

Home Address                          University Address
190 Burns Road                        Cleveland State University
Elyria OH 44035                        Department of Counseling,
Phone: (440) 365-2468                  Administration,
                                          Supervision,
                                          and Adult Learning (CASAL)

EDUCATION

<table>
<thead>
<tr>
<th>Degree</th>
<th>Educational Institutions</th>
<th>Graduation</th>
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<tbody>
<tr>
<td>B.A.</td>
<td>Augustana College (IL)</td>
<td>1963</td>
<td>Political Science</td>
</tr>
<tr>
<td>J.D.</td>
<td>University of Illinois</td>
<td>1966</td>
<td>Law</td>
</tr>
<tr>
<td>M.A., Ph.D.</td>
<td>University of Minnesota</td>
<td>1972,74</td>
<td>Educational Administration</td>
</tr>
</tbody>
</table>

RANK AND TITLE

Professor and Roslyn Z. Wolf Endowed Chair in Urban
Educational Leadership, College of Education and Human
Services

PROFESSIONAL EXPERIENCE

LEGAL EXPERIENCE

1964-66 - Research Assistant - Prof. Jeffery O’Connell (U.
Of Ill. College of Law)
1965 (summer) - John Deere Corporate Counsel’s Office
(Moline IL)
1967 - Assistant County Attorney (Vermilion County, IL)
1979-80 - (Part time) Howard Crabtree Law Office
(Minneapolis MN)
1980-91 - Administrative Counsel - Liberty University (Lynchburg VA)

PRIOR NON-LEGAL OCCUPATIONAL EXPERIENCE

1968-80 - Teacher and Superintendent - public and private schools (Aurora IL and Minneapolis MN)
1980-91 - Professor of Educational Law and Religion, Dean of Oxford Study Program, Vice President of Human Resources, Liberty University
1991 - Present - Professor of Education, Cleveland State University
2008-Present - Roslyn Z. Wolf Endowed Chair of Urban Educational Leadership

Visiting/Adjunct Professorships

1975- Adjunct Professor (School Law), University of Minnesota
1984 - Visiting Professor of Education (School Law), Boston College
1993 - Adjunct Professor, Regent University School of Law (Virginia Beach VA)
2005- Present - Visiting Professor of Education Law (University of Pretoria, South Africa)
2007-Present - Visiting Professor of Education Law (North-West University, Vaal Triangle, South Africa)
2009- Visiting Professor of Education and Law (Griffith University College of Education, Brisbane, Australia and Queensland University of Technology School of Law, Brisbane)
2009-Present - Adjunct Professor (Graduate Institute of Educational Research, Griffith University)
2012 - Visiting Professor of Education Law (University of the Free State, Bloemfontein, South Africa)

MEMBER OF EDITORIAL/ADVISORY PUBLICATION BOARDS/COMMITTEES

Editorial Advisory Committee, West's Education Law Reporter (1981-Present)
Advisory Committee, Brigham Young University Journal of Law and Education (2000 - Present)
Editorial Board, De Jure, Faculty of Law, University of Pretoria, South Africa (2007-Present)
Editorial Board, International Journal of Education Reform (2008-
Present)
Editorial Board, Education and Urban Society (2010-Present)

PROFESSIONAL LEADERSHIP/SERVICE ROLES OUTSIDE CSU

Co-Editor, Education Law Into Practice (1996-Present)
Co-Chair, Program Committee, Education Law Association
President, Education Law Association (2001)
Chair, Program Committee, Education Law Association
Forty-Fifth Annual Conference, Chicago (1999)
Cleveland Public Schools administrator evaluation team (1996, 1997)
Board of Directors, Education Law Association (1984-88)

LEADERSHIP ROLES WITHIN THE UNIVERSITY OR COLLEGE OF EDUCATION AND HUMAN SERVICES

University Copyright Review Committee (2007-2014)
Graduate College Petitions Committee (1997- Present)
Graduate Faculty Review Committee (2004-2008)
COEHS Representative on Provost Search Committee (2007)
College of Education and Human Services Peer Review Committee (Chair - 2006, 2012-Present)
Distinguished Faculty Teaching, Research and Service Awards Committee (2004, 2009)
University Peer Review Committee (2002-05) (Chair - 2003, 2004, 2005)
University Advisory Professional Leave Committee (2001-05)
Graduate College Grade Dispute Committee (1993-1997)
Chair, Department of Counseling, Administration, Supervision, and Adult Learning (CASAL), College of Education, Cleveland State University (July 1993 - July 2000)

PROFESSIONAL ORGANIZATIONS - MEMBERSHIP

Illinois Bar Association (since 1966)
Minnesota Bar Association (since 1979)
Education Law Association (U.S.) (since 1974)
Australia/New Zealand Education Law Association (ANZELA) (since 2002)
South Africa Education Law Association (SAELA) (since 2003)

Honors/Professional Recognition

Honorary Doctorate (D.Ed. – honoris causa), University of Pretoria, South Africa - April, 2010
Achievement Award - Australia/New Zealand Education Law Association (ANZELA) (2009)
Fulbright Senior Specialist (2009) – Visiting Professor of Law, Queensland University of Technology Faculty of Law and Visiting Professor of Education, Griffith University, Brisbane, Australia
Roslyn Z. Wolf Endowed Chair in Urban Educational Leadership (2008 – Present)
Sir Alan Sewell Visiting Professor Fellowship (Visiting Professor of Education and Law), Griffith University, Brisbane, Australia (2007)
Fulbright Scholar (2005) – Visiting Professor of Law and Education, University of Pretoria, South Africa
Education Law Association (ELA) Marion McGhehey Award for Outstanding Service in the Field of Education Law (2004)
Cleveland State University Distinguished Faculty Teaching Award (2003)
Cleveland State University Dr. Jennie Hwang Award for Faculty Excellence (2003)

PUBLICATIONS

BOOKS


Mawdsley, R., (2000) *Legal Problems of Religious and*


ARTICLES IN REFEREED PERIODICALS
De Waal, E. and Mawdsley, R. “Student/Learner Allegations of Teacher Sexual Misconduct: Teacher’s Right to Privacy and Due Process,” 44 De Jure 74 (2011)


Mawdsley, R. “Parents’ Right to Direct Their Children’s Education: Examining the Interests of the Parents, the Schools, and the Students,” 258 Education Law Reporter 461 (2010)


Mawdsley, R. “Fair Use and the Copyright Act,” 74 School Business Affairs 17 (2008)


Mawdsley, R. “Parent Liability for the Intentional Acts of Their Children Under Common Law Negligence Theories and


Mawdsley, R. and Beckmann, J. “Who is a Parent for Purposes of Making Education Decisions on Behalf of Children? A
Comparison of Approaches Taken by the United States and South Africa,” 39 De Jure 354 (2006)


Mawdsley, R. “Noncustodial Parents' Right To Direct The Education Of Their Children,” 199 Education Law Reporter 545 (2005)


Russo, C. and Mawdsley, R., “And the Walls Keep Tumbling Down: The Supreme Court Upholds Religious Liberty in Good News Club v. Milford Central School,” 157 Education Law Reporter 1 (2001); Judicial Citation: Bronx Household of


Mawdsley, R., “Prayer at High School Graduations: Is the Supreme Court Signaling An End to the Practice?” 151 Education Law Reporter 725 (2001)


Mawdsley, R. “Let Us Pray?” 1 Principal Leadership 20 (2001)


Mawdsley, R. "Home Schools and the Law," 137 Education Law Reporter 1 (1999); Legislative Citation, Cal. Educ. Code, T. 2, D. 4, Pt. 27, Ch. 2


Mawdsley, R., "Parental Rights and Home Schooling: Current Home School Litigation," 135 Education Law Reporter 313 (1999); Legislative Citation, West's Annotated California Codes Education Code Title 2. Elementary and Secondary Education Division 4. Instruction and Services Part 27. Pupils Chapter 2


Mawdsley, R., "Should Seat Belts Be Required on all School


Mawdsley, R., "Limiting the Right of Religious Educational


Mawdsley, R. and Russo, C., "High School Prayers at


Mawdsley, R., "Sex Discrimination in Education: The Next National Public Policy?" 20 Education Law Reporter 821


REFERENCES IN COURT OPINIONS

Russo, C. and Mawdsley, R. EDUCATION LAW § 5.09 (14th ed. 2010).

Russo, C. and Mawdsley, R. EDUCATION LAW § 1.04[3], at 1-19 through 1-20 (2008).


Russo, C. and Mawdsley, R. EDUCATION LAW § 4.05[1], at 4-20 to 4-21 (2007 update)


McComas v. Board of Educ. of Fayette County, 475 S.E.2d 280, 296 (W.Va. 1996)


REFERENCES IN FEDERAL AND STATE STATUTES

42 U.S.C. sec. 1982
UNITED STATES CODE ANNOTATED TITLE 42. THE PUBLIC HEALTH AND WELFARE CHAPTER 21—CIVIL RIGHTS SUBCHAPTER I—GENERALLY § 1982. Property rights of citizens

42 U.S.C. sec. 1983
UNITED STATES CODE ANNOTATED TITLE 42. THE PUBLIC HEALTH AND WELFARE CHAPTER 21—CIVIL RIGHTS SUBCHAPTER I--GENERALLY § 1983. Civil action for deprivation of rights

Cal. Educ. Code, T. 2, D. 4, Pt. 27, Ch. 2
WEST'S ANNOTATED CALIFORNIA CODES EDUCATION CODE TITLE 2. ELEMENTARY AND SECONDARY EDUCATION DIVISION 4. INSTRUCTION AND SERVICES PART 27. PUPILS CHAPTER 2. COMPULSORY EDUCATION LAW

Cal. Educ. T. 2, D. 4, Pt. 27, Ch. 2, Refs & Annos
WEST'S ANNOTATED CALIFORNIA CODES EDUCATION CODE TITLE 2. ELEMENTARY AND SECONDARY EDUCATION DIVISION 4. INSTRUCTION AND SERVICES PART 27. PUPILS CHAPTER 2

Ill. Stat. Ann., Ch. 720 §§ 525/1, 525/4, 525/5; Ch. 750 § 5/602, 5/607; 45/11, 45/14, 50/8, 50/9, 50/11, 50/17; 755 § 5/2-2.


Ill. Const., Art. 1, § 2


CITATIONS IN LAW TREATISES/REFERENCE WORKS


114 A.L.R.5th 1, Sufficiency of Particular Charges As Affecting Enforceability of Recall Petitions (2003)


SOLICITED CHAPTERS IN BOOKS


Remedies, Pretoria, South Africa: Center for Education Law and Policy.


Mawdsley, R. and Osborne, A. “Providing IDEA Services to Students in Private Schools: Public and Private Perspectives,” in Richard Vacca (ed.) Critical Issues in


BOOK REVIEWS/ REFEREED JOURNALS


Solicited Encyclopedia Articles


Mawdsley, R.
“Crime Awareness and Campus Security Act,” pp. 110-113
“Fair Use,” pp. 173-176
“Immigration Reform and Control Act,” pp. 269-273
“Religious Activities on Campus,” pp. 374-377
“Religious Colleges and Universities,” pp. 377-380
“State Aid and the Establishment Clause,” pp. 431-434


Mawdsley, R.
“Ansonia Board of Education v. Philbrook,” pp. 75-76
“Bender v. Williamsport Area School District”, pp. 88-89
“Board of Education of the Westside Community Schools v. Mergens,” pp. 107-108
“Chamberlin v. Dade County Board of Public Instruction,” p. 129-130
“Committee for Public Education and Religious Liberty v. Regan,” pp. 152-154
“Farrington v. Tokushige,” pp. 201-202
“Grand Rapids v. Ball,” pp. 233-234
“State Regulation of Religious Schools,” pp. 433-435
“Wisconsin v. Yoder,” pp. 466-468

Mawdsley, R.
“Agostini v. Felton,” pp. 35-36
“Child Benefit Test,” pp. 157-160
“Employment Division Department of Human
Resources v. Smith,” pp. 288-290
“Equal Access Act,” pp. 300-302
“Meyer v. Nebraska,” pp. 545-546
“Parental Rights,” pp. 611-613
“Pierce v. Society of Sisters,” pp. 637-638
“Plagiarism,” pp. 640-642
“Religious Activities in Public Schools,” pp. 683-692
“Wisconsin v. Yoder,” pp. 898-899


Mawdsley, R.
“Board of Education of the Westside Community
Schools v. Mergens,” p. 154

Mawdsley, R.
“Bannister v. Paradis,” pp. 31-32
“Cisneros v. Corpus Christi Independent School
District,” p. 77
“Gong Lum v. Rice,” p. 157
“Lau v. Nichols,” p. 211
“Lee v. Weisman,” p. 211
“Morgan v. Kerrigan,” p. 238
“Scopes v. State,” p. 332
“Wieman v. Updegraff, p. 383

**THESES**

Mawdsley, R. A Legal Analysis of the School-Home
Relationship, Ph.D. dissertation, University of Minnesota, 1974
Mawdsley, R. Implications of Corporal Punishment, M.A. Thesis, University of Minnesota, 1972

WORKSHOPS AND CONFERENCES: LECTURER OR SPEAKER


Presenter, “Employment, Homosexuality, and Religious Beliefs: Do Religious Educational Institutions Have a Protected Right to Discriminate in the Selection and
Discharge of Employees,” Symposium on The Impact of Same-Sex Marriage on Education: Implications for Schools, Curriculum, Students, Their Families, and Educational Communities, Brigham Young University, October 29, 2010

Co-Presenter, “Certification of Teachers, Pre-Teacher Education, Tests and Legal Issues: United States’ (US) History and Australian Trends,” ANZELA Conference, Sydney, October 1, 2010


Presenter, “No Child Left Behind Act: Past, Present and Future,” Griffith University faculty, Brisbane, Australia, July, 2010

Keynote Speaker, Capstone Celebration, Center for Educational Leadership, Master of Education in Organizational Leadership, Shoreby Club, Bratenaal, May 8, 2010

Commencement Speaker, University of Pretoria, April 13, 2010, Pretoria, South Africa


Presenter, “Student Discipline Issues,” Brisbane Grammar School, Brisbane, Australia, July 30, 2009

Presenter, Queensland University of Technology (QUT) Faculty of Law, “Strip Searches after the Supreme Court’s Redding Decision,” QUT Law School, July 29,
Co-presenter, “Student/Learner Allegations of Teacher Sexual Misconduct: A Teacher’s Right to Privacy and Due Process,” South Africa Education Law Association Conference, Protea Gate Kruger Hotel, Mpumalanga, South Africa, August 16-18, 2009

Presenter, “Writing to Publish,” University of Pretoria College of Education Doctoral Students, May 11-14, 2009


Co-presenter, “Professional Responsibilities of School Staff Beyond the Realms of the Classroom: The Role of Principals and Teachers in Student Searches in Australia and the United States of America,” Australia/New Zealand Education Law Association Conference, Christchurch New Zealand, Oct. 8-10, 2008


Co-presenter and conference co-organizer, “School Safety and Security,” Eighth Annual University of Bridgeport Education Law Conference, Bridgeport CT, April, 2008

Co-presenter, “Reconsidering Educational Malpractice as a Remedy to Address Ineffective Teaching,” Sixth Annual Commonwealth Education Law Conference, Richmond VA, April 2008


Presenter, “Search and Seizure in the U.S.,” Griffith University School of Education Symposium, Brisbane, Australia October, 2007


Keynote Speaker, Colloquium on “Best Interest of the Child and Inclusive Education,” North-West University, Potchefstroom, South Africa, August, 2007


Presenter on “Providing IDEA Services to Students in Private Schools: Public and Private Perspectives,” Fifth Commonwealth Education Law Conference, Williamsburg, VA., April 2007


Presenter on “Search and Seizure: Constitutional Acceptable Policies,” University of Bridgeport Education Law Conference, April, 2007


Co-presenter on “Bullying in U.S. and Australia Schools,” Australia/New Zealand Education Law Association Conference, Hobart, Tasmania, October, 2006


Co-presenter on “Sticky Issues in Religion and Public Schools,” Fourth Virginia Commonwealth Education Law

Co-presenter on “Religion in Public Schools,” Education Law Association (ELA) Conference, Memphis, TN, November, 2005


Presenter on “Religious Access to Public Schools: Have the Courts Opened Pandora’s Box,” Third Virginia Commonwealth Education Law Conference, April 29, 2005, Norfolk VA.

Speaker on “Safety in Education,” World Conference on the Right to and Rights in Education,” Amsterdam-Tillburg, The Netherlands, November 28, 2004

Co-presenter on “Comparing the Approaches by the United States and Australia to School District Accountability,” Fiftieth Annual Education Law Association (ELA) Conference, Tucson AZ, November, 2004


Co-Presenter on “Comparing the Approaches by Australia and the United States to School District Accountability,” Australia/New Zealand Education Law Association (ANZELA) Thirteenth Annual Conference, September 23,
2004, Wellington, New Zealand


Presenter on “How to Deal with Public School Demands Involving Religion,” Eleventh Annual Education Law Conference, Portland, ME, July 2004

Co-presenter on “Australia and the NCLB: Did Australia Have It First?,” International Association for Education Assessment, Philadelphia, PA, June 2004


Presenter on “Searching for the Best Manner to Protect Students and Employees: An Update on the Fourth Amendment,” Second Virginia Education Law Conference, Richmond, VA, April 2004

Presenter on “Update on Religion,” Leadership Update for School Heads sponsored by Kent State University, Middleburg Heights, OH, October, 2003


Presenter on “Search and Seizure in Public Schools: An American Perspective of the Right to Privacy” and “Teacher Privacy and School Control Over the Workplace: an American Perspective,” South Africa Education Law and Policy Association (SAELPA),
Magoebaskloof, South Africa, September, 2003


Presenter on “Fourth Amendment Update: Searching for the Best Manner to Protect Students and Employees,” Virginia Education Law Conference, Williamsburg VA, April, 2003


Presenter on, “Parents, Vouchers and the Dark Side of the Force,” Brigham Young University Education Law Institute, Provo, Utah, October 2002


Presenter on, “Preventing Trouble: Legality of Random Testing,” Ninth Annual Education Law Institute, Franklin Pierce Law Center, Concord NH, July 2002

Conference co-organizer and presenter, “Vouchers and Public Schools: Will the Supreme Court Get It Right?”, University of Bridgeport Education Law Conference, April 11, 2002


Keynote speaker, “Whatever Happened to Parents’ Rights?”, Brigham Young School Law Institute, Provo, Utah, October, 2001

Presenter on religion and public schools, Fourth Annual Education Law Conference, University of Bridgeport, April 4-5, 2001

Presenter on values orientation in American public schools at International Conference on Comparative Education Law sponsored by Max Plank Institute of Human Development, Berlin, Germany, March 29-31, 2001

Presenter on the internet and religious issues facing secondary principals, NASSP Conference, March, 2001, Phoenix

Presenter on collegiality as a factor in tenure decisions at Education Law Association Conference, November 2000, Atlanta

Presenter on liability and students with disabilities, Seventh Annual Franklin Pierce Education Law Institute, July, 2000

Presenter on principals and internet law, NASSP Convention, February 2000, San Antonio

Presenter on private and religious school vouchers at Education Law Association Conference, November 1999, Chicago

Presenter on negligence and special education, Franklin Pierce Law Center Sixth Annual Education Law Institute, August 1999, Concord NH

Workshop presenter on religion and public schools, Cleveland State University, June 1999

Adjunct Professor, Regent University School of Law, teaching course on School Law, Spring Semester, 1999

Presenter on collective bargaining and religious schools at Education Law Association Conference, November, 1998, Charleston, SC
Presenter on religion and public schools at Fifth Annual Education Law Institute, Franklin Pierce Law Center, Concord, New Hampshire, August 1998

Greater Cleveland Adult Education Council speaker on sexual harassment, April 1998

Education Law Association Convention presenter on the Establishment Clause and Public Policy: Can We Find Common Ground, Seattle WA, November 1997

Education Law Association Summer Seminar presenter on religious issues in public schools, August, 1997

Convention special topics presenter on establishment clause and the wall of separation between church and state, ELA (NOLPE) Convention, November, 1996

Convention general session speaker on Religion and Education, NOLPE Convention, November, 1995

Convention special topics presenter on plagiarism and higher education, NOLPE Convention, November, 1995

Convention speaker on Comparison of Public and Nonpublic Employment Discrimination, NOLPE Convention, November, 1994

Speaker at career development conference for prospective public school administrators and counselors, Lake County, Ohio October, 1994

Guest lecturer in course on nonpublic school law, Ursuline College, September, October, November 1994

Convention speaker on Legal Liabilities and Limitations for Religious Educational Institutions Under ADEA and Title VII at NOLPE Convention, November, 1993

Presenter on religion and public schools to Cleveland area public school administrators, October, 1993

Conference organizer of, and speaker on government aid to religious schools at, Nonpublic School Law Conference, Cleveland State University, October, 1993

Conference organizer of, and speaker on negligent hiring
In-service presenter for Lakewood School District administrators on negligent hiring and retention, April, 1993

Workshop speaker for Lorain County, Ohio administrators on negligent hiring and retention, April 1993

Convention speaker on Emerging Legal Problems for Nonpublic Schools at NOLPE Convention, November, 1992

Presenter to Liberty University faculty at pre-school in-service on subject of sexual harassment, August, 1992

Presenter to Lorain County administrators, Maumee Bay State Park, August, 1992

Convention speaker on Free Speech and Censorship, NOLPE Convention, November 1991.

Conference speaker on Legal Liability for Pastors, Liberty University, October, 1991


Panel participant on Art or Pornography, Liberty University, October, 1990.

Visiting lecturer, Liberty University Oxford Study Center, Wycliffe Hall, Oxford University, July - August, 1990.

Convention speaker on Removal of School Board Members, NOLPE Convention, November, 1989.


Visiting lecturer, Liberty University Oxford Study Center, Wycliffe Hall, Oxford University, July - August, 1989.

Conference speaker on Special Education at Danforth Foundation Seminar for educators and judges, October, 1988.

Visiting lecturer, Liberty University Oxford Study Center, Wycliffe Hall, Oxford University, July - August, 1988.


Conference speaker on the British - American Connection in Law, Society of Educators and Scholars Convention, October, 1987.

Visiting lecturer, Liberty University Oxford Study Center Wycliffe Hall, Oxford University, July - August, 1987.

Lecturer on Tort Liability to Minnesota Vocational - Technical Instructors, August, 1986.


Conference speaker on Confidentiality and Religious Workers, Liberty University, October, 1985.

Lecturer on Tort Liability to Minnesota Vocational - Technical Instructors, August, 1985.

Convention speaker on Teacher Dismissal in Public and Private Schools, NOLPE Convention, November, 1984.

Visiting Professor, Boston College, July, 1984.

Conference speaker on Section 1983 and Private Schools, NOLPE Convention, November, 1983.

Conference speaker on Educational Diversity at Harvard
University Graduate School of Education, April, 1983.

Convention speaker on State Regulation of Religious Schools
NOLPE Convention, November, 1982.

Conference speaker on Student Discipline to Trenton NJ
Archdiocese, November, 1982.

Conference speaker on Nonstudent Access to Public Schools a
Liberty University Youth Conference, October, 1982.

Faculty forum speaker on Legal Constraints on Institutional
Decision – Making to faculty and administration at
Liberty University, November, 1981.

Convention speaker on Copyright Law at NOLPE Convention,
November, 1981.

Lecturer on Legal Liability of Teachers and Administrators,
Copyright Law, and Child Abuse Reporting to ACSI
Convention, October, 1980.

Lecturer on Liability of Administrators and Board Members,

Lecturer on Child Abuse Reporting to Private School
Educators at Liberty University Educators Conference, October, 1980.

Lecturer on Tort Liability to Adult Directors of Minnesota

Lecturer on Tort Liability to Minnesota Vocational –

Lecturer on Tort Liability, Search and Seizure, and Student

Lecturer on the College Student and Discipline, Elementary
and Secondary Student Discipline, and Educational
Malpractice, Bradley University Law Conference, April, 1979.

Lecturer on Tort Liability to Minnesota School Nurses
Association, April, 1979.
Lecturer on Tort Liability to Dakota County (Minn.) Vocational - Technical Center Staff, November, 1978.

Lecturer on Tort Liability to Minnesota Vocational Administrators and Directors, November, 1978.


Lecturer on Tort Liability to Minnesota Vocational - Technical Administrators, August, 1978.

Lecturer on Student Discipline (K-12) and the Law and the College Student at Bradley University Law Conference, April, 1978.

Lecturer on Student discipline (K-12) and the Law and the College Student to Wisconsin Administrators and Students, November, 1977.

Lecturer on Tort Liability to Minnesota Vocational - Technical Directors and Instructors, August, 1977.


Lecturer on Tort Liability to Minnesota District 281 Coordinators, November, 1976.


Lecturer on Tort Liability to Minnesota Vocational - Technical Directors, September, 1976.


Organizer and Conference lecturer on Administrator
Liability to Minnesota Principals, December, 1975.

Lecturer and consultant to Catholic Archdiocese on Student Records, January, 1975.


Workshop lecturer on School Tort Liability and Student Rights to Minnesota Vocational - Technical Directors, April, 1973.

Workshop lecturer of Evidence to Vermilion County police officers, May, 1967.

EXTERNAL REVIEWER (DISSERTATIONS FROM FOREIGN UNIVERSITIES)

Willie Van Vollenhoven, University of Pretoria, South Africa (2005)

Elizabeth Dickson, University of Queensland, Australia (2007)

Kandali Nuugwedha, University of Pretoria, South Africa “Management of the Right to Education in Rural Early Childhood Development Community Centres in Namibia” (2008)

Mui Kim Teh, University of Southern Queensland, Australia “Schools and the Law: Emerging Legal Issues Internationally with Implications for School Leaders in Singapore” (2008)

Marius Smit, North-West University, Potchefstroom, South Africa “A Model for the Improvement of Democratic School Governance in South Africa - An Education Law Perspective” (2009)


**COURSES TAUGHT**

**GRADUATE COURSES- CLEVELAND STATE UNIVERSITY**

Special Education Law – ADM 674  
Sports Law – PED 565  
School Law – ADM 613  
Educational Behavior and Change-EDE 645/745  
Collective Bargaining and Contract Management-EDE 642/742  
Higher Education Administration: Organization and Leadership -EDE 669  
School Finance and Economics - EDE 643/743  
Urban Education: Organizational Change and Development - EDU 809  
Planning, Marketing, and Budgeting in Non-Profit Organizations - ALD 679
CLAIRE C. ROBINSON MAY

EDUCATION

Case Western Reserve University School of Law, J.D. *cum laude*, 1996
- Case Western Reserve University Law Review
- Merit Scholar (full-tuition)
- Class rank at graduation: top 11%

Harvard College, A.B. *magna cum laude*, History and Science, 1993

TEACHING EXPERIENCE

Cleveland-Marshall College of Law, Cleveland State University, Aug. 2001 - present

*Legal Writing Professor of Law (2003-present); Lecturer in Legal Writing (2001-2002)*
- Full-time professor of legal writing, research, and advocacy. Full instructional responsibility for 1-2 sections of required first-year legal writing course, including design of syllabus and assignments. Instruct students in legal analysis, legal research skills, Bluebook citation, and objective and persuasive writing in memorandum and trial brief formats. Conference regularly with students to provide individualized feedback and instruction. Incorporate active learning techniques into classroom instruction and assignments. Present orientation sessions for first-year law students. Serve as advisor for second-year law students undertaking independent scholarly research and writing projects to satisfy upper level writing requirement. Teach upper level writing courses, including legal writing and litigation course in which class divides into rival law firms to develop and litigate case. Authored first-year legal writing teaching materials with support of summer teaching enhancement grant.

*Legal Writing Department Administrative Liaison (2007-2008 academic year)*
- Served as interim administrative leader of legal writing department. Communicated with administration on issues relating to legal writing program. Conducted departmental meetings, encouraged professional development, and facilitated exchange of ideas among legal writing faculty. Mentored junior colleague including classroom observation and feedback on teaching materials and techniques. Facilitated agreement among legal writing faculty on key areas of concern to ensure effective and comparable learning experience across different sections of first-year course. Responsible for various administrative duties relevant to legal writing department matters.

LEGAL EXPERIENCE

Thompson Hine LLP, Cleveland, Ohio, July 2000 - July 2001

*Litigation Associate*

**Litigation Associate**


**Contract Attorney** *(Employed through Law Clerk Temporaries, Inc.)*

The Legal Aid Society of Cleveland, Cleveland, Ohio, May 1995 - May 1996

**Law Clerk, Law Reform Office**


**Judicial Extern**
Researched and drafted opinions covering a broad range of issues including attorneys’ fees, jurisdiction, Social Security benefits, and summary judgment.

**PROFESSIONAL HONORS AND ACTIVITIES**

Law Faculty Merit Recognition Award, Spring 2006, Spring 2008

Cleveland-Marshall Teaching Enhancement Grant, Summer 2005

Member, Legal Writing Institute; served as Assistant Editor, *Journal of the Legal Writing Institute*

Member, Society of American Law Teachers (SALT); Legal Education Subcommittee on Security of Position and Tenure, appointed 2010
Member, American Bar Association; American Association of University Professors

Bar Admissions: Ohio and District of Columbia (inactive in D.C.)

PRESENTATIONS AND PUBLICATIONS

Teaching Persuasion and Critical Thinking Using the State of the Union Address, in TECHNIQUES FOR TEACHING LAW II (Steve Friedland, Gerry Hess, Michael Schwartz, and Sophie Sparrow, Eds., 2011).

“Academic Freedom and the Staffing Structure of Legal Writing Programs,” presentation, Biennial Conference of the Legal Writing Institute, June 28, 2010, Marco Island, FL.


"The Self-Evaluated Draft: Teaching Students How to Evaluate Their Own Work," presentation, Southeast Legal Writing Conference: Teaching the Basics, Sept. 8, 2007, Nova Southeastern University School of Law, Fort Lauderdale, FL.

Teaching Persuasion and Critical Thinking Using the State of the Union Address, 13 THE LAW TEACHER 6, Spring 2006.


ACADEMIC COMMITTEE WORK

Academic Standards Committee: Committee Chairperson. Rule on student petitions; review and revise academic regulations; address other academic and procedural issues as needed. As Chair: Lead committee meetings; facilitate committee business; conduct student petition hearings; prepare annual committee report. Chairperson (Fall 2007-Summer 2011); member (Spring 2005 – Summer 2011)

Admissions Committee: Participate in full file review and admissions decisions for applicants to Legal Career Opportunities Program (LCOP). (Fall 2011 – present)

Contract Renewal Committee: Advised administration on renewal of individual Legal Writing Professors’ 5-year contracts. (Spring 2009; Fall 2010)

Legal Writing Search Committee: Conducted faculty candidate search. (2008-2009 academic year)

Faculty Affairs Committee (elected 2004, 2006): Addressed faculty and decanal concerns as needed. (2004-Spring 2008)

Legal Writing Hiring Committee: Served as member of 3-person committee to review applications, conduct interviews, and make hiring recommendation for legal writing faculty member. (Summer 2005)
Curriculum Committee: Reviewed course proposals; addressed other curricular concerns. (2005-2006)


Graduate Studies Committee: Served as member of admissions committee for Cleveland-Marshall College of Law L.L.M. program. (2003-2004; Spring 2005)

Library Committee: Advised administration on library-related issues. (2003-2004)

Community and Civic Involvement

Democratic Party Precinct Committee Member, Cleveland Heights, Precinct 3F (elected) May 2006-2010; Precinct 3C (redistricted precinct, elected) May 2010 – present.

Cuyahoga County Democratic Party Executive Committee member (elected) Aug. 2006-July 2010.

Official Precinct Observer (Democratic), Nov. 4, 2008 U.S. Presidential Election (Maple Heights)

Cleveland State University Volunteer Ambassador, The Democratic Presidential Debate at Cleveland State, Feb. 26, 2008 (media filing room volunteer)

Cleveland Heights Democrats Club (current member)

Democratic Observer, provisional ballot review, Cuyahoga County Board of Elections, Nov. 2004

Other Activities

MFA candidate in creative writing, NEOMFA (Northeast Ohio Master of Fine Arts program) - Playwriting major. Degree anticipated Spring 2014.

Productions and staged readings include Mother/Tongue (Cleveland Public Theatre); Standardized Child™ (CPT); A Salted Tale (CSU); and Trinity Project (OddyFest – forthcoming Spring 2012).

KARIN MIKA
Professor of Legal Writing
Cleveland-Marshall College of Law
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Berea, Ohio 44017
(440) 826-3951 (H)
(216) 687-5278 (O)
karin.mika@law.csuohio.edu

EDUCATION

Cleveland-Marshall College of Law
Juris Doctorate, 1989 (Dean’s Scholar, top 25%)

Baldwin-Wallace College
Bachelor of Arts (English), magna cum laude, 1986

Cuyahoga Community College
Associate of Arts (English), magna cum laude, 1985

PRIMARY EMPLOYMENT

1991-present: Professor of Legal Writing, Research and Advocacy Cleveland-Marshall College of Law (formerly worked in the capacity of Assistant Director of Legal Writing until approximately 2001 with some carryover duties after designation as Special Faculty)

Primary Duties:
--Planning the curriculum for, and teaching, first year Legal Writing.
--Supervising independent upper level writing projects and law review notes.
--Teaching upper level writing requirements and developing courses.
--Participating on law school committees.

--Supervised adjunct Advanced Brief Writing professors 2001-2005 and created the syllabus used for Advanced Brief Writing.
--Recommended for hire all Advanced Brief Writing professors.
--Participated in recommendations for hire (with Barbara Tyler after 2001) of all upper level adjunct Legal Writing hires.
--Organized First Year Moot Court Intramural Competition 2002-2006.
--Conducted summer training and preparation of incoming Moot Court members subsequent to the first year.

Duties as Assistant Director: Developing and providing curriculum for first year adjuncts; providing departmental support for adjunct instructors; organizing and implementing computer assisted research training for adjuncts; participation in the hiring process for adjunct Legal Writing professors and the
hiring of process for full-time Legal Writing professors (including ensuring university compliance); disseminating and processing evaluations for adjunct Legal Writing instructors; participating in adjunct retention decisions; ensuring adequate copies of the Bluebook for all adjunct sections.

**Other Duties:** Assisting in school-wide bar exam preparation; advising competing moot court teams (prior to becoming advisor in 2001); providing seminars to students writing on to law review (and the Journal of Law and Health) and to law review (and Journal of Law and Health) associates; lecturing and holding workshops school-wide on exam taking; participating in the planning of upper level Legal Writing courses.


**Duties:** Researching and developing curriculum for writing program; supervising adjunct instructors; preparing model memoranda and problem solutions; organizing and implementing computer assisted research training for all students; developing, updating, and copying all text materials; tutoring students; ordering textbooks; substituting for adjuncts unable to hold classes; grading objective research assignments for all adjunct-taught sections of Legal Writing; hiring adjunct Legal Writing professors and participating in the hiring of process for full-time Legal Writing professors; disseminating and processing evaluations for adjunct Legal Writing instructors; participating in retention decisions; tutoring students from all sections of Legal Writing.

1988-1989: Research Assistant, Deborah Klein, Director of Legal Writing, Research and Advocacy, Cleveland-Marshall College of Law

**Duties:** Revising and developing Legal Writing and Research program materials; Coordinating rooms and class schedules; copy and distributing materials to adjunct professors; constructing model answers and memoranda; grading objective exercises; tutoring students from all sections of Legal Writing; participating in appellate argument judging for all sections.

1987-1988: Stewart I. Mandel, Esq., Cleveland, Ohio

**Duties:** Providing legal research (primarily in the area of Criminal Law); writing motions, memoranda, complaints, trial briefs, appellate briefs, and contracts (covering all general practice areas of law); filing documents; participating in client interviews.

**OTHER TEACHING AND LEGAL EXPERIENCE**

2005-2006: Adjunct Legal Writing Professor, Concord Law School
Responsibilities: Taught one section of Law, Analysis and Writing as a distance learning class. (Curriculum included three major writing projects with required drafts, two citation exercises, with allowed corrections, various other exercises, required and optional student phone conferences, and a semester ending oral argument.)

2005-2006: Grammatika.com
Responsibilities: Freelance proofreader and copyeditor.

2002-present: Assistant to Gerald B. Chattman, Esq.; Research Consultant, Buckingham, Doolittle & Burroughs, L.P.A.
Responsibilities: Traveling to various arbitrations, taking notes at hearings, reviewing evidence, drafting arbitration opinions. Research and legal drafting as required. Participating in meetings and negotiations

1995-present: Research Consultant, various firms and practitioners:
Areas of Law: All areas of law, but with a special focus on complex research and motion drafting.

Responsibilities: Writing multistate bar exam questions and providing model answers. Twice yearly lecturer on achieving success on the Multistate Performance Test (MPT).

1996-2002: Research Consultant, Progressive Insurance Company, DBG Claims (now known as AON Insurance)
Areas of Law: All aspects of tort and automobile insurance law (especially regarding statutory and administrative compliance) in all fifty states. Assignments include researching, conflicts of law issues, primary liability issues, vicarious liability issues, and reviewing briefs, contracts, and other documents related to the business dealings of the company.

1995-present: Research Consultant, Pension Evaluators, QDRO Consultants
Areas of Law: Domestic relations, federal and state pension laws as related to the division of marital property. Assignments are on an “as needed” basis and deal with all aspects of research related to the divisibility of marital property.

Areas of Law: Labor and Employment Law with sporadic assignments related to any aspect of complex legal issues. Participation in Union contract negotiations, reviewing briefs and other legal documents.
Responsibilities: Grading bar exam type essay questions, providing written feedback and suggestions for improvement.

1995:
Guest Lecturer, SMH Bar Review
Area: Techniques for success on the essay portion of the bar exam.

1991-1995:
Adjunct Professor of English Composition, Cuyahoga Community College, Parma, Ohio.
Courses taught: Freshman Composition, Drama and Poetry, Short Stories and Writing Research Papers.
Participant in launching the College’s Distance Learning Program.

PREVIOUS EMPLOYMENT (part and full-time):


Computer Lab Instructor and Student Supervisor, Cuyahoga Community College, 1984-1986.

PAPERS AND PUBLICATIONS

Law Review Articles:


Books and Book Chapters:

*The Style of Legal Writing* (with Terri LeClercq) (5th edition).

*Introduction to ERNST ON TORT LAW*, Baldwin's Ohio Practice Series (forthcoming 2011).

Editor, *Chapter on Torts, The Law and You* (electronic publication of the Ohio State Bar Association).


Textbooks and Manuals:

*ANALYSIS OF WARRANTY LAW FOR THE FIFTY STATES* (2005) (prepared for Buckingham, Doolittle, & Burroughs).


Legal Writing and Research Publications:


Technology Tips for the Classroom (prepared for the Legal Writing Institute site on Presentation Tips).

Acknowledging Our Roots: Setting the Stage for the Legal Writing Institute, THE SECOND DRAFT (Spring 2010).

Legal Writing History Timeline, THE SECOND DRAFT (Spring 2010).

Games in the Law School Classroom: Enhancing the Learning Experience, PERSPECTIVES (Spring 2010).


Developing Internal Consistency in Writing Assignments by Involving Students in Problem Drafting, PERSPECTIVES (Spring 2008).

Life-Changing Moments: Learning to Accept Your Students' Choices, THE SECOND DRAFT (Fall 2004).

Learn for a Living and Sharing it Too, THE SECOND DRAFT (March 1994).

Newsletters and Miscellaneous Publications:
Pitfalls of FMLA and Collective Bargaining Agreements, ABA Labor and Employment Law Section Newsletter (Spring 2010).


Included in the AALS Section on Academic Support Resource Guide to Technological Materials Used in the Classroom (January 2010).

What Teenagers Can Teach Us About Good Teaching, AALS Teaching Methods Section Newsletter (Winter 2008).

Mix it up for Optimal Learning, AALS Teaching Methods Section Newsletter (Fall 2007).

Teaching Tip, AALS Legal Writing, Reasoning, and Research Section Newsletter (Fall 2007) (Q & A: Unique ways to engage students).


Published Classroom Materials:


Bar Exam Questions Prepared for Other Jurisdictions:


Committees, National Projects, and Legal Writing Institute Activities:

2008 – present, Legal Writing Institute website committee.

2011 - present,, co-chair ALWD website committee.

2011 – present, National Publicity Director, William C. Burton Awards for Excellence in the Law.


2011, Executive Committee Member, AALS Section on Legal Writing, Reasoning and Research.

2010 - present, Chair of Archives Committee and creator of Legal Writing Institute Archives Website

2010 – present, Website committee and current co-chair, AALS Section on Legal Writing, Reasoning, and Research

2008 Persuasion Study (conducted by Ken Chestek, University of Indiana (at Indianapolis) School of Law.

2008 Assistant Editor, Journal of Legal Writing
--Coordinating Editor, Storytelling, Narrative Rationality and Legal Persuasion, by J. Christopher Rideout


2009-2011, AALS Section on Legal Writing Annual Conference Welcoming Committee

2008-2010 Association of Legal Writing Directors Scholarship Committee,

2007, 2008 Poster Committee, AALS Teaching Methods Section.


Current Member, Legal Writing Institute Speaker's Bank (since 2007).

Inaugural and current participant in the CALI podcasting project (since 2005).

2007-2008 Legal Writing Institute Archives Committee.

2006-2008 Legal Writing Institute Scholarship Committee.

1996 Legal Writing Institute Plagiarism Committee.

Site Evaluations:


MISCELLANEOUS PRESENTATIONS AND OTHER ACTIVITIES

Conference presentations:

*The Significance of Undergraduate Degrees Related to Success in Legal Writing*, to be presented at the Legal Writing Institute Biennial Conference, Summer 2012.

*Using Visuals to Enhance Learning*, to be presented at the Rocky Mountain Regional Legal Writing Conference (with Ralph Brill, Sandra Day O'Connor School of Law, March 23, 2012).

*The Importance of Presenting Material with Style*, to be presented at the Capital Area Legal Writing Conference (Georgetown Law School, March 10, 2012).

*Using Visuals to Enhance Learning*, to be presented at the Institute for Law Teaching and Learning Conference, Technology In and Beyond the Classroom (with Ralph Brill, University of North Carolina, March 3, 2012).


*Presenting Material with Style*, presented at the Second Annual Empire State Legal Writing Conference (St. John’s Law School, May 13, 2011).

*As We Grow Older: Tips for enhanced communication with students who seem to be getting younger and younger*, presented at the Capitol Regional Legal Writing Conference (George Washington University, February 26, 2011).

*The Ideal Curriculum Revisited: How 25 Years Has Changed How Legal Writing Programs Are Viewed (or not)*, presented at the Legal Writing

_A Road Less Travelled: The History of Legal Writing_, video documentary presented at the Legal Writing Institute’s 14th Biennial Conference (Marco Island, Florida June 29, 2010).


*What Teaching Assistants Need to Know* (Rocky Mountain Legal Writing Conference, March 20, 2010) (University of Arizona College of Law).


_The Benefits of a Comprehensive Course Website_

Presented at the Central States Regional Legal Writing Conference, October 10, 2009 (Marquette Law School).

Presented at the Association of Legal Writing Directors Biennial Conference, July 23, 2009) (University of Missouri at Kansas City Law School).


_Games in the Legal Writing Classroom: Enhancing the Learning Experience_

Presented at the Southeast Regional Legal Writing Conference, September 12, 2009 (Stetson Law School).

Presented at the Lone Star Legal Writing Conference, May 29, 2009 (Texas Tech Law School) (as the plenary after-dinner presentation).

Presented at the Rocky Mountain Legal Writing Conference, March 13, 2009 (Sarah O’Connor College of Law, Arizona State University).

The Integration of Multimedia into Legal Instruction (Rocky Mountain Legal Writing Conference, March 21, 2008) (S.J. Quinney College of Law, University of Utah).

Moderator, Creating a Legal Skills Classroom Experience

Reinforcing Research Skills Without Overburdening Students


Diversity Issues at the Graduate Level (presented, with Deborah Klein, at "Diversity-Fact or Fiction?" Cleveland State University, May 5, 1994).

Improving the Recognition of Quality Writing -- transferring skills to other disciplines. (presented at the 1993 Northeast Ohio Writing Teachers' Conference, John Carroll University, February 26, 1994).


Faculty presentations:

Creating Exercises with Feedback Using Hyperlinks in Powerpoint (Summer Teaching Grant presentation presented as part of the Cleveland-Marshall Faculty Lunch Series, September 8, 2009).

Investigation of Software Packages Available to Develop Self-Grading Multiple Choice Classroom Materials (Summer Teaching Grant presentation
presented as part of the Cleveland-Marshall Faculty Lunch Series, March 5, 2009).

*The Benefits and Detriments of Grading Papers with Word Processors* (Summer Teaching Grant presentation presented as part of the Cleveland-Marshall Faculty Lunch Series, February 14, 2008).

*Technology and the Bar Exam* (Summer Teaching Grant presentation presented as part of the Cleveland-Marshall Faculty Lunch Series, February 27, 2007).

*Great Work if you can get it: Working in the field of Labor Arbitration in 2004* (presented as part of the Cleveland-Marshall Faculty Lecture Series, September 7, 2004).

*Automobile Insurance—When Are You Covered, and for What Are You Really Covered?* (presented to the Cleveland-Marshall Staff and Faculty, February 25, 1998).

*Should Suggestions of the MacCrate Report be Implemented?* (presented, with Barbara Tyler, to the Cleveland-Marshall Law Faculty, April 4, 1994).


*Legal Writing -- The Draft Process* (presented, with Barbara Tyler, to the Cleveland-Marshall Law Faculty, October 3, 1993).

*Meaningful Feedback on Upper Level Writing Projects* (presented, with Deborah Klein, to Cleveland-Marshall Law Faculty, September 22, 1993).

**Miscellaneous Presentations:**

*ALWD/LWI Scholarship Committee Poster Creation and Presentation* (LWI 14th Biennial Conference June 26-30, 2010).

*Which cases are best to use when writing a memo on a state law issue?* (CALI "Lawdibles" podcasting project, 2010).

*Presentation of the Terri LeClercq Courage Award* (presented at the Biennial Legal Writing Institute Conference, June 2008).
Preparing for the Transition between Law School and Law Firms – understanding the nuances related to clerical help (Suffolk Law School Prepare to Practice Podcasting Series, Spring 2008).

Navigating the Minefields of Employment Law (presented as part of the Global Gateway Lecture Series at the Beachwood Business Development Center, April 18, 2008).

Basics in Citation (presented as requested to the Cleveland-Marshall College of Law data processing pool; last presentation spring, 2006).


Legal Research and Analysis for the Non-Attorney (presented, as a semester long course, to the paralegals of Chattman, Gaines, & Stern, L.P.A., Spring 1996).

Legal Writing Programs in Law Schools (presented to the Cleveland Bar Association, Fall 1994).

Careers in the Law (presented as part of the Cleveland State University Speaker’s Bureau):
  Elyria High School (American History class, Spring 2000).
  Lincoln-West High School (Lifestyles class, Spring, 2001).

Internal Publications:

The Gavel: Ask the Legal Writing Professor (since 1998).

Law Notes (Cleveland-Marshall Alumni Magazine)
Tribute to Barbara J. Tyler (Spring 2007).

Law Notes (Cleveland-Marshall Alumni Magazine)
My Life with a Teenage Chemotherapy Patient (Winter 2005).

Law Notes (Cleveland-Marshall Alumni Magazine)
Faculty Profile: Pam Daiker-Middaugh and the Cleveland-Marshall Pro Bono Program (Spring 1998) (with Louise Mooney).

Law Notes (Cleveland-Marshall Alumni Magazine)
Faculty Profile: Professor Arthur Landever (Spring 1997).

Law Notes (Cleveland-Marshall Alumni Magazine)
Faculty Profile: Jim Wilson (Spring 1995)
Peer Review, Chapter Editing, and other Review:

Deputy Editor, American Bar Association Section on Immigration and Naturalization 2011 Year in Review.


Online Consumer Protection: Theories of Human Relativism (chapter editor).

Chapter Editor (Torts) for *The Law and You*, a book for laypeople published by the Ohio State Bar Association (2010).

Miscellaneous Academic Awards, Honors, and other activities:

2010 Mentor in Cleveland State University’s McNair Scholar Program.

Recognized as an Innovator in Law Classroom Technology by LexisNexis (January 2010, January 2011).

Nominated for inclusion in “What the Best Law Teachers Do” (January 2010).

Moot Court Activities:

2001-2007: Faculty Advisor, Cleveland-Marshall College of Law Interscholastic Moot Court Team.

**Duties included:** Organizing first year competition; training all moot court advocates; selecting competitions; selecting teams; selecting advisors for competitions; monitoring progress of teams; ensuring adequate oral rounds scheduled with appropriate coverage of judges; securing classrooms; judging and critiquing writing and orals of all teams; mediating personnel disputes; running and recruiting for alumni listserv; compiling historical records; organizing events; budgeting; overall promotion of the organization.

Moot Court Judging and Brief Grading:


Brief Grader, Hardy C. Dillard Memorial Competition (re-evaluation of top Jessup Memorials), April 2010.

Brief Grader, Jessup International Moot Court Competition, February 2010.

Preliminary Round Judge, Chicago Bar Association Moot Court Competition, October 2009.


Brief Grader, Jessup International Moot Court Competition, February 2009.


Brief Grader, Capital Law School Child Advocacy and Adoption Law Moot Court Competition, March 2009.

Preliminary Round Judge, Chicago Bar Association Moot Court Competition, October 2008.


Preliminary Round Judge, Child Advocacy Moot Court Competition March 13-14, 2008. (Capital Law School, Columbus, Ohio).


Brief Grader, Jessup International Moot Court Competition, February 2008.


Preliminary Round Judge, Region VI National Moot Court Competition, November 2007. (Cleveland, Ohio)
Brief Grader, Chicago Bar Association Moot Court Competition, October 2007.


Brief Grader, Jessup International Law Moot Court Competition, North Central Region, 2006.

Preliminary Round Judge, Cleveland-Marshall College of Law Region VI National Moot Court Competition, 1998

Brief Grader, American Bar Association National Appellate Advocacy Competition, 1997


Other Moot Court Activities:

2007 Regional Administrator, North Central Region Jessup International Law Moot Court Competition.

Duties included: Organizing and scheduling all competition rounds and events; recruiting staff and judges; recruiting memorial graders; answering questions from competitors; securing rooms and bailiffs; setting up service of briefs and grading for technical compliance; compiling memorial scores; monitoring scoring throughout competition; acting as liaison with central ILSA office before, during, and after the competition; purchasing and presenting award.

Moot Court Team Advisor Activities prior to 2001:

Spring, 2000: Advisor, Nova Round Robin Interscholastic Moot Court Team (First Place Team, First Place Brief, First Place Oralist).

Fall, 1999: Advisor, John Marshall Information, Privacy & Technology Law Interscholastic Moot Court Team (quarterfinalist).

Fall, 1998: Advisor, John Marshall Information, Privacy & Technology Law Interscholastic Moot Court Team (Second Place Respondent's Brief).
Fall, 1997: Advisor, John Marshall Information, Privacy & Technology Law Interscholastic Moot Court Team (semi-finalist).

Spring, 1996: Advisor, American Bar Association, National Appellate Advocacy Competition Interscholastic Moot Court Team (regional semi-finalist).

Fall, 1996: Advisor, John Marshall Information, Privacy & Technology Law Interscholastic Moot Court Team (Second Place Team; Best Respondent's Brief).

Spring, 1996: Advisor, John J. Gibbons Criminal Law and Procedure Interscholastic Moot Court Team (Second Place Team; First Place Respondent's Brief).

Fall, 1995: Advisor, John Marshall Information, Privacy & Technology Law Interscholastic Moot Court Team (First Place Team; Best Brief).

Spring, 1995: Co-Advisor, Pace Environmental Law Interscholastic Moot Court Team.

Spring, 1994: Co-Advisor, Pace Environmental Law Interscholastic Moot Court Team.

Spring, 1993: Co-Advisor, Pace Environmental Law Interscholastic Moot Court Team.

Moot Court Awards and Honors:

November, 2007: Recipient, Moot Court Alumni of the Year Award

April, 2007: Moot Court Scholarship for service named in my honor.

Grants:

Summer 2011, Recipient, Cleveland-Marshall College of Law Scholarship Grant (Privacy in the Workplace.)

Summer 2010, Recipient, Cleveland-Marshall College of Law Scholarship Grant (effect of undergraduate degree on success in Legal Writing – an 18 year study.)

Summer 2009, Recipient, Cleveland-Marshall College of Law Teaching
Enhancement Grant (continuation of formulating computerized legal research assignments.)

Summer 2008, (selected recipient, but declined in favor of Teaching Grant) Cleveland-Marshall College of Scholarship Grant (due process safeguards in union disciplinary cases.)

Summer 2008, Recipient, Cleveland-Marshall College of Law Teaching Enhancement Grant (formulating computerized legal research assignments.)

Summer 2007, Recipient, Cleveland-Marshall College of Law Teaching Enhancement Grant (examining the efficacy of feedback on assignments through commentary provided by word processor.)

Summer 2006, Recipient, Cleveland-Marshall College of Law Teaching Enhancement Grant (improving learning through enhanced Powerpoint/multimedia presentations.)

PROFESSIONAL AFFILIATIONS

AALS

Legal Writing Institute

Friends of Jessup

Association of Legal Writing Directors

Ohio State Bar Association

American Bar Association

Life Member, Cleveland-Marshall College of Law Alumni Association

North Coast Legal Writing Professionals

(1991-1995: Liaison with Case Law School Writing faculty and writing tutors from Jones, Day and other major law firms to discuss how law school writing departments might better prepare students for clerking experiences.)

CHARITABLE ACTIVITIES AND AFFILIATIONS

March of Dimes, Northeast Ohio Chapter (Youth Division Chairperson, 1994-1996).
Charter Member, The Holocaust Museum

Kol Israel, Second Generation Holocaust Survivors

The Cleveland Zoo

Leukemia and Lymphoma Society

Various environmental charities

BAR ADMISSION

Admitted to the Ohio Bar, May 1990
KRISTINA L. NIEDRINGHAUS
Cleveland-Marshall College of Law Library • 2121 Euclid Avenue, LL110 • Cleveland, Ohio 44115
216.687.3547 • kristina.niedringhaus@law.csuohio.edu

EDUCATION
Master of Arts – Information Science and Learning Technologies, University of Missouri – Columbia.
Beta Phi Mu – International Library and Information Science Honor Society, H. W. Wilson Foundation Scholarship for Library Science Development, Graduate Teaching Assistant.

Juris Doctor, University of North Carolina – Chapel Hill, School of Law.
Graduate Research Assistant – Office of University Judicial Affairs.
Research Assistant – Professor Marilyn Yarbrough, hate crime legislation and interpretation

Bachelor of Arts with College Honors, Economics and Political Science, Washington University, St. Louis, Missouri.
National Merit Scholar, Alumni Scholar, Washington University Scholarship, Golden Key National Honor Society, Pi Sigma Alpha – National Political Science Honor Society.

EXPERIENCE
Director of the Law Library and Associate Professor of Law, August 2008 – present, Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio.
• Plan and direct all operations of the Law Library and law school Information Technology, including budget, facilities, personnel, acquisitions, and delivery of legal information in all formats.
• Serve on College of Law faculty committees:
  Curriculum (2011-2012)
  Self-Study (2011-2013)
  Budget Task Force (2011-2012)
  Dean Search Committee (2010-2011)
  Special Committee to Review Curriculum and Academic Programs (2009-2011)
  Bar Exam Committee (2008 – 2011)
  Orientation Fall 2010, Co-Chair (2010)
  Communications Coordinator Search Committee, Chair (2010)
  Special Committee for Long-term contract review, Director of Legal Writing (2009-2010)
  Special Committee on Orientation Planning (2008 – 2009)
  Legal Writing Faculty Search Committee (2008 – 2009)
• Serve on University committees:
  Library 2020 Task Force
  Library Committee, ex officio (2008-present)
  Dean’s IT Council
  Information Technology Advisory Committee (2010-2011); System Improvements Subcommittee, Chair.
• Serve as a member of the Dean’s Executive team.
• Teach Advanced Legal Research, Law 677 and supervise Independent Legal Research, L860, students.
**Associate Dean of Information Resources & Technology and Associate Professor of Law**, July 2006 – July 2008.

**Director of Information Resources & Technology and Associate Professor of Law**, July 2005-July 2006, Phoenix School of Law, Phoenix, Arizona.

- Planned and directed all operations of the Information Resources Center and law school Information Technology, including budget, facilities, personnel, acquisitions, and delivery of legal information in all formats.
- Developed and guided library and IT infrastructure for a new law school.
- Authored key accreditation documents and monitored compliance with ABA Standards.
- Recruited highly-qualified and motivated personnel and coordinated training and professional development.
- Planned and coordinated collection development, acquisitions, and maintenance of information resources.
- Provided and coordinated bibliographic instruction as needed.
- Regular law faculty duties: taught and mentored students, served as faculty advisor for student organizations, and other normal duties of a law faculty member.
- Served on faculty committees:
  - Information Resources Committee, Chair (2005 – 2008)
  - Technology Committee, Chair (2005 – 2008)
  - Building Committee (2005 – 2008)
  - Regional Center of Excellence Committee (2007 – 2008)
  - Creative Works Committee (2007 – 2008)
  - Academic Standards Committee (2005 – 2007)
  - Faculty Appointments Committee (2005 – 2007)
- Served as a member of the Dean’s senior administrative team.

**Electronic Services Librarian and Assistant Professor**, August 2003 – June 2005, Texas Wesleyan University Law Library, Fort Worth, Texas.

**Associate Director**, June 2001 – August 2003, Georgia State University College of Law Library, Atlanta, Georgia.


**Part-time Legal Reference staff**, University of Missouri School of Law Library, University of Missouri – Columbia, August 1997 – December 1998.


**Publications**


Teaching Better Research Skills by Teaching Metacognitive Ability, 18 Perspectives: Teaching Legal Research and Writing 113, (Winter/Spring 2010).


E-Development: Should we expand our online learning opportunities?, AALL Spectrum, March 2003, at 8, 26.


Legal Resources for the Bench & Bar at UT’s LaValley Law Library, Toledo B. Ass’n NewsL., October 1999, at 5, 6.

**Presentations**


with Barbara Avery & Bruce M. Kennedy, Internet Sources and Strategies. [CLE program, Ohio State Bar Association Annual Meeting, May 17, 2000.]
with Bruce M. Kennedy, *Accessing Vital Government Information for Ohio Attorneys.* [CLE program, University of Toledo College of Law Alumni Weekend, October 22, 1999.]

**Professional Associations**

- Working group on the Colloquium on Shared Principles with Information Vendors (2011).
  - *AALL Spectrum* Article of the Year Award Subcommittee (Chair, 2004 – 2007); Webmaster (2004 – 2007).
- Academic Law Libraries Special Interest Section, 1999 – present.
- Computing Services Special Interest Section, 1999 – present.
- Research Instruction/Patron Services Special Interest Section, 1999 – present.


Center for Computer-Assisted Legal Instruction (CALI)
- Board of Directors, 2009 – 2012.
- Legal Research Community Authoring Project Committee, 2002 – present; Chair, 2007 – present.

Society of Academic Law Library Directors (SALLD), 2008 – present.
- Committee on the Future of the Profession, 2009 - 2010.


- Program Committee (2006 – 2007).

• 2003 Program Committee; 2003 Annual Meeting Institute Co-coordinator.

  • Legal Research Institute Committee (2001-2002).

Reginald Oh  
Professor of Law  
Cleveland Marshall College of Law  
2121 Euclid Ave. LB 138  
Cleveland, Ohio 44115  
(216)-544-0825  
Email: Reginald.Oh@law.csuohio.edu

TEACHING EXPERIENCE

Cleveland Marshall College of Law (Cleveland, Ohio), Professor of Law, Fall 2007-present.  
Courses include: Constitutional Law, Civil Procedure, Education Law.

Texas Wesleyan University School of Law (Fort Worth, Texas), Professor of Law, Fall 2006 – present; Associate Professor of Law, Fall 2005-06.  
Courses include: Civil Procedure I & II, Constitutional Law, Fourteenth Amendment Law and Theory.

Appalachian School of Law (Grundy, Virginia), Associate Professor of Law, Fall 2004-05; Assistant Professor of Law, Fall 2002 – Spring 2004  
Courses include: Civil Procedure I & II, Constitutional Law I & II, Equality and the Law, Fourteenth Amendment Law and Theory.

Mercer University School of Law (Macon, Georgia), Visiting Assistant Professor of Law, 2001- 02  
Courses included: Civil Procedure, Employment Discrimination, Education Law and Policy, and Legal Analysis.

Stanford Law School (Palo Alto, California), Teaching Fellow, Fall 1998 - Spring 2001  
Course included: Legal Research and Writing.

Georgetown University Law Center (Washington, D.C.), LL.M. Teaching Fellow & Adjunct Professor of Law  
PROFESSIONAL EXPERIENCE

The Honorable John Dooley, Vermont Supreme Court (Montpelier, Vermont), 1995-96
Judicial Clerk.

Law clerk.

EDUCATION

Georgetown University Law Center (Washington, D.C.)

Boston College Law School (Newton, MA)
Juris Doctor, Magna Cum Laude, May 1995.
Executive Editor, Boston College Third World Law Journal.


PUBLICATIONS


Regulating White Desire, 2007 Wisconsin Law Review.


PRESENTATIONS

2008

• Law and Society Annual Conference, Montreal, Canada, May 30-June 1, 2008. Panelist on two panels.


• University of Indiana School of Law, Indianapolis Faculty Speaker Series, April 10, 2008. Presenter, “Repeating History Claims.”


Forbids Integration?”

2007


- **Northeast Ohio Law School Colloquium**, Case Western Reserve University School of Law, Cleveland, Ohio, October 3, 2007. Speaker, *The Constitution Forbids Integration?*


- **University of Iowa College of Law**, Faculty workshop presentation, March 2, 2007. Presenter, “Reading *Brown* through *Loving*: Racial Segregation and the Promotion of White Supremacy.”


2006


Loving v. Virginia Symposium, University of Wisconsin School of Law, November 11-12, 2006. Presenter, “Regulating White Desire.”

40 Acres and a Mule: Affirmative Action Now, Boston College Law School, October 13, 2006.

  o Presenter, “Perceived Racism, Belonging, and the Hostile Work Environment.”
  o Presenter, “Interracial Spaces, Interracial Relationships.”


Western People of Color Legal Scholarship Conference, California Western School of Law, San Diego, CA, April 1-3, 2006. Panelist, “Race, Family, and the State.”


2005


• Latino Critical Theory Annual Conference, San Juan, Puerto Rico, October 7-9, 2005.
  • Panel Presenter, “Interracial Relationships in the Shadows of Whiteness.”
  • Panel Presenter, “Racial Geographies and the Power of Spatial Mobility.”
  • Panel Presenter and facilitator, Junior Faculty Workshop on Scholarship.


• Law and Society Annual Conference, Las Vegas, Nevada, June 2-5, 2005.
  • Panel organizer and presenter, “Redefining the Family.”
  • Panel Presenter, “Identity, the Psyche, and Legal Discourse.”


2004


2003


SERVICE

Profession

LatCrit Board Member, 2007 to present.
Society of American Law Teachers Board Member, 2007 to present.
SALT Teaching Conference Planning Committee, 2007-08.
Association for the Study of Law, Culture, and the Humanities, Organizing Committee, Spring 2006 to present.
ASLCH Conference Planning Committee, 2007-08.
Chair, Julien Mezey Dissertation Award Committee, 2006-07.
Steering Committee Member, Conference of Asian Pacific American Law Faculty, 2004 – 05.
Committee Member, SALT/LatCrit Junior Faculty Workshop, 2005 – present.

CLEVELAND MARSHALL COLLEGE OF LAW

LCOP Admissions Committee, 2007-08
Cleveland-Marshall Fund Committee, 2007-08
Multicultural Admissions Coordinator Search Committee, 2008

**Texas Wesleyan University School of Law/Fort Worth**

2006 Gloucester Conference, Co-organizer
Dean Search Committee, Spring 2006 - present
Admissions Committee, Fall 2005 – present
Library Committee, Fall 2005 – present
Faculty Development Committee, Fall 2005 – present
Faculty Advisor, Asian Pacific American Law Students Association, Fall 2005 – present

**Appalachian School of Law**

Chair, Faculty Development Sub-Committee on Scholarship, ASL, 2004 – 2005
Member, Faculty Development Committee, ASL, 2002 – 04
Member, Promotion and Tenure Committee, ASL, 2004 to 2005
Member, Student Affairs Committee, ASL, 2003-04
Member, Committee on Diversity, ASL, 2003 – 2004
Faculty Advisor, Black Law Students Association, ASL, 2004 – 05
Faculty Advisor, American Constitution Society, ASL, 2003 – 05

**BAR ADMISSIONS**

Massachusetts (1995) (inactive)
KEVIN FRANCIS O’NEILL

16818 Holbrook Road Office: (216) 687-5282
Shaker Heights, Ohio  44120 Residence:  (216) 991-5571

EDUCATION

  Law Review, 1982-84; Notes Editor, 1983-84.  Authored The Ambush Interview: A False Light
  Invasion of Privacy, 34 CASE W. RES. L. REV. 72 (1983).  Contributed to Arrangements and Editions
  Recipient, Distinguished Recent Graduate Award, 1994.

  Major in Film.  Minor in Art History.  Produced eight films.  Senior year production was selected for
  public exhibition in the University’s Film Festival.

LEGAL EXPERIENCE

– CLEVELAND-MARSHALL COLLEGE OF LAW, CLEVELAND STATE UNIVERSITY,
  Cleveland, Ohio.
  Associate Professor of Law since August 2002.  Assistant Professor, 1996 to 2002.  Visiting Assistant
  Professor, Fall 1995 to Spring 1996.


  – Teaching Awards:  Ten times I have won the Professor of the Year Award, bestowed by the
    Student Bar Association for “excellence in teaching.”  I received the award in 1997, 1999, 2000,
    bestowed by the Cleveland-Marshall Law Alumni Association for excellence in teaching.

  – Committee Work: Current Law School Committees — Teaching (chair); Admissions.  Past Service
    — Faculty Appointments (chair); Tenure Subcommittee (chair); Honor Code (chair); Faculty
    Affairs (chair); Curriculum Planning; Strategic Planning Steering; Adjunct Faculty.  University-
    wide Service — Past Service — Curriculum, Faculty Senate Nominating, Academic Steering, and
    Professional Leave Advisory Committees.

  – Faculty Advisor: Every year since Fall 1995, I have served as the faculty advisor to multiple
    students regarding their authorship of scholarly articles.  In January 1998, I served as the faculty
    advisor to our national moot court team, which, from a field of 208 teams, finished among the top
    eight in the nation at the National Finals in New York City.  I have also served as the faculty
    advisor to numerous student organizations, including the Student Democrats, the Student Public
    Interest Law Organization, the Criminal Law Society, the Sports and Entertainment Law
    Association, and the Justinian Forum.
– **AMERICAN CIVIL LIBERTIES UNION**, Cleveland, Ohio.  
Ohio Legal Director, May 1991 to August 1995.  Responsible for supervising all ACLU litigation in the State of Ohio; trying selected cases myself; lecturing on constitutional issues at conventions, conferences, Continuing Legal Education seminars, law schools, and college campuses; and explaining law and ACLU policy to the news media.

– **CLEVELAND-MARSHALL COLLEGE OF LAW, CLEVELAND STATE UNIVERSITY**, Cleveland, Ohio.  
Adjunct Professor, August 1993 through July 1995.  Taught a course in Constitutional Law spanning the Fall 1993 and Spring 1994 semesters.  In a 1994 poll of students, I was among three professors cited most often as the school’s best teacher.

– **ARTER & HADDEN (now Tucker, Ellis & West)**, Cleveland, Ohio.  

– **SMITH & SCHNACKE (now Thompson, Hine & Flory)**, Dayton, Ohio.  
Associate, August 1984 to December 1987; Summer Associate, 1983.

– **UNITED STATES DISTRICT COURT**, Cleveland, Ohio.  
Intern for Hon.  Alvin I. Krenzler, Northern District of Ohio, May 1982 to August 1982.  Drafted routine orders; analyzed and cite-checked litigants’ briefs; performed legal research; drafted legal memoranda.

– **RANGE OF LEGAL EXPERIENCE**: Since graduating from law school in 1984, my work has spanned all phases of trial and appellate practice, in both state and federal court.  In my ongoing work for the ACLU, I have been exposed to a broad array of constitutional issues, from abortion to hate speech, flag burning to street sweeps, Biblical creationism to AIDS discrimination.  During my big-firm practice, I handled an even broader range of issues: fraud, breach of contract, and personal injury actions; antitrust, securities, and tender offer litigation; deceptive trade practices, unfair competition, copyright, and tradename disputes; insurance defense and wrongful death; RICO; ERISA; psychiatric malpractice; construction litigation; civil and criminal investigations of government contractors; public utilities; products liability; admiralty; Uniform Commercial Code.

— **NOTEWORTHY CASES**:

– **City of Seven Hills v. Aryan Nations**, 76 Ohio St. 3d 304, 667 N.E.2d 942 (1996): victorious representation of Holocaust survivors in this First Amendment challenge to an injunction entered shortly after the return of accused Nazi war criminal John Demjanjuk to the United States; the injunction barred the simultaneous presence on Mr. Demjanjuk’s street of protesters with opposing viewpoints on his readmission to this country; our appeal asserted that counter-demonstration is a unique form of expression that deserves the same degree of First Amendment protection as the right to protest generally.

– **City of Cleveland v. Nation of Islam**, 922 F. Supp. 56 (N.D. Ohio 1995): victorious representation of Minister Louis Farrakhan and the Nation of Islam in First Amendment controversy; the City of Cleveland refused to grant Minister Farrakhan access to its Convention Center for a “men only” address, but twice granted the Billy Graham Crusade single-gender access to the very same facility; obtained an injunction ordering the City to grant Minister Farrakhan the access he sought.
Northeast Ohio Coalition for the Homeless v. City of Cleveland, 105 F.3d 1107 (6th Cir. 1997): First Amendment controversy in which City of Cleveland sought to discourage the circulation of homeless and Nation of Islam newspapers by requiring each street vendor to pay a fifty-dollar peddler’s license fee as a prerequisite to distributing his/her papers. Obtained a permanent injunction barring enforcement of this licensing scheme against any street vendors of speech-related materials, 885 F. Supp. 1029 (N.D. Ohio 1995). The City appealed to the Sixth Circuit, which reversed, 105 F.3d 1107 (6th Cir. 1997), and the Supreme Court denied certiorari, 522 U.S. 931 (1997).

Clements v. City of Cleveland, No. 1-94-CV-2074 (N.D. Ohio, filed Oct. 4, 1994; settled Feb. 18, 1997): successful representation of homeless individuals who alleged that Cleveland police ordered them to stay away from certain sectors of downtown, and, when they defied those orders, transported them against their will to distant locations and abandoned them. Obtained a halt to this practice by means of settlement.


Capitol Square Review Board v. Pinette, 515 U.S. 753 (1995): successful First Amendment challenge to a State administrator’s decision barring the Ku Klux Klan from erecting a cross in a traditional public forum while permitting other groups to erect signs and religious symbols in the very same forum (on the brief).

State v. Lessin, 67 Ohio St. 3d 487, 620 N.E.2d 72 (1993): wrote amicus brief and, at direct counsel’s invitation, performed oral argument before the Ohio Supreme Court in successful First Amendment challenge to flag-burning prosecution aimed at local leader of Revolutionary Communist Workers Party.

Junger v. Daley, 209 F.3d 481 (6th Cir. 2000): served as third chair in successful First Amendment challenge to federal regulations that criminalized exporting any materials discussing or employing cryptography. Our client, a law school professor, was prevented by these regulations from publishing — or disseminating on the World Wide Web — a book, COMPUTERS AND THE LAW, that offers a discussion and example of cryptography in the context of computer privacy.

Treesh v. Taft, No. C-2-99-624 (S.D. Ohio filed July 6, 1999; settled Sept. 14, 2001): First Amendment challenge to an Ohio prison policy that barred Death Row inmates from uttering their last words in the moments before being executed. This action was successfully settled when Ohio prison officials adopted a new policy — containing language that I negotiated — granting condemned prisoners the right to deliver an uncensored speech, made audible to the assembled witnesses by means of a microphone, from inside the death chamber in their final moments of life. The policy also requires that two members of the news media must be afforded access as witnesses.

Eastwood Mall, Inc. v. Slanco, 68 Ohio St. 3d 221, 626 N.E.2d 59 (1994): invoked Ohio Constitution’s Free Speech Clause in effort to obtain right of access for speech activities in the common areas of privately-owned shopping malls.

Preterm Cleveland v. Voinovich, No. 92CVH01-528, 1992 Ohio Misc. LEXIS 1 (Ohio C.P. May 27, 1992), rev’d, 89 Ohio App. 3d 684, 627 N.E.2d 570 (1993), dismissed, 68 Ohio St. 3d 1420, 624 N.E.2d 194 (1993): Constitutional challenge to an Ohio statute that imposed restrictions on access to abortion; obtained landmark victory in May 1992, persuading trial court that the Ohio Constitution affords greater protection for reproductive freedom than the U.S. Constitution; reversed on appeal.

Glass v. City of Columbus, No. C-2-91-775 (S.D. Ohio 1992): constitutional challenge to inner-city street sweeps by the Columbus Police Department, in which African-American youths were systematically detained and frisked without any individualized suspicion; obtained a halt to this practice by means of settlement.


State v. Wyant, 64 Ohio St. 3d 566, 597 N.E.2d 450 (1992): successful First Amendment challenge to Ohio’s ethnic intimidation statute (amicus brief).


White v. Clinton County Board of Commissioners, 76 Ohio St. 3d 416, 667 N.E.2d 1223 (1996): successful Sunshine Act challenge to county commissioners’ refusal to maintain full and accurate minutes of their deliberations (amicus brief).

Hawley v. City of Cleveland, 24 F.3d 814 (6th Cir. 1994): Establishment Clause challenge to heavy governmental subsidy for Catholic chapel at Cleveland’s municipally-owned airport.

Meyer-Riggins v. City of Dayton, No. C-3-91-435 (S.D. Ohio 1992): By means of Section 1983 action, obtained lucrative settlement for African-American female mistreated by police. The woman used her camcorder to photograph policemen using excessive force in performing an arrest; the officers arrested her “for jaywalking,” confiscated her camcorder, jailed her, and erased the videotape while she was in custody.

– Littleton v. Good Samaritan Hospital, 39 Ohio St. 3d 86, 529 N.E.2d 449 (1988): successful defense of psychiatric malpractice claim; as an associate, formulated the theory and wrote the brief that prompted landmark ruling by Ohio Supreme Court limiting the liability of psychiatrists for torts committed by their patients.

– Mead Corporation v. Tilley, 490 U.S. 714 (1989): successful defense of paper producer in pension litigation; as an associate, formulated the theory and wrote the brief that culminated in a favorable ruling by the U.S. Supreme Court.

– Saudi Shipping & Maritime Services Co. v. M/V Nikaia (N.D. Ohio 1989): as an associate, wrote the briefs and handled oral argument on behalf of Saudi Arabian client in admiralty dispute with Cypriot vessel arising at a Red Sea port.


— PRO BONO LITIGATION:

– AMERICAN CIVIL LIBERTIES UNION, Cleveland, Ohio. Volunteer Attorney, February 1988 to May 1991; August 1995 to present. (Served as the ACLU’s Ohio Legal Director during the intervening four years, May 1991 to August 1995.) Notwithstanding my full-time commitment to law teaching, I remain active as a trial attorney and appellate advocate for the ACLU in First Amendment litigation.


– SOUTHERN UTAH WILDERNESS ALLIANCE, Salt Lake City, Utah. Volunteer Attorney, 1988 to 1992. Performed legal research and drafted legal memoranda to assist this environmental organization in opposing the commercial exploitation of Utah’s wilderness.

— LEGISLATIVE TESTIMONY: Since 1991, I have testified several times before legislative committees of the Ohio General Assembly — on topics ranging from abortion to welfare reform.

— BAR MEMBERSHIPS: I am currently admitted to practice before the United States Supreme Court, the United States Court of Appeals for the Sixth Circuit, the United States District Court for the Northern District of Ohio, the United States District Court for the Southern District of Ohio, and the Ohio Supreme Court.
PUBLICATIONS/WRITING EXPERIENCE

— LAW REVIEW ARTICLES:


– Privatizing Public Forums to Eliminate Dissent, 5 FIRST AMPEND. L. REV. 201 (2007).


— BOOKS:


— BOOK REVIEWS:

— Contempt of Court: The Turn-of-the-Century Lynching that Launched a Hundred Years of Federalism, by Mark Curriden & Leroy Phillips, Jr., Cleveland PLAIN DEALER, October 24, 1999.

— SIGNIFICANT CITATIONS TO MY SCHOLARSHIP:


— Galvin v. Hay, 374 F.3d 739, 749 (9th Cir. 2004) (citing my Public Protest article).


— **ACADEMIC CONFERENCES**


— **CLE PUBLICATIONS**

- *The First and Fourth Amendment Rights of Students in SCHOOL LAW* (Ohio State Bar Association CLE Institute 2003).

- *The First and Fourth Amendment Rights of Students* in *SCHOOL LAW* (Ohio State Bar Association CLE Institute 2001).

- *The First and Fourth Amendment Rights of Students* in *SCHOOL LAW* (Ohio State Bar Association CLE Institute 1999).

- *The First and Fourth Amendment Rights of Students* in *SCHOOL LAW* (Ohio State Bar Association CLE Institute 1997).

- *The First and Fourth Amendment Rights of Students* in *SCHOOL LAW: CLASS OF ’95* (Ohio State Bar Association CLE Institute 1995).


— **BAR JOURNAL PUBLICATIONS:**


— **EDITORIALS:**

- *Yes, City Does Dump Homeless*, Cleveland PLAIN DEALER, October 21, 1994.


— **PROFESSIONAL WRITING EXPERIENCE:**

— NORTH COUNTY LIVING, San Diego, California.
  Staff film critic. 1979 to 1980.

— LOS ANGELES MUSIC & ART REVIEW, Los Angeles, California.
  Staff film critic. 1978 to 1979.

PEER REVIEW OF OTHER SCHOLARS

— October 2006: At the request of the Political Science department of Wright State University, I furnished a written evaluation of the scholarship and professional service of an assistant professor who was seeking promotion and tenure.

— In October 2005, I was approached by the editors of LAW & SOCIAL INQUIRY, a scholarly journal published by the American Bar Foundation, to perform a peer review of an article, Last Words, Last Meals, and Last Stands: The Illusion of Agency in the Modern Execution Process. One of the research fellows at the Foundation recommended me as a possible reviewer — probably because of my Last Words article in the ARIZONA STATE LAW JOURNAL. I submitted my evaluation of the article on November 7, 2005.

— OTHER TEACHING EXPERIENCE:

— Every year between 1990 and 1997, I served as the legal advisor to Shaw High School’s mock trial team. During that span, the team thrice won the state championship (1990, 1992, and 1997), placing third two years (1991 and 1996) and fourth another (1995). They garnered second place honors at the national championship in 1990. Every year since 2008, I have served as the legal advisor to Beaumont School’s mock trial team.
John T. Plecnik
Cleveland-Marshall College of Law
Cleveland State University
2121 Euclid Avenue, LB 222
Cleveland, OH 44115-2214
(216) 687-2346
john.plecnik@law.csuohio.edu

ACADEMIC APPOINTMENTS

CLEVELAND-MARSHALL COLLEGE OF LAW, Cleveland, OH
Assistant Professor of Law, August 2010 to Present
Courses:
• Tax I
• Tax Procedure, Penalties & Crimes
• Wealth Transfer Tax
• Estates & Trusts
Committee Assignments:
• Bar Exam
• Clerkship / Fellowship
• Cleveland-Marshall Fund / Baker & Hostetler Scholars

GEORGETOWN UNIVERSITY LAW CENTER, Washington, DC
Adjunct Professor of Law, Summer 2009 & Summer 2010
Courses:
• Tax Penalties & Tax Crimes

JUDICIAL CLERKSHIP

UNITED STATES TAX COURT, Washington, DC
Law Clerk to Judge David Gustafson, August 2008 to July 2010

EXPERIENCE

THACHER PROFFITT & WOOD LLP, New York, NY
ERISA Associate, September 2006 to August 2008

BAKER & HOSTETLER LLP, Cleveland, OH
Summer Associate, Summer 2005

U.S. REPRESENTATIVE SUE MYRICK, Washington, DC
Intern, Summer 2004
EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY
LL.M. in Taxation, May 2009
• NYU Review of Law & Social Change, Executive Editor

COLUMBIA BUSINESS SCHOOL, New York, NY
Certificate in Business Excellence, March 2009
• Executive Education with alumni status

DUKE UNIVERSITY SCHOOL OF LAW, Durham, NC
J.D., cum laude, May 2006
• Faculty Award for Outstanding Achievement in Taxation & Estate Planning
• Duke Journal of Constitutional Law & Public Policy, Senior Note Editor & Inaugural Executive Board Member
• Law & Contemporary Problems, Staff Editor

BELMONT ABBEY COLLEGE, Belmont, NC
B.A., summa cum laude, May 2003
Accounting major; Mythology minor
• Co-Valedictorian
• President’s List
• Departmental Award for Accounting
• Delta Epsilon Sigma (National Scholastic Honor Society)
• J. P. Smith Scholarship

SCHOLARSHIP

Abolish the Inflation Tax on the Poor & Middle Class, 29 QUINNIPIAC L. REV. 925 (2011).

PUBLIC SERVICE

WILLOUGHBY-EASTLAKE LIBRARY, Lake County, OH
Trustee, February 2012 to Present
Committee Assignments:
  • Chair, Policy / Bylaw
  • Member, Building / Technology

CITY OF WILLOUGHBY HILLS, Lake County, OH
Recreation Commission Member, 2011 to Present

BAR ADMISSIONS

  • New York 2007
  • United States Tax Court 2009
HEIDI GOROVITZ ROBERTSON

Associate Dean for Academic Enrichment
Professor of Law, Cleveland-Marshall College of Law
Professor of Environmental Studies, Levin College of Urban Affairs
Cleveland State University

EDUCATION:

Columbia University School of Law, LL.M. 1995, J.S.D., 2002
Associate in Law (full tuition scholarship, plus stipend), 1993-1995
Articles Editor, Columbia Journal of Environmental Law, Vol. 19, No. 2, 1994

University of Wisconsin Law School, J.D., cum laude, 1990
George H. Young Memorial Award, 1990
Ruth B. Doyle Award, 1989

Tufts University, B.A., cum laude Political Science, certificate Community Health, 1985

ACADEMIC EMPLOYMENT:

Cleveland State University, Cleveland-Marshall College of Law, and Maxine Goodman Levin College of Urban Affairs,

Associate Dean for Academic Enrichment, 2009 to present
Professor of Law and Professor of Environmental Studies, 2009 to present; Associate Professor with tenure, 2001-2009; Assistant Professor, 1995-2000

Courses: Property, Environmental Law and Regulation, International Environmental Law, Environmental Law and Policy Clinic (Director), Legal Issues Surrounding the BP Gulf Coast Oil Spill, Introduction to Legislation and Regulation

College of Law Committees:
- Ad Hoc Committee to Review the Curriculum and Academic Program (Co-Chair), 2009 to 2011
- Search Committee for Director, Bar Preparation (Chair) 2010
- Search Committee for Manager, Student Affairs (Chair) 2010
- Search Committee for Legal Writing Director (Chair), 2007-2008
- Ad Hoc Committee to implement the Legal Writing Consultant’s Report (Chair), 2007
- Self-Study Committee (to prepare for ABA/AALS reaccreditation/membership review), (Chair) 2004-2006
- Faculty Appointments Committee, Member 2000-2001, 2003-2004 (Chair), 2008-09
- Selection Committee for Legal Writing Director (Chair), 2001
- Curriculum Committee, 2000-2001 (Chair), 2008 to present.
- Legal Writing Instructor Appointments Committee, 1999-2000
- Technology Committee, 1997-2000, 1999-2000 (Chair)
- Legal Writing Committee, 1998-2000
- Faculty Affairs Committee (elected to 2-year terms) 1998-2000, 2004-2006
- Graduate Studies Committee, 1995-1998 (Chair, Spring 1998)
University Committees:
- eFAAR (Faculty Annual Activities Report) project committee 2010
- CSU Faculty Senate, elected by the law faculty, 2006-2008, and 2008-2010 (stepped down in 2009 due to administrative appointment).
- Search Committee for the Director of the Center for Teaching and Learning, 2000, 2001
- Environmental Academic Studies Program Coordinating Committee, 2000 to present
- Steering Committee, Center for Teaching and Learning, 1995-2002, 2006 to present
- Dining Services Advisory Committee, 1999-2001
- Search Committee for the Director of the Center for Environmental Science, Technology and Policy, 1997-98, and 2002-2003

College of Urban Affairs Committee:
- Environmental Program Faculty

Columbia University School of Law, Associate in Law, 1993-1995.
Selected as one of four participants in Columbia's Associate in Law program, which trains lawyers for law teaching. Taught Legal Writing and Research to first-year students. Assisted Professors Peter Strauss and Michael Sovern with Legal Methods, a first-year foundation course. Also taught individual classes on Contract Negotiation, Remedies, and Environmental Law.

University of Wisconsin Law School, Legal Writing and Research Instructor, 1988-90.

University of Wisconsin-Madison, Teaching Assistant, 1989.
Taught in an undergraduate course, Contemporary Issues in Public Law, with eight law professors. Topics included: capital punishment, the jury system, labor relations law, taxation policy, and advertising and the first amendment.

LEGAL EMPLOYMENT:

Conducted research concerning trade provisions in the U.S. wildlife statutes. Wrote memoranda on environmental controls on private transnational investment flows.

Practiced environmental law, primarily regulatory and compliance work, and land use litigation. Experience includes air and water quality projects (appeared before Bay Area Air Quality Management District Hearing Board), hazardous waste and underground storage tank issues, environmental auditing of power plants, biotechnology firms and agricultural facilities. Additional focus on lender liability under CERCLA.

Wisconsin Supreme Court, Madison, Justice Shirley S. Abrahamson, Judicial Intern 1989.

Wisconsin Department of Justice, Madison, Office of the Public Intervenor, Law Clerk, 1990.
Wrote substantial portions of a successful Petition to the United States Supreme Court for Writ of Certiorari in Wisconsin Public Intervenor v. Mortier, a FIFRA/federal preemption case. Worked with citizens filing claims against the State and/or corporations for enforcement of environmental laws.
WORKS IN PROGRESS:

The Regional Influence of Scandinavian Immigrants on Public Access for Responsible Recreation on Private Land in the U.S.

Disaster as a Capstone: Team-Teaching the BP/Deepwater Horizon Oil Spill

PUBLICATIONS:


Cleveland in ENCYCLOPEDIA OF AMERICAN ENVIRONMENTAL HISTORY, (Kathleen Brosnan, ed.), November 1, 2010.


An Important Reduction in U.S. Carbon Emissions, 22 A&WMA: THE AIR AND WASTE MANAGEMENT ASSOCIATION NEWSLETTER NORTHERN OHIO CHAPTER 3 (October 2009)


Environmental and Brownfield Liability: Relative Influence on Corporate Expansion and Relocation (with Alan K. Reichert), 2 J. CORP. REAL EST. 315 (2000). (This is a peer reviewed real estate journal.)


Deed Restrictions and Other Institutional Controls as Tools to Encourage Brownfields Redevelopment (with Robert A. Simons) ENVTL. L. & PRAC., 31-38, Summer 1999.


PAPERS AND PRESENTATIONS (REPRESENTATIVE SELECTION):


Clinical Legal Education: Why it’s worth it and how we do it, Uppsala University Faculty of Law, Uppsala, Sweden, May 15, 2009.

An Introduction to Interdisciplinary Legal Education in Environmental Disciplines, Uppsala University Faculty of Law, Uppsala, Sweden May 14, 2009.


Public Access to Private Land: England’s CROW Act, Sweden’s Allemansrätt, and Virtual Heresy in the U.S., Faculty Luncheon Presentation, University of Minnesota School of Law, November 11, 2008.


Live, on-air interview with Les Sekely, WEOL am 930 News Program regarding the “treasure trove” case, December 18, 2007.

Interviewed for and quoted in "Contractor, homeowner at odds over fortune found in bathroom walls" Jim Nichols, The Plain Dealer, December 12, 2007.


Speaker, Investiture of Judge Jane M. Beckering, Michigan Court of Appeals, Grand Rapids, Michigan, October 18, 2007.

Massachusetts v. EPA: A Law Professor’s Thoughts Going Forward, Keynote Speaker, Air and Waste Management Association, Northern Ohio Chapter Annual Meeting, Cuyahoga Community College, May 24, 2007.

Seeking a Seat at the Table: Has Law Left Environmental Ethics Behind, as it Embraces Bioethics? Law Faculty Luncheon Presentation, November 6, 2006.

One Step Forward, Two Steps Back? The Future of Environmental Law, Ohio State Bar Environmental Seminar, Mt. Sterling, Ohio, April 21, 2006.

The Environmental Protection Agency under Bush 2: Dramatic Shifts in Policy, Cleveland-Marshall Faculty Speakers Series, April 14, 2005.


Brownfields Redevelopment: Issues for the Urban Environment, and Environmental Justice in Cleveland, Urban Influences in Environmental Law and Policy, Association for Environmental Law and Sustainability, Cleveland State University, October 2, 2004.


Interviewed by Matt Solomon, KFBK radio, Sacramento, CA, and Michael O'Mara, TV Channel 3, Cleveland, January 6, 2004, regarding the property issues surrounding the MegaMillion lottery ticket that appeared to be lost and was then claimed by two women.

EPA's Ongoing Struggle With Data from Third-Party Pesticide Toxicity Studies Using Human Subjects, Pesticides: What Will the Future Reap?, William and Mary Environmental Law Symposium, College of William and Mary School of Law, Williamsburg, Virginia, March 28, 2003. This was an invited symposium presentation.

Hot Topics Brownfields Law and Litigation, Taking the Brown out of Brownfields, Legal Institute of the Great Lakes, University of Toledo College of Law, April 26, 2002.


Interviewed by David C. Barnett, News Director, WCPN, on InfOhio After Nine regarding Senator George Voinovich’s proposed Air Quality Standards Improvement Act, April 11, 2000.

Panelist, Risk-Based Clean-Up, 18th Annual Public Interest Environmental Law Conference, Eugene, Oregon, March 5, 2000.

Panelist, Brownfields Redevelopment, Cuyahoga Financial Institutions Advisory Committee Conference, Sustaining Communities: An Antidote to Urban Sprawl, Cleveland, Ohio, November 4, 1999.


Panelist, Brownfield Redevelopment Opportunities and Small Businesses, First 11th Congressional District Conference on Small Business (sponsored by The Honorable Stephanie Tubbs Jones), Cleveland, Ohio, September 24, 1999.

Site Prioritization and Corporate Decision-making in the Redevelopment of Contaminated Sites. Presentation to the Toledo Brownfields Working Group regarding site prioritization in the implementation of a U.S. EPA brownfields grant, June 30, 1999.

Brownfields Redevelopment Programs and the Importance of Non-Environmental Factors to their Ultimate Success or Failure, Ohio Academy of Science 1999 Annual Meeting, Cleveland, Ohio, April 24, 1999.

The Relative Importance of Environmental and Other Factors in Influencing the Corporate Expansion and Relocation Decision (with Alan K. Reichert), American Real Estate Society 1999 Annual Meeting, Tampa, Florida, April 9, 1999.
Heidi Gorovitz Robertson  
January 22, 2013

Interviewed by David C. Barnett, News Director, WCPN, during the noon news, April 13, 1999 regarding the exhibition, All of Us are Related, Each of Us is Unique.

All of Us are Related, Each of Us is Unique, organized exhibition appearance at CSU and accompanying multidisciplinary faculty panel discussion and public forum, April 14-30, 1999.

Alternatives to Litigation-Based Environmental Law Clinics (with Daniel C. Esty), Environmental Law Clinic Directors’ Workshop, New Orleans, January 9, 1999.


Moderator, Do We Practice What We Teach?, Environmental Law Section Program for the 1998 AALS Annual Meeting, San Francisco, California, January 9, 1998.

Guest, WERE AM, Legal Lines, February 8, 1997.

Panelist, ABA Satellite Seminar, Hazardous Waste and Superfund: RCRA and CERCLA at the Crossroads, Cleveland, Ohio, May 9, 1996.


Topics covered: The California Corporate Criminal Liability Act of 1989; Lender Liability Under CERCLA; California's One-Action and Anti-Deficiency Rules; and Permitting Under the Clean Air Act Amendments of 1990.

APPPOINTMENTS AND OTHER ASSIGNMENTS

St. Petersburg Summer Law Institute, St. Petersburg, Russia, Summer 2009. Taught International Environmental Law to a joint class of American and Russian law students.


Board of Trustees, The Clean Air Conservancy, 2000 to 2007, Board Secretary, 2002 to 2007.

Editorial Board, Center for Computer-Assisted Legal Instruction (CALI), 2000 to present.

Risk-Assessment Fellow, Center for Environmental Science, Technology, and Policy, Cleveland State University, 2000-2001.

Faculty Exchange, Yaroslav the Great (Novgorod State) University, Novgorod, Russia, March 2000. Taught a two and one-half week course, Introduction to Environmental Policy and International Environmental Law to undergraduate law students.

Program Committee, AALS Environmental Law Section 1997-1998.


Toxics Task Force, California Bankers' Association, 1990-93. Appointed to 15-member panel to write California legislation clarifying lenders' rights and responsibilities with respect to contaminated collateral.

GRANTS/AWARDS (EXCLUDING SUMMER RESEARCH GRANTS)

2010 University Administrative Merit Recognition Award

Fulbright Senior Specialist, Guest Lecturer/Researcher, Uppsala University, Sweden, Spring 2009.

Fulbright Senior Specialist candidate roster 2006-2011 (approved by CIES as eligible for Fulbright Senior Specialist placement)

2008 University Faculty Merit Recognition Award, for excellence in teaching, research, and service

2005 University Faculty Merit Recognition Award, for excellence in teaching, research, and service.

1997 Teaching Enhancement Award, Center for Teaching Excellence, Cleveland State University, $1585 for “Creating a Folio-Views Infobase for Environmental Law Course Materials.”

1996 Teaching Enhancement Award, Center for Teaching Excellence, Cleveland State University, $2000 for “A Problem-Oriented Course in Environmental Law.”

BAR ADMISSIONS AND OTHER MEMBERSHIPS:

Wisconsin, admitted June 18, 1990.
Heidi Gorovitz Robertson  
January 22, 2013

California, admitted December 4, 1990.  
Ohio, admitted November 5, 1997 (Active).

American Bar Association  
Cleveland Metropolitan Bar Association  
International Academic Association for Planning, Law, and Property Rights

CONTACT INFORMATION:

Cleveland-Marshall College of Law  
Cleveland State University  
2121 Euclid Ave.  
Cleveland, Ohio 44115  
Phone: (216) 687-9264  Fax: (216) 687-6881  
Email: Heidi.Robertson@law.csuohio.edu
CHRIS SAGERS
Cleveland-Marshall College of Law, Cleveland State University
2121 Euclid Avenue, LB 138, Cleveland, OH 44115
(216) 687-2319; csagers@law.csuohio.edu

EXPERIENCE
Prof. of Law, Cleveland State University, 2011 - present
Assoc. Prof. of Law, Cleveland State University, 2007 - 2011
Asst. Prof. of Law, Cleveland State University; September, 2002 - 2007

Courses Taught: Administrative Law; Antitrust; Banking Regulation; Business Organizations (Corporations and Agency & Partnership); Law & Economics; Theories of the Firm in Critical Perspective (seminar)

Visiting Professor, Lewis & Clark Law School, Portland, OR; Summer 2005
Associate, Shea & Gardner, Washington, D.C.; April, 1999 - October, 2001
Arnold & Porter, Washington, D.C.; September, 1997 - April, 1999

Licensure, New York, 1997 - present
District of Columbia, 1997 - present

EDUCATION
University of Michigan School of Law, J.D. cum laude, 1997
Executive Editor, Michigan Law Review
Member, Order of the Coif

University of Michigan Gerald Ford School of Public Policy, M.P.P., 1997
Teaching Assistant, Organizational Design (Prof. Larry Mohr)
Board Member, Alumni Board of Governors, 1999-2001.

University of Iowa, B.A. with Honors (Music Composition/minor in English), 1992
Winner, University of Iowa Music Composition Award
Work for chamber orchestra, Chamber Concerto No. 1, selected for performance at the Midwestern Composers Symposium at Indiana University, 1991

PUBLICATIONS
In Print and Forthcoming:
Books:

A Handbook on the Scope of Antitrust: A Comprehensive Guide to Antitrust Exemptions and Immunities (ABA Section of Antitrust Law; co-editor with Greg Garrett; publication anticipated 2013)
Articles and Book Chapters:


*Standardization and Markets: Just Exactly Who is the Government and Why Should Antitrust Care?*, 89 OR. L. REV. 785 (2011) (invited symposium contribution)


*Credit Rating Organizations, Their Role in the Current Calamity, and Future Prospects for Reform, in Lessons From the Financial Crisis: Insights and Analysis From Today’s Leading Minds* (J. Wiley & Sons, Robert Kolb, ed. 2010) (with Tom Fitzpatrick)


*Monism, Nominalism and Public-Private in the Work of Margaret Jane Radin*, 54 CLEV. ST.

The Legal Structure of American Freedom and the Provenance of the Antitrust Immunities, 2002 UTAH L. REV. 927


Trade Press:

Competition Come Full Circle? Pending Legislation to Repeal the U.S. Railroad Exemption, COMP. POL’Y INT’L NEWSLETTER, Sept. 2009 (online publication of Competition Policy International)


Asbestos: Litigation or Bankruptcy?, in 23 SOURCEBOOK ON ASBESTOS DISEASES (George A. Peters & Barbara J. Peters, eds. 2001) (with John D. Aldock and Patrick M. Hanlon)

Student Works:


Working Papers (in decreasing order of completion):
A Statute by any Other (Non-acronomial) Name Might Smell Less Like S.P.A.M., or, The Congress of the United States Grows Increasingly D.U.M.B. (a survey and analysis of the increasing use of acronomial statute short-names, drawing some not particularly comic
Legal Boundaries as Political Economy: A General Theory of the Regulation-Competition Dichotomy (explaining how better administered concept of the legally fictional, but very useful, regulation-competition dichotomy could inform the administration of a number of crucial judicial functions)

Incorporating Systemic Risk Measurement in Financial Sector Merger Review (examining ways that theoretically based risk measurement could inform federal review of financial institution mergers, in a principled and manageable way similar to antitrust pre-merger clearance, a process now largely non-existent)

American History and the Political Economy of Business Collaboration: A Brief Analysis for Legal Theory (a brief legal history of legally recognized collaborations, like corporations, corporate families, and joint ventures, all of which are comparatively recent, and an explanation of the usefulness of that history for current legal theory)

Antitrust, Institutional Personality, and the Presumption of Individualism in American Policy (observing an inner conflict in competition policy between its purportedly whole-hearted commitment to welfare economics, including its focus on allocational efficiency, and the large number of rules that continue to serve individualist values; the conflict lies in the fact that welfare economics is inherently collectivist and incompatible with principled individualism)

AWARDS, MAJOR PRESENTATIONS, AND MAJOR REPRESENTATIONS

Teacher of the Year, Cleveland-Marshall School of Law, 2004-05 and 2007-08 (elected by students at large)

Presenter, NYU-ABA-AALS Next Generation of Antitrust Scholarship Conference, January 2012, New York University School of Law (“Legal Boundaries as Political Economy . . .” one of 12 papers selected from submissions received internationally)

Presenter, Yale/Stanford Junior Faculty Forum, June 2003, Stanford Law School (“Antitrust Immunity and Standard Setting Organizations . . .” was one of 16 papers chosen from 122 submissions)

U.S. Congressional Testimony:
House Judiciary Subcommittee on Courts and Competition Policy, concerning antitrust aspects of the Resolution Authority for Large, Interconnected Financial Companies Act of 2009; November, 2009
House Judiciary Subcommittee on Commercial and Administrative Law, concerning antitrust aspects of the Resolution Authority for Large, Interconnected Financial Companies Act of 2009; October, 2009

Testimony before congressionally empanelled U.S. Antitrust Modernization Commission, presenting comments of the ABA Antitrust Section concerning the federal statutory antitrust exemption for the ocean shipping industry; October, 2006

Lead Author, Briefs of Amicus Curiae on Behalf of the American Antitrust Institute:
Simon v. KeySpan Corp., No. 11-2265 (2d Cir. 2011)
In re Hawaiian & Guamanian Cabotage Antitrust Litigation, No. 10-36165 (9th Cir. 2011)
FTC v. Lundbeck, Nos. 10-3548 and 10-3549 (8th Cir. 2011)

Faculty Merit Recognition Award, Cleveland-Marshall School of Law, awarded in 2005, 2008, and 2011 (cash award given by dean in recognition of meritorious teaching, scholarship and service)

AFFILIATIONS
Senior Fellow, American Antitrust Institute, 2011 to present (as well as Advisory Board member, 2009-present)

Elected Member, American Law Institute, 2009 to present.

Vice Chair, Exemptions and Immunities Committee, Section of Antitrust Law, American Bar Association, 2010 to present

Honorary Member, Delta Theta Phi (honorary membership in legal fraternity offered by CSU student members, in recognition of “ambitious dedication to teaching [and] high[ ] regard[ ] as a caring professor by . . . students and colleagues alike.”)

Member, American Law & Economics Association, Law & Society Association

ADMINISTRATIVE AND FACULTY SERVICE EXPERIENCE
University Research Council, Cleveland State University, composed of “well-recognized, active scholars as indicated by . . . nationally recognized scholarly activity,” with duties for overseeing research programs and awarding internal research funds.

Faculty Advisor, Cleveland-Marshall chapter, Delta Theta Phi, 2009 - present
Cleveland State Law Review, 2005 - present
Cleveland State University Joint Degree Program in Law and Business, 2003 - present
Cleveland-Marshall Business Concentration Program, 2002 - present

Chair, Faculty Scholarship Committee, 2011-12; Teaching Committee, Cleveland-Marshall College of Law, 2007-08 and 2008-09; Cleveland-Marshall Fund/Baker-Hostetler Committee 2006-07 (duties included selection of visiting scholars to the College of Law and coordination of their visits); Joint Degree Committee, Cleveland-Marshall College of Law, 2004-05 and 2005-06

Member, Faculty Appointments Committee, Cleveland-Marshall College of Law, 2003-04, 2004-05, and 2011-12

PERSONAL
Impossibly proud father of Jonah and Jude Sagers.

Married to Annie Wu, public radio journalist who has worked as Producer for NPR, News Director and Reporter for WAMU Radio, Washington, D.C., and successful freelancer; married 9 years.

Member, Board of Directors, Cleveland Winds (professional quality wind ensemble founded in 2008)

Personal hobby and chief passion is woodworking (in fairly obvious if not entirely conscious idolatry of older brother, who makes handmade furniture for a living); have made increasingly non-amateur furniture items for home and office thanks largely to awe-inspiring patience of aforementioned spouse.
Milena Sterio

Associate Professor of Law
Cleveland-Marshall College of Law
Cleveland State University

2121 Euclid Ave, LB 131
Cleveland, OH 44115
216-687-3852
milena.sterio@law.csuohio.edu

TEACHING EXPERIENCE

Cleveland-Marshall College of Law, Cleveland, Ohio Aug. 2011-present
Associate Professor of Law (with tenure); Assistant Professor of Law (2006-2011)

Courses: International Law, International War Crimes Seminar, Alternative Dispute Resolution, Commercial Law

Developed the “International War Crimes Seminar,” through which students perform research and write memoranda on various topics of international criminal law for the different offices currently existing at several international tribunals, including the International Criminal Court, the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, and most recently, the Seychelles’ Attorney General (topics on Somali piracy).

Cleveland-Marshall College of Law Summer Institute, St. Petersburg, Russia, July 2011

Courses: International Criminal Law

Taught a two-week course in International Criminal Law with a particular focus on legal issues related to Somali piracy, in St. Petersburg, Russia; taught to a group of American and Russian students.

Adjunct Professor of Law

Courses: International War Crimes Research Clinic

Lectured on international criminal law; moderated student discussions on various topics within international criminal law; acted as liaison to establish a working relationship between the students and the Special Court for Sierra Leone; advised and guided student research and writing.

Cornell Law School, Ithaca, New York Spring 2000
Teaching Assistant

Courses: Law, Its Nature, Functions, and Limits
Teaching assistant for an introductory law course in the Government Department. Taught smaller student sections independently on a weekly basis.

Lycee St. Ursule, Tours, France Oct. 1996-May 1997
Teaching Assistant for English Language

Assisted high school English professor in the teaching of English language to French students. Taught weekly small sections independently.

SCHOLARLY PUBLICATIONS & WORKS IN PROGRESS

Books:


Law Review Articles:

International Law in Crisis: Piracy off the Coast of Somalia, Case Western Journal of International Law (forthcoming 2011)

A Tale of Two States: Territoriality v. Minority Rights in Kosovo and Georgia, Baltic Yearbook of International Law (forthcoming 2011)

Katyn Forest Massacre: Of Genocide, State Lies, and Secrecy, Case Western Journal of International Law (forthcoming 2011)


Clash of the Titans: Collisions of Economic Regulations and the Need to Harmonize Prescriptive Jurisdiction Rules, 13 U.C. Davis Journal of International Law and Policy 95 (2007) (lead article)


Prosecution of International War Crimes in National Courts: Current Challenges and Dilemmas (work in progress)

OTHER WRITINGS

Piracy Off the Coast of Somalia: Current Approaches Under International Law, ASIL Annual Proceedings 2011

The Case of Kosovo: Self-determination, Secession and Statehood Under International Law, ASIL Annual Proceedings 2010

International Criminal Court: Summary of the Prosecutor’s Application under Article 58, Introductory Note, 48 International Legal Materials 406 (2009)

Author of blog dedicated to international law and politics: https://intlawandpolitics.blogspot.com (numerous posts)

Contributors to international law blog www.intlawgrrls.com (several posts)

Peer Referee for Melbourne Journal of International Law (Australia), 2010

Peer Reviewer for McGill Journal of Law (Canada), 2011

PRESENTATIONS

“Piracy off the Coast of Somalia: The Argument for National Prosecutions in the Courts of Kenya, the Seychelles, and Mauritius,” Junior International Law Scholars’ Association Annual Meeting, University of Georgia Law School, Athens, Georgia, February 10, 2012 (forthcoming)
Milena Sterio


“Recent Supreme Court Cases Review: Leal-Garcia v. Texas,” Cleveland-Marshall College of Law, Cleveland, Ohio, November 21, 2011

“International Law in Crisis: Piracy off the Coast of Somalia,” Central States Law Schools’ Association, University of Toledo Law School, Toledo, Ohio, October 29, 2011

“Piracy off the Coast of Somalia,” International Law in Crisis Conference, Case Western Reserve University School of Law, Cox Center Symposium, Cleveland, Ohio, September 9, 2011

“What is a Human Right?” Law and Society Annual Meeting, San Francisco, California, June 4, 2011


“Transnational Piracy: To Pay or to Prosecute?,” American Society of International Law Annual Meeting (moderator), Washington, D.C., March 26, 2011


“Katyn: Justice Delayed or Justice Denied,” Cleveland-Marshall College of Law Faculty Presentation, Cleveland, Ohio, February 23, 2011

“The U.S. Congressional Investigation into Katyn,” (participant at conference entitled: “Katyn: Justice Delayed or Justice Denied?”), Case Western Reserve University School of Law, Cleveland, Ohio, February 4, 2011


“Lawfare!,” Case Western Reserve University School of Law War Crimes Research Symposium (moderated panel “Lawfare and the Israeli-Palestine Predicament”), Cleveland, Ohio, September 10, 2010


“Piracy Under International Law,” Cleveland-Marshall College of Law Faculty Presentation, Cleveland, Ohio, October 28, 2009

“Fighting Piracy in Somalia: Why More is Needed,” Central States Law Schools’ Association Annual Conference, Capital University Law School, Columbus, Ohio, October 24, 2009

“The Goldstone Report,” Panel Discussion, Case Western Reserve University School of Law, Cleveland, Ohio, October 2009


“International Issues in Piracy,” Case Western Reserve University School of Law, Cleveland, Ohio, April 13, 2009

“Piracy!,” Public Affairs Discussion Group, Case Western Reserve University, Cleveland, Ohio, March 6, 2009

“On ‘Selfistans,’ Self-Determination and Secession,” Cleveland-Marshall College of Law Faculty Presentation, Cleveland, Ohio, February 25, 2009


“Recent Supreme Court Cases: Medellin v. Texas,” Cleveland-Marshall College of Law Faculty Presentation, Cleveland, Ohio, October 6, 2008

“The Kosovar Declaration of Independence: An Illegal Unilateral Secession or a Justified Recognition of De Facto Statehood?,” Cleveland-Marshall College of Law Faculty Presentation, Cleveland, Ohio, February 20, 2008

“The Evolution of International Law,” Capital University Law School, Columbus, Ohio, February 15, 2008


“Clash of the Titans: Collisions of Economic Regulations and the Need to Harmonize Prescriptive Jurisdiction Rules,” Cleveland-Marshall College of Law Faculty Presentation, Cleveland, Ohio, January 22, 2007
UNIVERSITY SERVICE

Cleveland-Marshall College of Law:

Scholarship Committee (2010-present)
International Programs Committee (2006-present)
Faculty Appointments Committee (2007-08; 2008-09)
Criminal Justice Forum Planning Committee (2008-present)
Academic Standards Committee (2009-10; 2010-11; 2011-12 (Chair))

Cleveland State University:

Faculty Senate, Senator (2008-present)
Committee on Academic Space (2008-present)

EDUCATION

Cornell Law School, J.D. Magna Cum Laude, May 2002
   Class Rank: Top 10 %
   Order of the Coif
   CALI Award for highest grade in Public International Law
   CALI Award for highest grade in International Criminal Law
   CALI Award for highest grade in Property
   International Law Journal, General Editor

University Paris I-Pantheon-Sorbonne, Maitrise en Droit (French Law Degree), mention assez bien (Cum Laude), June 2002
   Association des Juristes Panthéon-Kings College (Future Lawyers’ Society Panthéon-Kings College), Member

University Paris I-Pantheon-Sorbonne, D.E.A. (Master’s Degree), Private International Law, mention assez bien (Cum Laude), June 2003

University Paris I-Pantheon-Sorbonne, Institute of International and Comparative Law, Summer Study, July 1999
   Courses: International Human Rights, International Sales

Rutgers College, B.A. French Literature and Political Science, Summa Cum Laude, May 1998
   Henry Rutgers Honors Scholar, Thesis: Racial Relations in Modern France As Seen Through Literature (Highest Honors, French and Political Science Departments) (in French)
   Phi Beta Kappa
   Van Der Poel Prize Award for Best Student in French Department
   Dean’s Award for Excellence, April 1996

   University Francois Rabelais, Tours, France, Junior Year Abroad, 1996-97
**LEGAL EXPERIENCE**

*Associate*

Worked on international trade secrets International Chamber of Commerce arbitration, and related United States District Court proceedings. Prepared client’s application in the European Court of Human Rights and served as liaison with local counsel in Croatia. Acted as pro bono coordinator. Active in the firm’s pro bono practice, especially in asylum law, World Trade Center victim compensation claims, and several research projects for the Principal Defender for the Special Court for Sierra Leone.  
Member of Women’s Working Group Leadership Committee.

*Summer Associate*

Worked in both U.S. and French corporate law. Advised client on Sarbanes-Oxley regulatory changes to its corporate structure. Helped with a successful pro bono political asylum claim.

**Sullivan & Cromwell**, New York, New York  
*Summer Associate*  
May-August 2000  
Performed various corporate law and litigation-based assignments.

**LEGAL RESEARCH EXPERIENCE**

**Cornell Law School**, Ithaca, New York  
*Research Assistant to Law Professor Robert A. Hillman*  
June 1999-May 2000  
Edited and researched various projects related to a forthcoming law review article in the field of Contract Law and in preparation of a Contract Law course.

**Cornell Law School**, Ithaca, New York  
*Research Assistant to Law Professor David Wippman*  
January-May 2000  
Edited and researched several projects for Human Rights Watch, namely regarding the Torture Convention and international humanitarian law.

**OTHER PROFESSIONAL EXPERIENCE**

**Congressman William Pascrell Jr.**, Paterson, New Jersey  
June – August 1997  
*Intern*
Assisted case-workers with various files. Worked directly with constituents and their specific needs.

**PROFESSIONAL AFFILIATIONS**

- Central States Law Schools’ Association, President
- High Level Expert Group on Piracy in Somalia, Member
- American Bar Association, International Law Section
- New York State Bar Association, International Law and Practice Section
- Association of the Bar of the City of New York
- American Society of International Law, Member
- Law and Society, Member

**LANGUAGES**

Native fluency in Serbo-Croatian. Fluent in French. Proficient in Italian.

**REFERENCES**

- Professor Robert A. Hillman, Cornell Law School
- Dean David Wippman, Minnesota Law School
- Professor Barbara Holden-Smith, Cornell Law School
- Jason P. Gottlieb, Counsel, Curtis Mallet-Prevost, Colt & Mosle LLP
Mark J. Sundahl

Associate Professor of Law
Associate Dean for Academic Affairs
Cleveland-Marshall College of Law, Cleveland State University
2121 Euclid Avenue, LB 138, Cleveland, Ohio 44115
216.687.2300 mark.sundahl@law.csuohio.edu

Academic Positions

*Associate Dean for Administration, Cleveland-Marshall College of Law* (2011-present)

*Associate Dean for Academic Affairs, Cleveland-Marshall College of Law* (2010-2011)

*Associate Professor, Cleveland-Marshall College of Law* (2009-present)
- International Business Transactions, Space Law, Commercial Law, Secured Transactions, Ancient Athenian Law

*Assistant Professor, Cleveland-Marshall College of Law* (2004-2009)

Legal Practice

*Of Counsel, Yormick & Associates* (2006-present)
- International Transactions and Corporate Law
- Aerospace & Defense Practice

*Associate, Pillsbury Winthrop LLP* (2001-2004)
- International Transactions and Corporate Law

Professional Appointments

*Member, International Institute of Space Law* (2006-present)

*Assistant Executive Secretary, International Institute of Space Law* (2010-2012)


Co-editor, NOMOI (online bibliography of scholarship on ancient Greek law)

*Director & Vice-President, Greater Cleveland International Lawyers Group* (2005-present)

*Vice-Chair, International Law Section, Cleveland Metropolitan Bar Association* (2011-present)

*Treasurer, International Law Section, Cleveland Metropolitan Bar Association* (2009-2010)
Editor, GLOBAL ACTION, Newsletter of the International Law Section of the Cleveland Metropolitan Bar Association (2008-2010)

Education

J.D., University of California, Hastings College of the Law, 2001
  - Magna cum laude
  - Order of the Coif
  - Member, Hastings International and Comparative Law Review

Ph.D., Classics, Brown University, 2000
  - Dissertation: The Use of Statutes in the graphai paranomon and graphai nomon me epiteideon theinai Speeches in Ancient Athens
  - U.S. Department of Education, Javits Fellow for the Humanities
  - Honorary Andrew W. Mellon Fellow for Humanistic Studies

B.A., Classics, UCLA, 1993
  - Magna cum laude
  - Phi Beta Kappa
  - College Honors & Highest Departmental Honors

Books and Treatises

THE CAPE TOWN CONVENTION: ITS APPLICATION TO SPACE ASSETS AND RELATION TO THE LAW OF OUTER SPACE (forthcoming 2012, Brill)

NEW PERSPECTIVES ON SPACE LAW (co-editor with V. Gopalakrishnan, 2011)

A WORKING BIBLIOGRAPHY OF ANCIENT GREEK LAW (co-editor with Ilias Arnaoutoglou and David Mirhady, 2011)


Major Publications


The Living Constitution of Ancient Athens: A Fresh Perspective on the Originalism Debate, 42 JOHN MARSHALL LAW REVIEW 463 (2009)
Iraq, Secured Transactions & The Promise of Islamic Law, 40 VANDERBILT J. TRANSNAT’L L. 1301 (2007)


Other Academic Publications


Minor Publications

ITAR and Space Technology: The Dawn of a New Age?, GLOBAL ACTION, Newsletter of the International Law Section of the Cleveland Metropolitan Bar Association (April 2009)

ITAR Update: A Clarification Brings a New Complication, Ohio Aerospace Institute Newsletter (November 2008)
Speaking Engagements

*Expanding Your Business through Exports*, Global Gateway Lecture Series, Shaker LaunchHouse (February 24, 2012)

*Laws and Regulations Across Markets: What You Need to Know When Buying, Selling, and Licensing Abroad*, Global Target Program, Monte Ahuja College of Business (January 27, 2012)

*NASA’s Commercial Crew Transportation System Requirements and the FAA Human Spaceflight Regulations: A Study in Contrasts?*, International Astronautical Congress (October 5, 2011, Cape Town, South Africa)

*C Corps, S Corps and LLCs…Oh, My! Choosing the right business entity for your start-up*, Global Gateway Lecture Series at Shaker LaunchHouse (October 28, 2011)

*ITAR Workshop*, International Trade Assistance Center, Independence, Ohio (September 20, 2011)


*ITAR and EAR Updates for Aerospace Companies*, Members Roundtable, Ohio Aerospace Institute (April 8, 2011)

*An Introduction to U.S. Export Controls*, Ohio Aerospace Institute (March 4, 2011)


*Laws and Regulations Across Markets: What You Need to Know When Buying, Selling, and Licensing Abroad*, Global Target Program, Monte Ahuja College of Business (October 15, 2010)


*The Cape Town Convention: Financing Space Ventures*, University of Nebraska-Lincoln, Guest Lecturer (August 27, 2010)
The Cape Town Convention: A Successful Experiment?, University of Nebraska-Lincoln, Guest Lecturer (August 27, 2010)

The Legality of Kinetic Anti-Satellite Tests under Customary International Law, Case Western Reserve University College of Law, Guest Lecturer (April 19, 2010)

The Legality of Kinetic Anti-Satellite Tests under Customary International Law, Cleveland-Marshall Faculty Noontime Talk (March 25, 2010)

International Legal Issues, Export Today Lecture Series, Lorain Port Authority (February 19, 2010)

Bigelow Aerospace’s Commodity Jurisdiction Request under ITAR and its Impact on the Future of Private Spaceflight, International Astronautical Congress (Daejeon, South Korea, October 16, 2009)

Legislative Intent in Ancient Athens, 2008 Annual Meeting of the American Society for Legal History (Ottawa, November 15, 2008)


Information Warfare: The Legal Aspects of Using Satellites and Jamming Technologies in Propaganda Battles, International Astronautical Congress (Valencia, Spain, October 4, 2006)

A New Era of Space Finance: The Cape Town Convention, International Space Development Conference (Los Angeles, May 6, 2006)

Interpreting Statutes in Ancient Athens, Annual Conference of the Association for the Study of Law, Culture and the Humanities (Syracuse, March 17, 2006)


Female Persuasion in Solon’s Testamentary Law, Greek Law Panel, Annual Meeting of the American Philological Association (December 28, 1996)

Additional Presentations


What Would Socrates Say about Our Constitution?, Constitution Day Lecture, Cleveland-Marshall College of Law (September 17, 2009)

Laws and Regulations Across Markets: What You Need to Know When Buying, Selling, and Licensing Abroad, GlobalTarget Program, Nance College of Business Administration, Cleveland State University (June 17, 2009)

Penetrating Foreign Markets Through Export Sales and Legal Issues in Establishing Foreign Business Operations, Going Global Today International Trade Seminar (Cleveland Metropolitan Bar Association and the International Trade Assistance Center), Cleveland, Ohio (May 12, 2009)

Agents, Distributors, and Direct Sales: How to Sell your Products Abroad, Beachwood Business Development Center Global Gateway Lecture Series, Beachwood, Ohio (April 24, 2009)

Space Law in the New Millennium, Rowfant Club, Cleveland, Ohio (April 22, 2009)

Islamic Secured Finance, CSU-Siegel College Seminar on Jewish and Muslim Attitudes Toward the Lending Crisis, Cleveland State University (March 18, 2009)

Space Law in the New Millennium, Intown Club, Cleveland, Ohio (March 16, 2009)

Panelist, Penetrating Foreign Markets: Opportunities and Challenges for Aerospace & Defense Manufacturers, Ohio Aerospace Institute (December 9, 2008)

Sales, Finance & Other Aspects of Commercial Law, Beachwood Business Development Center Global Gateway Lecture Series, Beachwood, Ohio (May 30, 2008)

The V-Prize: Legal Challenges for the Next Adventure in Space Tourism, Case Western Reserve University School of Law (April 4, 2008)

Original Intent in Ancient Greek Law, Cleveland-Marshall Faculty Noontime Talk (January 30, 2008)

Choosing the Right Business Entity: When and Why to Choose a Partnership, an LLC, or a Corporation (w/ Carole Heyward), Beachwood Business Development Center Global Gateway Lecture Series, Beachwood, Ohio (January 25, 2008)

The Five Miracles of Ancient Greek Law, Rowfant Club, Cleveland, Ohio (January 23, 2008)

The Law of Outer Space: Challenges for the New Millennium, Cleveland-Marshall Open House (November 1, 2007)

Spaceports and Space Tourism: Legal Issues for the New Space Industry, Cleveland-Marshall Faculty Speaker Series (sponsored by the Law Library) (March 27, 2007)

Iraq, Secured Transactions, and the Promise of Islamic Law, Capital University School of Law (February 23, 2007)
Iraq, Secured Transactions, and the Promise of Islamic Law, Cleveland-Marshall Faculty Noontime Talk (February 1, 2007)

The Highest Finance: Satellites, Space Radio and an Update on the Cape Town Convention, Faculty Speakers Series (sponsored by the Law Library) (March 7, 2006)

The Birth of Democracy and the Death of the Kouros: The Effect of Political Reform on Art in Ancient Athens, John Carroll University (February 7, 2006)


Moderator, International Intellectual Property Protection Roundtable, Cleveland State University Global Business Center Series (October 20, 2005)

Financing Rockets, Satellites & Space Hotels: An Update on the Cape Town Convention, Cleveland-Marshall Faculty Noontime Talk (September 12, 2005)


Secured Transactions in the Air and in Orbit, Cleveland-Marshall Faculty Noontime Talk (February 28, 2005)

Other Academic Activities

Co-Coordinator, 54th Colloquium on the Law of Outer Space (Cape Town, October 1-5, 2011)
Elected to Graduate Faculty of Cleveland State University (April 12, 2011)


Co-Coordinator, 53rd Colloquium on the Law of Outer Space (Prague, September 27-31, 2010)

Rapporteur, Young Scholars Session, 2010 International Astronautical Congress (Prague, September 27, 2010)


Rapporteur, Legal Mechanisms for Encouraging Space Commerce Panel, 2009 International Astronautical Congress (Daejeon, Korea, October 14, 2009)

Chair, Rational Choice Approaches to Ancient Law Panel, 2009 Annual Meeting of the
American Society for Legal History (Dallas, November 14, 2009)


**Media Appearances**

*Die Weltraum-Juristen (The Space Lawyers), DIE SÜDDEUTSCHE ZEITUNG* (August 26, 2010)
Alan C. Weinstein
Curriculum Vitae
Revised: March 2012

Cleveland-Marshall College of Law
Cleveland State University
2121 Euclid Avenue, LB 138
Cleveland, OH, 44115-2214
Tel: (216) 687-3758
Fax: (216) 687-6881
E-Mail: alan.weinstein@law.csuohio.edu

EDUCATION

B.A., University of Pennsylvania (1967); J.D., University of California, Berkeley (1977);
M.C.P., Massachusetts Institute of Technology (1979)

EMPLOYMENT

Associate Professor and Director, JD/MPA, JD/MUPDD and Law & Public Policy Programs, Cleveland-Marshall College of Law and Maxine Goodman Levin College of Urban Affairs, Cleveland State University, Cleveland, OH (1989-)

Courses: Administrative Law, Urban Development Law Clinic, Environmental Law, Land Use Planning Law, Law & Public Policy Clinic, Law & Public Policy Seminar, Legislation, Property, Torts

Duties: Direct interdisciplinary program of instruction, research and public service; plan conferences and symposia; and coordinate interdisciplinary efforts between the Colleges and other university departments.

Achievements: Awarded $1.5 million in externally-funded grants/contracts since 1989; created and direct JD/MPA and JD/MUPDD dual degree programs, and two Clinics with three professional/clerical staff and annual budget of $250,000.

Visiting Associate Professor, Wayne State University School of Law, Detroit, MI (Summer 1987)

Associate Professor, Touro College Law Center, Huntington, NY (1987-89); Assistant Professor (1984-86)

Assistant Professor, School of Architecture & Urban Planning, University of Wisconsin, Milwaukee, WI (1979-84)

PUBLICATIONS

Books, Treatises, Chapters & CLE Manuals


Chapter 6, Adult Entertainment Zoning Issues, in LAND USE & ZONING REFERENCE MANUAL, Volume 01-13 (Columbus: Ohio State Bar Association CLE Institute 2001).


Articles


Current and Future Challenges to Local Government Posed by the Housing and Credit Crisis,” 2 ALBANY GOVT. L. REV. 259 (2009).

How to Avoid a “Holy War” – Dealing with Potential RLUIPA Claims, 60 PLANNING & ENVTL. LAW No. 3 (2008).


Eminent Domain: Judicial and Legislative Responses to Kelo, 58 PLANNING & ENVTL. LAW No. 11 (2006).

Kelo: One Year Later, MUNICIPAL LAWYER, Vol. 47, No. 4 (July/August 2006).


Homeowners Associations, PLANNING COMMISSIONERS JOURNAL #58 (Spring 2005).


Zoning Ordinances and the First Amendment, PLANNING COMMISSIONERS JOURNAL #37 (Winter 2000).


Licensing Ordinances As an Adjunct to Zoning Regulation of Sexually Oriented Adult Entertainment Businesses (Part II), 22 ZONING & PLAN. L. REP. No. 3 (1999).

Licensing Ordinances As an Adjunct to Zoning Regulation of Sexually Oriented Adult Entertainment Businesses (Part I), 22 ZONING & PLAN. L. REP. No. 1 (1999).

The “Modified” Takings Test of Goldberg v. Richmond Heights: Why The Ohio Supreme Court Didn’t Get It Quite Right, 10 BABBIT’S OHIO MUNICIPAL SERVICE Issue 4 (July/August 1998).


Municipal Regulation of Adult Entertainment, 9 BABBIT’S OHIO MUNICIPAL SERVICE Issue 3 (May/June 1997).


Sign Regulation After City of Ladue v. Gilleo: Still No Answer to the Problem of Content-Based Regulations, 17 ZONING & PLAN. L. REP. No. 9 (October 1994).


First Amendment and Land Use, in Recent Developments in Land Use, Planning and Zoning, 22 URB. LAW. 719, 740-752 (1990).


Regulating Pornography: Recent Legal Trends, 34 LAND USE L. & ZONING DIG. No. 2 (1982).


Book Reviews


ACADEMIC & PROFESSIONAL PAPERS/PANELS


“Regulating Digital Signs” APA-Ohio Planning & Zoning Workshop, Westlake, OH (November 18, 2011).


“Setting the Legal and Planning Framework,” 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, Cleveland, OH (March 26, 2010).

“Regulating Digital Signs & Billboards,” American Planning Association National Webinar (March 5, 2010).

“Regulating Digital Signs & Billboards” and “Smart Strategies for Dealing with ‘LULUs,'” APA-Ohio Planning & Zoning Workshop, Cleveland, OH (November 13, 2009).

“A Framework for On-Premise Sign Regulations,” National Signage Research and Education Conference, University of Cincinnati (October 14, 2009).

“Signs, Sex, and God: Regulating Land Uses Protected by the First Amendment,” Northeast Ohio Planning & Zoning Workshop, Mentor, OH (June 5, 2009).


“Sex, God and the First Amendment: Zoning of Sexually Oriented Businesses, Signs and RLUIPA,” Cuyahoga County Law Directors Association, Cleveland, OH (March 12, 2009).

“Signs, Sex, and God: Regulating Land Uses Protected by the First Amendment,” OPC/APA Zoning Workshop, Cleveland, OH (November 14, 2008).


“Growth Management Regulations and Wetlands Protection,” CLE International Ohio Wetlands Conference, Cleveland, OH (October 2, 2008).

“Responding to the Foreclosure Crisis in Cuyahoga County,” National Association of County Community and Economic Development Officials 33rd Annual Conference, Atlanta, GA (September 8, 2008).

“The American Experience with Affordable Housing Policies,” Department of City Planning, the Technion - Israel Institute of Technology, Haifa, Israel. (July 22, 2008).


“Update on RLUIPA,” Cleveland Metropolitan Bar Association CLE Presentation, Cleveland, OH (May 22, 2008).


“Avoiding a Zoning Battle between "Ministry" and Municipality ... or Fighting One If You Must -- Strategies for Local Governments Facing RLUIPA Claims: Religious Land Use & Institutionalized Persons Act Disputes On The Rise,” International Municipal Lawyers’ Association TeleConference (March 24, 2008).


“Planning & Zoning Considerations in Real Estate Development,” Lorman Education Services Seminar: Real Estate Development From Beginning to End, Akron, OH (March 21, 2007).

“The Socioeconomic Effect of Land Use Regulation in Northeast Ohio: Where Have All the Developers Gone?” CLE International Land Use Law Conference, Cleveland, OH (March 6, 2007).


“Kelo’s Aftermath in the States,” Case Western Reserve University Policy Seminar, Cleveland Ohio (September 29, 2006).


“Current Legal Issues in Sign Regulation,” Cuyahoga County Law Directors Association, Cleveland, OH (June 8, 2006).


“Smart Growth,” Lorman Education Services - Ohio Land Use Seminar, Akron, OH (January 26, 2006).


“Land Use and the Constitution: Critiquing the Court's 2005 Property Regulation Cases,” Cuyahoga County Law Directors Association 51st Anniversary Municipal Law Workshop, Cleveland, OH (February 11, 2005).


“Hot Topics: Takings, Eminent Domain, and RLUIPA” OPC/APA Zoning Workshop, Cleveland, OH (October 6, 2004).


"Case Developments Involving RLUIPA and Sexually Oriented Businesses,” Cuyahoga County Law Directors Association, Cleveland, OH (June 10, 2004).


“Smart Growth,” Cleveland Bar Association Seminar: New Directions for Environmental Law, Cleveland, OH (March 24, 2004).


“Hot Topics: Takings, Telecommunications and RLUIPA” and “Sign Regulation: Keys to Effective and Legally Defensible Regulations,” OPC/APA Zoning Workshop, Cleveland, OH (October 30, 2003).


“If You Zone It, They Will Come,” Merging an Artistic and Civic Vision: Law, the Arts, and Urban Planning, Cleveland State University, Cleveland, OH (September 4, 2003).

“Hot Topics: RLUIPA and Sexually Oriented Businesses” and “Sign Regulation: Keys to Effective and Legally Defensible Regulations,” OPC/APA Zoning Workshop, Independence, OH (October 25, 2002).

Keynote Address: “Ohio Land Use Law: How We Got From Euclid to Shemo and Where Are We Heading Now,” Ohio Department of Natural Resources, Floodplain Management in Ohio – Statewide Conference 2002, Columbus, OH (August 29, 2002).


"Responding to RLUIPA,” Cuyahoga County Law Directors Association, Cleveland, OH (November 8, 2001).

“Legal and Policy Structure for Impact Fees in Ohio” Policy Seminar on Impact Fees as Development Policy, sponsored by The John Glenn Institute for Public Service & Public Policy, Ohio State University College of Law, Columbus, OH (November 1, 2001).


“Impact Fees,” OPC/APA 1999 Statewide Conference, Cleveland, OH (October 8, 1999).

“Adult Uses” and “Legal Issues in Sign Regulation” OPC/APA Zoning Workshop, Cleveland, OH (October 8, 1999).


“Growth Management in Ohio: An Overview,” Growth Management Options for Ohio: A Statewide Symposium, Cleveland, OH (October 6, 1999).


“Impact Fees and Farmland Preservation,” Local Governments/Agricultural Law Committees Seminar, Ohio State Bar Association Annual Convention, Cleveland, OH (May 13, 1999).


“Impact Fees,” OSBA/CLE Institute Land Use and Zoning Seminar, Cleveland, OH (April 7, 1999) and Columbus, OH (April 14, 1999).

“Growth Management in Ohio,” Planning Association of Mahoning County, Canfield, OH (March 24, 1999).


“Impact Fees,” Squire Sanders & Dempsey 1998 Seminar on Public Law & Policy, Cleveland, OH (October 5, 1998) and Columbus, OH (October 14, 1998).


“Legal and Policy Issues in Landmark Preservation of Houses of Worship: Can We Preserve Both the House and the Worship?,” Keynote Address, Conference on the “Church” and the City, Cleveland, OH (April 18, 1997).

“Update on Regulating Adult Businesses,” Cuyahoga County Law Directors Association 43rd Annual Municipal Law Workshop, Cleveland, OH (February 17, 1997).

“Legal Issues in Sign Regulation,” written materials provided for meeting of Winter Session of the Public Corporation Law Section, Michigan Bar Association, Dearborn, MI (February 14, 1997).


“Recent Developments in Impact Fee Litigation,” Cuyahoga County Law Directors Association, Cleveland, OH (June 6, 1996).


"Sign Regulation: Perspectives of Industry and Regulators," Midwest Sign Association Conference on Signage, Cleveland, OH (April 29, 1994); Covington, KY (May 20, 1994) & Detroit, MI (October 26, 1994).


"Regulation of `Supercenter' Retail Uses," Cuyahoga County Planning & Economic Development Directors Association, Cleveland, OH (October 19, 1993).

"Revolutions in Land-Use," Cuyahoga County Law Directors Association, Cleveland, OH (September 9, 1993).


"Justice Scalia on Courts, Legislatures and Rights" 34th Annual Conference of the Association of Collegiate Schools of Planning, Columbus, OH (October 31, 1992).


"Who Pays for Growth?", Conference on Growth and Redevelopment Issues & Strategies for the 90s, Cleveland, OH (June 12, 1991).


"Municipal Liability for Land Use Controls," Suffolk County Bar Association, Huntington, NY (March 1, 1988).

"The Takings Trilogy: Revolution or Evolution?," Suffolk County Bar Association, Southampton, NY (October 27, 1987).


"Pornography, Video Games & the Constitution," American Planning Association Zoning Institute, San Francisco, CA (October 26, 1982).

"Law in the Planning Curriculum," 24th Annual Conference of the Association of Collegiate Schools of Planning, Chicago, IL (October 22, 1982).


**PROFESSIONAL AFFILIATIONS**

**American Bar Association**

Affordable Housing & Community Development Law Clinic Directors’ Roundtable (1995- ); Forum Committee on Affordable Housing & Community Development Law (1994- ); Section on Administrative Law & Regulatory Practice (1985- ); Section on Legal Education (1984- ); Section on State & Local Government Law (1981- ); Sub-Committee on Land Use & The First Amendment; Co-Chair (1982-93); Chair (1994-2000).

**American Planning Association**


**Association of American Law Schools**

Section Memberships: Administrative Law (1985- ); Alternative Dispute Resolution (1985- ); Environmental Law (1985- ); Local Government (1985- ); Legislation (1989- )

**Association of Collegiate Schools of Planning**

Member (1979-84, 1989- ); Student Recruitment Committee (1982-84)

**BAR ADMISSIONS**

Massachusetts (1978); Wisconsin (1981); E.D. Wisconsin (1982)

**UNIVERSITY SERVICE**

**Cleveland State University**

17th-18th Block Development Committee (1990-91)
Campus Master Plan Steering Committee (2002)
College of Graduate Studies: Associate Dean Search Committee (2009); Graduate Council (2008--11)(elected); Graduate Faculty (1992- ); Strategic Planning Steering Committee (2009)
Faculty Senate Budget and Finance Committee (2005-08)(elected)
Planning & Budget Advisory Committee (1996-97) (2005-08)

**Cleveland-Marshall College of Law**

Building Committee (1992-97)
Baker-Hostetler/Cleveland Marshall Fund Joint Committee (2002-06): Chair, Faculty Grants Subcommittee (2002-06)
Continuing Legal Education Committee (1990-95): Chair (1993-95)
Curriculum Committee (1991-96)
Dean Search Committee Vice-Chair (2010-11) (elected)
Faculty-Administration Budget Committee (2003-04)
Faculty Affairs Committee (2003-05) (elected by faculty)
Faculty Appointments Committee (2009-10)
Faculty Development Special Committee (1992-94)
Graduate Studies Committee Chair (1996-2006)
Graduate Studies, International Programs & Joint Degree Programs Committee Chair (2006 - 11)
Jewish Law Students Association Faculty Advisor (1995- )
Joint Degree Programs Committee (2000-06): Chair (2002-04)
Law & Public Policy Advisory Committee Chair (1989-99)
Long-Term Contract Renewal Review Committee for Clinical Professor Kermit Lind (2009-10)
Tenure Personnel Action Committee (1992- ); Subcommittee Chair for Asst. Prof. Linda Ammons (1995); Subcommittee Chair for Asst. Prof. Kunal Parker (2000); Subcommittee Member for Asst. Prof. Adam Thurschwell (2002); Subcommittee Chair for Asst. Prof. Mark Sundahl (2008); Subcommittee Chair for Asst. Prof. Milena Sterio (2010).

Maxine Goodman Levin College of Urban Affairs
College Administrative Planning Committee (1993-99)
College Council (1989- )
Department of Urban Studies Faculty (1989- ); M.P.A. Program Committee (1991- ); M.U.P.D.D. Program Faculty (1990- ); M.U.P.D.D. Program Faculty Search Committee (1992-93)

Touro College School of Law
Admissions Committee Chair (1985-89); Faculty Self-Study Committee Chair (1987-89); Law School Planning Committee Chair (1986-89); Touro College Planning Committee (1986-89)

University of Wisconsin School of Architecture & Urban Planning
Master of Urban Planning Faculty (1979-84); Resource Center Committee Chair (1981-84)

Community & Public Service
Kol HaLev Reconstructionist Synagogue
Board of Trustees (2006-07) and (2011- ); Congregational Tzedakah Fund Trustee (1997-2007); Vice-President (2007-11); Values Team Leader (2010-11).

Cleveland Bar Association Regionalism Taskforce (2003-2004).
Consultant to Bar Association project proposing regional governance options for greater Cleveland.

Civil Rights Committee, Ohio/Kentucky/Allegheny Region of the Anti-Defamation League (2003- )
Member of committee that advises ADL on First Amendment issues, legal policy matters, and writing amicus curiae briefs.

Participant in group charged with developing a strategy making the political and legal landscape amenable to changes that would make sustainable communities possible in Northeast Ohio.

Advisor to group formed to bring a business community focus to the issues raised by recent court decisions challenging Ohio's MBE contracting program.

Hudson Schools Committee (1998)
Volunteer leader of research team providing data analysis supporting passage of school levy.

Hudson Library & Historical Society (1997-98)
Member of Board of Trustees for public library serving community of 22,000.
Cleveland Panel, National Center for Postsecondary Improvement (1997-2002)
Member of advisory panel for national study of improvement of higher education conducted by Stanford University, the University of Pennsylvania and the University of Michigan.

Hudson Heritage Association (1994-98)
Board member of organization that seeks to preserve the architectural and cultural history of the community.

Heights Community Congress (1989-93)
Member of group seeking to maintain an integrated community in Cleveland’s eastern suburbs.

Ohio Supreme Court Committee on Dispute Resolution (1989)
Testimony on the use of alternative dispute resolution when government is a party.

Town of Huntington, NY Shelter Advisory Committee (1988-89)
Advise Supervisor on land use issues involved in siting new animal shelter.

Suffolk County Law Department, Hauppauge, NY (1988)
Render pro bono opinion to Suffolk County Attorney on constitutionality of legislation abolishing existing County Ethics Board and establishing County Ethics Commission.

Westley Neighbors Association, Huntington, NY (1987-88)
Represent association pro-bono in New York Supreme Court.

Conference on the Future of George's Bank, University of Rhode Island Coastal Resources Center, Narragansett, R.I. (1982)
Prepare report on using dispute resolution techniques to resolve natural resources conflicts.

Wisconsin Legislature Ad Hoc Committee on Hazardous Waste Management, Madison, WI (1981)
Participate in development of waste facility siting legislation.

Massachusetts Special Legislative Commission on Hazardous Waste, Boston, MA (1980)
Testimony evaluating the legal bases for opposition to hazardous waste management facilities.

Advise Council on the use of alternative dispute resolution in environmental disputes.
EDUCATION:


EMPLOYMENT:


Teaching Responsibilities: I have taught Contracts, Poverty Law, Injunctions, Constitutional Law, English Constitutional Law, English Tort Law, Administrative Law, Environmental Law, First Amendment Rights, American Legal History, Jurisprudence, and in a Legal Clinic.

University and Law School Service: I have served on numerous committees, including the Faculty Hiring Committee, the Legal Writing Committee, the Faculty Senate, the University Steering Committee, the Dean's Advisory Committee, the Bar Passage Committee, the Foreign Exchange Committee, the Awards Committee, and many sub-committees to develop the factual dossiers for those seeking promotion and/or tenure.

II. University of Michigan Law School, University of Michigan. Visiting Assistant Professor of Law from September, 1978, to September, 1980.

Responsibilities: Supervised law students who represented parents, children, and the State of Michigan in child abuse/neglect cases.

Responsibilities: Reviewed the caseloads of all attorneys and para-professionals in a four county program. Worked closely with staff on important cases, including federal suits that involved welfare, unemployment insurance, nursing home transfers, and the rights of adult foster care residents.

IV. Legal Aid Society of Louisville. Staff Attorney from September, 1974, to November, 1977.

Responsibilities: Handled hundreds of cases, including child abuse and neglect, consumer, bankruptcy, unemployment insurance, landlord-tenant, and torts. Federal court cases concerned employment discrimination, unemployment insurance, Social Security disability, consumer, and housing.


PUBLICATIONS:

Taking Stare Decisis Seriously, The Journal Jurisprudence (June, 2011)


A Brief History of America’s Republican Empire, in LAW NOTES (Spring, 2004).


**WORK IN PROGRESS**

The Structure of Class War (book project)
EDUCATION

- GPA: 3.99/4.3, top 2 percent of the class
- Maurice Weigle Scholarship Award for highest first-year GPA
- Certificates of Merit for highest grade in Criminal Law, Contracts, Labor Law, Legal Ethics
- Order of the Coif

- GPA: 3.95/4.0, majored in English

PUBLICATIONS

- It's Good to be Autonomous: Prospective Consent, Retrospective Consent, and the Foundation of Consent in the Criminal Law, 5 CRIMINAL LAW & PHILOSOPHY 377 (2011).

- Interrogation and the Roberts Court, 63 FLORIDA LAW REVIEW 1189 (2011).

- Corporate Complicity Claims: Why There Is No “Innocent Decision-Maker” Exception To Imputing An Officer’s Wrongdoing To A Bankrupt Corporation, 73 Tenn. L. Rev. 47 (2007) (with Mark Herrmann)
  -Cited with approval, In re CBI Holding Co., 529 F.3d 432, 447 n.5 (2d Cir. 2008).

PRESENTATIONS

Presenter: Delayed-Notice Search Warrants: A Constitutional Assessment, Duquesne University School of Law, Junior Faculty Exchange Presentation, February 22, 2012


Presenter: *Interrogation and the Roberts Court*, Ohio Legal Scholarship Workshop, Capital University Law School, February 5, 2011


Moderator: University of Toledo School of Law Symposium: *The Military Commissions Act of 2009: Back to the Future or the Fix for a Flawed System?*, February 19, 2010


**EXPERIENCE**

**Cleveland-Marshall College of Law**, Cleveland State University 2009-present

*Assistant Professor of Law.*
- Courses: Criminal Law, Legal Responses to Terrorism, Criminal Procedure I, Criminal Procedure II.
- Recipient, 2010 Ohio Faculty Innovator Award: $1000 prize from Chancellor, Ohio Board of Regents, for creating innovative digital course materials.

**Case Western Reserve University School of Law** Spring 2008

*Adjunct Professor of Law.* Course: Appellate Practice.


*Research & Writing Attorney.* Represented indigent defendants in federal court. Notable cases:
- Represented several Guantanamo Bay detainees in habeas corpus proceedings in the District of Columbia Federal District Court.
- Briefed and argued appeals to the U.S. Court of Appeals for the Sixth Circuit. *See, e.g.*, *United States v. Wynn*, 579 F.3d 567 (6th Cir. 2009) (winning vacatur of sentence); *United States v. See*, 574 F.3d 309 (6th Cir. 2009) (winning reversal of district court’s denial of motion to suppress).
Jones Day, Cleveland                      2003-2006

Litigation Associate.

- Represented multinational bank in multi-billion-dollar Enron securities class action (Houston) and bankruptcy proceedings (New York). Attended depositions, drafted motions to dismiss, prepared accounting experts, and planned litigation strategy.
- Represented airplane engine manufacturer in multi-million-dollar contract action against supplier. Drafted dozens of pretrial, trial, and post-trial motions; participated with team of ten lawyers to prepare case for trial; assisted in seven-week trial in rural Texas.

Judicial Clerk.

Judicial Clerk.

COMMUNITY SERVICE & BAR MEMBERSHIP

Commission on the Rules of Practice and Procedure in Ohio Courts        2010-present

- Counsel to the Criminal Rules Subcommittee

Member, Ohio Bar. Admitted to practice before the United States Court of Appeals for the Fourth Circuit, the United States Court of Appeals for the Sixth Circuit, and the United States District Court for the Northern District of Ohio.
### Fall 2006 Semester

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### Spring 2007 Semester

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<td>Number and Percentage of Academic Credit Hours</td>
<td>Number and Percent of Academic Credit Hours</td>
<td>Number and Percent of Student Contact Hours</td>
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<td>Part-time Faculty</td>
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## Full-time/Part-time Faculty Credit Hours for All Courses
### Fall 2006-Fall 2012

#### Fall 2011 Semester

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33-full-time_part-time_credit_hours_for_all_courses_underlying_data_fall_2006-fall_2012.xlsx 28
# All Faculty Total Student Contact Hours
## Fall 2006-Fall 2012

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- **2009 Spring**
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### All Faculty Total Student Contact Hours
#### Fall 2006-Fall 2012

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Credit Hours Taught by Full-Time Faculty
for Part-Time Students Graduating December 2009-May 2012

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Credit Hours Taught by Full-Time Faculty
for Part-Time Students Graduating December 2009-May 2012

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<tr>
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</tr>
<tr>
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<td>55.56%</td>
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Credit Hours Taught by Full-Time Faculty
for Part-Time Students Graduating December 2009-May 2012

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<td>59</td>
</tr>
<tr>
<td>Student B</td>
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<td>28</td>
<td>62</td>
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<td>Student C</td>
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<td>70</td>
</tr>
<tr>
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<tr>
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<td>55</td>
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<tr>
<td>Student G</td>
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<tr>
<td><strong>Average</strong></td>
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**Average - All Grads** | **91** | **26** | **65** | **71.33%** |
## Full-Time Students in Evening Courses -
Combined Totals for Fall 2005 through Spring 2012

<table>
<thead>
<tr>
<th>Course Name/Section</th>
<th># of Full-time Students</th>
<th>% of Full-time Students</th>
<th># of Part-time Students</th>
<th>% of Part-time students</th>
<th>Total Students</th>
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<td>390</td>
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<td>779</td>
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<tr>
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<td>398</td>
<td>45.49%</td>
<td>875</td>
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<tr>
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<td>542</td>
<td>62.95%</td>
<td>319</td>
<td>37.05%</td>
<td>861</td>
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<td>54.81%</td>
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### Fall 2006 Semester

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<th>Part-time Division</th>
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<tbody>
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<td></td>
<td>Number and</td>
<td>Number and</td>
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<tr>
<td></td>
<td>Percentage</td>
<td>Percent of</td>
<td>Percent of</td>
</tr>
<tr>
<td></td>
<td>of Academic</td>
<td>Academic</td>
<td>Academic</td>
</tr>
<tr>
<td></td>
<td>Credit Hours</td>
<td>Credit Hours</td>
<td>Contact Hours</td>
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<tr>
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<td>Number and</td>
<td>Number and</td>
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<td>Percent of</td>
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<td>of Student</td>
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<tr>
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<td>Contact Hours</td>
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<td>0</td>
<td>0</td>
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### Spring 2007 Semester

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</tr>
<tr>
<td></td>
<td>of Academic</td>
<td>Academic</td>
<td>Academic</td>
</tr>
<tr>
<td></td>
<td>Credit Hours</td>
<td>Credit Hours</td>
<td>Contact Hours</td>
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<td>Number and</td>
<td>Number and</td>
<td>Number and</td>
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<td>Percent of</td>
<td>Percent of</td>
</tr>
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<td>of Student</td>
<td>Academic</td>
<td>Academic</td>
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<tr>
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### Fall 2007 Semester

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<th>Part-time Division</th>
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<th>Number and Percent of Student Contact Hours</th>
<th>Number and Percent of Academic Credit Hours</th>
<th>Number and Percent of Student Contact Hours</th>
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### Fall 2012 Semester

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1. Standard Teaching Schedule. The standard teaching requirement for legal writing, tenured and tenure track faculty is two courses in the fall semester and two courses in the spring semester, typically totaling 11 to 13 credit hours.

The teaching load for a faculty member who teaches four courses totaling 14 or more credit hours in one academic year (exclusive of summer teaching for which additional compensation is received) may be set, at the discretion of the Dean, at three courses the following year, provided that the three courses total 10 or more credit hours.

**Rationale:** CSU Personnel Policies and Bylaws, also known as the Greenbook, do not set a standard teaching load for non-bargaining unit tenured or tenure-track or for legal writing professors. Cleveland-Marshall’s two course per semester, 11-13 credit hours standard is consistent with other schools. For example, Toledo, Capital, Ohio Northern and Cincinnati require four courses per year. Case and Ohio State each require three courses a year. Harvard requires 10 hours a year with “generous release time.” Other CSU faculty generally teach 16-24 credit hours per AY.²

Cleveland-Marshall classes taught by tenured, tenure track and legal writing faculty generally range from 2 to 4 credit hours.³ In some instances (such as seminar courses) faculty can choose to teach a course for either 2 or 3 hours. In other courses the credit hours are set (for instance first year courses that are 3 credits in the fall and 2 in the spring).⁴

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¹ Adopted by the faculty May 8, 2008. Except where otherwise noted, the proposed standards apply to legal writing and clinical professors as well as tenured and tenure track faculty. “Academic year” (AY) as used in these proposals excludes the summer term.

² Article 13.1 of the CSU AAUP Collective Bargaining Agreement governs faculty workloads. It provides at §13.1D: “The teaching load for faculty shall range from 8 – 12 credit hours per term or 16 – 24 credit hours per academic year. Faculty reassigned to professional activities other than instructional activities may have their instructional load reduced below these levels. Faculty who are active in productive and assessable scholarship/research/creative activity, and/or University or professional service (including service to the community) shall normally be assigned responsibility for 8 credit hours per term. Faculty may be assigned a higher load if their teaching assignments involve less than full responsibility for a course (e.g., team-teaching assignments, laboratory monitoring, supervision of interns, etc.) or if they concentrate primarily on instructional activities rather than participating significantly in productive and assessable scholarship/research/creative activity, and/or University or professional service (including service to the community). . . . The maximum teaching load for a faculty member shall be 12 credit hours per term.” In general, CSU faculty members who publish regularly teach five courses an AY, but as the above language indicates, faculty may be assigned more or fewer than five courses based on other professional commitments. The average credit hours per course vary among colleges and departments. For example many Business Administration and Civil Engineering courses are 3 credit hours, while Psychology and Biology classes are usually 4 credit hours. Introductory, specialty courses and courses with laboratory components range from 1 to 7 credit hours. On average, however, other CSU colleges offer more 4-credit hour courses than we do.

³ Students participating in a clinic can register for 2 to 5 credit hours per semester; externs can register for 4 to 6 credit hours.

⁴ Legal Writing and Civil Procedure are 6 hour courses (divided into two, 3-hours courses taught by the same instructor). Property, Torts and Contracts are 5 hours (divided into a 3 hour fall course and 2 hour spring course taught by the same instructor). Evidence, Estates & Trusts, Corporations, Tax I, Tax II, and Land Use Control (for
Due to the wide range of credit hours per course, a professor’s usual four course schedule might exceed the typical credit hour standard of 11-13 credit hours on a regular basis. In other instances a professor may be asked to pick up an additional course due to the unavailability of the faculty member originally scheduled to teach that course. If either scenario results in a professor teaching 14 or more hours in a particular year, exclusive of any credit hours for which additional compensation is received, the dean and the faculty member teaching the overload may negotiate a downward adjustment from the standard four course schedule the following academic year. This adjustment does not require a formal application as provided in §6. The name of any faculty member who negotiates such an adjustment is not included in the list of faculty receiving a course release or variance published by the Dean pursuant to §7.

This standard is not applicable to Cleveland-Marshall clinical professors. Clinicians contract to teach a particular clinical course each year (e.g. Employment Law Clinic, Urban Development Law Clinic) which involves a seminar component and significant work with students, but the contract does not describe these professors’ obligations in terms of credit hours.

2. Variance to Standard Teaching Schedule. A faculty member may request a variance from the standard two-courses per semester teaching schedule. For example, Professor A could apply to teach three courses in the fall semester and one course in the spring semester. Professor B could apply to teach two courses in the fall, one in the spring and one in the summer term, provided that no additional compensation is received for teaching the summer course.

The request for a variance is subject to application process set forth in §7 below and to the limitations in §6 below.

Rationale: This type of schedule flexibility has been individually negotiated by certain faculty members but has never been identified as an option available to all faculty members. It is beneficial to individual professors and to the law school to allow flexibility in scheduling. In addition, this system might encourage more people to teach in the summer.

3. Course Release. A faculty member may apply for a one-semester, one-course release if other substantial professional commitments, such as chairing a major university or law school committee, working on a significant publication, assuming a particularly burdensome teaching load, or a combination of these or similar professional commitments place significant demands on the faculty member’s time and the Dean determines that a course release is in the law school’s best interests. See §7 below for application process.

Rationale: Teaching releases have been awarded in the past for a variety of reasons on an ad hoc basis. There has been no formal application procedure and no clear criteria for such releases.

JD/MUPDD students) are 4 hour courses. Many classes are offered for 3 credit hours, although most third-semester writing classes are 2 credits, and professors often elect to teach seminar courses for two rather than three hours. Some courses including First Amendment and Legal Profession are offered for 3 credits during the AY and for 2 credits in the summer. [Note: The nature of first-year courses has changed upon semesterization of these courses pursuant to curricular reform implemented in 2012.]
While not limiting the discretion of law school administrators to grant or deny course releases in any particular case, this standard is intended to make all faculty aware that course releases are available and to identify some of the situations that have justified past releases. This negotiated process also appears consistent with that used in other CSU colleges governed by the CBA. See FN 2 for details.

In considering whether a “particularly burdensome teaching load” justifies a release, the Dean will generally consider a number of factors. These include the number of students in the professor’s classes, the nature and quantity of feedback mechanisms and assignments the professor incorporates into his or her courses, the level of preparation required for the courses and other relevant factors.

4. Tenure-Track Faculty. Untenured tenure-track faculty who commence their teaching careers at Cleveland-Marshall are usually allowed two course releases prior to the semester in which they are reviewed for tenure. Generally a new faculty member takes the first course release during the first two years and the second release in the year before being reviewed for promotion and tenure. This release time is negotiated by the faculty member and Dean and does not involve the formal application procedure set forth at §7 below. A faculty member should, however, include this request in the teaching preference form submitted by faculty each year.

Untenured lateral hires are not governed by this provision, but may negotiate pre-tenure course release(s) with the Dean.

Rationale: This is a codification of current practice. The release time allows new faculty time to work on teaching and scholarship and generally become acclimated to academia. This standard does not apply to clinical or legal writing faculty. It does not automatically apply to tenure-track lateral hires who are untenured, but those individuals may negotiate with the Dean for one or more course releases as a condition of employment.

5. Professorships. Faculty members who hold a named professorship may apply for a one-course release each academic year in exchange for a reduced financial stipend. The faculty member should include this request in the teaching preference form submitted by faculty each year. The form must be submitted by the identified due date and is not subject to the application process set forth in §7 below. [Note: The Dean’s policy regarding course releases for named professors may have changed. Please check with the Dean.]

Rationale: This is a codification of the professorships standards.

6. Relationship to CSU Professional Leave Policies. Absent extraordinary circumstances, a faculty member may not use any of the mechanisms described above, either alone or in combination, to obtain a complete teaching release for either a fall or spring semester. Such releases must be generally obtained pursuant to university policy and procedures for professional leaves (i.e. sabbaticals) set forth in §8.1.8.A.3 of CSU’s Personnel Policies and Bylaws (i.e. the “Greenbook”).
Rationale: Our obligations as Cleveland-Marshall law professors are not limited to teaching and scholarship. Service to and involvement in the law school and university communities are core components of our professional responsibility throughout the academic year. Faculty with no teaching responsibilities during either the fall or spring may be tempted to disassociate from the law school and university during that semester, thereby unilaterally transforming teaching release time into a professional leave. This transformation arguably usurps university professional leave policies governing “Leaves with Pay” (i.e., sabbaticals) under §8.1.8.A.3, which must be obtained through the application process set forth at §8.1.8 C.

An exception for “extraordinary circumstances” is included to allow reconsideration of the application of this general policy in a compelling case. For example, a professor who receives a Fulbright or similar grant or other unique opportunity for professional development that provides no significant financial remuneration may be able to obtain a release from teaching and perhaps all other law school responsibilities without meeting all the university requirements for a professional leave.

7. Application Process for Course Release or Variance. A faculty member seeking a variance from the usual two-course per semester schedule under §2 or a course release based on substantial professional commitments explained in §3 should submit a written application to the Dean and the Associate Dean in charge of course scheduling. The application is due when the Associate Dean solicits faculty teaching preferences for the upcoming academic year. The application should explain the reason for the request and not exceed two typed pages. If a course release is sought based on substantial professional commitments, the application should also identify and briefly explain all course releases and professional leaves the applicant has received during the proceeding five years.

At the completion of a semester in which a faculty member has received a course release due to substantial professional commitments, the recipient shall submit a brief report to the Dean reporting on the faculty member’s activities during that semester.

Rationale: In past years, some faculty members have submitted formal written applications for course releases while others have secured releases through informal discussions with the Associate Dean in charge of scheduling or the Dean. Some faculty members submitted requests well in advance of the affected semester and some asked to be released long after the course schedule has been finalized. This proposed application process is modeled after that used for summer research and teaching grants. It is designed to impose a minimal burden on the applicant, while also providing timely notice to the Associate Dean and Dean of the faculty member’s request and sufficient information on which to evaluate the request.

The requirement that a faculty member who receives a teaching release because of other substantial professional commitments report on his/her activities at the end of the semester ensure accountability similar to that required when other law school benefits are received, such

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5 See Greenbook, §8.1.2.A.1.c

6 Under CSU by-laws that govern law school operations, all “Extended leaves [that] last more than five weeks … must be approved in accordance with Section 8.1.8(C)” of the Greenbook.
as an official professional leave or a summer teaching or writing grant. This report is not required of a faculty member who holds a professorship or a faculty member who has obtained a teaching release by redeeming banked hours.

8. Decisions on Applications. The Dean shall make the final decision on all applications for course releases and adjustments to standard teaching schedules based on the recommendation of the Associate Dean in charge of course scheduling. Decisions on course scheduling are not subject to faculty review.

The Dean shall publish a list at the beginning of each AY of faculty members who have been granted a teaching release or variance for that year. The Dean may exercise discretion to omit a faculty member from the list if the release was granted for personal rather than professional reasons.

Rationale: Creating a course schedule that satisfies students, faculty, and our accrediting agencies is a daunting task. The Dean and the Associate Dean in charge of scheduling are in the best position to evaluate the individual requests of faculty members in light of larger institutional concerns such as course coverage and equitable workload distribution.

Moreover, principles of faculty governance empower the faculty to establish and revise the curriculum and approve the content of specific courses. The task of assembling a comprehensive course schedule each academic year does not fall within faculty governance powers, but is relegated to law school administration.

The requirement that the Dean publish a list of faculty members whose applications were approved is intended to increase the transparency of the system. The Dean does not have to provide the rationale for the decision.
MEMORANDUM

TO: C|M|LAW Faculty
FROM: Craig M. Boise, Dean
DATE: February 20, 2012
SUBJECT: Named Professorship Appointment Policy

Over a number of years, benefactors of C|M|LAW have created four named professorships: the James A. Thomas Distinguished Professor of Law; the Leon M. and Gloria Plevin Professor of Law; the Charles R. Emrick Jr.-Calfee Halter & Griswold Professor of Law; and the Joseph C. Hostetler-Baker & Hostetler Chair in Law. The terms of each of these four professorships stipulate that the Dean of the law school is to appoint the faculty member who will fill the professorship. Only the Calfee professorship specifies any particular criteria to be considered in making such appointments.¹

In developing this appointment policy, I have reviewed the history of the professorship appointments and am familiar with the issues that have arisen in connection with them in prior years. I have also considered the faculty’s responses to various questions posed by former dean Geoffrey Mearns about the professorship appointment process and the faculty’s role in that process. In particular, I have reviewed the following documents:

• May 9, 2007 Faculty Affairs Committee memorandum to Geoffrey Mearns (May 9 Memorandum)
• May 21, 2007 Memorandum to the faculty from Geoffrey Mearns (May 21 Memorandum)
• August 11, 2009 memorandum to the faculty from Geoffrey Mearns (August 11 Memorandum)
• February 24, 2010 memorandum to the faculty from Geoffrey Mearns (February 24 Memorandum)

Finally, I have taken into consideration the input I solicited and have received from faculty members since the January 12, 2012 faculty meeting.

¹ The Calfee professorship specifies a preference for a faculty member whose teaching and scholarly interest include corporate, transactional, and entrepreneurial matters—the issues on which Mr. Emrick’s practice focused.
This memorandum describes the process by which I intend to appoint faculty members to fill each of our named professorships as they become vacant. This policy adheres in some respects to the one created by former dean Geoffrey Mearns, and diverges from it in others.\(^2\) I have adopted the policy, however, with careful consideration of the views expressed by the faculty in the documents described above.

**PURPOSE OF NAMED PROFESSORSHIPS**

Law schools generally use endowed chairs and professorships to attract and retain nationally recognized scholars. At C|M|LAW, this orientation toward scholarship is reflected in the documents creating three of our four named professorships, each of which specifically mentions research support and summer research stipends as part of the benefit to appointees. The Faculty Affairs Committee, in its May 9 Memorandum, reinforced this notion by recommending that, in addition to a cash stipend, faculty members appointed to named professorships receive “a guaranteed summer writing grant, and an annual course release” both of which directly support research and scholarship of the faculty member.

Although for budgetary reasons we are not presently able to hire lateral faculty members who might be attracted by the offer of a named professorship, I believe the scholarly focus of the professorships should apply with respect to prospective appointees who already are C|M|LAW faculty members. Accordingly, I consider the purpose of the named professorships to be as follows:

To recognize faculty members who have made the most substantial contributions to raising C|M|LAW’s national profile through research and scholarship, and to facilitate their continued productivity during the term of the named professorship.

**ELIGIBILITY**

All full-time faculty members are eligible to be appointed to a named professorship, including those who previously have held named professorships.\(^3\)

**APPOINTMENT CRITERIA**

Although the purpose of the named professorships is to recognize research and scholarship, it has become axiomatic that the role of every faculty member is three-fold, embodying teaching and service to the institution, as well as scholarly productivity. Thus, the principal criteria I will use in deciding whom to appoint to the named professorships will be:

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\(^2\) The most significant changes from prior policy are described in footnotes throughout this memorandum.

\(^3\) Under the prior policy, faculty members who previously had held named professorships were not eligible for appointment. With this change, a highly productive faculty member may hold a named professorship for two consecutive terms, but must be re-nominated and reappointed after the first term in order to do so. Given my desire to broadly reward and facilitate scholarship and the number of potential appointees among our faculty members, however, it is unlikely that I will appoint a faculty member for more than two consecutive terms.
- **An established record of scholarly productivity and influence** (through law review articles, books, essays, paper presentations, keynote speeches, blogs and other fora).\(^4\)

  However, a nominee *must* also possess each of the following two criteria in order to be considered for appointment to a named professorship:

- **An exemplary record of service to the institution** (e.g., committee work at the law school or university levels; involvement in student or alumni activities; support of law school and university initiatives; etc.)

- **A sustained commitment to excellence in teaching performance** (as reflected in, e.g., student evaluations; use of innovative teaching methods or course materials; etc.)

  To be perfectly clear, scholarly accomplishment will carry the greatest weight, but I will not appoint to a named professorship a faculty member who has not also demonstrated each of the last two listed criteria. In weighing these criteria, I will evaluate each nominated faculty member’s performance over the prior four-year period, with particular attention to scholarly productivity in the immediately preceding two-year period.

**APPLICATION PROCESS**

Faculty members should submit nominations directly to my assistant or me. Both nominations of faculty colleagues and self-nominations are permitted. Each nomination must include a memorandum, preferably not longer than five pages, along with a current *curriculum vita*. Additional supporting material that tends to establish any of the three selection criteria may also be submitted with the nomination.

**FACULTY COMMENTS**

Following receipt of all nominations, I will distribute to the faculty a list of the nominees. I encourage faculty members to provide me with their written comments regarding the merits (or relative merits) of any of the nominees.\(^5\) All such comments should relate to the appointment criteria and must be in writing and signed (or otherwise acknowledged) by the faculty member providing them. Anonymous comments will be discarded. After an appropriate period of time to receive and consider any additional relevant information, I will make a decision and announce that decision to the faculty.

\(^4\) The prior policy gave teaching and scholarship equal weight.

\(^5\) Prior policy provided for a five-person *ad hoc* faculty committee to evaluate nominations and recommend appointees to the dean. The February 24 Memorandum states that this policy was both time-consuming and labor intensive. The change to the policy permits *all* faculty members to provide me with their suggestions and thoughts at both the nomination and comment stages of the process. The absence of a formal committee structure streamlines the process while in no way precluding discussion and dialog among faculty members that may influence and inform the input that they provide at either stage of the process.
TERM OF APPOINTMENT AND EXPECTATIONS

The term of an appointment to a named professorship will be three years.6

The purpose of the named professorships is both to reward prior scholarly productivity and to facilitate continued productivity during the term of the named professorships. The benefits received by a faculty member appointed to a named professorship (set forth below) are intended to make it easier for the faculty member to sustain the high level of scholarly productivity that resulted in his or her appointment, and to broaden the level of exposure for the faculty member’s research and writing. Thus, I expect that named professors will be no less productive during the term of their appointments as they were before being appointed, and given the course release that will be part of the appointment, I anticipate that their scholarly productivity will increase.

Additionally, our named professors are in the unique position of being high-profile representatives of C|M|LAW in terms of research and scholarship, and I expect them to be willing to be visible and to make their work visible for the benefit of the law school. This includes being willing to talk to the Visiting Committee, National Advisory Committee and other important law school constituencies about their research, and posting their scholarship on our institutional repository, so that it is broadly accessible and can enhance C|M|LAW’s scholarly reputation.7

BENEFITS OF NAMED PROFESSORSHIPS

The following benefits will be awarded each year to faculty members who are appointed to our named professorships:

• A summer research grant.

• A cash stipend of $10,000.8

6 The February 24 Memorandum suggested that the three-year term of the named professorships be lengthened because of the time-consuming and labor intensive nomination and selection process, and to give the named professors more time to benefit from their appointments. Although I have decided to retain the current three-year term of the professorships, I have expanded eligibility to previous appointees, as noted above.

7 Prior policy did not include the expectations outlined in this paragraph.

8 Under prior policy, a faculty member who was awarded a named professorship received a summer research grant for three years, and either a course release and a $2,500 salary stipend, or no course release and a $10,000 salary stipend. I believe that when crafting incentives like these it is important to evaluate them in light of the purpose of the named professorships. The salary stipend principally rewards past productivity, because it is guaranteed once the faculty member has been appointed to the professorship and thus does not directly encourage the faculty member’s future scholarly productivity. By contrast, both the summer research grant and course release facilitate ongoing scholarly productivity.

Per the May 21 Memorandum, the partial stipend/full stipend alternative was intended to accommodate the law school’s need to ensure adequate course coverage. However, as a practical matter, a faculty member generally is free to choose either the course release and a $2,500 stipend, or the full $10,000 stipend. Particularly in difficult
• A single course release.\(^9\)

• Up to $2,000 in additional travel funds to support presentation of scholarship at high-impact venues.\(^{10}\)

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\(^9\) See note 8.

\(^{10}\) The prior policy did not provide support for additional travel that would allow our most productive scholars greater opportunity to present their research to a national audience. However, if our scholarship is indeed capable of improving our U.S. News reputational ranking, it will only do so as our faculty members present their work to faculty members at other law schools who may be part of the pool of U.S. News voters.
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**Legalese**:
- Tan shaded cells = not hired yet or no longer teaching here
- X = not teaching due to leave of absence (professional, medical, or other)
or visiting elsewhere
Cleveland-Marshall College of Law
Statement on Professional Ethics and Academic Responsibility

The basic functions of the University are the advancement and dissemination of knowledge, the development of critical intelligence in the young, and the education of citizens and professional workers for the society of which the University is a part.

The indispensable condition for the successful discharge of these functions is an atmosphere of intellectual freedom. Unless he or she is free to pursue the quest for knowledge and understanding, wherever it may lead, and to report and discuss the findings, whatever they may be, the University faculty member cannot properly perform his or her work. It is imperative, therefore, that the University maintain an atmosphere of intellectual freedom and that faculty members uphold that freedom by their own actions. To make that freedom operational, it is equally imperative that the University establish democratic mechanisms for meaningful faculty participation in the governance of the institution.

Freedom entails responsibilities. It is incumbent upon the faculty member to accept the responsibilities which are concomitant with the freedom he or she needs and, for the most part, enjoys. Those responsibilities are: (1) to students, (2) to scholarship, (3) to colleagues, (4) to the University, and (5) to the larger community which the University serves.

A) Responsibilities to Students

As teachers, faculty members have the responsibility for creating in the classroom or laboratory and in relations with students a climate that stimulates and encourages the students' endeavors to learn. To the best of their ability, exemplify high scholarly standards, and respect and foster the students' freedom to choose and pursue their own goals.

Regardless of rank or position, the instructor of record is required to file with the department and to provide each student with a course syllabus specifying at a minimum:

a) the instructor's office and phone number
b) the instructor's office hours
c) the basis for determining the student's grade

Adequate supporting documentation regarding student performance should be continually maintained. Any changes to items a) through c) should be provided to the student in writing. Documentation shall be maintained for one semester.

Refusal to fulfill this responsibility after reasonable warnings and an opportunity to rectify the condition is cause for the Dean to recommend that the Chief Academic Officer initiate the procedure for sanctions.

1 Adopted by the faculty on January 17, 2008. This Statement is derived primarily from Cleveland State University’s Greenbook § 8.1.14 (Attachment C to 8.1).
1) The faculty member has the obligation to make clear the objectives of the course or program, to establish requirements, to set standards of achievement, and to evaluate the student's performance.

2) The faculty member has the responsibility to meet classes as scheduled and, when circumstances prevent this, to arrange equivalent alternate instruction.

3) The faculty member has the responsibility to teach courses in a manner that is consistent with the course description and credit published in the catalogue and with the announced objectives of the course.

4) The faculty member owes to the student and the University a fair and impartial evaluation of the student's work. Such evaluation should be consistent with recognized standards and must not be influenced by irrelevancies such as religion, race, sex, or political view, or be based on the student's agreement with the teacher's opinions pertaining to matters of controversy within the discipline.

5) Every student is entitled to the same intellectual freedom that the faculty member enjoys. The faculty member must respect that freedom. He or she may not impose restraints upon the student's search for or consideration of diverse or contrary opinion. More positively, the faculty member has an obligation to protect the student's freedom to learn, especially when that freedom is threatened by repressive or disruptive action.

6) The faculty member has obligations as intellectual guide and counselor to students. He or she has a responsibility to be available to students without undue delay. In advising students, he or she should make every reasonable effort to see that information given to them is as accurate as possible. The progress of students in achieving their academic goals should not be thwarted or unduly retarded because a faculty member has neglected obligations as advisor and counselor.

7) Faculty members should conduct themselves at all times so as to demonstrate respect for the student. They should always respect the confidences deriving from the faculty-student relationship.

8) The faculty member must avoid exploitation of students for personal advantage. For example, in writing and oral presentations, he or she makes due acknowledgement of their contributions to the work.

B) Responsibilities to Scholarship

The faculty member's responsibilities to scholarship derive from the University's commitment to truth and the advancement of knowledge. Furthermore, society has a vital state in maintaining the university as an institution where knowledge can be sought and communicated regardless of its popularity, its political implications, or even its immediate
usefulness. The faculty member has an ethical responsibility both to make full appropriate use of that freedom in teaching and research and to guard it from abuse.

More specifically:

1) Faculty members are committed to a lifetime of study. Although no one can know everything, even about a limited subject, they must constantly strive to keep abreast of progress in their field, to develop and improve scholarly and teaching skills, and to devote part of their energies to the extension of knowledge in their area of competence.

2) The faculty member has the responsibility of being unfailingly honest in research and teaching, refraining from deliberate distortion or misrepresentation and taking regular precautions against the common causes of error.

3) In order to maintain or increase their effectiveness as a scholar, faculty members may find it advantageous to assume certain obligations outside the university, such as consulting for government or industry, or holding office in scholarly or professional societies. Such activities are appropriate in so far as they contribute to their development as a scholar in the field, or at the very least, do not interfere with that development. On the other hand, acceptance of such obligations primarily for financial gain, especially when such activities may be incompatible with the faculty member's primary dedication as a scholar cannot be condoned.

C) Responsibilities to Colleagues

As a colleague, the faculty member has obligations that derive from common membership in the community of scholars. He or she respects and defends the free inquiry of associates and avoids interference with their work. In the exchange of criticism and ideas he or she shows due respect for the rights of others to their opinions, refraining from personal vilification. He or she acknowledges contributions of others to the work. When asked to evaluate the professional performance of a colleague, the faculty member strives to be objective.

D) Responsibilities to the Institution

The faculty member's primary responsibility to his or her institution is to seek to realize maximum potential as an effective scholar and teacher. In addition, the faculty member has a responsibility to participate in the day-to-day operation of the University. Among the faculty member's general responsibilities to the University the following may be particularly noted:

1) When acting or speaking as a private person, the faculty member should make clear that the actions and utterances are entirely his or her own and not those of the University.
2) The faculty member must never attempt to exploit his standing within the University for private or personal gain. He or she may, on appropriate occasions, cite his connection with the University, but only for purposes of identification not permitting the impression to prevail that the University in any way sponsors any of his private activities.

3) University facilities, equipment, supplies, etc., must never be used for personal or private business.

4) A faculty member has the duty to ensure that the regulations of the University are designed to achieve the University's goals as well as being in accord with the principles of academic freedom. Recognizing the importance of order within the institution, the faculty member observes the regulations of the University, but in no way abdicates the right to attempt to reform those regulations by any appropriate orderly means.

5) Effective faculty participation in the governance of the University promotes academic freedom and the goals of the institution. Each faculty member should take part in the institution's decision-making processes to the best of his or her ability and should accept a fair share of the faculty's responsibilities for its day-to-day operation.

6) During periods of disturbance or high tension on campus, a faculty member should do everything possible to prevent acts of violence and to reduce tension.

7) A faculty member determines the amount and character of the work and other activities he pursues outside his responsibilities within the University and his primary loyalties to it.

E) Responsibilities to the Community

As a member of the community, the faculty member has the rights and obligations of any citizen. These include the right to organize and join political or other associations, convene and conduct public meetings, and publicize an opinion on political and social issues. However, in exercising these rights, the faculty member must make it clear that he or she does not speak for the University, but simply as an individual. The faculty member does not use the classroom to solicit support for his or her personal views and opinions.

Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions on the other. If such conflicts become acute, and the faculty member's attention to obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, he or
she cannot escape the responsibility of that choice, but should either request a leave of absence or resign the academic position.

**F) Service to the Legal Profession**

Faculty members are encouraged to work with the practicing bar and judiciary to improve the profession.

**G) Service to the Public**

Faculty members are encouraged to engage in pro bono and other public service activities.

**H) Annual Evaluation Process**

The law school will evaluate, on an annual basis, the extent to which faculty meet the criteria specified in (A)-(G) above through the annual reports that faculty members complete and submit to the Dean. The Dean will review these annual reports and discuss them at individual conferences with each faculty member. Pursuant to ABA Standard 404(a), faculty members need not meet these criteria uniformly.
I. Teaching.

A. Courses taught. Identify the courses you taught during the last two calendar years (i.e., January 1, 2010 through December 31, 2011), including the semester(s) in which each course was taught and whether it was taught in the daytime or the evening.

B. Feedback. Please describe any method of providing feedback other than final examinations.

C. Teaching materials and methodology. Did you make any significant revisions in your teaching materials (syllabus, course handouts, casebook, etc.) or methodology during the past two calendar years? If so, please describe briefly.

D. Independent Study. For the last two calendar years, list the names of students, if any, whom you supervised through Independent Study, the title of the project, and whether this project had been undertaken for the Law Review or the Journal of Law & Health.
E. **Teaching Evaluations.** I plan to review teaching evaluations before our meeting. I believe that it is important that faculty review them as well. Therefore, I am requesting that you review your teaching evaluations for courses taught during the past two calendar years and include in this section any comments that you have about these evaluations.

F. **Technology.** Do you use technology in the classroom?

   Yes_____ No_____

   Briefly describe uses.

G. **Grades.** During the past two calendar years, did you turn in your grades on time for all of your courses? If not, please explain the reason(s) for your failure to comply with our grading deadlines.

II. **Scholarship.**

A. **Publications.**

1. Please list any publications completed during the past two calendar years.

2. Please list any ongoing publication projects and expected completion dates.

3. Please list any published articles that are not on SSRN and whether you would like assistance getting them on to SSRN.
B. **Scholarly presentations.** Please list any scholarly presentations you have given in the past two calendar years and indicate the group, school or conference to which they were given.

C. **Other scholarly activities.** Please describe any other scholarly activities in the past two calendar years not reported above.

III. **Service.**

A. **College of Law.**

1. Identify the committees you have served on during the past two calendar years.

2. Beyond your normal committee work, please describe any unusual service activities engaged in during the past two calendar years.

B. **University.** Please list all university committees or other activities engaged in during the past year two calendar years. Include any activities with faculty in other colleges.

C. **Professional service.** Please describe your involvement with any professional organizations, such as AALS, ABA, Ohio Bar Association, local bar associations, CLE activities, practice manuals, etc.
D. Community service. Please describe any community service activities that you were engaged in the past two calendar years. If possible, estimate the time your spent on these activities.

IV. Consulting/Extramural Activities: Please check all that apply for the period January 1, 2011 through December 31, 2011.

___ I have rendered no professional service (consulting, contract work for a public or private firm, or other extramural employment) beyond my University duties.

___ I have rendered professional services (consulting, contract work for a public or private firm, or other extramural employment) beyond my University duties without renumeration.

___ I have rendered professional services (consulting, contract work for a public or private firm, or other extramural employment) beyond my University duties with renumeration.

If you have rendered professional service, please describe below the employer, dates of employment and total number of hours worked per year, per employer (with and without pay).

V. Other activities. Please list any other major activities you have been involved in the past two calendar years that you have not already reported.

VI. Bar Exam Plan. Please describe the steps that you have taken during the past two calendar years to improve our students’ success on the Ohio Bar Exam.
VII. Contributions to building and sustaining the law school community. Please describe any additional contributions you have made over the last two calendar years to building and sustaining the law school community.

VIII. Major Goals

A. Identify your two or three major goals for the current calendar year.

B. Identify your two or three major goals for the next five years.
I. Teaching.

A. Courses taught. Identify the courses you taught during the last two calendar years (i.e., January 1, 2010 through December 31, 2011), including the semester(s) in which each course was taught and whether it was taught in the daytime or the evening.

B. Teaching materials and methodology. Did you make any significant revisions in your teaching materials (syllabus, course handouts, casebook, etc.) or methodology during the past two calendar years? If so, please describe briefly.

C. Independent Study. For the last two calendar years, list the names of students, if any, whom you supervised through Independent Study, the title of the project, and whether this project had been undertaken for the Law Review or the Journal of Law & Health.

D. Teaching Evaluations. I plan to review teaching evaluations before our meeting. I believe that it is important that faculty review them as well. Therefore, I am requesting that you review your teaching evaluations for courses taught during the past two calendar years and include in this section any comments that you have about these evaluations.
E. Technology. Do you use technology in the classroom?

Yes_____ No_____

Briefly describe uses.

F. Grades. During the past two calendar years, did you turn in your grades on time for all of your courses? If not, please explain the reason(s) for your failure to comply with our grading deadlines.

II. Scholarship.

A. Publications. Scholarship is not a requirement of legal writing faculty, yet some legal writing faculty engage in scholarship. If you have done so, please provide the following information.

1. Please list any publications completed during the past two calendar years.

2. Please list any ongoing publication projects and expected completion dates.

B. Scholarly presentations. Please list any scholarly presentations you have given in the past two calendar years and indicate the group, school or conference to which they were given.
C. **Other scholarly activities.** Please describe any other scholarly activities in the past two calendar years not reported above.

III. **Service.**

A. **College of Law.**

1. Identify the committees you have served on during the past two calendar years.

2. Beyond your normal committee work, please describe any unusual service activities engaged in during the past two calendar years.

B. **University.** Please list all university committees or other activities engaged in during the past year two calendar years. Include any activities with faculty in other colleges.

C. **Professional service.** Please describe your involvement with any professional organizations, such as AALS, ABA, Ohio Bar Association, local bar associations, CLE activities, practice manuals, etc.

D. **Community service.** Please describe any community service activities that you were engaged in the past two calendar years. If possible, estimate the time your spent on these activities.
IV. **Consulting/Extramural Activities:** Please check all that apply for the period January 1, 2011 through December 31, 2011.

__ I have rendered no professional service (consulting, contract work for a public or private firm, or other extramural employment) beyond my University duties.

__ I have rendered professional services (consulting, contract work for a public or private firm, or other extramural employment) beyond my University duties without renumeration.

__ I have rendered professional services (consulting, contract work for a public or private firm, or other extramural employment) beyond my University duties with renumeration.

If you have rendered professional service, please describe below the employer, dates of employment and total number of hours worked per year, per employer (with and without pay).

V. **Other activities.** Please list any other major activities you have been involved in the past two calendar years that you have not already reported.

VI. **Bar Exam Plan.** Please describe the steps that you have taken the past two calendar years to improve our students’ success on the Ohio Bar Exam.

VII. **Contributions to building and sustaining the law school community.** Please describe any additional contributions you have made over the last two calendar years to building and sustaining the law school community.
VIII. Major Goals

A. Identify your two or three major goals for the current calendar year.

B. Identify your two or three major goals for the next five years.
I. Teaching.

A. Courses taught. Identify the courses you taught during the last two calendar years (i.e., January 1, 2010 through December 31, 2011).

B. Teaching materials and methodology. Did you make any significant revisions in your teaching materials (syllabus, course handouts, casebook, etc.) or methodology during the past two years? If so, please describe briefly.

C. Independent Study. For the last two calendar years, list the names of students, if any, whom you supervised through Independent Study, the title of the project, and whether this project had been undertaken for the Law Review or the Journal of Law & Health.

D. Teaching Evaluations. I plan to review teaching evaluations before our meeting. I believe that it is important that faculty review them as well. Therefore, I am requesting that you review your teaching evaluations for courses taught during the past two calendar years and include in this section any comments that you have about these evaluations.
E. **Grades.** During the past two calendar years, did you turn in your grades on time for all of your courses? If not, please explain the reason(s) for your failure to comply with our grading deadlines.

II. **Scholarship.**

A. **Publications.** Scholarship is not a requirement of clinical faculty, yet some clinical faculty engage in scholarship. If you have done so, please provide the following information.

1. Please list any publications completed during the past two calendar years.

2. Please list any ongoing publication projects and expected completion dates.

B. **Scholarly presentations.** Please list any scholarly presentations you have given in the past two calendar years and indicate the group, school or conference to which they were given.

C. **Other scholarly activities.** Please describe any other scholarly activities in the past two calendar years not reported above.
III. Service.

A. College of Law.

1. Identify the committees you have served on during the past two calendar years.

2. Beyond your normal committee work, please describe any unusual service activities engaged in during the past two calendar years.

B. University. Please list all university committees or other activities engaged in during the past year two calendar years. Include any activities with faculty in other colleges.

C. Professional service. Please describe your involvement with any professional organizations, such as AALS, ABA, Ohio Bar Association, local bar associations, CLE activities, practice manuals, etc.

D. Community service. Please describe any community service activities that you were engaged in the past two academic years. If possible, estimate the time your spent on these activities.
IV. Consulting/Extramural Activities: Please check all that apply for the period January 1, 2011 through December 31, 2011.

__ I have rendered no professional service (consulting, contract work for a public or private firm, or other extramural employment) beyond my University duties.

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If you have rendered professional service, please describe below the employer, dates of employment and total number of hours worked per year, per employer (with and without pay).

V. Other activities. Please list any other major activities you have been involved in the past two calendar years that you have not already reported.

VI. Bar Exam Plan. Please describe the steps that you have taken during the past two calendar years to improve our students’ success on the Ohio Bar Exam.

VII. Contributions to building and sustaining the law school community. Please describe any additional contributions you have made over the last two years to building and sustaining the law school community.
VIII. Major Goals

A. Identify your two or three major goals for the current calendar year.

B. Identify your two or three major goals for the next five years.
Attached please find your student evaluation data for Spring 2012. I have also attached comparative data for Spring 2012 and composite data from Summer 2007 through Spring 2012. Explanations to help you interpret this data follow.

1. Individual Faculty Averages

Each individual question is averaged and your overall average for each course is weighted. Below is an explanation of what it means for an average to be weighted:

Assume Professor Joe taught two classes with 50 enrolled in class A and 6 enrolled in class B. All 50 students in class A give Joe a rating of "5" (total of 50x5=250 points with an average of 5) and all the students in class B give him a rating of "1" (total of 6x1=6 points with an average of 1). The un-weighted average will be the mean of the two class averages. In this case, (5+1)/2=3. For a weighted average, it will count all students ratings (250+6)/(50+6)=4.571. The mean of the 14 items reported is the weighted average.

CSU’s Department of Institutional Research and Analysis provided this analysis. My understanding of what it means for a single course is this: if there are fifty students in the class and five answer Question 1, forty answer Question 2, and other variations for the remaining questions, what you will see as the average for each question will be the total points divided by the number of responders for that question.

2. College Means and Average

In addition to each faculty member’s averages, Marcie Rechner has computed our means on the fourteen individual questions based on the Summer 2007 – Spring 2012 data. These are not weighted. She also computed our overall college weighted average mean – this is the average of all of the individual courses weighted averages (based on six semesters of our own data). We plan to recompute the means and average every semester as we add additional data.

Please let me know if you have questions.
College mean for each question based on course evaluations from Spring 2012:

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The college average of the means is 4.408, and the mean of all individual courses overall weighted average is 4.405.

College mean for each question based on course evaluations from Summer 2007 through Spring 2012:

<table>
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<td>4.32</td>
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The college average of the means is 4.348, and the mean of all individual courses overall weighted average is 4.344.
I. Procedures for the Recommendation of Promotion and Tenure

Procedures § 1. Within the College of Law, personnel actions involve the participation of a candidate who applies for promotion, for tenure, or for promotion and tenure, an
appropriate College of Law Personnel Action Committee (PAC), a Subcommittee of the PAC, and the Dean. These Procedures describe the role of each of the participants.

The Candidate

Procedures § 2. A faculty member who wishes to be considered for promotion, for tenure, or for promotion and tenure should notify the Dean by May 1 of the calendar year in which the faculty member wishes to be considered.

Procedures § 3. As soon as practicable after a PAC Subcommittee has been established (as described in Procedures § 18) for a particular candidacy, and no later than the beginning of the Fall Semester of the year in which the candidate wishes to be considered, the candidate should submit a dossier (described in Procedures §§ 4 and 5) to the Subcommittee, which contains the material that the candidate thinks is pertinent to the consideration of the application.

Procedures § 4. The dossier should contain at least the following:

(a) a Statement containing

(i) the desired personnel action;

(ii) a description of the candidate’s thoughts and approaches in the areas of teaching, scholarship, and service, with references to any supporting documentation; and

(iii) the candidate’s plans for future development; and

(b) a vitae with at least the following information:

(i) the candidate’s education, including the institutions attended, the degrees awarded, honors received, and law review participation, if any;

(ii) the candidate’s employment experience other than at Cleveland-Marshall;

(iii) the candidate’s professional consulting experience, if any;

(iv) the candidate’s bar membership, if any;

(v) the candidate’s membership and participation in professional and academic associations;

(vi) the candidate’s position on editorial boards of academic or professional publications, or any similar relationship;

(vii) the courses taught by the candidate at Cleveland-Marshall (as well as at
other law schools, if relevant), the Committees on which the candidate has served at Cleveland-Marshall and at Cleveland State, and other relevant activities at Cleveland-Marshall or Cleveland State in which the candidate has participated;

(viii) the candidate’s publications;

(ix) any papers presented or other participation by the candidate in scholarly colloquia, conferences, and the like;

(x) the candidate’s participation, if any, as instructor in continuing legal education programs;

(xi) the candidate’s participation in significant litigation, if any;

(xii) the candidate’s legislative testimony, if any;

(xiii) the candidate’s additional public and professional service;

(xiv) the candidate’s work in progress;

(xv) descriptions of any other experience relevant to the candidate’s application; and

(xvi) the candidate’s home mailing address.

Procedures § 5. The dossier material should be presented in one standard three-ring binder, with dividers separating the sections, and an index. The PAC Subcommittee’s analyses of the candidate’s student evaluations, the evaluations of the candidate’s publications by outside evaluators, and the PAC report prepared by the PAC chair will be added to the dossier later by the office of the Dean and the PAC chair.

Procedures § 6. At the same time that the dossier is presented, the candidate should also provide the PAC Subcommittee with:

(a) copies of all publications that the candidate wishes to have considered in connection with the application, with evidence establishing the candidate’s specific contribution with respect to any co-authored publication;

(b) copies of the syllabi of courses taught at Cleveland-Marshall since the later of the candidate’s first teaching at Cleveland-Marshall or the candidate’s last successful application for personnel action here; and

(c) a list of names of highly qualified experts within the candidate’s field outside the College of Law who could provide the PAC with evaluations of the candidate’s publications.
Procedures § 7. If necessary, the candidate may later supplement the submissions described in Procedures §§ 4 and 6 with additional data.

The Personnel Action Committees

Procedures § 8. Recommendations for promotion in rank and for the granting of tenure are made to the Dean on behalf of the College of Law faculty by the appropriate Personnel Action Committee (PAC).

Procedures § 9. There are two PACs.

(a) Subject to subsection (b) below, the PAC for promotion to the rank of full Professor and for the granting of tenure to a full Professor ("the tenured full Professor PAC") shall consist of all full Professors with tenure, and the PAC for all other personnel actions ("the tenured faculty PAC") shall consist of all faculty with tenure.

(b) The following individuals are not members of either PAC:

(i) a faculty member on leave who does not attend a PAC meeting called for the purpose of making a personnel action recommendation or recommendations;

(ii) a faculty member who declares his or her temporary nonmembership in one or both PACs to the Dean’s office or to the PAC Chair before a PAC meeting called for the purpose of making a personnel action recommendation or recommendations;

(iii) a faculty member whose candidacy for promotion or tenure is under consideration by the PAC; and

(iv) the Dean of the College of Law.

(c) The Dean of the College of Law shall serve ex officio on both PACs, enjoying the rights to receive notice and be present at meetings and to fully participate in PAC discussions, but not to vote on PAC matters.

Procedures § 10. The members of the tenured faculty PAC shall elect from among full Professor members a Chair and a Vice-Chair who shall hold the same offices in the tenured full Professor PAC. The Vice-Chair shall perform the Chair’s duties in the absence of the Chair. The election should take place in the Spring Semester. Faculty with administrative positions in the College or University are not eligible for election to these offices.
Procedures § 11. PAC members are responsible for informing themselves with respect to the qualifications of all candidates for personnel action whose applications are before the PAC. PAC members fulfill this responsibility by reading the candidates’ publications, by attending classes taught by the candidates, by observing the candidates’ participation in faculty governance and in College of Law activities, and by considering Reports prepared for the PAC by Subcommittees.

Procedures § 12. PAC meetings for the purpose of making final personnel action recommendations will be scheduled by the PAC Chair and the Dean and will generally be held in early November. The PAC Chair, in his or her discretion, may call interim meetings to consider any matter that the PAC Chair determines should be considered by the PAC prior to the November meeting.

Procedures § 13. At a PAC meeting concerning personnel actions, PAC members should consider their own evaluations of candidates, the Reports of Subcommittees, any authenticated candidate evaluations prepared by other PAC members and distributed directly to the PAC, and the opinions expressed at the meeting by other PAC members.

Procedures § 14. To promote full and candid discussion, PAC meetings to consider personnel actions are confidential; members should not disclose the contents of discussions concerning personnel actions. Votes on recommendations for personnel action at such meetings shall be by secret ballot.

Procedures § 15. A PAC shall make its recommendation with respect to each candidacy by majority vote of all members, whether present or absent at the meeting. The PAC Chair and the Dean shall immediately report the PAC’s recommendation to each candidate.

Procedures § 16. As soon as practicable after a PAC meeting to consider one or more personnel actions, the PAC Chair shall forward to the Dean a separate written statement with respect to each candidate, providing the PAC’s recommendation, the reasons for that recommendation, the number of votes for and against the recommendation, and the number, if any, of members who were absent from the meeting or abstained. The PAC Chair shall make the written statements available to the candidate and to any PAC member who wishes to see them.

Procedures § 17. Any PAC member or members who disagree with the PAC majority’s recommendation may submit a written minority recommendation to the Dean with the reasons for that recommendation, who shall them forward these consistent with the Greenbook.

Subcommittees of the Personnel Action Committees

Procedures § 18. The PAC Chair, in consultation with the Dean, shall appoint a Subcommittee for each candidate composed of three members of the appropriate PAC. Before making appointments, the Chair shall consult with the candidate and the Vice
Chair regarding the proposed membership and leadership of each Subcommittee and later with each proposed member of the Subcommittee. One of the members appointed will be designated Subcommittee Chair. At least one member of each Subcommittee shall be a full Professor. Subcommittees shall be appointed as soon as possible after the May deadline for notification and the PAC officer elections. Neither the PAC Chair nor the Vice Chair is eligible for appointment to a candidate Subcommittee.

Procedures § 19. A PAC Subcommittee gathers information from both inside and outside the College of Law with respect to a candidate and coordinates the analysis and sharing of both external and internal evidence and evaluations among PAC members. The Subcommittee acts in this regard on behalf of the PAC Chair.

Procedures § 20. Upon appointment, the Subcommittee shall meet with the candidate to discuss the material submitted with the dossier and the Subcommittee’s work.

Procedures § 21. As soon as possible after meeting with the candidate, the Subcommittee should select outside evaluators to be asked to read and comment on the candidate’s publications. In seeking outside evaluators, the Subcommittee should strive to obtain highly qualified experts who are well known and well respected nationally in their fields. In selecting outside evaluators, the Subcommittee should consider suggestions made by the candidate as well as suggestions made by other highly qualified experts in the field.

Prior to contacting any outside evaluators, the Subcommittee should provide the names of potential evaluators to the candidate and consider any objections raised by the candidate on the basis of the lack of either competence or objectivity of proposed evaluators. The candidate should disclose any relationship with any proposed evaluator. At a minimum, the Subcommittee should attempt to select at least twice as many evaluators as there are publications to be evaluated. However, whether an evaluator should be asked to read all of the publications, or only one or more of them, should be determined by the Subcommittee.

Procedures § 22. In the event of disagreement between the candidate and the Subcommittee regarding the selection of outside evaluators or other concerns, the candidate or a member of the Subcommittee may notify the PAC Chair of the disagreement. The Chair shall then promptly convene a meeting of the candidate, the Subcommittee, the PAC Chair, and the PAC Vice-Chair to facilitate a resolution of the matter. If a resolution cannot be reached through discussion, a majority vote of the PAC Chair, Vice Chair, and members of the Subcommittee will control.

Procedures § 23. The Subcommittee should telephone those selected as evaluators as soon as possible, ideally during the summer, inviting their participation in the process. When an invitation is accepted, a letter (samples attached in Appendix I and Appendix II), as well as the material to be reviewed, should be sent immediately, confirming the arrangement. Letters containing any significant substantive deviations from the samples should be approved by the PAC Chair and shown to the candidate before being sent out.
Procedures § 24. Copies of outside evaluations should be given to the candidate promptly as they are received by the Subcommittee, and the original should be added to the dossier by the Subcommittee.

Procedures § 25. At the start of the Fall Semester, each PAC Subcommittee should notify PAC members of the candidacy that the Subcommittee is overseeing, provide members with copies of all periodical publications proffered by the candidate, and describe how members can gain access to book-length publications. The Subcommittee should provide a schedule of the candidate’s classes and remind PAC members of their responsibility to observe classes. The Subcommittee’s notice to the PAC should also invite submission to the Subcommittee of PAC member evaluations of the candidate’s teaching, scholarship, and service.

Procedures § 26. The Subcommittee should periodically remind PAC members of their responsibilities and solicit their evaluations.

Procedures § 27. A PAC member submitting an authenticated evaluation of either teaching or scholarship may elect whether or not to be identified by the Subcommittee to the rest of the PAC as the author; evaluations submitted anonymously to the Subcommittee or to the PAC will be disregarded. When preparing its Report, the Subcommittee should incorporate PAC member evaluations of the candidate’s teaching, scholarship, and service only if the evaluations are authenticated by the faculty members submitting them.

Procedures § 28. The Subcommittee should obtain from the Dean’s office copies of all student evaluations of the candidate conducted at Cleveland-Marshall since the later of the candidate’s first teaching at Cleveland-Marshall or the candidate’s last successful application for personnel action here. If feasible, the Subcommittee should also obtain student teaching evaluations with respect to law school courses taught elsewhere before joining Cleveland-Marshall, if a candidate has not yet made a successful personnel application here, and the same material for law courses taught as a visitor elsewhere since the later of the candidate’s hiring here or the candidate’s last successful application for personnel action here.

The Subcommittee should analyze all such student evaluations. The goal of the analysis should be to determine the quality of the teaching rather than the popularity of the teacher.

Procedures § 29. In any year in which more than one PAC Subcommittee is established, all Subcommittees or their Chairs should meet with the PAC Chair and agree upon which of the questions on the candidates’ evaluation forms are most relevant to the determination of quality teaching, and Subcommittees should then focus their quantitative analysis on the answers to those questions.
Procedures § 30. The Subcommittee should interview, to the extent possible, the Chairs of all Cleveland-Marshall and University Committees on which the candidate served.

Procedures § 31. A Subcommittee may interview individuals with whom the candidate collaborated on work of a professional or academic organization, seeking evaluations of the candidate’s work.

Procedures § 32. The Subcommittee must submit a written Report to the entire PAC describing in detail the evidence regarding a candidate’s qualifications. The Report should be made available to the PAC, and to the candidate, approximately two weeks before the PAC meeting scheduled to consider the candidate’s application. The candidate may submit a statement to the PAC addressing any matters raised in the Subcommittee Report.

Procedures § 33. The Subcommittee Report should contain at least the following:

(a) a statement of the candidate’s background and, as an attachment, the candidate’s vitae, described in Procedures § 4(b);

(b) a description of the candidate’s approach to teaching and to scholarship based on observation, a personal interview by the Subcommittee with the candidate, course syllabi, and the candidate’s own dossier Statement, which should be attached to the Report;

(c) the Subcommittee’s analysis of student evaluations of the candidate’s teaching, which should be presented in numeric, quantitative form, and also in the form of representative quotations from the evaluations;

(c) a summary of authenticated teaching evaluations, including representative observations and comments;

(e) as attachments, copies of all authenticated PAC member evaluations of the candidate’s teaching that have been submitted to the Subcommittee, preserving the anonymity of those PAC members, if any, who choose not to have their identities disclosed by the Subcommittee;

(f) a detailed summary of outside evaluations of the candidate’s publications;

(g) as attachments, copies of all outside evaluations of the candidate’s publications;

(h) a detailed summary of all authenticated PAC member evaluations of the same publications;

(i) as attachments, copies of all authenticated PAC member evaluations,
preserving the anonymity of those PAC members, if any, who choose not to have their identities disclosed by the Subcommittee;

(j) the Subcommittee’s determination regarding the specific contribution made by the candidate to any co-authored publication;

(k) a description of the candidate’s service on Cleveland-Marshall and University committees;

(l) a description of the candidate’s participation in bar association activities, legal scholarly or professional organizations, other scholarly organizations, editorial boards, or similar groups;

(m) a description of the candidate’s public service activities; and

(n) a description of any other information related to the candidacy that has been addressed to the Subcommittee or learned by the Subcommittee during its work.

Procedures § 34. The Subcommittee Report should avoid making evaluative inferences from the evidence compiled in the Report regarding the quality of the candidate’s scholarship, teaching, and service. Rather, the purpose of the Report is to gather into one place the evidence that each member of the PAC should consider in making his or her independent determination of whether the candidate has satisfied the criteria for promotion, the award of tenure, or both. The Subcommittee Report should not contain a recommendation regarding whether the candidate has satisfied the criteria.

Procedures § 35. In cooperation with the office of the Dean, the Subcommittee Chair should add to the candidate’s dossier the numeric quantitative analysis of the student evaluations.

The Dean

Procedures § 36. The Dean should consider PAC recommendations in preparing his or her separate decanal recommendation to the Provost for each candidate. The Dean’s recommendation or recommendations to the Provost should be made by November 25 and should be accompanied by the PAC Chair’s written statement of recommendation concerning each candidate, as well as any written minority recommendation.

Procedures § 37. The office of the Dean oversees the final compilation of the dossier, adding to what the candidate submits (see Procedures §§ 3, 4, and 5) the material received at the Dean’s office from the candidate’s PAC Subcommittee (see Procedures §§ 5, 24, and 35).

Procedures § 38. Promotion and the award of tenure become effective at the time designated by the University Board of Trustees, normally the beginning of the academic
year following the academic year in which the faculty member’s candidacy was considered by the PAC and the Dean.

II. Criteria for the Recommendation of Promotion and Tenure

Criteria § 1. Faculty may apply for promotion, for tenure, or for promotion and tenure in any year of service. However, an application for personnel action which requests that consideration of the application by the PAC, the Dean, the Provost and the Trustees occur in the first, second or third year of the faculty member’s service in rank will be approved only under unusual circumstances, including the presentation of exceptionally powerful evidence of eligibility for the promotion or the award of tenure.

Criteria § 2. The Dean and the PAC will consider four factors, which are described in more detail below, in making promotion and tenure decisions. The factors are

(a) the candidate’s teaching,
(b) the candidate’s scholarship,
(c) the candidate’s participation in faculty governance within the College of Law and the University, and
(d) the candidate’s service to the public and to the profession.

Criteria § 3. Promotion to the rank of Associate Professor with tenure, and the award of tenure to a faculty member already holding the rank of Associate Professor, are both based on evidence that the candidate

(a) is a fully competent teacher; and
(b) has demonstrated significant scholarship.

Criteria § 4. Except as provided in Criteria § 11, promotion to the rank of full Professor, and the granting of tenure to a faculty member already holding the rank of full Professor, are both based on evidence that the candidate has

(a) a record of sustained excellence in teaching;
(b) an outstanding record as a scholar; and
(c) a reputation in the discipline beyond the local community.

Criteria § 5. In addition, all candidates for personnel action must demonstrate that they have fulfilled their faculty governance and public and professional service obligations.
Criteria § 6. Whether a candidate has become “a fully competent teacher,” as that term is used in Criteria § 3, or has demonstrated a “sustained excellence in teaching,” as that term is used in Criteria § 4, can be demonstrated in a variety of ways, but the following factors should generally be taken into consideration:

(a) comprehensive knowledge of the subject matter and an appreciation of its relationship to other fields, including current developments in both application and theory;

(b) thoughtful preparation and organization of individual class sessions and overall course coverage content;

(c) ability to stimulate intellectual curiosity in students and communicate knowledge to students as demonstrated by student participation in class and student involvement in independent learning;

(d) reasonable and fair evaluation of student work by examinations, papers, and other written and oral work appropriate to the subject matter;

(e) the extent and quality of individual mentoring with respect to written assignments, simulations, and clinical exercises;

(f) development of innovative methodology, including the use of technology in the classroom, if appropriate;

(g) extension of the teaching enterprise through the use of class listserves;

(h) use of clinical, individual, or small group programs;

(i) publications about teaching and teaching improvement;

(j) publication of textbooks, casebooks, or student treatises;

(k) development of unpublished teaching materials; and

(l) development of continuing legal education materials.

To a lesser degree, consideration may also be given to:

(m) accessibility to students outside the classroom;

(n) participation in teaching workshops and conferences; and

(o) enthusiasm about the subject and the enterprise.
Criteria § 7. “Scholarship,” as used in these Criteria, means published writing based on original research. It includes the presentation of new insights and the criticism of existing literature. Its quality depends on its clarity and the grace of presentation; the importance of the subject matter chosen for study; the persuasiveness with which points are argued; the thoroughness with which the topic is explored; the significance of its conclusions; its impact on subsequent scholarship; and the contribution it makes to our understanding of law. Scholarship consists of

(a) articles and substantial book review essays published in law reviews;

(b) law-related articles published in scholarly journals of other disciplines;

(c) a Uniform Law, Model Statute, Restatement, or American Law Institute Reporter’s Study or equivalent work of which the candidate was a principal author;

(d) books or monographs;

(e) treatises; and

(f) textbooks and casebooks if they contain significant original text that would otherwise satisfy the language contained in the first paragraph of this Criterion.

For promotion to Associate Professor or the award of tenure, only scholarship, as defined in (a) through (f) above, will be circulated for outside review and considered in determining whether the candidate has satisfied the minimum requirements for consideration of the promotion or award of tenure. For promotion to full Professor, only scholarship, as defined in (a) through (f) above, that has not been previously considered at Cleveland-Marshall in any successful personnel action will be circulated for outside review. In all cases, the candidate may also submit any of the following to be considered by PAC members:

(g) unpublished scholarly papers presented at conferences;

(h) significant appellate briefs submitted in litigation; and

(i) statutory text, not described in (c), drafted for any governmental entity.

Criteria § 8. “Significant scholarship,” as used in Criteria § 3, encompasses the production of a quantity of scholarship evidencing a real contribution to the candidate’s field, as well as the likelihood of continued contribution to scholarship, and will consist of the publication or formal acceptance for publication of no less than two works authored solely by the candidate listed in Criteria § 7(a) through (c) or one work authored solely by the candidate listed in Criteria § 7(d), (e) and (f). With respect to candidates who have the standard, six-year, tenure-track probation period,
all such works must have been published or formally accepted for publication during the probation period. With respect to candidates who do not have the standard, six-year, tenure track probation period, all such work need not have been published or formally accepted for publication during the probation period.

Criteria § 9. A person who has an “outstanding record as a scholar,” as used in Criteria § 4, has produced a canon of work, such as several law review articles, or a treatise, or monograph, which establish the candidate as a well-recognized expert in the field.

Criteria § 10. “Public and professional service obligations,” as used in Criteria § 5, encompasses:

(a) public service, which means

(i) engaging in activities that enhance public understanding of the law or of issues in related social, economic, or political fields; and

(ii) providing professional services or making other contributions to the work of governmental, educational, charitable, or public interest entities, or to others that serve the interests of significant segments of the public; and

(b) professional service, which means

(i) service to the profession of law; and

(ii) service to organizations furthering the work of legal education.

Activities under (a)(i) include publishing books, magazine articles and op-ed pieces for lay audiences, giving talks to faculty or students at other colleges and universities, lecturing to public groups, and the like. Activities under (a)(ii) include doing pro bono work of any sort, testifying before public bodies, consulting with public agencies, writing amicus briefs, and making significant contributions to public service organizations.

Activities under (b)(i) include participating in local, state, and national bar organizations and similar law-related groups, giving papers at legal as well as interdisciplinary conferences, offering courses in Continuing Legal Education, and making analogous contributions. Activities under (b)(ii) include service to organizations furthering the enterprise of legal education, such as significantly contributing to the work of the American Association of Law Schools, the ABA Section on Legal Education and Admissions to the Bar, the Society of American Law Teachers, the American Association of Law Libraries, the Council on Legal Educational Opportunity, and the like.

Criteria § 11. In the case of a Dean of the College of Law, the tenured faculty PAC may recommend award of tenure, and the tenured full Professor PAC may recommend
award of the rank of full Professor, based on the same criteria used in recommending the
individual as Dean.

Criteria § 12. A Librarian is a faculty member who has had more contract
responsibility for law library administration than for instruction and research during the
period between the later of

(i) the faculty member’s first teaching at Cleveland-Marshall or

(ii) the faculty member’s last successful application for personnel action here

and the faculty member’s latest application for personnel action.

The promotion and tenure criteria for Librarians are the same as for other faculty
members, except as follows:

(a) relevant teaching may also include courses on legal research and writing,
advanced legal research, electronic legal research, and other areas germane to
librarianship;

(b) proportionally less time may be devoted to teaching by a Librarian than by
other faculty members;

(c) “significant scholarship” may include publication of either two scholarly
articles in a scholarly library publication, or one such article and another of a
more practical library orientation published in a practice-oriented library
publication; “an outstanding record as a scholar” may also be evidenced by
publication of work of the same character; and

(d) Librarians must also demonstrate professional competence by effective
application of library science in carrying out assigned managerial and
administrative responsibilities in conformity with the law library standards of the
American Bar Association, the Association of American Law Schools, and the
American Association of Law Libraries.
Appendix I

CSU-CM LETTERHEAD

Date

Name
Address

Dear _____________:

I am delighted that you have agreed to read Professor __________’s article, ____________________________________________________________________, which I have enclosed, in connection with [his/her] request to be promoted to Associate Professor of Law with tenure. As I indicated in our telephone conversation, I am chair of a subcommittee charged with preparing a report for the eligible voting members of the faculty regarding Professor ____________’s credentials.

Our faculty is interested in learning your assessment of the quality and impact of Professor ____________’s scholarship. I would like your evaluation of the work’s clarity and grace of presentation; the importance of the subject matter chosen for study; the persuasiveness with which points are argued; the thoroughness with which the topic is explored; the importance of its conclusions; and the contribution it makes to our understanding of law. What is its potential for advancing theory, research, or practice? Does it demonstrate effective written communication of original research in a given field, including the presentation of new knowledge or criticism of existing literature? Does it evidence careful study, thoroughness, creativity, depth, precision, and balance? In sum, what is your view regarding the quality of the work as an example of scholarship, including its quality in relation to other scholarship in the field?

I specifically ask that you not include a recommendation regarding whether Professor _______ has met the criteria for promotion and tenure at Cleveland-Marshall College of Law, your own institution, or any other institution.

You should also be advised that your evaluation will become part of the candidate’s file and thus made available to the candidate and to all other persons concerned in the University promotion and tenure process. Confidentiality cannot be guaranteed. Would you also please describe any personal or professional contact that you may have had with Professor _______ in the past.

I have also enclosed a copy of Professor _________’s resume, as well as other articles that are being reviewed in connection with [his/her] promotion petition. The piece that I have asked you to review is only one part of [his/her] scholarly output. If you would like to read these additional articles and wish to speak to their contribution, I
would welcome those comments as well. I therefore thought that I would make them easily available to you.

In order that our faculty may meet University deadlines governing our internal review process, I ask that you forward your comments in a letter addressed to me no later than __________if at all possible. I would also appreciate it if you would enclose a copy of your own resume as well.

Many thanks for your assistance. Should you have any questions, please do not hesitate to call me at (216) 687-XXXX or contact me by e-mail at yyyy.zzzz@law.csuohio.edu.

Very truly yours,

Name
Professor of Law
Appendix II

CSU-CM LETTERHEAD

Date
Name
Address

Dear ____________:

I am delighted that you have agreed to read Professor _____________’s article, __________________________________, which I have enclosed, in connection with [his/her] request to be promoted to the rank of Professor of Law. As I indicated in our telephone conversation, I am chair of a subcommittee charged with preparing a report for the eligible voting members of the faculty regarding Professor ___________’s credentials.

I have also enclosed a copy of Professor ___________’s resume, including [his/her] publication record, as well as other articles that are being reviewed in connection with [his/her] promotion petition. The piece that I have asked you to review is only one part of [his/her] scholarly output. If you would like to read these additional articles and wish to speak to their contribution, I would welcome those comments as well. I therefore thought that I would make them easily available to you.

Our faculty is interested in learning your assessment of the quality and impact of Professor _____________’s scholarship. With respect to the __________ article, I would like your evaluation of its clarity and grace of presentation; the importance of the subject matter chosen for study; the persuasiveness with which points are argued; the thoroughness with which the topic is explored; the importance of its conclusions; and the contribution it makes to our understanding of law. What is its potential for advancing theory, research, or practice? Does it demonstrate effective written communication of original research in a given field, including the presentation of new knowledge or criticism of existing literature? Does it evidence careful study, thoroughness, creativity, depth, precision, and balance? In sum, what is your view regarding the quality of the work as an example of scholarship, including its quality in relation to other scholarship in the field?

In addition, I would like your opinion regarding whether this piece and the rest of Professor _____________’s work with which you may be familiar make [him/her] a well recognized expert in the field.
I specifically ask that you *not* include a recommendation regarding whether Professor ______ has met the criteria for promotion and tenure at Cleveland-Marshall College of Law, your own institution, or any other institution.

You should also be advised that your evaluation will become part of the candidate’s file and thus made available to the candidate and to all other persons concerned in the University promotion and tenure process. Confidentiality cannot be guaranteed. Would you also please describe any personal or professional contact which you may have had with Professor ______ in the past.

In order that our faculty may meet University deadlines governing our internal review process, I ask that you forward your comments in a letter addressed to me *no later than ____________* if at all possible. I would appreciate it if you would also enclose a copy of your own resume as well.

Many thanks for your assistance. Should you have any questions, please do not hesitate to call me at (216) 687-XXXX or contact me by e-mail at yyy.zz@law.csuohio.edu.

Very truly yours,

Name
Professor of Law
Procedures for Mentoring and Evaluation of Faculty in the Years Preceding Application for Personnel Action

These Procedures for the Mentoring and Evaluation of Faculty describe the roles of the Dean and Law College Personnel Action Committee members in the years preceding the year in which a faculty member applies for promotion, for tenure, or for promotion and tenure (“personnel actions”). These Procedures supplement the Procedures and Criteria for Promotion and Tenure in the Cleveland-Marshall College of Law which govern promotion and tenure matters once a faculty member applies for personnel action.

PROCEDURES FOR UNTENURED TENURE-TRACK FACULTY

Notice, Appointment of a Mentor, and Appointment of Two Teaching Evaluators

Procedures § 101. The Dean shall give every new untenured tenure-track faculty member a copy of the Faculty Personnel Policies, Sections 8.1.1 to 8.1.5 in the Cleveland State University Handbook (the Greenbook), together with the Law College “Procedures and Criteria for Promotion and Tenure in the Cleveland-Marshall College of Law as amended and these Procedures for Mentoring and Evaluation.

Mentors

Procedures § 102. During such faculty member’s first months at the Law College, the Personnel Action Committee (PAC) Chair, in consultation with the faculty member and the Dean, shall appoint a tenured faculty member of the same or higher rank as Mentor for the new faculty member. Thereafter, a Mentor shall be appointed or reappointed by the PAC Chair yearly until the new faculty member applies for personnel action.

Procedures § 103. The Mentor and the faculty member shall meet at a mutually convenient time at least once during each academic year. At such meeting or meetings the Mentor should do his or her best to answer all the questions that the new faculty member may pose regarding teaching, scholarship and service, and also consider offering suggestions regarding those and other relevant topics.

Procedures § 104. Starting in the faculty member’s second year, the Mentor shall visit one or more of the new faculty member’s classes and provide guidance.

Procedures § 105. The Mentor and the faculty member shall also continue to discuss the faculty member’s teaching, research and writing, (current and planned for the future,) and service obligations.

Procedures § 106. The Mentor shall encourage the faculty member to seek critiques of work in progress. Critiques might be sought from colleagues here, from relevant experts elsewhere, or from both such sources.
Procedures § 107. A new faculty member may request the PAC Chair to seek external review of published materials selected by the faculty member. Ordinarily, the PAC Chair shall honor that request. The external reviewers are to be chosen by the PAC Chair or his or her designee, in consultation with the faculty member. Such external evaluations of published work, when they are received by the PAC Chair, shall be forwarded by the Chair to the Dean who shall be their custodian until the faculty member applies for personnel action whereupon they shall be added to the faculty member’s dossier.

Procedures § 108. In the faculty member’s third year, (in the second year if the faculty member is an Associate or full Professor), the Mentor shall be joined by the Chair or Vice Chair of the PAC in the Mentor’s annual meeting or meetings with the new faculty member, in order to provide further guidance. New faculty members are encouraged to consult with other tenured faculty in addition to the Mentor if they care to do so. New faculty should also bring any concerns regarding their situations to the Dean, or to the PAC Chair or Vice Chair.

Teaching Evaluators

Procedures § 109. Beginning in a new faculty member’s third year, (beginning in the second year in the case of an untenured Associate Professor), the PAC chair, in consultation with the Dean and the faculty member, shall appoint each year prior to the year in which a request for personnel action is considered two tenured faculty members to serve as Evaluators of the candidate’s teaching. One Evaluator, typically, would evaluate the faculty member’s teaching in the Fall semester, and the other Evaluator would evaluate Spring classes. Evaluation shall be based upon observing at least two classes for each course.

Procedures § 110. Teaching Evaluators shall consult with the faculty member to determine appropriate times for class visits and to receive any relevant materials and information. Written teaching evaluations shall be prepared by each Evaluator and distributed to the faculty member evaluated, to the PAC Chair and to the Dean. Other faculty can obtain copies of evaluations upon request to the PAC Chair or the Dean. The PAC Chair shall monitor the submission of evaluations and remind evaluators of their responsibilities as appropriate. The Dean shall keep copies of all such evaluations in a separate section of the faculty member’s personnel file as maintained in the office of the Dean. The faculty member may submit comments or materials in response to teaching evaluations and they shall be kept by the Dean with the evaluations.

Procedures § 111. No evaluations, representations or statements of any kind by Mentors, teaching Evaluators, or others shall be construed as determinations that the standards for any personnel action have been met. There is to be no commitment made by Mentors, the teaching Evaluators, or any other member of the PAC regarding the sufficiency of the faculty member’s credentials for any personnel action. Faculty should understand as well that the PAC and the Dean will not be bound by any assurance, express or implied, conditional or otherwise, that maybe thought to have been given.
PROCEDURES FOR POST-TENURE TEACHING EVALUATORS

Procedures § 112. A tenured Associate Professor who anticipates applying for promotion to the rank of Professor within the next three-years shall so inform the PAC Chair. The PAC Chair shall then appoint in consultation with the Dean and the Associate Professor, two tenured, full Professors as Evaluators of the Associate Professor’s teaching. Appointments or reappointments shall be made each year thereafter prior to the year in which the Associate Professor’s application for promotion is considered. One Evaluator might assess the Professor’s Fall classes, and the other Evaluator, the Spring courses. There should be at least two classroom observations for each course. Each teaching evaluator shall consult with the candidate to determine the appropriate times for class visits and to receive relevant materials and information. Written teaching evaluations are to be prepared by each Evaluator and distributed to the Associate Professor evaluated, to the PAC Chair and to the Dean. Other tenured full Professors can obtain copies of evaluations upon request to the PAC Chair or the Dean. The PAC Chair shall monitor the submission of evaluations and remind evaluators of their responsibilities as appropriate. The Dean shall keep copies of all such evaluations in a separate section of the Associate Professor’s personnel file as maintained in the office of the Dean. The Associate Professor may submit comments or materials in response to teaching evaluations and they shall be kept by the Dean with the evaluations.
Criteria and Procedures for the Appointment of Tenured Faculty

Criteria §201. The criteria for appointment to the faculty as Associate Professor with tenure or as full Professor with tenure are the same as the criteria for the promotion of faculty to the same respective ranks.

Procedures §201. These Procedures shall apply when the Faculty Appointments Committee has decided to recommend a candidate for appointment to the Faculty, and has further determined, with the concurrence of the Dean, that the candidate may meet the criteria for appointment with tenure and that appointment with tenure may be appropriate.

Procedures §202. The Faculty Appointments Committee shall supplement its oral report to the Faculty recommending such a candidate’s appointment to the Faculty with a Written Report addressed to the relevant PAC which states the candidate’s qualifications for a grant of tenure and the evidence relied on in determining those qualifications.

Procedures §203. In preparing its Written Report, the Committee shall investigate the candidate’s teaching competence, scholarly accomplishments, and service experience.

Procedures §204. For all candidates, investigation shall include interviews of the candidate’s present and, if feasible, past colleagues, and others, in or out of academia, with whom the candidate has been associated, including interviews of individuals not listed as references by the candidate.

Procedures §205. For candidates who have been granted tenure at another law school, such investigation shall include, to the extent feasible, examination of the written evidence considered when tenure was granted, including written evaluations of published work, of teaching and of service.

Procedures §206. Investigation of the candidate’s teaching, for candidates with prior teaching experience, shall include to the extent feasible an examination of the candidate’s teaching evaluations at other law schools.

Procedures §207. For candidates without prior teaching experience and for experienced candidates whose teaching evaluations are unavailable, the Committee shall seek other evidence with respect to teaching competence such as interviews with the candidate or the candidate’s colleagues, the candidate’s receipt of an award or awards for teaching, or other support of a verifiable nature.

Procedures §208. Investigation of scholarly accomplishments shall include, ideally, the reading of all the candidate’s published work, or, at the least, a representative body of that work, by Faculty Appointments Committee members or by relevant PAC members designated by the Committee.
Procedures §209. In addition, to the extent feasible, investigation of scholarly accomplishments shall include interviews with experts here or elsewhere who are familiar with candidate’s work, and, again if feasible, written evaluations of some of that work by such experts.

Procedures §210. Investigation of service experience shall include interviews of others with whom such service was performed.

Procedures §211. The Written Report shall be presented to the appropriate PAC soon enough to enable a timely offer of appointment with tenure to be made, if the PAC recommends such an offer. What is “feasible” is to be determined, in part, in light of the time available to the Faculty Appointments Committee to accomplish its investigation.
SUMMER TEACHING GRANT CRITERIA

Cleveland-Marshall College of Law
2121 Euclid Avenue, LB 138
Cleveland, OH 44115
Telephone: (216) 687-2344
Fax: (216) 687-6881

Memorandum

January 26, 2009

TO: Full-Time Faculty, consisting of Permanent Tenured & Tenure-Track Faculty and Legal Research and Writing Faculty

FROM: The Teaching Committee (Janice Aitkin, Michael Borden, Patricia Falk, Brian Glassman, Michelle Lapp, Chris Sagers)

RE: Summer Teaching Enhancement Grants

Facility members interested in submitting a Summer Teaching Enhancement grant proposal for the summer of 2009 should submit an application to Chris Sagers by 5 p.m. Monday, February 23rd, 2009, either in hard copy or by email. The amount of a Teaching Enhancement Grant will be the same as C-M Summer Research Grants.

The purpose of Summer Teaching Enhancement Grants is to encourage both excellence and innovation in teaching. These are related concepts yet not necessarily synonymous. Possible differences between grants that focus on “innovation” and those that further “excellence” in teaching are described below. Innovation means something we have not done before. Thus, it is

1 Persons eligible to apply for grants are all full-time faculty members whose primary duties include teaching and who are not otherwise under contract with the law school during the summer. Legal research and writing professors are eligible. Persons who are not eligible include (1) administrators, librarians, and clinicians on 12 month contracts; (2) faculty under contract to teach one or more standard courses during the summer; (3) and faculty who have summer research grants. Should a member of the Committee apply for a grant, that member will be ineligible to consider approval of grant applications. The Dean may substitute another faculty member for the sole purpose of determining approvals of grant applications.
difficult to determine in the abstract what types of innovations faculty might appropriately propose. As a general guideline, summer teaching grants will not be available for the work regularly expected of law professors. For example, grants are not available for standard preparation for a course new to the instructor.

An applicant awarded both a Summer Research Grant and a Teaching Grant will have one week to decide which grant to accept in order to permit the committee whose grant is not selected adequate time to decide whether to award a grant to another applicant. If the applicant does not select a grant within that time, the chairs of the Teaching Committee and the Summer Research Grant Committee shall meet and agree on which grant to withdraw.

Below follows detailed information regarding submission of a Summer Teaching Enhancement Grant proposal.

**INSTRUCTIONS AND CRITERIA FOR TEACHING ENHANCEMENT GRANTS**

Applications should propose projects that explicitly address the law school’s teaching and learning priorities, and/or the University’s teaching and learning priorities, including but not limited to one or more of the following:

- improvement to the practice and theory of teaching in general
- specific improvement to a particular course or courses
- development of a course not currently offered
- development of a new teaching methodology
- development of an interdisciplinary course
- improvements which make a positive impact on bar passage outcomes
- internationalization of an existing course
- increasing the availability of online resources in a course or courses
- incorporating newer or newly available technologies
- provide opportunities to involve practicing attorneys whose presence will enrich the students’ learning experience

Applications should address the following requirements:

- Applications will include a clear description of the proposed project and the outcomes in terms of one or more of the priorities above, or other priorities identified by the applicant.
- Proposed projects will be substantially completed within 12 months of notice of funding.
- Applicants will undertake to produce either a publishable article detailing the by-products of the research, or a demonstration project. A demonstration project may consist of, but is not limited to a webpage for open access through project home pages established on the law school’s website, a broadly disseminated annotated bibliography of materials relevant to the course improvements, or an electronic discussion forum of the project.
- Whether applicants undertake to research and write an article or to prepare a demonstration project, applicants must make a faculty presentation describing the work. Applicants will indicate the proposed date (an approximation) for the faculty presentation in their proposals.
STANDARDS for judging the merit of proposals

The Teaching Committee judges the merits of the applications for summer teaching enhancement grants by considering both the overall quality of the applicant’s proposed project and the extent to which the applicant’s proposal meets the criteria stated above. The Teaching Committee may also consider other factors such as the number of students impacted by the project, whether the project will result in long-term improvements to teaching and the extent to which the project helps to promote collaboration between or among law school faculty teaching in the same or in different substantive areas.

APPLICATION FOR SUMMER TEACHING ENHANCEMENT GRANT

1. Name
2. Title of Project
3. Indicate type pf project, referencing one or more of the law school’s teaching and learning priorities, and/or the University’s teaching and learning priorities, or priorities identified by the applicant.
4. How many students will be affected? At what level? Over what period of time?
5. Will your project promote collaboration between or among law school faculty?
6. How will you evaluate the success of this project? (Please check and briefly explain)
   - Student Evaluation
   - Student Questionnaire
   - Assessment Techniques
   - Other (explain)
7. Will your project result in long term improvements to your teaching? Briefly explain.
8. Proposed date for faculty presentation:
9. Detailed project description: Please attach no more than 2 double-spaced, typed pages. Be sure to (a) write for highly educated reviewers who are not necessarily experts in your teaching area; (b) address the requirements articulated in the section entitled “Instructions and Criteria for Teaching Enhancement Grants” on pages two and three.
### Fall 2009-Fall 2012
Faculty Scholarship and Presentations
(All Faculty at C|M|LAW 2009-12)

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### All Faculty

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| Book-monograph 10            | Book-monograph 0                  |
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| Bookchapter 16               | Bookchapter 2                     |
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| Article-newsmag 15           | Article-newsmag 6                 |
| Bookreview-law review 4      | Bookreview-law review 0           |
| Bookreview-newsmag 3         | Bookreview-newsmag 0              |
| Bookreview-online 1          | Bookreview-online 0               |
| Brief 7                      | Brief 1                           |
| Presentations 300            | Presentations 37                  |
| Blogpost 112                 | Blogpost 0                        |
# Tenured/Tenure-Track Faculty

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### Fall 2009-Fall 2012
Faculty Scholarship and Presentations  
(Current Faculty at C|M|LAW 2009-12)

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Description of the 2010-11 Dean Search
Submitted by Alan Weinstein, Vice Chair of the Dean Search Committee

The Law School conducted a successful search for a new Dean in the academic year 2010-2011. The 12-person committee included the Chair, appointed by the Provost, seven faculty members elected by the entire faculty, three community representatives, one staff member and one student. Bette Bonder, Dean of the College of Science and Health Professions served as Chair of the Committee and Professor Alan Weinstein as Vice-Chair. Assistance with the search was provided by R. William Funk & Associates.

The Committee’s first task, after familiarizing members with the ABA and AALS standards relevant to a dean search, was to draft a position description. The Committee began that task by holding a faculty/staff Brown Bag discussion on September 14, 2010 to share information on the search process and to discuss the qualities it was looking for in our new Dean. Prior to that discussion, the Committee distributed the minimum and preferred qualifications required for our last Dean search in 2004. There were 31 people in attendance at the Brown Bag: 21 faculty members and 10 staff members. Notes from the Brown Bag, and e-mails received before and after, were circulated among the Committee members.

At this time, the Committee was also establishing a schedule for future meetings, arranging for Dean Bonder to meet with the faculty on October 7, 2010, and reviewing advertisements for other Law Dean positions. The Committee also drafted an announcement of Dean Mearns’s appointment as Provost and an announcement of the impending search for distribution on the Dean and Associate Dean listserves, while Interim Dean Phyllis L. Crocker shared information about

1 In addition to Dean Bonder and Professor Weinstein, the Committee comprised: Professors Caroline Boering-Jacobs (Director, Legal Writing), Steven Lazarus, Browne Lewis, Kris Niedringhausen (Director, Law Library), and Brian Ray; Community Representatives Bryan Penvose (Partner, Koblenetz & Penvose and President, C|M|LAW Alumni Association), Steven Sozio (Partner, Jones Day), and Hon. Melody Stewart (Judge, Ohio Eighth District Court of Appeals); Assistant Dean of Students Jean Lifter (Staff Representative), and Stanley Ball (Student Representative).

2 R. William Funk is a national executive search company specializing in higher education placements. For more information about the firm go to: www.rwilliamfunk.com/

3 The announcement stated: “Cleveland-Marshall College of Law Dean Geoffrey Mearns, who has served as Interim Provost of Cleveland State University since February, has been appointed
the Committee and the impending search with the Visiting Committee, the Development Committee and the National Advisory Committee.

The Committee finalized the position description and began advertising the Dean Search in late September. In addition to placing ads in *The Chronicle of Higher Education* and other publications, the Committee coordinated with staff to create a Dean Search link on the C|M|LAW website, e-mailed the visiting committee asking for help identifying potential candidates, and sent letters to the managing partners at the 25 largest law firms in Cleveland, members of the judiciary, 25 northeast Ohio general counsels, and partners at various firms outside Cleveland.

After meeting in October to finalize the details of the search, the Committee began to review applicants with the expectation that it would conduct in-person interviews with a number of semi-finalists in mid-December. Based on those interviews, the Committee would invite several finalists to visit C|M|LAW early in the spring semester. Members of the C|M|LAW community would have an opportunity to meet with each of the Dean candidates and to share their evaluations of the candidates with the Search Committee. The faculty would then discuss the relative strengths of the candidates and forward its evaluations to the Provost and President, with President Berkman making the final choice of a new Dean for C|M|LAW. The Committee’s goal was to announce the selection of a new Dean on or before March 1, 2011.

The Committee received 43 applications and nominations, which was quite good in light of the fact that there were 32 other Dean searches in 2010-11. This compared very favorably with our 2004 search, when we received 35 applications or nominations at a time when there were only 15 other Dean searches. We received applications from across the country, including law professors and deans, university deans and presidents, municipal law directors, corporate general counsels, and partners in law firms.

The Committee initially selected twelve applicants to interview in person in mid-December. The interviewees came from a variety of backgrounds: professors and administrators in law schools and universities, lawyers in private and government

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law practice, and elected officials. Eleven of the interviewees were able to meet with the Committee in December and the Committee subsequently conducted two more face-to-face interview sessions in January during which they interviewed an additional five candidates.

The Committee initially selected five finalists from the eleven individuals interviewed in mid-December. Two individuals in this first group of finalists later withdrew their names from consideration and were replaced by individuals interviewed in the later rounds of interviews. Five finalists come to campus for two days of interviews. Each finalist met with many individuals and constituencies over the two days: Provost Mearns and President Berkman; the Deans of other C.S.U. Colleges as well as Vice-Presidents of C.S.U.; and within the law school, the Interim Dean, Associate and Assistant Deans, professional, clerical, and library staff, faculty, and students. Each finalist made a luncheon presentation to the faculty and staff. In addition, each person met with representatives of the Visiting Committee, National Advisory Committee and Alumni Association at evening receptions held at the Union Club. For each finalist we solicited and received numerous evaluations.

The five finalists who visited the campus were: Craig Boise, Professor of Law, DePaul University College of Law; Lee Fisher, Ohio’s former Lieutenant Governor and Attorney General; Daniel Hamilton, Professor of Law and History, University of Illinois College of Law; Susan Richey, Professor of Law and Associate Dean, University of New Hampshire School of Law; and Niels Schaumann, Professor of Law and Vice-Dean, William Mitchell College of Law. Daniel Hamilton withdrew from the search after his two-day visit in February. In light of the timing of his withdrawal, the Committee did not attempt to identify another finalist for a campus visit.

On March 3rd, the faculty met to discuss and vote on the finalists. Prior to the meeting, the Committee provided the faculty with extensive reports on each finalist. Twenty-seven of the thirty-two tenured and tenure-track faculty, all four of the clinical faculty and four of the six legal writing professors, as well as two non-faculty members of the Committee (Dean Bonder and Jean Lifter), were present at this meeting. Under the law school’s and university’s policies, clinical and legal writing professors participated in the discussion of the candidates but did not vote.

At the meeting the Committee presented additional evaluations that the Committee received after they had prepared the reports. The faculty then engaged in a 1½
hour, thorough discussion of the strengths and weaknesses of the four finalists, during which 27 individuals spoke, followed by a vote by secret ballot. The voting process followed the procedure the faculty uses for all faculty hires: first a vote to find the candidate acceptable or unacceptable, then a vote among those found acceptable to express the faculty’s preferences. In the first vote, a finalist had to receive 60% approval in order to move to the second vote. Two of the finalists met this criterion: Craig Boise and Lee Fisher. The other two finalists received an approval of 40% or less.

The Committee met on March 7 to review all the materials and the faculty input in order to make its own recommendations as Provost Mearns had requested. The Committee endorsed the faculty vote and recommended Craig Boise and Lee Fisher to the Provost. Provost Mearns recommended, and President Berkman agreed to, the appointment of Craig Boise as Dean.
Lunchtime Lectures Fall 2012
(Current as of January 7, 2013)

September

Tuesday, September 11: Cesar Garcia (Capital) *Padilla’s Two-Tiered Duty is Strickland-lite for Noncitizens*

Friday, September 14: Utica Shale: Issues in Law, Practice and Policy -- conference keynote panel and luncheon open to C|M|LAW faculty (with rsvp in advance only)

Thursday, September 20: Dean’s State of Law School presentation to faculty and staff

Monday, September 24: Susan Becker and Steve Lazarus re *Professionalism Problem of the Semester*

October

Monday, October 1: First Monday Supreme Court Review: David Forte (National Federation of Independent Business v. Sebelius), Browne Lewis - Astrue v. Capato (social security survivor's benefits and posthumously conceived children), Doron Kalir (Fisher v. U. of Texas), Jonathan Witmer-Rich (dog-sniffing cases)

Wednesday, October 10: Matthew Green: *What's so Reasonable About Reasonableness? The Protected Activity Problem Under Title VII's Anti-Retaliation Provision*

Tuesday and Wednesday, October 16 and 17: Self-Study Committee lunches

Thursday, October 25: Mark Sundahl: *The Intersections of Space Law and the Cape Town Convention on Satellite Finance*

Friday, October 26: Northeast Ohio Faculty Colloquium. This colloquium is a joint project with Case and Akron law schools. **12 to 4 p.m. at the Blue Canyon Restaurant in Twinsburg.** C|M|LAW’s presenter this fall will be Browne Lewis, discussing her recently released book, PAPA’S BABY (NYU Press). Rich Lavoie (Akron) will present *The Times they are A-Changin’: Do the Occupy Wally Street Protests Indicate a Wealth Tax is Now Possible in America?* Jonathan Adler (Case) will present *Compelled Commercial Speech and the Consumer Right to Know*

Monday, October 29: Brian Ray: *Social Rights, South Africa and the Possibilities of Engagement*

November

Monday, November 5: Alan Weinstein and Dennis Keating, *Decades of Legal Battles Against Exclusionary Zoning and for Affordable Housing*
Wednesday and Thursday, November 14 and 15: Self-Study Committee lunches

Week of November 19: NO lunch talk due to Thanksgiving break

Tuesday, November 27: Jim Wilson, *The Individual and the Pursuit of Happiness*
SUMMER RESEARCH GRANT CRITERIA

MEMORANDUM

January 2011

TO: Law Faculty

FROM: Summer Research Grants Committee
Susan Becker
Sheldon Gelman
Alan Weinstein, Chair
Heidi Gorovitz Robertson (ex officio)

RE: Summer 2011 Research Grant Requests

Tenured, pre-tenured, legal writing, and clinical professors, are invited to submit a funding request for a research grant proposal for the Summer of 2010. The number of available research grants to be awarded and the dollar amount of each grant will be determined by the Dean’s office based on budgetary constraints. The format for application and the criteria for selecting meritorious applications are described below. Applicants should submit four (4) paper copies of their proposal to Alan Weinstein by noon on Monday, February 21, 2011. Please do not e-mail your proposals.

FORMAT FOR APPLICATIONS

Each applicant should submit a brief description (no more than two pages) of the proposed project, the methodology to be used, and the place of the project in the particular scholarly field. In addition, the applicant must report the following information regarding the immediately preceding three projects for which summer grants have been awarded: the title(s) and date(s) of each of the three most recently funded research proposals, a brief description of the draft(s) or published writing(s) that resulted from each grant (even if the money was used to fund different research from that originally proposed in the grant request), and the following details regarding the resulting work product:

- If the applicant has published any articles or chapters, the applicant should include a reprint or copy with his/her application.

- If the applicant has published any books, the applicant should provide a copy of the inside title page and table of contents. If the book does not have a table of contents, then please indicate the number of pages.

- If the applicant has produced any articles, chapters, etc., that have either been submitted or accepted for publication but not yet published, the applicant should identify the titles of the articles or chapters, their length, and the journal and volume/issue in which each is scheduled.
to be published. If the work has not yet been accepted for publication, the applicant should describe where the piece is in the submission process.

- Finally, for any writing projects that are still in draft form, the applicant should identify the working title of the draft(s), the nature and anticipated length of the final product(s), the anticipated date(s) of completion, and provide a copy of the draft manuscript(s).

If you have submitted any of the above materials within the past two years, the Committee likely has it in on file and there is no need for you to re-submit unless we make a request. Please note that the Committee has had to defer review of some applications in the past due to inaccurate or incomplete information about an applicant’s prior grant history, so responding promptly and completely to any request from the Committee will allow us to review your application in a timely manner.

Please note that a faculty member who applies for a summer research grant after the expiration of a professorship or similar position that included an automatic award of one or more summer grants is subject to the same productivity criteria as other grant recipients. For the first three summer grant applications submitted following the end of the faculty member’s named Professorship, the applicant shall identify the scope and status of all works-in-progress, publications and/or summer teaching projects that were supported by any automatic summer grants that would be included as part of the “three previous grants” reporting period required of all applicants.

**CRITERIA FOR JUDGING THE MERIT OF PROPOSALS**

In making recommendations to the Dean regarding whether summer research grant proposals are worthy of funding, the Summer Research Grant Committee judges the merit of grant applications by considering both the overall quality of the applicant’s proposed project and the applicant’s record of past productivity. Pre-tenured faculty members have a preference in the award of grants. Because the purpose of the summer research grant program is to provide a sufficient financial incentive to devote the majority of the summer to scholarship rather than to other paid employment, anyone who accepts paid summer employment for a duration of the equivalent of more than two weeks is not eligible for a summer research grant.

A faculty member on a nine or ten month contract who is teaching during the summer under the College’s flexibility in teaching load policy, and thus the summer teaching is part of the standard teaching load and not for additional compensation, is eligible to apply for a summer research or teaching grant. A faculty member who applies under these circumstances is not eligible for a summer research grant, however, if s/he accepts paid employment for a duration of the equivalent of more than two weeks during the semester when his/her teaching load has been reduced as a result of teaching in the summer.

The Committee will be guided by the following principles in its review of grant requests. The purpose of these guidelines is to provide greater transparency to faculty members regarding the decision process, not to bind the discretion of the Committee in extraordinary circumstances that are not foreseen in these guidelines.
Both articles and books (including textbooks and monographs) may be supported with summer research grant money. In general, a substantial article or book (whether on the originally described topic or a different topic) must be completed and submitted for publication before a second grant will be awarded. In the case of an article, however, a second grant may be awarded prior to completion of an article if it can be shown that substantial progress has been made on a substantial article. The faculty member shoulders the burden of proving that this standard has been satisfied. In no event will a third grant be awarded before completion and submission for publication of a substantial article. In the discretion of the Committee, two shorter works may be considered the equivalent of a single, substantial article.

In the case of a book, a second grant may be awarded prior to completion of the book if it can be shown that substantial progress has been made, and a third grant may be awarded prior to completion of the book if it can be shown that substantial additional progress has been made since the award of the second grant. Generally, a fourth grant will not be awarded before completion of a book. If, however, the faculty member publishes at least one substantial article while also working on the book, the Committee may take this productivity into account in determining whether to recommend the award of additional grants for the book.

Abandonment of a project does not change the principles described above; an alternative substantial article or book (as the case may be) must be completed and submitted for publication before subsequent grants will be awarded. Co-authored articles and books are subject to the same principles that apply to articles and books wholly authored by the faculty member.

Example 1: In Year 1, Faculty Member A is awarded a grant to write an article on Topic X. After several months of work, Faculty Member A abandons work on Topic X and begins work on a new article dealing with Topic Y. In Year 2, Faculty Member A submits a grant request to continue work on Topic Y and satisfies his burden of proving that “substantial progress” has been made on the article. The Committee should recommend funding the grant. In Year 3, Faculty Member A, having not yet completed the work on Topic Y (or a substantial article on another topic), submits a grant request to continue work on Topic Y (or to start a new project on Topic Z). The Committee should recommend denial of the grant request. No further grants should be awarded until Faculty Member A has completed and submitted for publication a substantial article to satisfy his outstanding obligation under the prior two grants.

Example 2: In Year 1, Faculty Member B is awarded a grant to write a book. In Year 2, Faculty Member B submits a grant request to continue work on the book and satisfies her burden of proving that “substantial progress” has been made. The Committee should recommend funding the grant. In Year 3, Faculty Member B submits a grant request to continue work on the book and satisfies her burden of proving that “substantial additional progress” has been made since submission of the prior grant request. The Committee should recommend funding the grant. During Year 3, however, Faculty Member B instead writes and submits for publication a substantial article. In Year 4, Faculty Member B submits a grant request to continue work on the book. While generally a fourth grant will not be awarded for the writing of a book, the Committee may take into consideration the publication of the substantial article in Year 3 in deciding whether to recommend funding the grant. Because Faculty Member B’s outstanding
obligation under the Year-3 grant was satisfied by the completion of a substantial article, the Committee should recommend funding the grant for Year 4 (which would be the third and final grant allocable to the book, absent publication of a substantial article instead, as in the prior year).
Subject: 2012-13 Travel Policy
From: Craig Boise <craig.boise@law.csuohio.edu>
Date: 8/30/2012 8:18 PM
To: faculty <faculty@law.csuohio.edu>

Colleagues:

As you know, the Cleveland-Marshall (C-M) Fund provides financial assistance for faculty travel to academic conferences, faculty travel to other conferences (teaching, curriculum, etc), reprints, and related expenses. Any spending above the amount budgeted for faculty travel by the C-M Fund committee must be covered by our hard-dollar budget, which has been decimated by cuts driven by our reduced entering class size and ever-shrinking state support of CSU. Our limited hard budget dollars also must cover staff travel (development, admissions, bar prep) and student travel for moot court and other activities.

Given our current budget constraints, the travel policy for this year will reflect last year's funding levels. Accordingly,

- each faculty member may apply for reimbursement for up to $3,000 in travel expenditures;
- faculty members may use the allotment in any way they choose, except that funding for travel to the AALS conference will be limited to $1,000. (This exception does not apply to pre-tenure, tenure-track faculty); and
- in limited and extraordinary situations, the Associate Dean may request that the Dean exceed these limits if a faculty member can demonstrate that the extra funding is likely to produce a clear and substantial benefit to the law school in terms of our scholarly profile or increased teaching effectiveness.

As in the past, travel requests must be submitted 3 weeks prior to the proposed travel. Requests must include a one- or two-paragraph description of the purpose of travel, how it advances the faculty member's scholarly agenda or teaching objectives, and how it is likely to elevate the law school's scholarship or teaching reputation. Please submit all travel requests to Associate Dean for Academic Enrichment, Heidi Gorovitz Robertson.

To help us plan effectively, I ask that each faculty member provide Heidi with a proposed travel plan for the upcoming year by October 1st. These individual travel plans will help us manage the travel budget more efficiently and appropriately. I understand that your travel plan may not reflect a firm commitment.

This policy will preserve faculty travel opportunities while ensuring that such travel furthers the important goal of increasing our reputational capital. In working with deans from across the campus on budget-related issues, I am reminded of how fortunate the law school is to have the Cleveland-Marshall Fund to underwrite our travel. This is a benefit that other university faculty members do not have.

If you have questions or concerns about this policy, please do not hesitate to contact me.
directly. Thank you.

Craig

Craig M. Boise
Dean and Professor of Law
CM|LAW
Cleveland State University
2121 Euclid Ave. LB 138
Cleveland, OH 44115

Telephone: 216.687.2300
Fax: 216.687.6881

Facebook Dean page

"Leadership is the capacity to translate vision into reality." ~ Warren G. Bennis
CLEVELAND-MARSHALL COLLEGE OF LAW  
PUBLIC LECTURES, CONFERENCES, AND SYMPOSIA

2006-2007

September 19, 2006 - The 2006 Friedman & Gilbert Criminal Justice Forum I: The Andrea Yates Case: Insanity on Trial, Philip J. Resnick, Professor of Psychiatry, Director, Division of Forensic Psychiatry, Case Western Reserve University School of Medicine, Adjunct Professor, CWRU School of Law, MD, BA, Case Western Reserve University


October 10, 2006 - The 83rd Cleveland-Marshall Fund Visiting Scholar: Social Movements and Law Making, Gerald Torres, Bryant Smith Chair in Law, University of Texas at Austin, LLM, University of Michigan-Ann Arbor; JD, Yale; AB, Stanford

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March 6, 2007 – BBT Partners Visiting Scholar, The 84th Cleveland-Marshall Fund Visiting Scholar, The Role of Judicial Doctrine in Arbitration, Thomas Carbonneau, Samuel P. Orlando Distinguished Professor of Law, Penn State-Dickinson School of Law, LLM, JSD, Columbia University, MA, JD, University of Virginia, BA, MA, Oxford; AB, Bowdoin College

March 22, 2007 – Criminal Justice Forum III, Repellent Crimes and Rational Deliberation: Emotion and the Death Penalty, Susan A. Bandes, Distinguished Professor, DePaul University College of Law, JD, University of Michigan, BA, State University of New York – Buffalo

March 29, 2007 – The Duvin, Cahn & Hutton Labor and Employment Law Speakers Series, Trait Discrimination as Status Discrimination: The Contested Future of Title VII Law, Kimberly Yuracko, Professor of Law, Northwestern University School of Law, JD, PhD, BA, Stanford University
2007-2008

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October 9, 2007 – The 2007 Baker & Hostetler – Joseph C. Hostetler Visiting Professor of Law, The Realism of Judges—Past and Present, Brian Z. Tamanaha, Chief Judge Benjamin N. Cardoza Professor, St. John’s University School of Law, BS, University of Oregon, JD, Boston University School of Law, SJD, Harvard Law School


February 12, 2008 – The 85th Cleveland-Marshall Enrichment Fund Visiting Professor of Law, Right Star Rising: American Politics and the Limits of Leadership in the 1970’s, Laura Kalman, Professor of History, University of California – Santa Barbara, BA, Pomona College, JD, UCLA, PhD, Yale University

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2008-2009


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February 10, 2009 – The 86th Cleveland-Marshall Enrichment Fund Visiting Scholar, *Progressive Family Values*, Reva Siegel, Deputy Dean and Nicholas deB., Katzenbach Professor of Law, Professor of American Studies, Yale Law School, BA, Yale University, MPhil, Yale University, JD, Yale Law School

March 12, 2009 – 2009 Littler & Mendelson Employment & Labor Law Speakers Series, Where Are We Going with the Merger of Employment Discrimination Claims and Alternative Dispute Resolution? Michael Z. Green, Associate Dean for Faculty Research and Development, Professor of Law, Texas Wesleyan University School of Law, BS, University of Southern California, MBA, California Lutheran, MS, Loyola University Chicago Institute of Industrial Relations, JD, Loyola University Chicago School of Law cum laude, LLM, University of Wisconsin Madison Law School

March 19, 2009 – Criminal Justice Forum IV, The Future of the Forensic Sciences—A Symposium. Panelists: Valerie E. Caproni, General Counsel, F.B.I.; The Honorable George (Woody) Clarke, California Superior Court Judge, San Diego CA; Marcella Farinelli Fierro, forensic pathologist and the former chief medical examiner for the Commonwealth of Virginia and Professor of Pathology and Professor and Chair of the Department of Legal Medicine at Virginia Commonwealth University; Barry A.J. Fisher, Crime Laboratory Director, Los Angeles County Sheriff’s Department; Paul Giannelli, Albert J. and Richard W. Weatherhead Professor of Law at Case Western Reserve University; Terry H. Gilbert, Friedman & Gilbert; D. Christian Hassell, Laboratory Director, F.B.I.; Peter M. Marone, Director of the Virginia Department of Forensic Sciences; Kenneth F. Martin, Detective Lieutenant and Commanding Officer of the Crime Scene Services Section, Massachusetts State Police; Anne-Marie Mazza, Director, Committee on Science, Technology, and Law, National Academies; Kenneth E. Melson, Director of the Executive Office for United States Attorneys, U.S. Department of Justice; Jane C. Moriarty, University of Akron School of Law Professor of Law; Carole S. Rendon, Partner, Giffen & Kaminski; Marvin E. Schechter, Criminal Defense Attorney, New York, NY; Robert C. Shaler, Professor of Biochemistry and Molecular Biology and Director of the Forensic Science Program, Pennsylvania State University; Jay A. Siegel, Chair, Department of Chemistry and Chemical Biology and Professor and Director, Forensic and Investigative Sciences Program, Indiana University-Purdue University Indianapolis; James R. Wooley, Partner, corporate criminal investigations unit, Jones Day.

2009-2010

September 17, 2009 – The 2009 Constitution Day Celebration Lecture, What Would Socrates Say about Our Constitution? Mark Sundahl, Associate Professor of Law, Cleveland-Marshall College of Law

September 21, 2009 – The 2009 Littler Mendelson Employment and Labor Law Lecture, Are Unions Putting Their Eggs in the Wrong Basket? Julius G. Getman, Earl E. Sheffield Regents Chair, University of Texas School of Law, Austin

September 22, 2009 – The 2009 Legal Writing Lecturer, Writing Rules That Matter(ed), Terri LeClercq, Senior Lecturer, Legal Writing (ret.), University of Texas School of Law
October 8, 2009 – Democratic Lawyers Group of Northeast Ohio and the Cleveland-Marshall College of Law, Navigating Political Campaign and Election Law in 2009, Don McTigue, Managing Partner, McTigue & McGinnis, LLC


October 30, 2009 – Conference sponsored by CM Allies, A Conference on The State of LGBT Rights: Ohio, American and the World, Camilla Taylor, Senior Staff Attorney, Lambda Legal HRC, Chicago, IL; Carrie Davis, Staff Attorney, ACLU of Ohio; Lynn Bowman, Executive Director, Equality Ohio, Columbus, OH; Joe Cimperman, Member, Cleveland City Council; Paula Ettelbrick, Immediate Past Executive Director, International Gay & Lesbian Human Rights Commission; Susan Doerfer, Executive Director, The LGBT Center of Greater Cleveland; Susan Warbelow, Senior Counsel for Special Projects & Justice for All Fellow Human Rights Campaign, Washington, DC

November 3, 2009 – The 2009 Baker & Hostetler Visiting Professor of Law, Women’s Rights and the Shaping of the Postwar Metropolis, Daphne Spain, The James M. Page Professor and Chair, Department of Urban & Environmental Planning, The University of Virginia


November 17, 2009 – The 2009 Journal of Law and Health Lecture, Lines of Communication, Advances in Stem Cell Policy, Debra S. Grega, PhD, Executive Director, the Center for Stem Cell and Regenerative Medicine, Case Western Reserve University School of Medicine, Dena S. Davis, PhD, Cleveland-Marshall Professor of Law


April 8, 2010 – The 2010 Friedman & Gilbert Criminal Justice Forum II, *Have We Become an Overly Punitive Society? A View from the Bench*, The Honorable Nancy Gertner, United States District Court for the District of Massachusetts


April 13, 2010 – A Frank Discussion by Ohio Secretary of State, *What Makes Jennifer Brunner Run?* Jennifer Brunner, Candidate for the United States Senate (No CLE)


2010-2011

September 13, 2010 – The 2010 Constitution Day Celebration, *Comparing Constitutions*, Brian Ray, Assistant Professor, Cleveland Marshall College of Law


September 10, 2010 – U.S. Supreme Court Justice Sonya Sotomayor, Student Forum

September 22, 2010 – Chief of the Ohio Supreme Court Debate between then-Chief Eric Brown and Justice Maureen O’Connor (both C|M|LAW graduates), simulcast on public radio, WCPN

October 12, 2010 – *U.S. Department of Justice Civil Rights Division Update*, Thomas E. Perez, Assistant Attorney General


October 20, 2010 – *The 21st Century Farm Animal: Legal Perspectives on Animal Welfare, Human Health, and Regulation*, Gene Baur, President & Co-Founder of Farm Sanctuary John Sproat Esq., Environmental Attorney Dr. Pamela A. Popper, PhD., N.D., Executive Director of the Wellness Forum

November 4, 2010 – 42nd Annual Moot Court Night & Appellate Advocacy Seminar, The Honorable Deborah L. Cook, United States Court of Appeals for the Sixth Circuit The Honorable Jeffrey S. Sutton, United States Court of Appeals for the Sixth Circuit The Honorable Solomon Oliver, Jr., Chief Judge of the United States District Court for the Northern District of Ohio


March 31, 2011 – The Littler Mendelson Employment and Labor Law Lecture, *Workplace Privacy and Monitoring: The Quest for Balanced Interests*, Ariana R. Levinson, Assistant Professor of Law, University of Louisville Brandeis School of Law


2011-2012


**September 23, 2011** – Journal of Law and Health Symposium, *Bullies in a Wired World: Cyberspace Victimization’s Impact on Adolescent Mental Health and the Need for Cyberbullying Legislation in Ohio*, Ohio Senator Joe Schiavoni, lead sponsor of the pending Ohio Senate Bill 127, the Jessica Logan Act; Cynthia Logan, the mother of Jessica Logan; Tim Boehnlein, Training and education director of the Domestic Violence and Child Advocacy Center of Cleveland; Johanna Orozco, a victim of stalking and cyberbullying whose case turned violent David Frattare, lead investigator of the Internet Crimes Against Children Task Force in Cleveland

**October 5, 2011** – Joseph C. Hostetler – Baker & Hostetler Visiting Scholar, *Deforming Tort Law: The Role of the American Jury*, Michael D. Green, Bess and Walter Williams Distinguished Chair, Wake Forest University School of Law

**October 12, 2011** – *Ohio Senate Bill 5: What it will mean for public employees and employers in Ohio – if it survives the upcoming referendum vote*, Joseph E. Slater, Eugene N. Balk Professor of Law and Values, University of Toledo College of Law; Craig M. Brown, Esq., Shareholder, Littler Mendelson; Ryan J. Lemmerbrock, Principal, Muskovitz & Lemmerbrock, LLC

**October 21, 2011** – *Politization of Judicial Elections and its Effect on Judicial Independence and LGBT Rights*, The Hon. Marsha K. Ternus, former Chief Justice of the Iowa Supreme Court, Camilla Taylor, Lambda Legal attorney who successfully litigated *Varnum* through the Iowa courts; Daniel Tokaji, Ohio State University Law Professor; Susan J. Becker, C|M Law Professor Matthew W. Green, C|M Law Professor, panel moderator


**February 29, 2012** – Criminal Justice Forum IV, *How to Reduce Crime by Releasing Prisoners*, Mark A.R. Kleiman, Professor of Public Policy, UCLA School of Public Affairs

**March 7, 2012** – The Journal of Law and Health and the Center for Health Law and Policy, *From Munchausen’s Syndrome by Proxy to Medical Child Abuse: Shifting the Focus to the Victim and Away from the Abuser*, Presented by Physicians and Attorneys

**March 20, 2012** – Joseph C. Hostetler-Baker & Hostetler Visiting Scholar, *Censorship and Death*, Phillip Hamburger, Professor of Law, Columbia Law School


Robert Biskup, Designing Effective Anti-Bribery Corporate Compliance Programs
Stuart H. Deming, Anti-Bribery Compliance: The Role of Internal Accounting Controls
Edmund “Ned” Searby, Expanding Anti-Bribery Compliance to Cover All Business Dealings
John Mukum Mbaku, The Impact of International Law on the Struggle Against Corruption in Africa

April 4, 2012 – The Center for Health Law & Policy presents: More Than a Tummy Ache: Regulating, Preventing and Litigating Foodborne Illness Cases, Fred H. Pritzker, Esq., Partner


April 20, 2012 – Urban Agriculture Symposium, Urban Agriculture: It’s Not an Oxymoron. Policies for Cultivating City Land and Increasing Access to Local Food, Neil Hamilton, Director, Agricultural Law Center, Dwight D. Opperman Chair and Professor of Law, Drake University; Jacqueline Hand, Professor of Law, Detroit Mercy College of Law Kimberly Hodgson, Founder/Principal Consultant, Cultivating Healthy Places; Karen Butler, Director of the Department of Public Health, City of Cleveland; Joe Cimperman, Councilperson, City of Cleveland; Morgan Taggart, Program Specialist in Agriculture and Natural Resources, Ohio State University Extension

April 20 – May 31, 2012 – Lawyers Without Rights, No Courts, No Justice, No Freedom, exhibit that told a series of stories about the Nazi treatment of a huge percentage of German lawyers – those who were Jewish

Fall 2012

September 13, 2012 – Utica Shale: Issues in Law Practice and Policy, Sponsored by: C|M|LAW, Maxine Goodman Levin College of Urban Affairs, Cleveland Metropolitan Bar Association, Bricker & Eckler, Tucker Ellis & West

September 17, 2012 – Voter ID and Election Law Forum, What You Need to Know Before Voting in the 2012 Presidential Election, Sponsored by the Black Law Students Association

October 18, 2012 – Criminal Justice Forum I, *DNA Exonerations: How to Reform the Criminal Justice System to Avoid Convicting the Innocent*, Jeffrey Rosen, Professor of Law at The George Washington University, and the legal affairs editor of The New Republic

October 19 – October 20, 2012 – Central States Annual 2012 Conference


November 14, 2012 – Criminal Justice Forum II: *International Law in Crisis: Piracy off the Coast of Somalia*, Professor Milena Sterio, C|M|LAW

November 17, 2012 – In conjunction with Kol HaLev, Cleveland’s Reconstructionist Jewish Community, C|M|LAW hosted *People v. Eve – A Trial*, Presiding Judge: The Honorable Maureen O’Connor, Chief Justice, Supreme Court of Ohio Defense Attorney: Avery Friedman, civil rights attorney, Chief Counsel of the Fair Housing Council and CNN legal correspondent; Prosecuting Attorney: Geoffrey S. Mearns, President, Northern Kentucky University, former Provost, Cleveland State University and Dean, C|M|LAW Rabbi Steve Segar, Spiritual Leader, Koh HaLev, Cleveland’s Reconstructionist Jewish Community; Dr. Susan W. Hinze, Director, Women’s and Gender Studies, Case Western Reserve University; The Very Reverend Tracey Lind, Dean of Trinity Cathedral; Panel Moderator: The Reverend Leah C.K. Lewis, Olivet Institutional Baptist Church

November 19, 2012 – Trial Advocacy Seminar, The C|M|LAW Trial Team demonstrated a product-liability lawsuit, panelists: Honorable Judge Brendan Sheehan, J.D., Cleveland-Marshall College of Law, has served since 2009 as a Judge in the Cuyahoga County Court of Common Pleas Honorable Christopher Boyko, J.D., Cleveland-Marshall College of Law, Judge for the United States District Court for the northern District of Ohio Steve Walters, J.D., Cleveland-Marshall College of Law, serves as the Managing Partner of Reminger Co., LPA.

November 26, 2012 – Lecture sponsored by the Jewish Law Students Association and the International Law Students Association, *The Israeli & US Legal Systems: An Introductory Comparative Overview*, Doron Kalir, Professor of Law, Cleveland-Marshall College of Law
Cleveland-Marshall Fund/ Joseph C. Hostetler—Baker & Hostetler Visiting Scholars

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2009-2010

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April 21, 2010 – Criminal Justice Forum III, A Liberal Scholar’s Reflections on Feminist Criminal Law Reform Efforts: An Uneven Story, Joshua Dressler, Frank R. Strong Chair in Law, The Ohio State University Moritz College of Law

2010-2011


April 7, 2011 – Criminal Justice Forum III, The Story of Wanrow: The Reasonable Woman and the Law of Self-Defense, Donna K. Coker, Professor of Law, University of Miami School of Law

2011-2012


February 29, 2012 – Criminal Justice Forum IV, How to Reduce Crime by Releasing Prisoners, Mark A.R. Kleiman, Professor of Public Policy, UCLA School of Public Affairs

2012-2013

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November 14, 2012 – Criminal Justice Forum II: *International Law in Crisis: Piracy off the Coast of Somalia*, Professor Milena Sterio, C|M|LAW

March, 2012 – Criminal Justice Forum III: Diane Marie Amann, University of Georgia School of Law

April 9, 2012 – Criminal Justice Forum IV: *Criminal Law, Immigration, and the Constitution*, Gabriel "Jack" Chin, University of California at Davis
Employment and Labor Law Speaker Series

2006-2007


March 29, 2007 – The Duvin, Cahn & Hutton Labor and Employment Law Speakers Series, Trait Discrimination as Status Discrimination: The Contested Future of Title VII Law, Kimberly Yuracko, Professor of Law, Northwestern University School of Law, JD, PhD, BA, Stanford University

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2008-2009

October 21, 2008 – The 2008 Employment and Labor Law Speakers Series, The End of the Dark Ages? The Revolution in Legal Rights for Whistleblowers, Tom Devine, Legal Director, Government Accountability Project, BA, Georgetown University, JD, Antioch School of Law

March 12, 2009 – 2009 Littler & Mendelson Employment & Labor Law Speakers Series, Where Are We Going with the Merger of Employment Discrimination Claims and Alternative Dispute Resolution? Michael Z. Green, Associate Dean for Faculty Research and Development, Professor of Law, Texas Wesleyan University School of Law, BS, University of Southern California, MBA, California Lutheran, MS, Loyola University Chicago Institute of Industrial Relations, JD, Loyola University Chicago School of Law cum laude, LLM, University of Wisconsin Madison Law School

2009-2010

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2010-2011


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2011-2012

March 26, 2012 – Littler Mendelson Employment and Labor Law Lecture, Working Hard, Hardly Working: How Misinterpretations of the Pregnancy Discrimination Act Have Undermined its Effectiveness, Deborah L. Brake, Professor of Law, University of Pittsburgh School of Law

2012-2013

MEMORANDUM

TO: Geoffrey S. Mearns, Provost and Senior Vice President for Academic Affairs
FROM: Phyllis L. Crocker, Interim Dean and Professor of Law
RE: C|M|LAW Budget Targets
DATE: 18 February 2011

C|M|LAW’s proposals for meeting our budget targets combine revenue generation and reductions in the permanent budget that affect areas across the college. To develop these proposals, I formed a budget team, held brown bag lunches with the staff (on February 7) and the faculty (on February 8), and invited everyone to meet with me individually, send emails and or make anonymous suggestions. Through all of these means, faculty and staff have participated in the process. The budget team is: Professor Susan Becker, Director of the Office of Career Planning Jen Blaga, Office Manager Laverne Carter, Law Library Director Kristina Niedringhaus, Associate Professor Brian Ray, Associate Dean Heidi Gorovitz Robertson, Associate Dean Mark Sundahl, and Budget Director Jeane White. We have met twice a week for the last three weeks.

Our proposals reflect the Provost’s goal of strengthening our college as well as our own goals and priorities. First and foremost, we are mindful that our purpose is to educate the next generation of lawyers. We also consider the following factors of importance: keeping our Center for Health Law and Policy vibrant, maintaining the quality of our student services, maintaining our graduates’ bar passage rates, keeping tuition affordable, improving faculty scholarship, maintaining teaching capacity, enhancing experiential learning, adhering to ABA and AALS accreditation standards, and protecting jobs. While we do not all agree on the order of these priorities, they have informed our conversations. They are also consistent with our 2007 Strategic Plan.

This memo, in Section I, describes each component as it adds up to the primary $917,029 (7.5%) target. Section II provides an alternate way to reach the 7.5% reduction. Section III sets forth additional measures to reach the $1,222,773 (10%) target and what we would restore if required to only meet the $611,386 (5%) target. Appendices A and B provide detailed financial data related to the 7.5% and 10% targets.
I. $917,029 (7.5%) Budget Reduction Target

The components of our plan are twofold:

1. Generating revenue by
   (a) increasing tuition while keeping the One L class size at 200 ($467,352) and
   (b) instituting a new graduate degree program ($19,312);

2. Making reductions in the permanent budget by
   (a) aligning faculty positions consistent with CSU and C|M|LAW priorities ($303,386);
   (b) reducing Law Library expenditures through a staff reorganization and other
       reductions ($201,887), and
   (c) reducing certain travel costs as well as print and communication expenses ($34,000).

The total of revenue and reductions is $1,025,937. See Appendix A for a detailed breakdown of
these measures.

A. Revenue Generation

1. J.D. Tuition Increase and Class Size

   a. Tuition Increase

   We propose a 7% tuition increase over each of the next two years while maintaining an
   entering class of 200 students. This tuition increase will generate an additional $1,328,567 in
   revenue for the University.

   We recognize that our obligation is to identify how we will meet the budget targets in one
   year. We considered a significant (12%) one-year tuition increase followed by a smaller (5%)
   increase, but decided that it would be better for our students to add smaller, measured
   increases. In addition, the 7% increase will, for FY12, keep tuition below the maximum that
   students make take out each year in federal guaranteed loans ($20,500).

   The 7% increase keeps us in line with other Ohio public law schools. See Appendix F. We
   anticipate that all other Ohio public law schools will increase their tuitions this year in light
   of the statewide budget shortfalls. We expect to continue to be the best value legal education in
   Ohio even with the 7% tuition increase each of the next two years.

1 One sector will have a significant (20%) increase in tuition the first year—out-of-state-residents. In 2004 we
   decreased out-of-state tuition by 22.1% in the hope that our number and percentage of out-of-state students would
   dramatically increase. This did not happen—we continue each year at approximately 20% out-of-state 1Ls.
   Because of the large decrease in 2004 we are out of step with other Ohio public law schools. The 20% increase will
   still mean we are the best value for out-of-state residents.

2 Based on recent conversations our Assistant Dean of Admissions has had with other Admissions Offices we
   understand that the University of Cincinnati School of Law is planning a 6% tuition increase, Ohio State an 8-9%
   (footnote continued)
Over the past several years the University has crafted its budget based on a 3.5% increase in law-school tuition. Last year, the Law School negotiated an arrangement with the University permitting it to use any tuition increase above the historical 3.5% level to increase scholarship funds. In this current process, if the University charges the Law School at the previously established 3.5% level, our proposed 7% tuition increase will contribute $598,438 to the University’s funds, leaving the Law School to count $730,129 towards meeting our individual target. See Appendix C summarizing tuition projections and Appendices D and E providing detailed University Forecasts of Law School tuition increases at 3.5%, 5% and 7% (prepared by Tim Long, CSU Director of Budget and Financial Analysis).

We understand that the President’s Budget Task Force has prepared a budget projection for this process that recommends increasing Law School tuition by 5% over the next three years. If the University charges the Law School at 5%, our proposed 7% tuition increase will contribute $861,215 to the common pool, leaving the Law School to count $467,352 towards meeting our target.

Recent practice and the specific arrangement negotiated between the Law School and the University in the last budget-planning process suggest that the University should credit the Law School for any tuition increase beyond 3.5% in this process. We understand that the budget landscape has changed and look forward to discussing a resolution to the allocation of increased tuition in a way that is equitable to the University, the Law School and our students.

b. Class Size

The Budget Task Force assumed that Law School enrollment would remain at FY11 levels. We agree with that assumption. As explained below, our projections are based on an incoming class of 200 because admitting a larger class will harm the quality of our One L class, jeopardize our bar passage rates, hurt our US News rankings and increase the difficulty of our graduates getting hired—all of which will harm our reputation for excellence that we have worked so hard to achieve over the last five years.

i. Nationwide the number of applicants to law school is declining. This year applicants are down nationally by 12.6%, in the Great Lakes Region by 10% and at C|M|LAW by 21.65%. While we are currently in the middle of the admission cycle, last year we were 4% below the prior year’s number of applicants at the end of the season. The smaller number of applicants means that we are already admitting applicants who we would have wait-listed last year based on their UGPA and LSATs. If we had to admit a larger class we would have to admit those whom increase and Toledo a 5% in-state and 8% out-of-state tuition increase; Akron was not comfortable disclosing this information.

3 Section II of this memo discusses the benefits to the University and the Law School of calculating the tuition differential from 3.5% rather than 5.
we would have denied admission last year. In addition, if we had to admit a larger class, our selectivity percentage (part of the U.S. News rankings) would rise by one percentage point. See Appendix G.

Our concerns about the caliber of students we would have to admit is exacerbated by the fact that we do not have the scholarship dollars to attract the very students we need. In 2008-09 we had the fewest scholarships dollars, especially per FTE, of any Ohio law school:

<table>
<thead>
<tr>
<th>School</th>
<th>FTE</th>
<th>Scholarships</th>
<th>Scholarships/FTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Akron</td>
<td>411</td>
<td>$2,509,288.00</td>
<td>$6,105</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>360</td>
<td>$2,548,535.00</td>
<td>$7,079</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>610</td>
<td>$1,603,938.00</td>
</tr>
<tr>
<td>Ohio State</td>
<td>680</td>
<td>$4,207,248.00</td>
<td>$6,187</td>
</tr>
<tr>
<td>Toledo</td>
<td>442</td>
<td>$2,646,684.00</td>
<td>$5,988</td>
</tr>
</tbody>
</table>

ii. Admitting a larger class will jeopardize our graduates’ bar passage rates. Even with the smaller class sizes, our July bar passage rates have dipped slightly the last two years. See Appendix H. A larger class will mean admitting students without the credentials that predict success on the bar exam. Although we provide greater academic assistance to our students than we did in 2004, one of the touchstones of our Bar Passage Plan was admitting a smaller, academically stronger class. Continued success on our Bar Passage Plan is critical to our students, as well as C|M|LAW’s standing in the community and our ranking in US News.

iii. The job market for our current students is extremely difficult. For the graduating class of 2009, only 84.8% were employed nine months after graduation – an important measure that is used for evaluation purposes by the ABA and by US News. It appears that this year we will be close to 86% employed at nine months after graduation. While this is encouraging in the present economic market, C|M|LAW has not had employment percentages that low since 1997. In addition, in comparison to past years, a greater proportion of our recent graduates are employed in contract and other temporary legal positions than in permanent positions. It would be irresponsible to admit more students when our current graduates cannot find employment, and when the job market prospects continue to be challenging at best. If our employment numbers were to drop due to an increased class size it would negatively affect our US News rankings.

iv. A larger class will negatively affect our US News rankings not only by admitting students with lower UGPAs and LSATs, risking lower bar pass rates, and lower employment percentages, but also by a further lowering of our Direct Expenditures Ranking. For 2010 we were ranked 158 by US News. See Appendix I. Based on ABA data, we ranked 165 among all law schools and 67 among public law schools in 2008-09. These are significant drops from

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4 ABA Report Backs 2009, Table F-2 (the last year for which information is available).
2004-05 when we were at 136 and 54. In 2004-5 we were the third highest among Ohio public law schools; in 2008-09 we were ranked the lowest. See Appendix J.

v. Finally, based on the current admissions situation and the changing economic outlook for law-related employment, and absent the current budget challenge facing CSU, the most prudent and responsible course for C|M|LAW would be to seek approval to reduce the size of the class to 190, not keep it at 200. This would allow us to retain the academic strength of the most recent class, use scholarship dollars more effectively, and improve our students’ employment prospects. In a very real sense, staying at 200 is the equivalent of increasing to 210 given the lower number of applicants. By staying at 200 this coming year we will likely be moving backwards especially in terms of the Fall 2011 entering class’s credentials.

2. New Program: the MLS Degree

The College of Law is establishing a Master of Legal Studies (MLS) degree program as an entry-level non-professional degree designed for individuals who seek a better understanding of the law, legal institutions and legal methods but who are not interested in obtaining a J.D. We expect to enroll our first students in Fall 2012.

The MLS program will require students to complete the equivalent of one year of full-time study, consisting of 30 semester credit hours. The maximum period to complete the MLS degree will be four years for a part-time student. Our conservative estimate is that 10 students will enroll in the MLS program; they will average 1.5 courses per semester per student, which is the equivalent of 1 FTE. See Appendix K.

This will generate $19,312 in FY 13.

B. Faculty Alignment

Six faculty members are changing or have changed their relationship to the Law School this year: Professors Lloyd Snyder and Gordon Beggs are retiring, Professor Dena Davis, Joan Flynn and Kermit Lind have or are resigning, and Professor Janice Aitken died in July 2010. As explained below, we propose relinquishing two and retaining four lines.

We make these proposals mindful of the effect they will have on our current students and those considering whether to attend C|M|LAW. While it is true that our law student population has grown smaller since 2004, our Student/Faculty ratio has remained relatively constant. See Appendix L. Compared to other Ohio public law schools, however, we have not fared well: we have dropped from having the second best Student/Faculty ratio in 2004-05 to having the fourth best (out of five). Id. From the perspective of Student/Faculty ratio (another US News factor) it

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5 Based on conversations our Assistant Dean of Admissions has had with other Admissions offices we understand that Toledo is planning to reduce the One L class from 175 to 150, Ohio State, now at 225-230, is talking about becoming smaller, Cincinnati went up this year to 144, but is going back to 135, and Akron will remain at about 202.
would not be in our students’ best interests to relinquish more than two positions. In addition, decreasing the size of our faculty will negatively affect the calculation of our Faculty Resources in the US News ranking because it will lower our direct expenditures (already one of the lowest in the country)—which includes faculty salaries. See Appendix I.

The combined savings of these changes is $303,386. See Appendix M.

1. The departure of Professor Dena Davis is significant for the Law School because she is the most senior professor in the Health Law field and also among the most distinguished scholars on our faculty. In addition, Professor Davis regularly teaches the required first year year-long Torts course. In light of CSU’s focus on health, and the Law School’s own Center for Health Law and Policy, we propose retaining Dena Davis’s position and hiring a junior professor in health law. We estimate this will result in a savings of $56,547.

2. In light of the Law School’s long standing commitment to, and reputation for, educating our students to be practice ready, we propose retaining the three professor lines that relate directly to skills training: clinical professor positions in the Employment Law Clinic and the Urban Development Law Clinic and a legal writing position. We anticipate savings of approximately $71,259 for the two clinical positions based on replacing both positions with junior faculty. Continuing the Legal Writing position as a Visiting Professorship was approved in November 2010. We do not anticipate any savings in that line. We propose keeping all three lines in a visiting status for the coming year so that the new Dean has the opportunity to fully assess the Law School’s skills professor needs.

3. We agree to relinquish Professor Lloyd Snyder’s line. Professor Snyder is a co-author of one of the leading treatises on Professional Responsibility in Ohio. He has taught the required courses on Profession Responsibility and Evidence for many years. This will result in a savings of $175,580.

4. In addition to Professor Snyder’s position, we are relinquishing another position this year—that of Professor Joan Flynn. Professor Flynn resigned in June 2010—too late to seek to hire a replacement or a visitor. The loss of Professor Flynn has significant costs to the Law School’s scholarly profile as well as to our students. Professor Flynn taught core courses in the Labor and Employment areas—one of the few strong areas of job growth and thus of particular interest to our students. Due to a fluke of timing, her salary line ($146,422) was removed from the baseline budget which prevents us from counting the savings from this line toward our target. Nonetheless, the funds in this line will contribute to the overall pool of available funds for the University by increasing the Provost’s Position Fund.

C. Library and IT

Library and IT reductions will be made to both non-personnel and personnel budget lines which result in a total reduction of $201,887.
1. Non-personnel reductions

a. The Law Library will cut $10,000 from its maintenance budget. The maintenance budget is used for equipment maintenance (i.e., microfiche readers, security gates, etc.) as well as paint, wall repair, furniture repair, and other repairs to the physical facility.

b. The Law Library will also cut $10,000 from its supplies budget. The supplies budget for the Law Library includes office supplies, staff computers, and supplies used in the processing of library materials.

c. The Law Library will eliminate its entire binding budget of $5,000. The majority of binding involves the binding of individual issues of law reviews or other periodic materials. We will still need to occasionally bind materials, such as the faculty evaluations, but should be able to take that relatively small amount from another budget line as needed.

These non-personnel savings total $25,000.

2. Personnel reductions and restructuring

a. The Law Library and IT will cut $9,143 from its student worker budget leaving $30,000.00 available. Student workers perform duties such as processing materials, shelving books, computer lab assistance, and helping patrons at the Circulation Desk.

b. Daniel Maynard (IT) resigned his position and we are not seeking to fill it. The resulting budget savings is $87,598.

c. Marie Rehmar retired and was replaced with an entry-level law librarian resulting in a budget savings of $32,475.

d. Priscilla Howard retired and her position was restructured and downgraded to a lower salary grade (now filled by Sean Kennedy) resulting in a budget savings of $17,104.

e. Due to a retirement (Priscilla Howard), resignation (James Pape), and reassignment of duties, the Technical Services department needs to be restructured. There is currently a distinct lack of cataloging expertise and professional knowledge of Technical Services issues. We propose to restructure the department to include a Technical Services librarian (new position), a Library Associate I (existing position), and a Library Media Technical Assistant I (existing position). This would eliminate the Catalog Specialist position currently held by Richard Koloda ($56,896). The salary and fringe for a Technical Services librarian would be approximately $67,000. See Appendix N for a more detailed explanation of restructuring Technical Services.

These personnel savings total $176,887.
D. Other Reductions

1. Admissions will cut its travel budget by $10,000. It is important for our Admissions staff to travel throughout the country to attract the best entering class. But we can do so strategically—including alternating visits to states and colleges throughout the country which have yielded the most applicants in recent years.

2. We will reduce our printing and communications line by 10% ($24,000). We will accomplish this by more effectively using the web site and email both internally and externally. We will analyze and reduce printing costs including size of publications, number of copies and other related matters.

II. Alternative $917,029 (7.5%) Budget Reduction Target

While our principal 7.5% budget reduction proposal focuses on receiving the differential between a 5% and 7% tuition increase, permitting us to receive credit for reductions based on a 3.5% tuition increase instead would strengthen the University and the college in important and strategic ways.

A. If we were credited for any tuition increase over 3.5%, we would have some choices to make that could benefit our students, the Law School and the University. For our students, we could agree either to seek a lower tuition increase, or to contribute part of the credited amount to increasing our scholarship dollars—as we did in FY11. While our tuition appears lower than other Ohio law schools, the actual cost to our students is higher because of our relatively low scholarship dollars. For example, using 2008-09 figures (the most recent available), our tuition is $1508 lower than Toledo’s, but when one considers the average scholarship available per FTE, the actual average cost of C|M’s tuition is $600 higher per student.

|            | C|M|LAW | Toledo |
|------------|------|-------|
| Tuition    | $16,478 | $19,137 |
| Scholarship/FTE | $ 2,729 | $ 5,988 |
| Net Cost   | $13,749 | $13,149 |

This disparity has a substantial negative impact on our yield rate for admitted students.

We are in the first year of a strategic restructuring of our scholarship program that includes offering scholarships at different levels than in the past. We expect this will make us more attractive to high achieving students. Increasing our total scholarship fund would allow us to expand that strategy and help us better compete with our peer institutions for the strongest students. This would benefit the University and Law School on many levels: stronger students would improve our bar passage rates and their higher LSAT and UPGAs would improve our US News Rankings, which would help us attract stronger students and faculty.
B. If we were credited for any tuition increase over 3.5%, we could also make a lateral hire for a new health law professor, rather than a junior hire. This would have an immediate positive impact on the University and Law School’s stature because it would signal a heightened commitment to our Center for Health Law and Policy. This would, in turn, raise our scholarly profile in academia and the legal community and potentially increase the possibility of getting external funding. It would also benefit our students to have a senior faculty member as a professor not only in the classroom, but also as a more knowledgeable resource for externship and employment connections.

C. Finally, by receiving more credit for a tuition increase, we would be able to reduce some of the cost-cutting identified in Section I (including library and other reductions). These reductions could be reintroduced if necessary to meet the 10% target.

III. Proposals to Meet the 10% and 5% Targets

A. $1,222,773 (10%) Budget Reduction Target

If the Law School is required to reach the 10%, $1.2 million target, we will consider the following additional measures. See Appendix B for a detailed breakdown of these measures.

1. If we are not given the tuition credit between 3.5% and 7% under the 7.5% Budget Target plan, we will seek that under this scenario. This would credit the Law School with an additional $262,777.

2. We will reorganize and combine the Development/Career Planning departments. This could result in a savings of approximately $50,000.

3. We will reduce our part-time faculty by offering more courses every other year rather than every year. We anticipate a savings of $20,000/year.

B. $611,386 (5%) Budget Reduction Target

If the Law School were fortunate to have to reach only the 5% budget target of $611,386 we would increase tuition by less than 7% and seek to restore Professor Snyder’s line.
## APPENDIX A

### Target 7.5%
$917,029

1. JD Tuition Net Increase FY 12 and FY 13 5% v. 7% $467,352

2. MLS Enrollment FY 13 $19,312

3. Faculty $303,386
   - Davis position (1883) savings $56,547
   - Beggs position (1873) savings $31,239
   - Lind position (1909) savings $40,020
   - Snyder position (1887) savings $175,580

4. Library $201,887
   - Non-Personnel $25,000
   - Reduction in student worker budget $9,143
   - Maynard position (1947) savings $87,598
   - Howard position (1943) savings $17,104
     (now held by Kennedy)
   - Rehmarr position (1951) savings $32,475
     (now held by McCloud)
   - Pape position (1938) partial savings $40,671
   - Koloda position (1987) relinquishing $56,896
   - NEW Catalog Librarian -$67,000

5. Other $34,000
   - Admissions $10,000
   - Printing $24,000

**TOTAL** $1,025,937
## APPENDIX B

Target 10%  
$1,222,173  
(Additions in Bold)

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. JD Tuition Net Increase FY 12 and FY 13 3.5% v. 7%</td>
<td>$730,129</td>
</tr>
<tr>
<td>2. MLS Enrollment FY 13</td>
<td>$19,312</td>
</tr>
<tr>
<td>3. Faculty</td>
<td>$303,386</td>
</tr>
<tr>
<td>Davis position (1883) savings</td>
<td>$56,547</td>
</tr>
<tr>
<td>Beggs position (1873) savings</td>
<td>$31,239</td>
</tr>
<tr>
<td>Lind position (1909) savings</td>
<td>$40,020</td>
</tr>
<tr>
<td>Snyder position (1887) savings</td>
<td>$175,580</td>
</tr>
<tr>
<td>4. Library</td>
<td>$201,887</td>
</tr>
<tr>
<td>Non-Personnel</td>
<td>$25,000</td>
</tr>
<tr>
<td>Personnel</td>
<td>$176,887</td>
</tr>
<tr>
<td>5. Other</td>
<td>$104,000</td>
</tr>
<tr>
<td>Admissions</td>
<td>$10,000</td>
</tr>
<tr>
<td>Printing</td>
<td>$24,000</td>
</tr>
<tr>
<td>Administrative (Development/Career Planning) Reorganization</td>
<td>$50,000</td>
</tr>
<tr>
<td>Part-Time Faculty Reduction</td>
<td>$20,000</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td>$1,358,714</td>
</tr>
</tbody>
</table>
## APPENDIX C

### Tuition Increase Projections

**One L Class of 200**

<table>
<thead>
<tr>
<th>Increase Rate</th>
<th>FY 12</th>
<th>FY 13</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3.5% Increase FY 12 and FY 13</strong></td>
<td>$294,073</td>
<td>$304,365</td>
<td>$598,438</td>
</tr>
<tr>
<td><strong>5% Increase FY 12 and FY 13</strong></td>
<td>$420,104</td>
<td>$441,109</td>
<td>$861,213</td>
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<tr>
<td><strong>7% Increase FY 12 and FY 13</strong></td>
<td>$691,982</td>
<td>$636,585</td>
<td>$1,328,567</td>
</tr>
</tbody>
</table>

### Differential Increase

<table>
<thead>
<tr>
<th>Increase Rate</th>
<th>FY 12</th>
<th>FY 13</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>3.5% v. 7%</strong></td>
<td>$397,909</td>
<td>$332,220</td>
<td>$730,129</td>
</tr>
<tr>
<td><strong>5% v. 7%</strong></td>
<td>$271,877</td>
<td>$195,475</td>
<td>$467,352</td>
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</tbody>
</table>
## University Forecast - 3.5% Increase in Law Tuition

<table>
<thead>
<tr>
<th></th>
<th>FY12</th>
<th>FY13</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Headcount Enrollment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ohio Resident Students</td>
<td>1L 200</td>
<td>2L 200</td>
<td>3L 200</td>
<td>Total 600</td>
</tr>
<tr>
<td>FY11 Instructional Fee Per Academic Year</td>
<td>$16,939</td>
<td>$16,939</td>
<td>$16,939</td>
<td>$17,532</td>
</tr>
<tr>
<td>Tuition increase</td>
<td>3.5%</td>
<td>3.5%</td>
<td>3.5%</td>
<td>Total 3.5%</td>
</tr>
<tr>
<td>Tuition increase Amount</td>
<td>$593</td>
<td>$593</td>
<td>$593</td>
<td>$614</td>
</tr>
<tr>
<td>Yield - Banding Effect Factor</td>
<td>0.9356</td>
<td>0.9356</td>
<td>0.9356</td>
<td>Total 0.9356</td>
</tr>
<tr>
<td>Tuition Yield Per Student Per Year</td>
<td>$555</td>
<td>$555</td>
<td>$555</td>
<td>$574</td>
</tr>
<tr>
<td>Annual Tuition Increase Amount</td>
<td>$96,966</td>
<td>$103,168</td>
<td>$109,370</td>
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<tr>
<td>Ohio Nonresident Students</td>
<td>1L 36</td>
<td>2L 14</td>
<td>3L 14</td>
<td>Total 64</td>
</tr>
<tr>
<td>FY11 Instructional Fee Per Academic Year</td>
<td>$23,715</td>
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<td>$24,545</td>
</tr>
<tr>
<td>Tuition increase</td>
<td>3.5%</td>
<td>3.5%</td>
<td>3.5%</td>
<td>Total 3.5%</td>
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<tr>
<td>Tuition increase Amount</td>
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<td>$830</td>
<td>$830</td>
<td>$859</td>
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<tr>
<td>Yield - Banding Effect Factor</td>
<td>0.9356</td>
<td>0.9356</td>
<td>0.9356</td>
<td>Total 0.9356</td>
</tr>
<tr>
<td>Tuition Yield Per Student Per Year</td>
<td>$777</td>
<td>$777</td>
<td>$777</td>
<td>$804</td>
</tr>
<tr>
<td>Annual Tuition Increase Amount</td>
<td>$27,956</td>
<td>$30,256</td>
<td>$32,556</td>
<td>$34,856</td>
</tr>
<tr>
<td><strong>Total Headcount</strong></td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>Total 600</td>
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<tr>
<td><strong>Total Gross Revenue Increase</strong></td>
<td>$118,921</td>
<td>$114,040</td>
<td>$114,040</td>
<td>$123,084</td>
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<tr>
<td>Subtract: Financial Aid Increase</td>
<td>$52,928</td>
<td>$54,781</td>
<td>$56,698</td>
<td>$58,683</td>
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<tr>
<td><strong>Net Increase in Instructional Fee</strong></td>
<td>$65,993</td>
<td>$59,259</td>
<td>$57,386</td>
<td>$64,717</td>
</tr>
</tbody>
</table>

The University's practice is to increase the total amount of the Law Fellowship budget line by the amount of the tuition increase. This would happen every year. Law Fellows scholarship amount in FY11 is $1,512,240.
## APPENDIX E

**Base Case**

### University Forecast - 5% Increase in Law Tuition

<table>
<thead>
<tr>
<th>FY12</th>
<th>FY13</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Headcount Enrollment</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>Ohio Resident Students 1L-82%, 2L &amp; 3L-93%</td>
<td>164</td>
<td>186</td>
<td>186</td>
</tr>
<tr>
<td>Tuition increase</td>
<td>7.0%</td>
<td>7.0%</td>
<td>7.0%</td>
</tr>
<tr>
<td>Tuition increase Amount</td>
<td>$1,186</td>
<td>$1,186</td>
<td>$1,186</td>
</tr>
<tr>
<td>Yield - Banding Effect Factor</td>
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<td>0.9256</td>
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</tr>
<tr>
<td>Tuition Yield Per Student Per Year</td>
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<td>$1,080</td>
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<tr>
<td>Annual Tuition Increase Amount</td>
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<td>$20,837</td>
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<tr>
<td>Total Headcount</td>
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<td>200</td>
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<tr>
<td>Total Gross Revenue Increase</td>
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<td>$162,914</td>
</tr>
<tr>
<td>Subtract: Financial Aid Increase</td>
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</tr>
<tr>
<td>Net Increase in Instructional Fee</td>
<td>$420,104</td>
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</tr>
</tbody>
</table>

### University Forecast - 7% Increase in Law Tuition

<table>
<thead>
<tr>
<th>FY12</th>
<th>FY13</th>
<th>FY14</th>
<th>FY15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Headcount Enrollment</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>Ohio Resident Students 1L-83%, 2L &amp; 3L-93%</td>
<td>164</td>
<td>186</td>
<td>186</td>
</tr>
<tr>
<td>Tuition increase</td>
<td>7.0%</td>
<td>7.0%</td>
<td>7.0%</td>
</tr>
<tr>
<td>Tuition increase Amount</td>
<td>$1,186</td>
<td>$1,186</td>
<td>$1,186</td>
</tr>
<tr>
<td>Yield - Banding Effect Factor</td>
<td>0.9256</td>
<td>0.9256</td>
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<tr>
<td>Tuition Yield Per Student Per Year</td>
<td>$1,080</td>
<td>$1,080</td>
<td>$1,080</td>
</tr>
<tr>
<td>Annual Tuition Increase Amount</td>
<td>$20,837</td>
<td>$20,837</td>
<td>$20,837</td>
</tr>
<tr>
<td>Total Headcount</td>
<td>200</td>
<td>200</td>
<td>200</td>
</tr>
<tr>
<td>Total Gross Revenue Increase</td>
<td>$169,888</td>
<td>$162,914</td>
<td>$162,914</td>
</tr>
<tr>
<td>Subtract: Financial Aid Increase</td>
<td>75,832</td>
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<td></td>
</tr>
<tr>
<td>Net Increase in Instructional Fee</td>
<td>$420,104</td>
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<td></td>
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</table>

### Differential revenue 7% increase & 20% 1L OUT increase vs. 5% base increase

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Total</td>
<td>$271,877</td>
<td>$195,475</td>
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</table>
## APPENDIX F

### Tuition & Fees: Resident vs. Non-Resident, Percentage Annual Change, and Average Change

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Resident/Non-Resident</td>
<td>Resident/Non-Resident</td>
<td>Resident/Non-Resident</td>
<td>Resident/Non-Resident</td>
<td>Resident/Non-Resident</td>
<td>Resident/Non-Resident</td>
<td></td>
</tr>
<tr>
<td>Akron Law School</td>
<td>$21,450/$33,407</td>
<td>$19,570/$30,850</td>
<td>$17,553/$27,625</td>
<td>$16,497/$26,089</td>
<td>$16,388/$25,980</td>
<td>$13,878/$21,871</td>
<td>$12,896/$20,332</td>
</tr>
<tr>
<td>% increase</td>
<td>9.6%/8.3%</td>
<td>11.5%/11.7%</td>
<td>6.4%/5.9%</td>
<td>0.7%/4.4%</td>
<td>18.1%/18.8%</td>
<td>7.6%/7.6%</td>
<td>17.7%/18.1%</td>
</tr>
<tr>
<td>% increase</td>
<td>3.0%/3.0%</td>
<td>4.0%/4.0%</td>
<td>5.9%/5.9%</td>
<td>6.0%/6.0%</td>
<td>7.6%/7.6%</td>
<td>10.0%/10.0%</td>
<td>2.3%/2.3%</td>
</tr>
<tr>
<td>Case Western Reserve University</td>
<td>$40,450/$40,450</td>
<td>$38,679/$38,679</td>
<td>$36,674/$36,674</td>
<td>$35,220/$35,220</td>
<td>$32,553/$32,553</td>
<td>$31,880/$31,880</td>
<td>$28,276/$28,276</td>
</tr>
<tr>
<td>% increase</td>
<td>4.6%/4.6%</td>
<td>5.5%/5.5%</td>
<td>4.1%/4.1%</td>
<td>8.2%/8.2%</td>
<td>2.1%/2.1%</td>
<td>12.7%/12.7%</td>
<td>4.8%/4.8%</td>
</tr>
<tr>
<td>Cincinnati College of Law</td>
<td>$29,368/$36,526</td>
<td>$19,942/$34,776</td>
<td>$19,362/$33,764</td>
<td>$18,982/$33,102</td>
<td>$18,632/$32,152</td>
<td>$16,210/$29,284</td>
<td>$14,084/$26,190</td>
</tr>
<tr>
<td>% increase</td>
<td>5.0%/5.0%</td>
<td>3.0%/3.0%</td>
<td>2.0%/2.0%</td>
<td>5.3%/3.0%</td>
<td>11.2%/9.8%</td>
<td>15.1%/11.8%</td>
<td>15.1%/11.8%</td>
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<tr>
<td>CJMLAW</td>
<td>$18,200/$24,975</td>
<td>$16,764/$22,396</td>
<td>$16,478/$22,608</td>
<td>$16,478/$22,608</td>
<td>$14,982/$20,525</td>
<td>$13,988/$19,209</td>
<td>$13,052/$17,969</td>
</tr>
<tr>
<td>% increase</td>
<td>8.6%/8.6%</td>
<td>1.7%/1.7%</td>
<td>0.0%/0.0%</td>
<td>10.0%/10.1%</td>
<td>7.1%/6.9%</td>
<td>7.2%/6.9%</td>
<td>12.1%/12.1%</td>
</tr>
<tr>
<td>% increase</td>
<td>3.0%/3.0%</td>
<td>3.8%/3.8%</td>
<td>3.4%/3.4%</td>
<td>3.8%/-3.8%</td>
<td>25.5%/25.5%</td>
<td>4.3%/4.3%</td>
<td>4.2%/4.2%</td>
</tr>
<tr>
<td>Ohio Northern University</td>
<td>$30,964/$30,964</td>
<td>$28,000/$28,900</td>
<td>$27,500/$27,500</td>
<td>$26,350/$26,350</td>
<td>$25,050/$25,050</td>
<td>$23,980/$23,980</td>
<td>$22,790/$22,790</td>
</tr>
<tr>
<td>% increase</td>
<td>7.1%/7.1%</td>
<td>5.1%/5.1%</td>
<td>4.4%/4.4%</td>
<td>5.2%/5.2%</td>
<td>4.5%/4.5%</td>
<td>5.2%/5.2%</td>
<td>4.0%/4.0%</td>
</tr>
<tr>
<td>Ohio State University</td>
<td>$24,324/$33,274</td>
<td>$22,433/$37,383</td>
<td>$20,919/$35,869</td>
<td>$19,246/$33,946</td>
<td>$17,551/$31,969</td>
<td>$15,909/$29,511</td>
<td>$14,405/$27,237</td>
</tr>
<tr>
<td>% increase</td>
<td>8.4%/5.1%</td>
<td>7.2%/4.2%</td>
<td>8.7%/5.7%</td>
<td>9.7%/6.2%</td>
<td>10.3%/6.3%</td>
<td>10.4%/8.3%</td>
<td>10.2%/8.2%</td>
</tr>
<tr>
<td>Toledo College of Law</td>
<td>$19,792/$30,572</td>
<td>$19,137/$29,553</td>
<td>$17,986/$27,730</td>
<td>$16,666/$25,910</td>
<td>$14,839/$23,082</td>
<td>$13,781/$24,024</td>
<td>$12,852/$23,096</td>
</tr>
<tr>
<td>% increase</td>
<td>3.4%/3.4%</td>
<td>6.4%/6.6%</td>
<td>14.8%/7.0%</td>
<td>5.6%/3.3%</td>
<td>7.7%/4.4%</td>
<td>7.2%/4.0%</td>
<td>8.1%/5.8%</td>
</tr>
</tbody>
</table>
APPENDIX G
CLEVELAND-MARSHALL COLLEGE OF LAW
OFFICE OF ADMISSION

MEMORANDUM

TO: Phyllis L. Crocker, Interim Dean
FROM: Christopher Lucak, Assistant Dean for Admission and Financial Aid
DATE: February 8, 2011

REGARDING: Increasing C|M|LAW class size by 5 students

Applications to law school have declined nationally. At C|M|LAW, our current application volume is more than 20% below where we were at this time last year. At this level of decline, we have been forced to offer admission to students who would have been waitlisted last year. Any increase to the entering class size would require an even deeper dip into our applicant pool. Our current yield rate is about 30%. Assuming we are able to maintain that level, we would have to admit 15 additional applicants to yield 5 enrolled students. Admitting that many additional applicants would require us to admit students with LSAT scores as low as 150. Admitting at an LSAT level of 150 would also mean having a waitlist with students in the upper 140’s should we need them. The additional 15 admits would not likely hurt our incoming GPA as we would be able to focus on strong academic performance at the expense of the LSAT. Another important quality rating of the law school is admit rate, or selectivity. We want selectivity to be low and yield to be high. The additional 15 admits would increase selectivity, making us less selective, by one percentage point.
MEMORANDUM

TO: Interim Dean Phyllis L. Crocker

FROM: Mark J. Sundahl, Associate Dean for Academic Affairs

DATE: November 12, 2010

RE: U.S. News & World Report Direct Expenditures Ranking

In 2010, C|M|LAW was ranked 158 with respect to “average direct expenditures per full-time equivalent student” according to U.S. News & World Report. We are concerned that C|M|LAW’s low ranking in this area is preventing C|M|LAW from moving into the second tier in the U.S. News & World Report rankings. C|M|LAW’s overall rank is 115, while its rank in certain specific areas is well above 100 (e.g., Employment at Graduation Rank: 61, Library Volumes Rank: 63, Student/Faculty Ratio: 77). This memorandum (i) explains the methodology used to determine the “Average Direct Expenditures” ranking, (ii) provides the data that is used in the calculation of C|M|LAW’s ranking (as well as comparative data from other public Ohio law schools) and (iii) explains how C|M|LAW could improve its ranking in this category.

I. U.S. News & World Report Ranking Methodology

U.S. News & World Report rankings are based on a weighted average of twelve factors. One of the factors is “Faculty Resources,” which is weighted at 0.15. Sixty-five percent (65%) of the “Faculty Resources” component is based on “Average Direct Expenditures” which is defined as the “average fiscal year 2008 and 2009 expenditures per student for instruction, library, and supporting services” (financial aid, overhead and indirect expenditures are not included in this category of expenditures). The “Average Direct Expenditures” component is weighted at 0.0975 (65% of 0.15).

“Average Direct Expenditures” are calculated by U.S. News & World Report in the following manner:

- The expenditures reported to the ABA for (i) instructional salaries, (ii) summer salaries, (iii) administrative and student services salaries, (iv) library salaries, (v) other salaries, (vi) fringe benefits, (vii) library

---

1 The details regarding U.S. News & World Report methodology were provided by Samuel Flanigan, Deputy Director of Data Research, U.S. News & World Report ((202) 955-2642; sflanigan@usnews.com).
• operations, and (viii) law school expenses excluding library expenses are added up (after the salaries and fringe benefits are adjusted by a cost-of-living deflator).\(^2\)
• The resulting sum is then divided by the number of the full-time equivalent students.

II. ABA Data

In the ABA Report-Back for 2008-2009, C|M|LAW was ranked 165 for “Direct Expenditures Per FTE” among all accredited law schools. C|M|LAW was 67 among the public law schools (the lowest among the Ohio public law schools).

This ranking differs from our U.S. News & World Report ranking because the calculation of direct expenditures by the ABA differs from the U.S. News & World Report calculation in two ways: (1) the ABA includes financial aid expenditures (Item I of ABA Questionnaire) and (2) there is no cost-of-living adjustment.

A chart showing the ABA data for the Ohio public law schools follows:

<table>
<thead>
<tr>
<th>School</th>
<th>Total Expenditures</th>
<th>Financial Aid</th>
<th>FTE Students</th>
<th>Expenditures per Student</th>
<th>Rank (Overall)</th>
<th>Rank (Public)</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSU</td>
<td>$27,653,800</td>
<td>$4,207,208</td>
<td>680</td>
<td>$40,667</td>
<td>58</td>
<td>19</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>$13,811,337</td>
<td>$2,548,535</td>
<td>360</td>
<td>$38,365</td>
<td>68</td>
<td>22</td>
</tr>
<tr>
<td>Akron</td>
<td>$12,754,872</td>
<td>$2,509,288</td>
<td>411</td>
<td>$31,056</td>
<td>116</td>
<td>38</td>
</tr>
<tr>
<td>Toledo</td>
<td>$11,500,929</td>
<td>$2,646,684</td>
<td>442</td>
<td>$26,003</td>
<td>159</td>
<td>62</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>$15,330,983</td>
<td>$1,603,938</td>
<td>610</td>
<td>$25,116</td>
</tr>
</tbody>
</table>

III. Analysis and Recommendations

C|M|LAW has the second highest total expenditures for Ohio public law schools (after OSU). If the financial aid expenditures are subtracted from the total expenditures – which results in total expenditure figures that take into account the components used by U.S. News & World Report (but without a cost-of-living adjustment) – the Ohio public law schools’ total expenditures compare as follows:

OSU           $23,446,592  
C|M|LAW       $13,727,045  
Cincinnati   $11,262,802  
Akron        $10,245,584  
Toledo       $8,854,245

\(^2\) These are Items A-H in the General Fiscal Information portion of the ABA Questionnaire.
Even though C|M|LAW has higher expenditures than Cincinnati, Akron and Toledo, this fact is far outweighed by the much higher number of FTE students at C|M|LAW — resulting in a low “expenditure per student” figure for C|M|LAW (and, in turn, a low ranking).

In order to raise our U.S. News & World Report ranking for direct expenditures to 100 (i.e., the second tier), we would have to increase our expenditures by approximately $3,000,000. This figure is based on a comparison of C|M|LAW’s figures to those of Capital University Law School which is ranked 100 in the ABA report. In 2008/9, Capital had total expenditures of $19,901,186 and provided $3,076,835 financial aid. Capital had 611 FTE students (similar to C|M|LAW), which resulted in an expenditure per student figure of $32,556. Capital’s total expenditures excluding financial aid were $16,824,351. This is $3,097,306 more than C|M|LAW’s direct expenditures (excluding financial aid).

It is not clear that improving our ranking in this one area will be sufficient to move our overall ranking into the second tier, but it will certainly help. In the event that we increase our class size in the coming years and do not increase expenditures, our expenditure per student amount will decrease and may push our ranking in this area even further down. Therefore, it is important that C|M|LAW maintains its current class size in order to prevent a slip downwards in the rankings.

From another perspective, our low ranking with respect to direct expenditures can be viewed as a point of pride. C|M|LAW is providing a quality education on a small budget and this helps keep tuition low for our students. It is unfortunate that we are punished in the rankings for our efficiency.
## Expenditure Data for Ohio Public Law Schools
(Source: ABA Reports)
(Number of Schools: approx. 200 total/80 public)

### 2008/9

<table>
<thead>
<tr>
<th>School</th>
<th>Total Expenditures</th>
<th>Financial Aid</th>
<th>FTE Students</th>
<th>Expenditures per Student</th>
<th>Rank (Overall)</th>
<th>Rank (Public)</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSU</td>
<td>$27,653,800</td>
<td>$4,207,208</td>
<td>680</td>
<td>$40,667</td>
<td>58</td>
<td>19</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>$13,811,337</td>
<td>$2,548,535</td>
<td>360</td>
<td>$38,365</td>
<td>68</td>
<td>22</td>
</tr>
<tr>
<td>Akron</td>
<td>$12,754,872</td>
<td>$2,509,288</td>
<td>411</td>
<td>$31,056</td>
<td>116</td>
<td>38</td>
</tr>
<tr>
<td>Toledo</td>
<td>$11,500,929</td>
<td>$2,646,684</td>
<td>442</td>
<td>$26,003</td>
<td>159</td>
<td>62</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>$15,330,983</td>
<td>$1,603,938</td>
<td>610</td>
<td>$25,116</td>
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</table>

### 2007/8

<table>
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<th>Total Expenditures</th>
<th>Financial Aid</th>
<th>FTE Students</th>
<th>Expenditures per Student</th>
<th>Rank (Overall)</th>
<th>Rank (Public)</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSU</td>
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<td>$4,308,757</td>
<td>676</td>
<td>$39,412</td>
<td>49</td>
<td>15</td>
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<tr>
<td>Cincinnati</td>
<td>$13,478,302</td>
<td>$2,418,733</td>
<td>356</td>
<td>$37,860</td>
<td>56</td>
<td>16</td>
</tr>
<tr>
<td>Akron</td>
<td>$12,164,316</td>
<td>$2,505,189</td>
<td>463</td>
<td>$26,267</td>
<td>145</td>
<td>53</td>
</tr>
<tr>
<td>Toledo</td>
<td>$10,839,053</td>
<td>$2,096,277</td>
<td>477</td>
<td>$22,738</td>
<td>174</td>
<td>70</td>
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<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>$14,827,623</td>
<td>$1,513,357</td>
<td>641</td>
<td>$23,136</td>
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</tbody>
</table>

### 2006/7

<table>
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<th>Total Expenditures</th>
<th>Financial Aid</th>
<th>FTE Students</th>
<th>Expenditures per Student</th>
<th>Rank (Overall)</th>
<th>Rank (Public)</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSU</td>
<td>$22,594,927</td>
<td>$3,326,523</td>
<td>689.3</td>
<td>$32,780</td>
<td>57</td>
<td>18</td>
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<tr>
<td>Cincinnati</td>
<td>$12,320,873</td>
<td>$2,133,556</td>
<td>374</td>
<td>$32,944</td>
<td>56</td>
<td>17</td>
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<tr>
<td>Akron</td>
<td>$10,874,639</td>
<td>$2,258,924</td>
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<td>$23,600</td>
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<td>Toledo</td>
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<td>$2,324,094</td>
<td>462.8</td>
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<td>LAW</td>
<td>$14,548,166</td>
<td>$1,455,762</td>
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</table>

### 2005/6

<table>
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<tr>
<th>School</th>
<th>Total Expenditures</th>
<th>Financial Aid</th>
<th>FTE Students</th>
<th>Expenditures per Student</th>
<th>Rank (Overall)</th>
<th>Rank (Public)</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSU</td>
<td>$19,163,139</td>
<td>$3,148,093</td>
<td>724</td>
<td>$26,468</td>
<td>82</td>
<td>30</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>$11,838,230</td>
<td>$1,826,215</td>
<td>397</td>
<td>$29,819</td>
<td>59</td>
<td>19</td>
</tr>
<tr>
<td>Akron</td>
<td>$10,334,556</td>
<td>$2,114,322</td>
<td>457.8</td>
<td>$22,574</td>
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<td>54</td>
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<tr>
<td>Toledo</td>
<td>$9,432,315</td>
<td>$2,209,008</td>
<td>455.9</td>
<td>$20,689</td>
<td>155</td>
<td>63</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>$14,389,044</td>
<td>$1,366,430</td>
<td>643.9</td>
<td>$22,347</td>
</tr>
</tbody>
</table>

### 2004/5

<table>
<thead>
<tr>
<th>School</th>
<th>Total Expenditures</th>
<th>Financial Aid</th>
<th>FTE Students</th>
<th>Expenditures per Student</th>
<th>Rank (Overall)</th>
<th>Rank (Public)</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSU</td>
<td>$21,383,490</td>
<td>$3,422,728</td>
<td>747</td>
<td>$28,626</td>
<td>55</td>
<td>20</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>$10,640,433</td>
<td>$1,877,102</td>
<td>382</td>
<td>$27,855</td>
<td>56</td>
<td>21</td>
</tr>
<tr>
<td>Akron</td>
<td>$9,622,124</td>
<td>$1,882,273</td>
<td>501.2</td>
<td>$19,198</td>
<td>146</td>
<td>57</td>
</tr>
<tr>
<td>Toledo</td>
<td>$8,619,625</td>
<td>$1,882,528</td>
<td>458.2</td>
<td>$18,812</td>
<td>155</td>
<td>61</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>$13,474,515</td>
<td>$1,141,627</td>
<td>666.3</td>
<td>$20,223</td>
</tr>
</tbody>
</table>
APPENDIX K

MEMORANDUM

To: Phyllis Crocker
From: Alan Weinstein
Re: Income Projection from MLS Program
Date: February 15, 2011

Below, I have provided both a conservative and optimistic projection of the income I anticipate from the MLS program during its first three years, assuming that the program begins in the Fall of 2012.

Conservative Projection

2012-13: 10 MLS students, average of 1.5 courses/semester/student = 1 FTE
2013-14: 20 MLS students, average of 1.5 courses/semester/student = 2 FTE
2014-15: 30 MLS students, average of 1.5 courses/semester/student = 3 FTE

Optimistic Projection

2012-13: 15 MLS students, average of 2 courses/semester/student = 2 FTE
2013-14: 30 MLS students, average of 2 courses/semester/student = 4 FTE
2014-15: 45 MLS students, average of 2 courses/semester/student = 6 FTE
## Comparative Student/Faculty Ratio Data
(Source: ABA Reports)

### 2009-10

<table>
<thead>
<tr>
<th>School</th>
<th>Full-Time Faculty</th>
<th>FTE Students</th>
<th>Student/Faculty Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSU</td>
<td>99.6</td>
<td>1322</td>
<td>13.3/1</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>75.6</td>
<td>751</td>
<td>9.9/1</td>
</tr>
<tr>
<td>Akron</td>
<td>72.5</td>
<td>813</td>
<td>11.2/1</td>
</tr>
<tr>
<td>Toledo</td>
<td>66.0</td>
<td>886</td>
<td>13.4/1</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>88.8</td>
</tr>
</tbody>
</table>

### 2008-9

<table>
<thead>
<tr>
<th>School</th>
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<th>FTE Students</th>
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<td>103.2</td>
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<td>13.2/1</td>
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<tr>
<td>Cincinnati</td>
<td>73.2</td>
<td>712</td>
<td>9.7/1</td>
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<td>Akron</td>
<td>70.8</td>
<td>838</td>
<td>11.8/1</td>
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<td>62.9</td>
<td>922</td>
<td>14.7/1</td>
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<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>86.4</td>
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</tbody>
</table>

### 2007-8

<table>
<thead>
<tr>
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<th>FTE Students</th>
<th>Student/Faculty Ratio</th>
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<tbody>
<tr>
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<tr>
<td>Cincinnati</td>
<td>74.4</td>
<td>714</td>
<td>9.6/1</td>
</tr>
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<td>Akron</td>
<td>66.0</td>
<td>875</td>
<td>13.3/1</td>
</tr>
<tr>
<td>Toledo</td>
<td>62.6</td>
<td>943</td>
<td>15.1/1</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>93.6</td>
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### 2006-7

<table>
<thead>
<tr>
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<tr>
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<td>766</td>
<td>10.7/1</td>
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<td>Akron</td>
<td>65.6</td>
<td>868</td>
<td>13.2/1</td>
</tr>
<tr>
<td>Toledo</td>
<td>65.2</td>
<td>919</td>
<td>14.1/1</td>
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<td>C</td>
<td>M</td>
<td>LAW</td>
<td>90.0</td>
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### 2005-6

<table>
<thead>
<tr>
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<th>FTE Students</th>
<th>Student/Faculty Ratio</th>
</tr>
</thead>
<tbody>
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<td>1458</td>
<td>14.1/1</td>
</tr>
<tr>
<td>Cincinnati</td>
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<td>777</td>
<td>11.8/1</td>
</tr>
<tr>
<td>Akron</td>
<td>66.8</td>
<td>934</td>
<td>14.0/1</td>
</tr>
<tr>
<td>Toledo</td>
<td>68.3</td>
<td>917</td>
<td>13.4/1</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>97.9</td>
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### 2004-5

<table>
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<th>FTE Students</th>
<th>Student/Faculty Ratio</th>
</tr>
</thead>
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<td>747</td>
<td>15.2/1</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>30.0</td>
<td>382</td>
<td>12.7/1</td>
</tr>
<tr>
<td>Akron</td>
<td>30.0</td>
<td>494</td>
<td>16.5/1</td>
</tr>
<tr>
<td>Toledo</td>
<td>33.9</td>
<td>458</td>
<td>13.5/1</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>LAW</td>
<td>49.7</td>
</tr>
</tbody>
</table>
### APPENDIX M

**Faculty Positions**

<table>
<thead>
<tr>
<th>Position Number</th>
<th>Faculty Name</th>
<th>Salary and Fringes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1887</td>
<td>Lloyd Snyder</td>
<td>$175,580</td>
</tr>
<tr>
<td>1883</td>
<td>Dena Davis</td>
<td>$171,547</td>
</tr>
<tr>
<td>Replaced by junior professor</td>
<td>$115,000</td>
<td></td>
</tr>
<tr>
<td>Savings</td>
<td></td>
<td>$56,547</td>
</tr>
<tr>
<td>1873</td>
<td>Gordon Beggs</td>
<td>$111,239</td>
</tr>
<tr>
<td>Replaced by junior professor</td>
<td>$80,000</td>
<td></td>
</tr>
<tr>
<td>Savings</td>
<td></td>
<td>$31,239</td>
</tr>
<tr>
<td>1909</td>
<td>Kermit Lind</td>
<td>$120,020</td>
</tr>
<tr>
<td>Replaced by junior professor</td>
<td>$80,000</td>
<td></td>
</tr>
<tr>
<td>Savings</td>
<td></td>
<td>$40,020</td>
</tr>
<tr>
<td>1895</td>
<td>Janice Aitken</td>
<td>$73,700</td>
</tr>
<tr>
<td>Replaced by Visiting Professor Jaime Bouvier</td>
<td>$73,700</td>
<td></td>
</tr>
<tr>
<td>Savings</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

**TOTAL SAVINGS** $303,386
APPENDIX N

The restructuring of the Law Library’s Technical Services department requires some explanation. In December 2009, Priscilla Howard retired. A Technical Services consultant was hired to examine the department’s workflow and staffing needs. His report was issued in May 2010. Several of the report’s findings are relevant. Below is an organizational chart prior to the consultant’s report.

One of the consultant’s major findings was that Schuyler Cook could not effectively serve as both the Head of Technical Services with responsibilities for running a department while also serving as the Government Information Librarian. As Government Information Librarian, Schuyler is responsible for overseeing the Federal Depository Library Program for both the Law Library and the Michael Schwartz Library. Upon examination and consideration of a myriad of factors, not the least of which was Schuyler’s responsibilities to the Schwartz Library as well as the Law Library, Schuyler’s job was restructured in July 2010 as the Government Information and Special Projects Librarian and he no longer oversees Technical Services. Jan Babbit, Associate Director of the Law Library has been directly overseeing the Technical Services department since that time.

Next, the consultant felt that Priscilla Howard’s position should be retained and that we should find a replacement with her cataloging expertise. James Pape had gradually been assigned Priscilla’s duties from January through May 2010. James had applied for a job audit to recognize these changed duties just prior to his resignation in late November 2010 to take a job in Pennsylvania. Because James was performing Priscilla’s duties, Priscilla’s position was restructured and downgraded to a lower salary grade in early November 2010 resulting in a budget savings of $17,104.00. James Pape’s salary and fringe benefits total $40,671.

Given all the movement within the Technical Services Department, there is currently a distinct lack of cataloging expertise and professional knowledge of Technical Services issues. The department needs a professional librarian to deal with catalog and other Technical Services issues and to supervise the work of the department. In order to make
this feasible, I believe the department could operate efficiently with a Technical Services Librarian, Library Associate I, and Library Media Technical Assistant I. This would eliminate the Catalog Specialist position currently held by Richard Koloda. The salary and fringe for a Technical Services librarian would be approximately $67,000.

Here is an organizational chart of the proposed structure for Technical Services:

![Organizational Chart]

Library and IT personnel savings:

<table>
<thead>
<tr>
<th>Position</th>
<th>Reduction in student worker budget</th>
<th>Maynard position unfilled</th>
<th>Howard position salary savings (now held by Kennedy)</th>
<th>Rehmar position salary savings (now held by McCloud)</th>
<th>Pape position</th>
<th>Koloda position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduction in student worker budget</td>
<td>$9,143.00</td>
<td>87,598.00</td>
<td>17,104.00</td>
<td>32,475.00</td>
<td>40,671.00</td>
<td>56,896.00</td>
</tr>
<tr>
<td>Maynard position unfilled</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Howard position salary savings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(now held by Kennedy)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rehmar position salary savings</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(now held by McCloud)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pape position</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Koloda position</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NEW Catalog Librarian</td>
<td>- $67,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL SAVINGS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$176,887.00</td>
</tr>
</tbody>
</table>
BYLAWS
Cleveland State University
Cleveland-Marshall College of Law

* * *

Bylaws of the Faculty of the College of Law

ARTICLE I — NAME

The name of this organization is The Faculty of the College of Law (“the Law Faculty”).

ARTICLE II — MEMBERSHIP

SECTION 1. MEMBERSHIP GENERALLY

The membership of the Law Faculty is as follows: the President of the University, ex officio; the Vice President for Academic Affairs, ex officio; the Dean and Associate Deans of the College of Law; all persons assigned to the College of Law with the faculty rank of Professor, Associate Professor, Assistant Professor, Emeritus Professor, Clinical Professor, and Legal Writing Professor.

SECTION 2. VOTING RIGHTS

All members of the Law Faculty, except ex officio members and emeritus professors, are eligible to vote on all matters except as follows. Clinical Professors and Legal Writing Professors are not eligible to vote on matters related to hiring, tenure or promotion of tenured or tenure-track faculty, or the hiring or retention of the Dean.

ARTICLE III — OFFICERS

SECTION 1. THE DEAN

The Dean of the College of Law is the chief executive officer of the College of Law and is the chairperson of the Law Faculty. The Dean or the Dean’s designated representative shall preside at faculty meetings of the College of the Law.
SECTION 2. THE SECRETARY

The Dean of the College of Law will appoint a Secretary of the Law Faculty. The Secretary will notify each member of the Law Faculty of the time, place, and agenda of each faculty meeting, and will keep accurate minutes of all such meetings.

ARTICLE IV — MEETINGS

SECTION 1. REGULAR MEETINGS

The Law Faculty will meet at least twice during each of the Fall and Spring semesters. The Dean (or, in the Dean’s absence, his or her designated representative) will call meetings and may call additional meetings as the need arises.

SECTION 2. ADVANCE NOTICE OF ALL MEETINGS

All meetings must be called and the preliminary agenda announced by written or electronic notice to all members of the Law Faculty not less than 48 hours prior to the time set for the meeting.

SECTION 3. QUORUM FOR MEETINGS

Forty percent of the voting members of the Law Faculty who are not on professional or personal leave constitutes a quorum. Faculty excused from attending a specific meeting are not considered faculty 'on professional or personal leave' when calculating the number of faculty necessary to constitute a quorum.

SECTION 4. EXECUTIVE SESSION

A. The Law Faculty can convene an executive session for consideration of personnel matters and any other matter requiring confidentiality.

B. Forty-percent of the members of the Law Faculty eligible to vote on the issue who are not on personal or professional leave constitutes a quorum for an executive session.

ARTICLE V — COMMITTEES

The members of the Law Faculty have an important responsibility to participate actively in the governance of the College of Law. One of the principal means through which the members of the Law Faculty satisfy that responsibility is participation in committees in the College of Law.
SECTION 1. COMMITTEES

The following are the committees of the Law Faculty:

A. The Dean’s Faculty Advisory Committee. The elected Faculty Senators from the College of Law constitute this committee.

B. The Faculty Affairs Committee. The Faculty Affairs Committee must consist of at least six persons, including at least one full Professor, at least one Associate Professor, at least one Assistant Professor and at least one member of the legal writing or clinical faculty. Each member of the Committee is elected for a two-year term. Law Faculty with an administrative position in the Law College or University are ineligible to serve on the Faculty Affairs Committee.

C. The Personnel Action Committee (PAC). The PAC will consist of all tenured members of the Law Faculty. The members of the PAC will elect by majority vote a Chair and Vice-Chair of the PAC. The Chair and Vice-Chair must be full professors without an administrative position in the Law College or University at the time of election.

D. Other Committees. Appendix A lists all other currently constituted committees of the Law Faculty.

SECTION 2. CREATING AND DISBANDING COMMITTEES

Upon recommendation of the Faculty Affairs Committee or the Dean, the Law Faculty may, by majority vote at a regular faculty meeting, create additional standing committees. All other committees or subcommittees may be created: (a) by the Dean, or (b) by the Law Faculty, after consultation with the Dean, by majority vote at a faculty meeting. All committees and subcommittees, except the PAC, may be disbanded by majority vote at a faculty meeting.

ARTICLE VI — ROBERT’S RULES OF ORDER

The rules contained in the most recent version of ROBERT’S RULES OF ORDER will govern the Law Faculty in all regular and special faculty meetings, to the extent that they are not inconsistent with these bylaws or with the special rules of this faculty or the bylaws of the Faculty Senate.

ARTICLE VII — VOTING BY SECRET BALLOT

Voting for election to the Faculty Senate, election to the Faculty Affairs Committee, election of the Chair and Vice-Chair of the PAC, amendment of these bylaws
and all personnel action decisions will be by secret ballot. Any faculty member can request a secret-ballot vote on any other issue. Voting will be by secret ballot on that issue if any other faculty member seconds the request.

ARTICLE VIII — AMENDMENT

Any member of the Law Faculty may propose amendments to these bylaws. A proposed amendment to these bylaws must be submitted in writing at a faculty meeting and referred to the Faculty Affairs Committee. At a subsequent faculty meeting, not sooner than thirty days after the submission of the proposed amendment, the Faculty Affairs Committee will report its recommendation regarding the proposed amendment. The Law Faculty will determine by majority vote whether to submit the amendment to a secret ballot. A vote of two-thirds of those casting secret ballots is required to amend. These procedures will not be required for amendment of the “Other Policies and Procedures” referenced in Article IX.

ARTICLE IX — OTHER POLICIES AND PROCEDURES

These bylaws incorporate by reference all other policies and procedures adopted by the Law Faculty or established by the Dean, the Provost, President or Board of Trustees of CSU, including, but not limited to, policies and procedures for hiring, promotion, tenure and professional leaves.

Approved by faculty vote May 14, 2009.
APPENDIX A—LIST OF CURRENTLY CONSTITUTED COMMITTEES

The following is a list of the currently constituted committees of the Law Faculty other than those listed in Article V, Section 1:

Academic Standards

Admissions

Awards

Bar Exam

Building

Cleveland-Marshall Fund/Baker Hostetler Scholars

Cleveland-Marshall Summer Research Grants

Curriculum

Faculty Appointments

Graduate Studies, International Programs & Joint Degree Programs

Honor Council

Summer Teaching Grants

Teaching

Special Committee on Health Law Programming
MEMORANDUM

To: Dean Craig Boise

From: Milena Sterio, Chair, Academic Standards Committee

Date: May 31, 2012

Re: Year End Status Report – Academic Standards Committee Report

This report provides an update on various items within the jurisdiction and charges of the Academic Standards Committee. This report also summarizes the actions taken by the Academic Standards Committee regarding petitions filed after Spring Semester 2011 and includes petitions decided through April 2012. The Dean will be advised of the resolution of any additional petitions the Committee may receive before the end of the academic year.

A. Student Petitions

During the period covered by this report, the Committee decided a total of 29 petitions. This is a decrease from a high of 41 petitions in 2010-11, and 66 petitions in 2009-10. The Committee granted a total of 24 petitions, including all 6 faculty requests to change student grades. Excluding the faculty grade change petitions, the Committee granted 18 student petitions and denied 4. One student petition is currently pending before the Committee. There was a reduction in the number of petitions filed by both faculty and students as compared with last year: In 2010-11 there were 14 faculty grade change petitions and 28 student petitions, compared to 6 faculty petitions and 23 student petitions in 2010-11.

<table>
<thead>
<tr>
<th>Petitions by Category</th>
<th>Granted</th>
<th>Denied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty Grade Change</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Student Grade Change¹</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Grade Change (Lost Exam)</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Reduction of 2-Year Waiting Period</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Late Withdrawal from Course</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Change of Section in Core Course</td>
<td>7</td>
<td>1</td>
</tr>
</tbody>
</table>

¹ One student petition for a grade change is currently pending before the committee and will be discussed at the summer meeting in early July.
Extension of Incomplete Course Work 1 1
Extension of Time to Earn J.D. 1 1

Discussion

Faculty Grade Change Requests

The Committee continued to receive a steady stream of grade change requests from faculty members. The vast majority of these requests continue to be for “computational or clerical error” under Academic Regulation 2.4(c)(1).

Student Grade Change Petitions

The Committee denied all 3 grade change petitions filed by students in 2011-12. In the Committee’s analysis, none of the student petitions satisfied the relevant sections of Academic Regulation 2.4(d)(4).2

Probation and Reduction of 2-Year Waiting Period

The Committee received 4 petitions for a reduction of the mandatory 2-year waiting period before an academically dismissed student may reapply to the law school. The Committee approved 3 of these petitions on its merits and denied 1. The Committee did not receive any petitions for probation, which is a reduction from 9 such petitions received in 2010-11, and 13 in 2009-10.

Late and Retroactive Withdrawal from Course(s)

The Committee received 6 petitions to withdraw from a course or courses after the deadline. The Committee generally takes a liberal approach to granting petitions to withdraw from law courses after the deadline, but reviews each petition on its individual merits. All 6 of the petitions for late withdrawal were granted.

B. Committee Charges

Charge 1—Reg. 2.4(d)(4)(a): “review, and if appropriate, propose a revision to Academic Regulation 2.4(d)(4)(a) (and, if necessary to 2.4(c)(2)), regarding the circumstances under which the Committee may hear a student petition for a change of grade.”

Academic Regulation 2.4(d)(4)(a) allowed a student to petition for a change of grade on the grounds that the grade awarded was “arbitrary or not in accord with the grading standards applied to the other members of the class because of factors or circumstances extraneous to the grading process itself.” In past years, students have

---

2 As indicated in the chart above, the Committee also received and approved 2 student petitions for grade change based on the unique circumstance where their exams had been lost.
petitioned for a change of grade on the ground that a grade awarded was "arbitrary" for a variety of reasons, including claims that they disagreed with the professor's assessment of their performance, that they did not perform at their best on the day of an exam, or that the professor did not use a numerical grading rubric.

The second part of the above standard ("not in accord with the grading standards," etc.) has proved confusing, and no one seems to be sure what its original intended meaning was. Students have utilized it to appeal grades based on unfavorable exam conditions, such as a computer crash or an unusually cold exam room.

Some schools do not allow grade appeals at all, while others permit challenges only on the basis of computational or clerical error. Still others allow grade appeals on grounds that the grading was "arbitrary and capricious" or the result of demonstrable personal bias by the professor toward the student.

Last year's Academic Standards Committee found that the Committee was receiving a number of non-meritorious petitions for grade changes that really did not fit within the meaning of existing Regulation 2.4(d)(4)(a). Last year's Committee Chair, Prof. Claire May, began the task of trying to clarify the grounds for student grade appeals; this year's Committee was charged with completing that task. One suggestion made last year was to include in the Regulation examples of what would not be considered grounds for appeal.

The Committee discussed the above issues and proposed revisions to the language of Regulation 2.4(d)(4)(a), which were adopted at the February faculty meeting. New Regulation 2.4(d)(4)(a) reads as follows:

2.4 Grade Dispute Procedures, Grade Appeals and Changes of Grade
(d) Student Petitions for a Change of Grade: Petitions to the Academic Standards Committee

4. A student may petition the Academic Standards Committee for a change of grade to the grade of "P" or "W." Such a change of grade shall be awarded only in cases in which the student has satisfied the Academic Standards Committee by clear and convincing evidence that:
   a. The grade awarded was arbitrary or capricious, but in no event shall the Committee re-grade or otherwise evaluate the petitioning student's examinations or other course work, or that of other students in the course.

Examples of what shall not constitute proof of arbitrary or capricious grading within the meaning of the above regulation include, but shall not be limited to, the following:
   --disagreement with the professor's evaluation of the merits or quality of the student's work;
   --criticism of the merits of a professor's examination or the professor's grading methodology;
--a student's claim that his or her work did not accurately reflect his or her knowledge of the material.

**Charge 2- Reg. 4.6:** "review (with input from the Student Bar Association) and, if appropriate, propose a revision to our Pass/C-/D+/D/F policy, currently reflected in Academic Regulation 4.6."

The Committee has discussed existing Regulation 4.6 this year; this Regulation had also been a part of the Committee's discussions over the past several years, under Professor Claire May as Chair. This year, the Committee discussed extensively the appropriateness of our existing policy, as reflected in Regulation 4.6. The Committee also consulted with the Student Bar Association on this issue. Ultimately, the majority of Committee members voted in favor of keeping the existing Regulation 4.6; thus, the Committee did not bring up this matter before the entire faculty.

**Charge 3—Reg. 3.6(a):** "review, and if appropriate, propose a policy similar to Academic Regulation 3.6(a) regarding the consequences for a student's failure to submit a take-home examination within the time deadline established by the professor."

While Regulation 3.6(a) establishes that a student who fails to appear for a scheduled examination shall receive a final grade of "F," there is no comparable regulation providing for failure to submit a take-home examination by the deadline established by the professor. The charge asked the Committee to come up with such a policy.

The Committee noticed several ambiguities in the wording of Regulation 3.6(a) and thus proposed revisions, which were adopted at the April faculty meeting.

**3.6 Examinations and Examination Scheduling**

(a) Failure to Appear for a Scheduled In-School Final Examination

Unless the student obtains advance permission from the Dean to take a scheduled in-school final examination at another time, any student who fails to appear for such examination shall receive a grade of "F" for that examination or, if the examination is graded numerically, a zero for that examination. Permission to take an in-school final examination at a different time will be granted only upon a showing of good cause. Unless the student obtains advance permission from the Dean to take a rescheduled in-school final examination at another time, any student who fails to appear for such rescheduled examination shall receive a grade of "F" for that examination or, if the examination is graded numerically, a zero for that examination.

A professor shall also have discretion to stipulate that failure to take the final examination in the course shall constitute a failure to complete the requirements of the course and shall result in a final grade of "F" being awarded for the course.
Charge 3—New Regulation 3.6(b) regarding Take-Home Final Examinations

Apparently problems have arisen when students have turned in take-home final examinations late. There is currently no academic regulation governing this matter. We therefore recommended that a new section 3.6(b) be added, which was approved at the April faculty meeting. The text of new Regulation 3.6(b) states as follows:

(b) Failure to Submit a Take-Home Final Examination by the Deadline Established by the Faculty Member

Unless the student obtains advance permission from the Dean to submit a take-home final examination at a different time, any student who does not submit such examination by the deadline established by the faculty member shall receive a grade of “F” for that examination or, if the examination is graded numerically, a zero for that examination, unless the faculty member has given notice to the class in advance of the final examination of a different system of penalties for failure to submit such examination on time. Permission to submit a take-home final examination at a different time will be granted only upon a showing of good cause. Unless the student obtains advance permission from the Dean to submit a rescheduled take-home final examination at a different time, any student who fails to submit such examination by the rescheduled deadline shall receive a grade of “F” for that examination or, if the examination is graded numerically, a zero for that examination.

A professor shall also have discretion to stipulate that failure to submit a take-home final examination by the established or rescheduled deadline shall constitute a failure to complete the requirements of the course and shall result in a final grade of “F” being awarded for the course.

Charge 3—New Regulations 3.6(c): Exceptions to Regs. 3.6(a) and 3.6(b)

The Committee thought it advisable explicitly to include exceptions to the two foregoing Regulations in case of extraordinary unforeseeable emergency, such as a student being involved in an automobile accident on the way to school to take an in-school final exam or submit a take-home final exam by a designated deadline. The Committee proposed revisions to Regulations 3.6(c), which were adopted at the April faculty meeting:

(c) Exceptions to Academic Regulations 3.6(a) and 3.6(b) for Unforeseeable Emergencies

Exceptions to the requirements of Academic Regulations 3.6(a) and 3.6(b) may be granted by the Dean only in cases of extraordinary unforeseeable emergencies, and provided that the student notifies the Dean as soon as practicable of the circumstances of the emergency.
Charge 4—Reg. 5.1: “review, and if appropriate, propose a revision to our policies regarding students who withdraw from law school voluntarily during the first year; specifically whether such students, if they completed the Fall semester, should be limited to one additional semester to attain a 2.0 [Grade Point Average] rather than completing “the first Spring semester” as provided in Academic Regulations 5.1.”

A student who fails to attain a 2.00 GPA after the first semester of his or her first year and chooses to remain in school must attain a 2.00 by the end of the immediately following Spring semester. Hence that student has only two semesters to attain the required 2.00 or else be dismissed. However, under the existing regulation, if a student voluntarily withdraws after the first Fall semester and then returns in the following Fall semester, that student has an additional two semesters to attain a 2.00 (since the student can't be dismissed before completing the “first Spring semester”), for a total of three semesters. It was thought that this gave the second student an unfair advantage over the first.

The Committee proposed a solution whereby every student would be given two, but only two, semesters (not including Summer terms) to attain a 2.00 average before being dismissed. The Committee therefore recommended eliminating existing reg. 5.1 and replacing it with a new provision, the text of which was adopted at the February faculty meeting.

5.1 Dismissal
Any student who fails to achieve a cumulative Grade Point Average of 2.00 or higher upon completion of two full semesters, not including Summer semesters, shall be dismissed. Any student who falls below a cumulative Grade Point Average of 2.00 in any semester thereafter, including Summer semesters, shall be dismissed.

Conclusion

I would like to extend my gratitude to all those who served on the Academic Standards Committee during the period covered by this report:

Professors Mickey Davis, Peter Garlock, Steve Lazarus, Brian Glassman, and Pam Daiker-Middaugh; student members Lon'Cherie Billingley, Sarah Kendig, and Peter Zahirshey; and Assistant Dean Jean Lifter for her countless and invaluable contributions to the work of the Committee. In particular, I would like to thank Professor Peter Garlock for his meticulous work in drafting various revisions to the above-mentioned Regulations.
MEMORANDUM

TO: Dean Craig M. Boise
FROM: Carole Heyward
RE: Admissions Committee
DATE: May 31, 2012

The Admission Committee began meeting in January of 2012 and met almost weekly for most of the Spring Semester. Because the committee had almost all new members, the first two meetings in January of 2012 were primarily orientation meetings.

The Admissions Committee conducted more than 70 full file reviews of LCOP applicants. Depending on the complexity of the application file, each review takes between 10 and 45 minutes. In addition to LCOP applicants, the Committee reviewed several applicants who disclosed criminal histories to determine if their past criminal conduct should preclude them from admission. Members of the Committee also assisted the Admissions Office with Admitted Student Weekend.

Finally, we received a draft policy for transferring LL.M. course credits (either from our own institution or from another institution, including foreign institutions) to our J.D. program from the Graduate Studies, International Programs & Joint-Degree Committee. Members of the Admissions Committee conducted research concerning the appropriate standards and suggested changes to the draft policy reflecting admission practices at our law school. The Committee approved the revised policy.

If you have any additional questions or need additional information, please let me know.
MEMORANDUM

To: Dean Craig Boise

From: Professor Patti Falk

Re: Committee Year-End Report

Date: May 31, 2012

During the 2011-2012 academic year, I chaired two law school committees: the Awards Committee and the Cleveland-Marshall Summer Research Grants Committee.

I. Awards Committee

Charge:

The Awards and Competitions Committee should:

1. make decisions on student awards;
2. work to assure that the awards program properly recognizes the academic and public service accomplishments of our students; and
3. work with the administration to assure good attendance at the ceremony.

Actions Taken:

The Chair solicited nominations for student writing awards from faculty members. The committee met, discussed, and selected the awardees from the nominated papers. The Chair hosted the Annual Awards Ceremony held on November 1, 2011; committee members participated in giving awards. The Chair sent emails encouraging faculty members to attend the Awards Ceremony.
To: Dean Craig Boise  
From: The 2011-2012 Cleveland-Marshall Fund/Baker & Hostetler Committee, comprised of Prof. David Forte, Prof. Sheldon Gelman, Prof. Lolita Buckner Inniss (chair), Prof. John Plecnik; ex officio Associate Dean Heidi Gorovitz Robertson  
Re: Annual Report of the Cleveland Marshall Fund/Baker & Hostetler Committee  
Date: May 31, 2012

I. Introduction and Committee Charge

The Cleveland Marshall Fund/Baker & Hostetler Committee is charged with the following duties:

1. Planning and implementing Visiting Scholar events in the current year;

2. Developing a proposed budget for the Cleveland-Marshall Fund for submission to the faculty;

3. Selecting Visiting Scholars and making plans for upcoming academic years.

Below is a summary of committee activities for 2011-2012.

II. 2011-2012 Visiting Scholars

1. Michael D. Green  
Professor Michael D. Green visited with us between October 4 and 6, 2011. Professor Green is the Bess and Walter Williams Distinguished Chair, Wake Forest School of Law. He currently serves as a Co-Reporter for the Restatement (Third) of Torts: Liability for Physical Harm, a publication of the American Law Institute. He is one of the country’s best-known experts in the area of tort law and has recently been ranked as the 6th most cited law professor writing about torts and product liability. Professor Green is a co-author of one of the best selling torts casebooks and of the most popular products liability text, and is also a co-author of the Reference Guide on Epidemiology in the Federal Judicial Center’s Reference Manual on Scientific Evidence, which serves as a reference on scientific disciplines for federal judges.

The committee offered the following events:

Wednesday, October 5: Faculty Jurisprudence Conversation, 12:15-1:30 P.M., "FELA: Cross-breeding Tort with Compensation Systems."

Wednesday, October 5: Moot Court Room Public Lecture 5:00 P.M., “Deforming Tort Law: The Role of the American Jury.”
Thursday, October 6: Faculty Luncheon, Faculty Presentation Room, 12:00-1:15 P.M., "Reflections on Restating."

Thursday, October 6 Visit to Professor Peter Garlock’s Torts Class, 2:45-4:00 P.M.

2. Professor Philip Hamburger
Professor Philip Hamburger, the Maurice and Hilda Friedman Professor of Law at Columbia Law School, visited us with between March 20 and 22, 2012. Philip Hamburger’s scholarship focuses on constitutional law and its history. His publications include Separation of Church and State (Harvard 2002); "Religious Liberty in Philadelphia," Emory Law Journal (2005); "The New Censorship: Institutional Review Boards," Supreme Court Review (2004); "More is Less," Virginia Law Review (2004); "Law and Judicial Duty," George Washington Law Review (2003); "Liberality," Texas Law Review (2002); "Revolution and Judicial Review: Chief Justice Holt’s Opinion in City of London v. Wood," Columbia Law Review (1994). Before coming to Columbia, Hamburger was the John P. Wilson Professor at the University of Chicago Law School, where he was the Director of the Bigelow Program and the Legal History Program. Earlier, he was the Oswald Symyster Colclough Research Professor at George Washington University Law School and a Professor at the University of Connecticut Law School. He has been a Visiting Professor at the University of Virginia Law School and at Northwestern Law School, where he was the Jack N. Pritzker Distinguished Visiting Professor of Law.

The committee offered the following events in conjunction with Professor Hamburger’s visit:

Tuesday, March 20 Faculty Jurisprudence Luncheon Conversation, Jones Day Room 12:15-1:20 P.M. His talk centered on his article "Getting Permission."

Tuesday, March 20: Moot Court Room Public Lecture 5:00 P.M., "Censorship and Death." The reading was his article "Getting Permission."

Wednesday, March 21: Faculty Luncheon, Faculty Presentation Room, 12:00-1:15 P.M. His topic was "Unconstitutional Conditions: The Irrelevance of Consent."

III. The Proposed 2013 Fiscal Year Budget

The Cleveland-Marshall Fund Baker Hostetler Fund (CMF/BH) Committee is charged with proposing a budget for the Cleveland-Marshall Fund (CMF) and sending it forward to the faculty. The Board of Trustees of the University manages the CMF monies. The Trustees direct and/or approve investment decisions regarding the funds held by the fund custodian (Key Bank) and approve the annual budgets for the funds sent forward by the law school. The value of the portfolio on December 31, 2010 (the last measuring point for assessing FY12 spendable income from investment) was $4,752,406.97. Corresponding spendable income for FY 2012 was $222,646. The value of the portfolio
on December 31, 2011 (the last measuring point for assessing FY13 spendable income from investment) was $4,234,199. Corresponding spendable income for FY 2013 is $231,573.36, representing a 4 percent increase over spendable income from the fund in FY 2012.

Attached is the detailed budget memo and budget previously submitted to the faculty for approval.

IV. Plans for FY 2013 and Beyond

The CMF-BH Fund solicited suggestions from faculty twice during the academic year and met to consider several of those names earlier this spring. Although there was substantial agreement on the suitability of some of the names submitted, it was the sense of the committee that we should change directions, moving away from a two speaker model and instead offering one speaker in the course of an academic year and offering a larger, more elaborate program featuring that speaker. It was also the sense of the committee that we should look well beyond the names that were in consideration if in fact we envisioned a speaker of greater renown. One suggestion offered subsequent to the meeting was that the future speaker might be tied to one of the new health law initiatives. If such a speaker is envisioned for academic year 2012-2013, it is recommended that a member or members of the health law program be added to the CMF-BH committee for the upcoming academic year. An offer should ideally launched within the next few months for a spring 2013 event.
To: Faculty
From: Cleveland-Marshall Fund Baker Hostetler Committee, Prof. David Forte, Prof. Sheldon Gelman, Prof. Loita Buckner Inniss (chair), Prof. John Plecnik; ex officio Associate Dean Heidi Gorovitz Robertson
Date: March 7, 2012
Re: Cleveland-Marshall Fund Proposed Budget FY 2013

I. Introduction

The Cleveland-Marshall Fund Baker Hostetler Fund (CMF/BH) Committee is charged with proposing a budget for the Cleveland-Marshall Fund (CMF) and sending it forward to the faculty. The Board of Trustees of the University manages the CMF monies. The Trustees direct and/or approve investment decisions regarding the funds held by the fund custodian (Key Bank) and approve the annual budgets for the funds sent forward by the law school. The value of the portfolio on December 31, 2010 (the last measuring point for assessing FY12 spendable income from investment)$^1$ was $4,752,406.97. Corresponding spendable income for FY 2012 was $222,646. The value of the portfolio on December 31, 2011 (the last measuring point for assessing FY13 spendable income from investment) was $4,234,199. Corresponding spendable income for FY 2013 is $231,573.36, representing a 4 percent increase over spendable income from the fund in FY 2012.

Because of market fluctuations, there have been changes in the amount of spendable income over the past several years. To put this into perspective, below are the spendable amounts that have been available per fiscal year (FY) for the last several years (pre-2006 data was provided several years ago to past CMF Committee members by former budget director Victoria Plata):

<table>
<thead>
<tr>
<th>FY</th>
<th>Spendable income from investment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>$250,119</td>
</tr>
<tr>
<td>2001</td>
<td>$273,608</td>
</tr>
<tr>
<td>2002</td>
<td>$278,655</td>
</tr>
<tr>
<td>2003</td>
<td>$266,034</td>
</tr>
<tr>
<td>2004</td>
<td>$232,600</td>
</tr>
<tr>
<td>2005</td>
<td>$220,333</td>
</tr>
</tbody>
</table>

$^1$ Per our fund administrator at Key Bank, spendable income for the Cleveland-Marshall Fund is calculated by taking the month-end market value of the total portfolio for each month of a calendar year and then averaging those amounts and finally multiplying the average by 5%. Because spendable income from investment is not solely calculated by applying a multiplier to the total portfolio value at the end of a calendar year, this helps to explain why a lower principal amount at the end of a calendar year may yield a higher spendable income than in a year with a higher end of the calendar year principal balance. The formula for determining spendable income is required by the Ohio State Institutional Trust Funds Act, first enacted in 1999.
Historic Spendable Income from CMF Investment and Percentage of Year-over-Year Change in the Amount of Spendable Income FY 2000 through FY 2013

In some years we have spent more than was available to us from spendable income. We have done this by using monies available from carry forward from previous years and/or from a reserve account ("Transition Funds"). In FY 2004 and 2005 we used Transition Funds (FY 2004 $33,528; FY 2005 $18,505). There was also a proposal from the 2007 CMF/BH Committee to use Transition Funds in FY 2008 but a look at what appears to be the final FY 2008 CMF budget does not indicate that this occurred. As the income from the CM Fund has fallen in the last few years, we have curbed some expenditures. This meant reductions in some areas for FY 2010, the most noteworthy being to Faculty Support/Research. Because of the continuing reductions in spendable income for FY 2011, we made further cuts, and again drew from Transition Funds to help fund student scholarships ($35,000).

Having reviewed the actual expenditures for FY 2011 and FY 2012 (through March 5, 2012), we recommend the budget attached for FY 2013. In summary, because spendable income is up approximately 4 percent for FY 2013, because this is the third year of growth in investment income and as a result of predicted carryovers from FY
2012, we anticipate being able to meet our proposed budget without reducing most amounts available in FY 2012 and without drawing from Transition Funds. We also anticipate being able to increase available funds in a few areas. Although there has been an increase over FY 2012 in spendable income for FY 2013, we are mindful of the fact that spendable income for FY 2013, at $231,573.36, is still among the lowest spendable incomes since FY 2000 and is below the average amount of spendable income for the period from FY 2000 through FY 2013 ($250,186). Also, while this is the third year of increase in investment income, this year’s growth rate was 4 percent versus last year’s 10 percent. Hence, some fiscal prudence is still in order for use of these funds.

A note about the FY 2013 proposed amounts shown below and in the budget attached: The figures shown below as the FY 2013 proposed amounts are the amounts budgeted, that is, the amount of money to be drawn from spendable income earned on our investment portfolio. Additional amounts may be drawn from carryover (funds unspent in a previous fiscal year) or from Transition Funds. The “total available” (far right column of the budget attached) shows the actual amount that will be used to meet the expenditures of a particular budget line and is a combination of money from spendable income and/or from carry over and/or from Transition Funds.

We recommend the budget attached. Some of the notable items in the proposal are:

1. Spending tied to investment income and carry forward only with no use of Transition Funds
2. Maintenance of Student Scholarships budget line amount: $75,000
3. Maintenance of the Faculty Support/Research budget line amount: $75,000
4. Increase in Faculty Summer Research budget line amount: $82,000

II. Discussion of Notable Items

1. Spending tied to investment income and carry forward only with no use of Transition Funds

Although we continue to be in a very uncertain financial climate, the increase in spendable income in FY 2012 means that we need not draw from Transition Funds for FY 2012. We believe that it is wise to use only funds earned on the investment and any carry forward funds from previous years rather than reserve funds. This allows us to have a cushion for what may come in the future.

2. Maintenance of Student Scholarships budget line amount

Since FY 2001, we have funded some Student Scholarships out of the CMF budget. It was the sense of the faculty that providing such support was vital to attracting and retaining good students and in demonstrating our collective commitment to students. As we noted in previous years, the Student Scholarships line item in the CMF budget, while a significant outlay from the fund, represents only about 5% of the total amount of scholarships that we award to students at our institution—there are other sources of
funds. We once more reiterate the suggestion made last year in this regard; there should be greater faculty involvement in the creation of policy for awarding scholarship funds; it is not clear that there is any such faculty-enunciated policy at present. Given recent concerns about student quality, the difficult economic times, and the increasing need to attract the best students, we need to deploy the best strategies possible in using scholarship funds. Below are the historic amounts for this category:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2001</td>
<td>$30,000</td>
</tr>
<tr>
<td>FY 2002</td>
<td>$40,000</td>
</tr>
<tr>
<td>FY 2003</td>
<td>$40,000</td>
</tr>
<tr>
<td>FY 2004</td>
<td>$40,000</td>
</tr>
<tr>
<td>FY 2005</td>
<td>$70,000</td>
</tr>
<tr>
<td>FY 2006</td>
<td>$50,000</td>
</tr>
<tr>
<td>FY 2007</td>
<td>$50,000</td>
</tr>
<tr>
<td>FY 2008</td>
<td>$75,000</td>
</tr>
<tr>
<td>FY 2009</td>
<td>$75,000</td>
</tr>
<tr>
<td>FY 2010</td>
<td>$75,000</td>
</tr>
<tr>
<td>FY 2011</td>
<td>$75,000</td>
</tr>
<tr>
<td>FY 2012</td>
<td>$75,000</td>
</tr>
<tr>
<td><strong>FY 2013</strong></td>
<td><strong>$75,000</strong></td>
</tr>
</tbody>
</table>

3. Maintenance of the for Faculty Support/Research budget line amount

In FY 2011 we reduced the budget for Faculty Support/Research. This covers faculty travel. As was noted last year, looking across the budget, this represented the largest absolute reduction in the FY 2011 budget. Because this is the only significant source of faculty travel funding for the law faculty, the size of the cut had severe impact. This has meant, among other things, the imposition of spending limits for faculty travel. While spending limits and other cost-savings measures are prudent in this financial climate, we believe that providing faculty with an adequate level of funding is crucial to helping to grow our national reputation. It is all the more important that we marshal these resources in a way that best accomplishes this goal. In FY 2011 we reduced the budgeted amount for this item to $55,000 and supplemented with approximately $5,000 carry forward. For FY 2012 we increased Faculty Support/Research to $75,000, and added an anticipated carry forward of approximately $5,000. For FY 2013 we propose to maintain the budgeted amount of $75,000 with an estimated carryover of $25,000. Maintaining the $75,000 budget line allows us to take advantage of the recently better performance of the portfolio, and also offers some payback on the savings gained from the sacrifices made by faculty travelers in FY 2010, FY 2011 and FY 2012. Finally, the budgeted amount of $75,000 is still less than the historic budgeted high of $95,000 in FY 2009.
Caution should still be used in expending these funds. Below are some historic amounts for this category followed by the proposed amount for FY 2013:

**Faculty Support/Research**

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2006</td>
<td>$64,000</td>
</tr>
<tr>
<td>FY 2007</td>
<td>$74,006</td>
</tr>
<tr>
<td>FY 2008</td>
<td>$70,000</td>
</tr>
<tr>
<td>FY 2009</td>
<td>$95,000</td>
</tr>
<tr>
<td>FY 2010</td>
<td>$65,000</td>
</tr>
<tr>
<td>FY 2011</td>
<td>$55,000</td>
</tr>
<tr>
<td>FY 2012</td>
<td>$75,000</td>
</tr>
<tr>
<td><strong>FY 2013</strong></td>
<td><strong>$75,000 PROPOSED</strong> (may be supplemented by approximately $25,000 in carryover)</td>
</tr>
</tbody>
</table>

4. *Increase in Faculty Summer Research budget line amount*

Faculty summer research has traditionally been funded by a combination of "hard" (drawn from the principal law school budget) and "soft" (variable, auxiliary monies, in this case, CMF money) funds. This means that we need to budget to cover only a portion of the actual amount needed to fund the Faculty Summer Research line item.

**Faculty Summer Research**

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2006</td>
<td>$50,000</td>
</tr>
<tr>
<td>FY 2007</td>
<td>$35,000</td>
</tr>
<tr>
<td>FY 2008</td>
<td>$30,000</td>
</tr>
<tr>
<td>FY 2009</td>
<td>$51,000</td>
</tr>
<tr>
<td>FY 2010</td>
<td>$71,602  (carryover of $1,451.96 supplemented the budgeted amount, for a spendable amount of $73,053.96)</td>
</tr>
<tr>
<td>FY 2011</td>
<td>$71,602</td>
</tr>
<tr>
<td>FY 2012</td>
<td>$34,822</td>
</tr>
<tr>
<td><strong>FY 2013</strong></td>
<td><strong>$50,000 PROPOSED</strong> (carryover of approximately $32,000 will supplement)</td>
</tr>
</tbody>
</table>

We propose a budget line amount that is more in line with the average budgeted amount in this area since 2006. As was true last fiscal year, there is once again a large carry forward projected. Apparently the large carry forward may be at least partly attributed to relatively fewer summer grants being awarded in FY 2011 and FY 2012. As was noted last year, as a general matter it is certainly better to end in the black (positive carryover) rather than in the red (negative carryover). However, in order to make more effective use of these funds, this year's CMF/SH committee has attempted to more accurately predict use of these funds by consulting with the summer grants committee.
III. Conclusion

We have more spendable income from investment for FY 2013 than was available in FY 2012, and as a result, we propose maintaining many budget lines established in FY 2012 and in a few cases increasing amounts over FY 2012 budgeted amounts. Our spending policy should, however, still be one of cautious optimism.
<table>
<thead>
<tr>
<th>Category</th>
<th>Proposed</th>
<th>Carryover est</th>
<th>Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visiting Scholar</td>
<td>8,000.00</td>
<td>0</td>
<td>8,000.00</td>
</tr>
<tr>
<td>Conference Support</td>
<td>8,573</td>
<td>3,000</td>
<td>11,573.00</td>
</tr>
<tr>
<td>[CJF 6,0000]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Faculty Support/Research</td>
<td>75,000</td>
<td>25,000</td>
<td>100,000.00</td>
</tr>
<tr>
<td>International Exchanges</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
</tr>
<tr>
<td>Dean’s Support/Research</td>
<td>9,000</td>
<td>5,000</td>
<td>14,000.00</td>
</tr>
<tr>
<td>Faculty Summer Research</td>
<td>50,000</td>
<td>32,156.22</td>
<td>82,156.22</td>
</tr>
<tr>
<td>Student Scholarship Support</td>
<td>75,000</td>
<td>0</td>
<td>75,000.00</td>
</tr>
<tr>
<td>Faculty Library Support</td>
<td>6,000</td>
<td>1,000</td>
<td>7,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>231,573</td>
<td>66,156.22</td>
<td>297,729.22</td>
</tr>
</tbody>
</table>

| FY13 Income                           | 231,573  |
| FY13 Carryover                         | 66,156.22|
| FY13 Available                         | 297,729.22|
2011-2012 Bar Committee Report

Submitted to Dean Craig Boise by Professor Susan Becker on May 27, 2012

Committee members: Professors Susan Becker (chair fall 2011), Pamela Daiker-Middaugh (chair fall 2012), and John Plecnik; Student Sarena Holder; Associate Dean Heidi Robertson (ex officio); Bar Program Director Mary Jane McGinty (ex officio)

Dean’s Directive to the Committee

1. review the decline in our bar passage rate since its peak at 90% in 2007, and propose an update to the Bar Passage Plan, specifically identifying any new tactics or programs or reorganization of our current structure that may help advance the Plan’s goals in light of newly acquired data; and

2. as required by the Plan, prepare an annual report for the Board of Trustees, by June 30, 2012, on implementation of the Plan and on the performance of our graduates on the Ohio Bar Exam.

Committee’s Response to Directive 1:

The committee met a number of times during 2011-12 AY to discuss directive number 1. It quickly became evident that we could not propose new tactics and programs until we developed more comprehensive data for identifying our students’ strengths and weaknesses related to the bar exam. Accordingly, we identified more than 50 factors that might correlate with bar performance, ranging from entering credentials to academic performance throughout law school, courses taken, participation in AEP, enrollment in OBEST, time spent studying for the bar and myriad other factors. We next worked to narrow down that list to the most meaningful factors and to identify possible sources of information with the following goal in mind:

**Goal:** To develop a fully integrated system for gathering and storage of data relevant to students’ bar exam performance. The system must be conducive to multivariate regression analysis and other forms of data manipulation that allow us to identify the specific factors that alone, and in particular combinations, accurately predict and improve our students’ bar performance. The system must also be maintained at university and/or law school institutional level rather than remaining the responsibility of the Bar Pass or other faculty committee.

Law school records office Marcie Rechner was instrumental in helping us identify key data maintained at the law school and elsewhere on campus and helping us negotiate the bureaucracy and technological impediments to gathering this information in one place and in a format that allows for regression analyses. During the second semester Associate Dean Robertson worked closely with Tom Geaghan, CSU Director of Institutional Research, to mine the available databases for relevant information. Mr. Geaghan was able to identify correlations between bar
passage and factors such as LSAT scores, undergrad gpa, first year law school gpa, law school graduation gpa, participation in PMBR, enrollment in OBEST and taking practice MPTs. While this project represents a monumental step forward in identifying areas where additional support may be needed for students, thus providing guidance on how to strengthen our bar passage program, the results are based on a very limited data set. This important data-gathering and analysis project continues under the very able direction of Associate Dean Robertson.

Committee members also served as a sounding board throughout the year to Bar Program Director McGinty, providing feedback on various issues she brought to the committee, such as updating the information provided to students entering their second year of law students.

The individual counseling of students as they embark on the second year of law school continues to be very effective in making clear to students what they need to do throughout the remainder of their time at CM to prepare academically, financially and emotionally to pass the bar.

Another concern the Committee discussed was that there seems to be a substantial increase in the number of students who encounter difficulties passing their character and fitness review which is a prerequisite for sitting for the bar exam in Ohio and elsewhere. Students need to be counseled to start this review process early and to fully disclose all information to the National Board of Bar Examiners.

Committee’s Response to Directive 2:

An annual report was prepared from 2004 through 2010 over the summer by the committee chair and the associate dean serving ex officio on the committee. This is a very time consuming task. Although the report is circulated to CSU administrators and the law faculty each year, it appears that no one except the law school dean and committee members have ever paid any attention to the information contained in the annual reports.

Initially the committee chair took the lead and did most of the work on the report with significant input from the associate dean. In recent years, however, the associate dean’s hands-on management of the bar pass program increased substantially, making the associate dean the more logical choice to take the lead in drafting the report.

Associate Dean Robertson and I believe that our time would be better spent focusing our time and energies gathering and analyzing data relevant to strengthening the bar pass program rather than writing yet another comprehensive report. We would like to meet with you at your convenience to discuss the concept of the annual report and other issues, including the appropriate role of the bar pass committee at this stage of the program’s development. Specific issues include the staffing of the committee and its role in oversight of the bar program in general and the new academic support model being implemented this fall.
MEMORANDUM

To: Dean Craig Boise
From: Professor Patti Falk
Re: Committee Year-End Report
Date: May 31, 2012

During the 2011-2012 academic year, I chaired two law school committees: the Awards Committee and the Cleveland-Marshall Summer Research Grants Committee.

I. Cleveland-Marshall Summer Research Grants Committee

Charge:

The Committee should review summer research grant applications and make recommendations to the Dean as to which applicants should be funded.

Actions Taken:

The Chair solicited applications for summer research grants from faculty members. The committee met and discussed the applications. The committee prepared a memo containing its recommendations. On March 23, 2012, the committee submitted its recommendations to the Dean.
Memorandum

To: Dean Craig Boise

From: Brian Ray, Chair Clerkship Committee 2011-12

Date: May 29, 2012

Re: Final Committee Report 2011-2012

The Clerkship Committee this year focused on continuing the clerkship recruitment and education program we began developing last year with the goal of increasing both the number and quality of clerkship applicants. We work closely with Jen Blaga and Jessica Mathewson in the Office of Career Planning. Both Jen and Jessica attend most of our meetings and plan and execute all of our events.

This year our events were well attended and generally well received, and we succeeded in nearly doubling the number of applicants from approximately 6 in fall 2010 to 12 in fall 2012. Unfortunately, none of our applicants obtained a clerkship in this process, although several interviewed with one or more judges, including one interview with a magistrate judge in West Virginia. We recognized from the beginning that this would be a multi-year process, and we continue to focus on the rising 3L class this year to encourage the top 25% of students to consider applying at the state or federal level.

Events

We have developed a schedule of two major clerkship events each year. First, we hold a judges forum early in the spring semester. This event has two objectives: (1) to expose students to the importance of clerking and the benefits it provides; and (2) to give judges who will be hiring clerks in the following fall some exposure to Cleveland-Marshall. This spring we hosted federal district court judges James Gwin and Donald Nugent and federal magistrate judge Kathleen Burke. The event was well attended but there was some concern from several students that the judges appeared to communicate that clerkships were beyond the reach of all but the most highly qualified students.

The second event is a “nuts-and-bolts” of application process meeting focused specifically on rising 3Ls and graduating students interested in applying. We have been fortunate to have Judge Dan Polster’s career clerk, Mary Hughes, a Cleveland-Marshall graduate, host this event for the past two years. This year Linda Kovach, another Cleveland-Marshall graduate and former Polster clerk, also spoke at the event. This forum provides a detailed outline of the steps in the application process as well as insight into what judges are looking for and the questions candidates can expect in an interview. This event also was well attended this year.
Clerkship Handbook

A major initiative we began last year and completed this year was a complete rewrite of the Judicial Clerkship Handbook. We looked at several handbooks from other Law Schools and modeled ours on the Georgetown Handbook. This document provides comprehensive information on the kinds of clerkships available as well as detailed advice on the application process. Jessica Mathewson is working with student assistants to compile the revisions into a final document for distribution this fall.

Rising 3L Targeting

For the second time, with the help of OCP, we have identified the students in the top 25% of the class and divided them among ourselves. We contact each student personally via e-mail and phone and ask them to consider applying for clerkships as well as offering to provide advice and assistance in the process. We hope that over time this effort will result in a substantial increase on the number of students from the top quarter of our class applying for clerkships.

Future Plans

In addition to continuing the two annual events and the 3L-targeting initiative, we have discussed several other possible initiatives to both increase the number and quality of applicants as well as our placement rate. These include:

Judicial CLE: we discussed the possibility of hosting events that would provide judicial CLE credit. Hosting events like these would increase exposure to Cleveland-Marshall and provide possible networking opportunities for faculty.

Judicial Alumni Event: given Cleveland-Marshall’s extensive judicial alumni network we considered planning an annual event in the fall semester inviting both Cleveland-Marshall alumni judges as well as the other federal and state judges in the region to some kind of evening event. The potential benefit would be to expose more judges to Cleveland-Marshall and also highlight this strong network.
Memorandum

To: Dean Craig Boise

From: Jonathan Witmer-Rich, Chair, Curriculum Committee 2011-2012

Re: Year-end report

Date: May 30, 2012

The following is the report of the Curriculum Committee for the 2011-2012 academic year, setting forth the activities of the committee.

I. **Summer Sports and Entertainment Law Academy.** The Committee, at the request of Associate Dean Mark Sundahl, approved the creation of the Summer Sports and Entertainment Law Academy. Creation of this academy included several actions by the Curriculum Committee, specifically:
   a. Approval of a new course, the *Summer Sports and Entertainment Law Academy*, to be taught by CSU Executive in Residence Peter Carfagna and adjunct professors Mark Avsec and David Shall.
   b. Approval of a credit hour variation for an existing course, *Representing the Professional Athlete*, (Carfagna), from 3 credits to 2 credits, for purpose of fitting that course within the Summer Academy.
   c. Approval of a credit hour variation for an existing course, *Entertainment Law*, (Carfagna), from 3 credits to 2 credits, for purpose of fitting that course within the Summer Academy.
   d. Approval of a new course, *Representing the Musical Artist*, by adjunct professor Marc Avsec, as part of the Summer Academy.
   e. Approval of Summer Academy externships, a special sub-set of externships to be available to students only through the Summer Academy.

II. **Health Care Compliance Certificate Program.** At the request of Professor Browne Lewis, the committee approved the creation of a Health Care Compliance Certificate Program. Creation of this program included the creation of several new courses:
a. Approval of a new course, *Health Care Compliance*, to be taught by adjunct professor Steve Sozio. (This course is available to students pursuing the Certificate as well as to any other CJM Law students who wish to enroll.)

b. Approval of a new course, *Health Finance Law*, to be taught by adjunct professor James Schuster. (This course is available to students pursuing the Certificate as well as to any other CJM Law students who wish to enroll.)

III. **Experiential Skills Criteria.** As a charge from the faculty related to the 2011 Curriculum Reform package, the Curriculum Committee formulated a new standard for Experiential Skills courses. The Committee met several times to discuss the revised criteria and evaluate the proposed language (drafted by Jonathan Witmer-Rich to reflect the committee's discussions). The Committee relied heavily on the guidance provided by the Curriculum Reform memorandum prepared by the Ad Hoc Curriculum Reform Committee, which set forth the Ad Hoc Committee's proposal and charge to the Curriculum Committee (which was adopted by the faculty in 2011). The revised standard was presented to and approved by the faculty in spring 2012.

IV. **Other Activities.**

a. Approved new course proposal, *Fraud and Abuse in the Healthcare Industry*, to be taught by adjunct professor David Schweighoefer.

b. Approved new course proposal, *Trademark Law*, to be taught by adjunct professor Thomas Adams.

c. Consideration of new course proposal, *Transnational Law*, to be taught by Professor Brian Ray. The Committee expressed general approval for this course, but had two questions. First, Professor Becker has taught a similar course in the past. After inquiry, Professor Becker confirmed that she has no intent to teach the course anytime soon and had no objection to Professor Ray teaching the course. Second, the Committee decided Professor Ray should meet with Mark Sundahl and Milena Sterio, who teach courses with some potentially overlapping content, to ensure that the courses are distinct and not redundant. The Committee has not yet heard a response to this comment, and thus has not yet taken any final action in approving this course. Professor Ray has confirmed that he does not plan to teach the course in 2012-2013, but hopes to teach it in the future. Thus the Committee will take this issue up again in the coming year.
d. Approved course hour variation for *Comparative Constitutional Law*, by Professor Brian Ray, permitting the course to be offered for 2 credits or 3 credits, at the option of the professor.

e. Approved cross-listing at C|M Law of *Seminar on Financial System Integrity*, taught by Professor Richard Gordon (CWRU Law), as part of CSU/CWRU Joint Legal Summer Associate Internship Program at KeyBank.

f. Approved change in name of the Urban Development Law Clinic to the Transactional Law Clinic.

Please let me know if you have any questions.
Memorandum

TO: Dean Craig Boise

FROM: Matthew W. Green Jr., Chair, Faculty Affairs Committee 2011-12

RE: End of year Final Committee Report

DATE: May 31, 2012

The following is the report of the Faculty Affairs Committee ("FAC") for the 2011-2012 academic year setting forth the charges of the committee, the resolution of those charges and matters that remain outstanding. The FAC had three items on its agenda this academic year: (1) making a recommendation to the Dean on Faculty applications for professional leave of absences; (2) making a recommendation to the Faculty on whether the bylaws should be amended to allow Clinical and Legal Writing Faculty the right to vote on the hiring and retention of the Dean; and (3) making a recommendation to the Dean on the travel policy. In addition, the FAC has been asked to deliberate on and make a recommendation to the Dean regarding a policy for handling courses with low enrollment. Finally, the FAC was advised this semester that in the upcoming academic year, the incoming FAC will be charged with reviewing proposed revisions to the Greenbook that will affect the law school. Each item is discussed below.

A. Professional Leave of Absences

One of the responsibilities of the FAC is to make a recommendation to the Dean on whether to approve Faculty applications for professional leave. Professors Kevin O’Neil, Brian Ray and Milena Sterio submitted professional leave applications for all or part of academic year 2012-2013. The FAC met on February 2, 2012 to discuss the applications and unanimously voted to recommend approval of the three applications. The FAC informed you of its decision that day.

B. Decanal Voting Rights

During the November 18, 2010 Faculty Meeting, Professors Carolyn Broering-Jacobs and Kenneth Kowalski proposed that the Faculty bylaws be amended to allow Clinical and Legal Writing Faculty the right to vote on the hiring and retention of the Dean. Professors Broering-Jacobs and Kowalski referred the matter to the FAC but requested that the FAC wait to consider the issue until the Dean search that was in progress at that time was concluded. The FAC took up the voting rights issue this year. To assist with making its recommendation to the Faculty, the FAC requested that the sponsors of the proposed amendment submit written comments to the FAC indicating why they believed the proposal should be adopted and held a brown bag lunch on March 26, 2012 so that other members of the Faculty could discuss the proposal and the propriety of adopting it. Individual members of the FAC also spoke with members of the Faculty regarding the proposal, particularly those who had a hand in drafting the bylaws, to ascertain, among other things, the purpose behind the current proscription on decanal voting
rights. The FAC met on March 29 to discuss the information it gathered and to vote on whether to recommend amending the bylaws. After the vote, the FAC drafted a report setting forth its recommendation and the bases for it. The FAC’s report is attached to this memorandum. The FAC presented its report to the Faculty at the April 26, 2012 Faculty meeting. The Faculty voted on the matter at that meeting.

C. Travel Policy

At the April 14, 2011 Faculty Meeting, then Interim Dean Phyllis Crocker raised the issue of revising and updating the travel policy. She thought that it was appropriate to wait to do so until the new Dean was in place. She asked that the incoming FAC, in consultation with you, revisit and update the travel policy. I have attached to this memorandum the minutes from the April 14, 2011 Faculty meeting during which the travel policy issue was discussed (See the bolded text on page 2 of the attached minutes). You and I discussed this charge earlier this semester. You indicated that the travel policy recently had been updated but that if the FAC had any recommendations regarding the travel policy to submit them to you for your consideration. The FAC briefly discussed the travel policy during its February 2 meeting but did not come to a resolution on any proposals or changes to the policy. The incoming FAC, in consultation with you, may want to take up this issue next academic year.

D. Low Enrollment Policy

At the May 10, 2012 Faculty Meeting, Associate Dean Mark Sundahl announced a new policy regarding courses with low enrollment. Some Faculty expressed concerns about various aspects of the policy, including that any course with six or fewer students may be cancelled at the Dean’s discretion and that without Faculty consultation the Dean would determine what a Faculty member would do instead of teaching the cancelled course. A motion was made for the FAC to deliberate on this issue and recommend to the Dean options for handling courses with low enrollment. You indicated your support for submitting the matter to the FAC.

E. Greenbook Revisions

The FAC was recently asked to review recommendations on proposed amendments to the Greenbook. You have informed us that the FAC will take up the issue of reviewing the proposed amendments in the Fall.

Please let me know if you have any questions.
REPORT AND RECOMMENDATION OF THE FACULTY AFFAIRS COMMITTEE ON WHETHER TO AMEND THE BYLAWS TO ALLOW CLINICAL AND LEGAL WRITING PROFESSORS A VOTE ON THE HIRING AND RETENTION OF THE DEAN

The following is the Report and Recommendation of the Faculty Affairs Committee (the “FAC”) regarding a proposed amendment to Article II, Section 2 of the bylaws to allow Clinical and Legal Writing Faculty a vote on the hiring and retention of the Dean. (See Proposed Amendment to Article II, Section 2 of the Bylaws—attached as Attachment B).2 Professors Carolyn Broering-Jacobs and Kenneth Kowalski proposed the amendment at the November 18, 2010 Faculty Meeting. Because the Faculty was then involved in a Dean search, Professors Broering-Jacobs and Kowalski asked that the FAC wait to consider the proposal until the Dean search concluded. This Report and Recommendation sets forth the issues that were referred to the FAC and the FAC’s resolution of those issues in connection with the proposed amendment.

The FAC was asked to decide two issues. The first issue regards its jurisdiction to consider the proposal; the second issue pertains to making a recommendation to the Faculty on the substance of the proposal. As to the jurisdictional issue, at the November 18, 2010 Faculty Meeting, it was suggested that a Faculty vote might be required to refer this particular voting rights issue to the FAC. The concern appeared to be that Clinical and Legal Writing Faculty currently cannot vote on matters related to the hiring and retention of the Dean, yet by virtue of the proposed amendment such Faculty were referring an amendment to the FAC related to decanal voting rights—an issue on which they cannot currently vote. Thus, the FAC was asked first to decide whether the proposal was properly before it. If the FAC believed the proposal was properly before it, it was tasked with making a recommendation to the Faculty on the substance of the proposal. If, however, the FAC determined that the Faculty was required to vote on whether the FAC had jurisdiction to consider the substance of the proposal, the FAC was directed both to (1) determine which members of the Faculty could vote (all members of the Faculty or only tenured, tenure-track Faculty) and (2) inform the Faculty of that determination so that the Faculty could then vote on the matter. Below is the resolution of the jurisdictional and substantive issues.

1 For the benefit of the Faculty, a copy of the Bylaws of the Faculty of the College of Law is attached to this Report and Recommendation as Attachment A.

2 At the outset, it is worth noting that at least as far as the last law school Dean search went, no Faculty member was technically allowed to vote on Dean candidates. This Recommendation and Recommendation, however, speaks in terms of a “vote” as that is the language set forth in the bylaws and the proposed amendment.
I. Jurisdiction

The FAC unanimously determined that it has jurisdiction to consider the proposed amendment and that a Faculty vote is not necessary to refer this issue to the FAC. The FAC concluded that Article VIII of the bylaws, which specifically addresses amending the bylaws, answers the jurisdictional question. Article VIII, in pertinent part, provides:

Any member of the Law Faculty may propose amendments to these bylaws. A proposed amendment to these bylaws must be submitted in writing at a faculty meeting and referred to the Faculty Affairs Committee.

(See Bylaws, Attachment A, Art. VIII).

Article VIII does not explain the procedure for submitting a proposed amendment of the bylaws to the FAC. It is silent on the matter. However, the first sentence of Article VIII is broadly worded. It provides that “[a]ny member of the Law Faculty may propose amendments to these bylaws.” Article II of the bylaws includes Clinical and Legal Writing Professors as members of the “Law Faculty.” (See id., Art. II). Moreover, Article VIII does not place restrictions on the ability of any member of the Law Faculty to “propose amendments to these bylaws” based on the subject matter of the proposal. The FAC believes, therefore, that a reasonable interpretation of Article VIII (considering silence on the issue of how a proposal is to be referred to the FAC) is that any member of the Law Faculty may submit a proposal to amend the bylaws to the FAC and no Faculty vote is required before they may do so.

The FAC does not believe that Article II, Section 2 of the bylaws alters its analysis. Article II, Section 2 provides that “Clinical Professors and Legal Writing Professors are not eligible to vote on matters related to hiring, tenure or promotion of tenured or tenure-track faculty, or the hiring or retention of the Dean.” (See id., Article II, Section 2) (emphasis added). The provision speaks explicitly to voting rights of Clinical and Legal Writing Faculty. Such Faculty cannot, among other things, vote on matters related to the hiring and retention of the Dean. In the FAC’s view, this provision might reasonably affect the ability of Clinical and Legal Writing Faculty to refer a proposed amendment to the FAC on the hiring and retention of the Dean if a vote were necessary to refer a proposed amendment to the FAC. Because Clinical and Legal Writing Professors cannot vote on matters related to the hiring and retention of the Dean, it might be reasonable to interpret the provision as barring such Faculty from voting on whether to submit a proposal to the FAC that regards the hiring and retention of the Dean. Article VIII, however, can reasonably be interpreted to mean that any member of the Law Faculty may propose an amendment to the bylaws by both submitting the proposal in writing at a Faculty meeting and referring it to the FAC, which any member of the Law Faculty may do. Thus, no vote is required to send a matter to the FAC regardless of the subject matter and Article II, Section 2 does not control under these circumstances.

The FAC’s interpretation of the bylaws on the jurisdictional issue may not be the only interpretation that might be drawn from the language of the bylaws. For the reasons explained,
however, the FAC believes its interpretation is consistent with the plain language of Article VIII and is not explicitly undermined by the plain language of Article II, Section 2. Accordingly, the FAC determines that it has jurisdiction to consider the substantive issue.

II. Recommendation

After considering the language of Article II, Section 2 and the intent behind the provision and input from the Faculty on this issue, the FAC by a 3-to-2 vote recommends that the Faculty not adopt the proposed amendment to the bylaws. The FAC wants to make clear that its recommendation is not a reflection of a lack of respect or admiration for the Clinical and Legal Writing Faculty. Each member of the FAC recognizes the valuable contributions Clinical and Legal Writing Faculty make to the law school. Moreover, as the vote reflects, the FAC was divided on the issue of whether to recommend adoption of the proposed amendment. For the benefit of the Faculty and its vote on whether to amend the bylaws, this report sets forth the various issues the FAC considered in making its determination.

The FAC sought input on the jurisdictional issue and the substance of the proposal from several sources. First, it invited the sponsors of the proposal, Professors Broering-Jacobs and Kowalski, to provide the FAC with written comments setting forth the reasons they believed the proposal should be adopted (See Memorandum from Proposal Sponsors—attached as Attachment C). The FAC also held a brown bag lunch on March 26, 2012 so that other members of the Faculty could discuss the proposal and the propriety of adopting it. Twelve members of the Faculty attended the lunch. The FAC also invited Faculty who could not attend the brown bag lunch to provide comments via e-mail. Finally, several members on the FAC had discussions with members of the Law Faculty, particularly those who had a hand in drafting the bylaws, to ascertain, among other things, the purpose behind the current proscription on decanal voting rights. Below are the factors the FAC gleaned from the aforementioned sources and considered in its deliberation:

- The current policy was recently adopted and is consistent with the hiring of all tenure-track Faculty. The Faculty voted to adopt the bylaws in 2009. Thus, very recently a Faculty Bylaws Committee considered this very issue, and the Faculty decided that Clinical and Legal Writing Professors would not be allowed to vote on the hiring and retention of the Dean. Article II, Section 2 codified the existing practice of decanal hiring and is consistent with the hiring procedure for all tenure-track Faculty. Clinical and Legal Writing Professors cannot currently vote on the hiring (not just the tenure) of tenure-track Faculty. Although the Dean position is heavily administrative, it is a foregone conclusion that a candidate offered the position of Dean will in all likelihood expect to be granted tenure. Otherwise, it would be extremely unlikely that he or she would accept the position. Thus, there is a reasonable basis for treating decanal hiring the same as the hiring of other tenure-track faculty.
**Voting Blocs and Scholarship.** While some Faculty were concerned that Clinical and Legal Writing Faculty might vote as a bloc in expressing a preference for a particular Dean candidate, other Faculty dismissed such concerns as not reflective of informal discussions about past Dean candidates among Legal Writing Professors. Nevertheless, some tenured Faculty opined that all Faculty are likely to vote in favor of their own interests. To that end, some Faculty were concerned that because Clinical and Legal Writing Faculty are not required to engage in scholarship, they may be less likely than some tenured, tenure-track Faculty to take into account the importance of scholarship and the support for it (whether in terms of travel funds, teaching-load reductions or additional research and clerical support for productive scholars) in selecting a Dean. Tenured, tenure-track Faculty must engage in scholarship to earn tenure or to become full professors. In addition, some Faculty expressed that they enjoy the scholarship function of being a Law Professor and indeed joined the academy to engage in scholarship. Moreover, scholarship is important to the national reputation of the law school. There are currently twelve (12) Clinical and Legal Writing Faculty members. Some Faculty expressed concern about the possibility of permitting a significant segment of the Faculty to express their preference for Dean candidates when such Faculty may not share with some tenured, tenure-track Faculty a vision regarding the importance of scholarship and the need for scholarly support. Considering the need to make hard decisions regarding increasingly scarce resources, the concern was that Faculty who do not have a commitment to or requirement to produce scholarship may be less likely to support a Dean candidate who regards scholarship as highly as he or she regards other areas relevant to the duties of the Law Faculty such as teaching and service.

Despite this concern expressed by some Faculty, other Faculty also expressed that Clinical and Legal Writing Faculty understand the importance of scholarship to C-M’s national reputation and would take a Dean candidate’s commitment to scholarship into account when assessing that candidate as a suitable potential hire. Moreover, although Clinical and Legal Writing Faculty are not required to engage in scholarship, some do so.

**Permitting a significant segment of the non-tenured Law Faculty to vote on the hiring of the Dean could result in recommending to the Provost a candidate who subsequently may not be granted tenure.** This concern centers on the disproportionate number of Faculty who would be voting on the hiring of the Dean (if the proposal passes) versus the much smaller number of Faculty who would be voting on the separate issue of tenure. Adopting the proposal could result in there being a majority of the Faculty (including Clinical and Legal Writing Faculty) who prefer a particular candidate although that candidate enjoys much less support among the tenured Faculty who would later vote on the separate issue of whether the candidate is eligible to receive tenure. In that scenario, a candidate conceivably could receive majority support from the Faculty but not be granted tenure. As explained earlier, it is highly unlikely a Dean candidate offered a position at the law school would ultimately come if he or she is not also granted tenure. Of course, a greater number of Faculty now votes on the decanal hiring decision than votes on the separate issue of tenure. This issue, therefore, could potentially arise under the current system. The concern, however, is that this hiring/tenure issue has a much
greater chance of occurring if twelve (12) additional members of the Law Faculty who cannot vote on tenure are permitted to vote on initial hiring.

- **Clinical and Legal Writing Professors who are in their first five-years of employment are vulnerable to decanal reprisals, which may weigh against granting such Faculty decanal voting rights.** Clinical and Legal Writing Professors for their first five years of employment work on one-year contracts. The Faculty is not involved in deciding whether these contracts should be renewed. That decision is largely left to the discretion of the Dean. One Faculty member opined that this structure could undermine the independence of Clinical and Legal Writing Professors in their first five years of employment with regard to their stewardship of the law school. Because the Dean determines whether these Faculty contracts are renewed, nothing would stop the Dean from considering as a factor in the renewal decision a position a Faculty member took on a particular issue. With regard to the proposed amendment, the Dean’s discretion whether to renew a particular Clinical or Legal Writing Professor’s contract could be problematic if the Dean learns that a particular Clinical or Legal Writing Professor who is in his or her first five years of employment voted against hiring that Dean or ranked that Dean low among other candidates. Thus, permitting these Clinical and Legal Writing Faculty a vote on the hiring of the Dean could potentially subject them to reprisals.

One Faculty member, who recognized the potential for this reprisal issue, suggested that a remedy to the problem might be for the Faculty to agree to vote by secret ballot on decanal candidates. That way it would be unlikely that any Dean would learn how a Faculty member voted on that Dean’s hiring and whether that Dean was the Faculty member’s first or second choice or was not considered a viable choice for Dean at all. Moreover, the threat of decanal reprisals is much less an issue (if an issue at all) after a Clinical or Legal Writing Professor’s fifth year as after the fifth year, such Professors are eligible for five-year, presumptively renewable contracts. Moreover, the Dean is not alone involved in determining whether to renew these presumptively, renewable contracts as a PAC is involved in the assessment and renewal process.

... 

As stated earlier, the FAC was essentially split on this recommendation. There are reasonable arguments to be made in favor of adopting the proposed amendment, and as set forth above, there are counter-arguments to many of the reasonable arguments the FAC considered that were made against adopting the proposal. In addition to the considerations mentioned above, the FAC has included as an attachment to this recommendation the well-stated memorandum submitted by Professors Broering-Jacobs and Kowalski, which sets forth arguments supporting the proposed amendment in addition to any that appear above. (See
Attachment C). The FAC has attached that memorandum for the benefit of the Faculty as it determines whether to consider the proposal further and whether to adopt it.

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Faculty Affairs Committee:

- Lolita Buckner-Innis
- Peter Garlock
- Milena Sterio
- Jonathan Witmer-Rich
- Sandra Kerber
- Matthew W. Green Jr. (Chair)
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW
April 14, 2011
4:00 p.m. – LB 60

ATTENDANCE:

PRESENT:  Interim Dean Crocker; Associate Dean Robertson and Sundahl; Professors Becker, Borden, Broering-Jacobs, Buckley, Cherry, Curtis, D. Davis, M. Davis, Forte, Garlock, Geier, Gelman, Green, Hoke, Inniss, Kerber, Kowalski, Lazarus, Lewis, Majette, May, Niedringhaus, O'Neill, Plecnik, Snyder, Sterio, Wemstein, Wilson, and Wittmer-Rich

EXCUSED:  Professors Daiker-Middaugh, Dougherty, Falk, Gard, Glassman, Heyward, Keating, Mika and Ray

NOT PRESENT:  Professor Lind, Oh and Sagers

A regular meeting of the faculty was convened at 4:05 p.m. by Interim Dean Phyllis L. Crocker.

The agenda is attached as Appendix I to these minutes.

Approval of Minutes of February 17, 2011 Faculty Meeting
Professor Kevin O'Neill moved to approve the minutes of the February 17, 2011 faculty meeting as submitted. Professor Niedringhaus seconded. The motion passed unanimously.

Approval of Minutes of March 24, 2011 Faculty Meeting
Professor Becker noted that on page 4, under the Curriculum Review Committee Update, the second sentence should read, "The committee hopes to have a specific proposal for the faculty at the April 28 faculty meeting." She moved to approve the minutes as revised. Professor Snyder seconded. The motion passed unanimously.

Dean's Report – Interim Dean Crocker
• Congratulations to John Plecnik whose article entitled, Abolish the Inflation Tax on the Poor & Middle Class has been accepted for publication in the QUINNIPIAC LAW REVIEW and to Lolita Buckner Inniss who was quoted in Newsweek regarding Henry Louis Gates’s view on African American reparations.

Approved as revised on 5/12/11.
- Budget Update – The University’s tentative allotment from the state should be $62 million. This is less than we received last year but a little more than we had anticipated. All deans are meeting individually with the Provost. We expect our target reduction will be in the 7.5% range.

- Travel – There has been some conversation on email regarding the travel policy. As a background, prior to two years ago, there actually was no travel policy. Then due to budget constraints, Dean Mearns developed an interim policy and asked the Faculty Affairs Committee to develop a long term policy. That did not happen. Dean Crocker decided to wait to update the travel policy until the new dean is in place. She believes it is now appropriate to charge the incoming Faculty Affairs Committee, in consultation with Dean Boise, to revisit the travel policy issue.

- Upcoming Events – The official grand opening of the trial courtroom will occur on Thursday, April 21st at 5:30 p.m. Professor O’Neill’s Evidence class will be doing demonstrations of all the software. Judge Pistor will serve as judge. At 6:15 there will be a short program in the Moot Court room. Please begin thinking about how you can utilize the trial courtroom for class experiences. We will be renting out the courtroom when classes are not using the room.

- Dean Crocker received a letter from Access Group informing her that one of the items in Congress’s budget resolution is to take away from law and graduate students their interest subsidy. Currently students do not pay interest on their loans until six months after graduation. The cost of taking away this interest subsidy for a law student could amount to as much as $5,000 per law student. When additional information is received about this matter, the faculty may want to consider a resolution.

**Associate Deans’ Report**

Heidi Gorovitz Robertson
- Reminder that the faculty colloquium will be tomorrow.
- Academic support – Daniel Dropko has been asked to keep track of the students who meet with him and those who refer students to him to see who is utilizing his services. Dean Robertson encouraged faculty to identify students who are struggling and refer them to Daniel Dropko. Also, please let students know that academic support is available.
- Daniel Dropko would like to become more visible to the students. In order to do so, he has asked to observe each of the first year classes next year. He will develop a proposed schedule. If you have an objection to his coming to observe your class, let Dean Robertson know.

Mark Sundahl
- There has been some discussion about tracking course prerequisites. Assistant Dean Lifer has some reservations about doing this for all courses because some part-time students are taking courses while finishing their prerequisites.
- Prior to the faculty meeting, a memo was circulated regarding exam procedures. (See memo attached to these minutes.) These procedures are essentially the same procedures we have used in the past with some minor changes. One of the changes is to not allow any student to leave the exam room during the last five minutes of an exam. Another change is that proctors will be responsible for placing all test material inside the exam booklet and

Approved as revised on 5/12/11.
ensuring that all of the material is submitted as one packet. Professor Garlock suggested that the students be responsible for putting the packets together, not the proctor. The issue of problems with exams on computers was discussed. Professor Niedringhaus noted that students are supposed to go through a test before taking an exam on computer, however, the compliance rate is very low. Professor Dena Davis suggested staggering exams thus making it easier for the tech people. Interim Dean Crocker said she would discuss that matter with Assistant Dean Jean Lifter to assess the feasibility of doing that in the future. After additional discussion, Associate Dean Sundahl stated that he agrees that students should be responsible for placing all exam material in one packet and turning it in to the proctor. He will send out a revised exam procedure memo. He also noted that the staff will be trained on these new procedures since they assist in proctoring exams.

Curriculum Committee
Professor Jonathan Wither-Rich, chair of the Curriculum Committee, presented several recommendations from the Curriculum Committee for the faculty’s consideration. The first recommendation was to approve the course “Legal Responses to Terrorism” as a permanent course. Hearing no objection from the faculty, the course is approved as a permanent course.

The Curriculum Committee was given the charge to “clarify for every concentration the lowest grade a student must obtain in the concentration’s foundational courses.” Currently the requirement is that students must attain a minimum GPA of 3.0 and may not earn below C+ in one non-foundational course. The issue the minimum GPA for a foundational course. The Curriculum Committee moves to simplify the requirements by eliminating the statement “may not earn below a C+ in more than one non-foundational course” and require student maintain a 3.0 GPA in all concentration courses. The motion passed unanimously.

The Curriculum Committee was also given the charge to “evaluate and, if appropriate, propose clarification whether the paper requirement for seminars satisfies the upper level writing requirement.” The Committee recommends changing the seminar rules so that all seminars satisfy the upper level writing requirement. All seminars currently are required to have a “substantial paper or equivalent written product.” Currently the seminar requirements stated that “Although a seminar must require a ‘substantial paper or equivalent work product,’ it may not satisfy the upper level writing requirement if the paper requirement is not a substantial research project as anticipated by the latter requirement.” The Committee moves to modify this to read, ”The ‘substantial paper or equivalent work product’ required for a seminar satisfies the upper level writing requirement.”

Professor Borden questioned whether this is a substantive change if students are required to do a series of small papers instead of a research paper. Professor Broering-Jacobs stated that this will limit flexibility in designing seminars because an upper level writing requirement may be different from the writing requirement for a seminar course. Professor Snyder noted that the problem is there is no consistent notion of the requirements for a seminar course. Professor May suggested that this proposal intersects

Approved as revised on 5/12/11.
with what the Ad Hoc Curriculum Committee is doing and she moved to table the motion for the time being. Professor Michael Davis seconded the motion to table. Professor Witmer-Rich withdrew the motion.

**Law Review Bylaw Amendment**

Professor Kerber, Faculty Advisor to the *Cleveland State Law Review*, moved to approve the amendments to the *Law Review* Bylaws as stated in the attached memo. She stated that the proposed amendments are necessary to simplify the process by which the editorial board reviews Associate members’ Notes. Professor Becker seconded the motion.

Professor Buckley suggested a revision to Article V, Section B(4)(b) to read, “Each paper shall be distributed to a minimum of three Editors none of whom is the Editor-in-Chief or a Research Editor.” Professor Kerber accepted the revision to the motion. A short discussion followed regarding Article V, Section B(4)(e) and what constitutes rejection of a Note during the initial evaluation. Professor Kerber stated that she would bring to the Law Review’s attention the faculty’s comments. The motion passed unanimously.

**Nominations for 2011-12 Faculty Senate and Faculty Affairs Committee**

Faculty Senate – According to 8.2.2 Article II A) 1) of the Bylaws of the Faculty Organization, the College of Law is tentatively entitled to five (5) representatives on Faculty Senate for the 2011-2012 academic year. It is therefore necessary to elect two (2) representatives for two-year terms expiring August 31, 2013 to replace the Deborah Geier and Milena Sterio whose terms expire August 31, 2011. Both are eligible to be re-elected. Additionally, we will also need to elect one (1) representative for a one-year term expiring August 31, 2012 to replace Dena Davis.

Interim Dean Crocker opened the floor for nominations. Professors Sheldon Gelman, Deborah Geier and Milena Sterio were nominated. Professor Geier volunteered to fill the one-year term vacated by Dena Davis. Professors Gelman and Sterio will serve two-year terms.

Faculty Affairs Committee – We must elect three (3) faculty members to the two-year terms currently filled by Michael Borden, April Cherry, and Stephen Lazarus. The continuing members are Matthew Green (Assistant Professor), Sandra Kerber (Legal Writing Professor), and Jonathan Witmer-Rich (Assistant Professor). Under our applicable policies, there must be representation from four faculty groups - (a) full professors; (b) clinical and legal writing professors; (c) associate professors; and (d) assistant professors. Therefore, we must elect at least one associate professor and one full professor.

Interim Dean Crocker opened the floor for nominations. Professors Peter Garlock, Lolita Buckner Inniss and Milena Sterio were nominated. All three will serve two-year terms.

**Adjournment**

The faculty meeting adjourned at 5:15 p.m.
MEMORANDUM

To: Craig Boise
From: Alan Weinstein
RE: Report of Graduate, International and Joint Degree Programs Committee
Date: May 29, 2012

The Committee was tasked with the items listed below. I’ve indicated the status for each as of the end of the Fall semester before I began my Sabbatical.

1. Evaluate each of the international programs and initiatives that CM||LAW has been engaged in over the last 10 years (including Westminster, Brunell University, St. Petersburg, and our new status with the Bar Council of India); determine the one(s) from which we can derive the most benefit in terms of (a) faculty interest and professional development, (b) faculty and student research and scholarship collaboration; (c) student interest (for both our students traveling abroad and LL.M students coming here); (d) employment opportunities; (e) entrepreneurial programs; (f) faculty and University contacts and networks, and similar factors; recommend to the faculty what program(s) should continue, given the current and anticipated budget conditions and the need to concentrate our resources; and outline a strategy for that proposed program(s).

Status: We did not reach this matter during the Fall semester.

2. Identify, explore and develop all possible concentrations that might be part of our Master of Legal Studies program and develop an aggressive marketing strategy to grow enrollment in the program.

Status: We identified a number of possible concentrations by circulating suggested courses in those concentrations to core faculty in the areas involved. These concentrations were then listed in the MLS materials.

3. Serve as the admissions committee for the LL.M. Program, provide oversight for the Program, and implement efforts to increase enrollment.

Status: (1) We reviewed approximately five completed applications. I would need to check with Jean Lifter re: precise numbers, but my recollection is that we offered admission to at least three of the applicants. In addition, I responded to approximately another ten e-mail inquiries about conditional admission, primarily from Saudi applicants pursuing English language study in the U.S. (2) We reviewed – and returned for revisions – one LL.M. candidate’s thesis and formed a Thesis Committee for a second LL.M. candidate. (3) We agreed we need to discuss efforts to increase LL.M. enrollment. (4) We recognized the need to discuss the issue of whether, and if so, how, concentrations in the LL.M. might be noted on transcripts.
4. Work with the Admissions Committee to develop a policy on transferring LL.M. course credits, either from our own institution or from another institution, including foreign institutions, to our J.D. program.

Status: We drafted a proposal with the Admissions Committee which was presented to the faculty and approved during the Spring semester.

5. Develop a proposal for faculty approval concerning the creation of a general dual-degree program for law students who wish to obtain a dual-degree with master's degrees in programs for which we do not have an established dual-degree program.

Status: We did not get to this item during the Fall semester.

6. Review and, if appropriate, propose a policy as to whether the advisory grading guidelines should apply to all students enrolled in law school courses or whether LL.M. candidates should be exempt from the grading guidelines.

Status: At my request, Jean Lifter circulated an inquiry to other Assistant Deans re: this issue, which produced a number of responses. The Committee did not have time to evaluate those responses and decide how to proceed prior to the end of the Fall semester.
To: Dean Craig Boise

From: Professor Browne Lewis

RE: The Health Law and Policy Center Committee Report

Date: May 14, 2012

The Committee was charged with continuing "to evaluate and propose enhancements to our health law curriculum, certificate program, and Center" and continuing "to work with our external Health Law Advisory Committee." In this brief report, I will explain the steps the Committee took to fulfill its charge.

Enhancements to the Program

In order to enhance our certificate program and to improve our curriculum, we created the following two courses: Introduction to Health Care Compliance (Compliance) and Health Care Finance Law (Finance). Both of these courses will be taught by prominent local attorneys. The compliance course is a two-credit course designed to introduce students to the seven basic principles of health care compliance. In the course, students will gain a practical understanding of the laws and regulations that compliance professionals regularly encounter. The finance course is a three-credit course designed to teach students about the financial side of health care, including health care finance policy, health care insurance reform, and health law finance regulation and oversight. In addition, professors are developing the following courses for implementation in the spring of 2013: disability law, elder law, and a health care compliance skills course.

Members of our external Health Law Advisory Committee (Advisory Committee) have indicated that we should offer more compliance courses. Relying on the Committee's advice, we sought to improve the Center by creating a health care compliance certificate program that will be geared towards health law attorneys, social workers, doctors and other health care professionals. The certificate is designed for persons who want to learn about the laws and regulations that impact the health care industry, but do not want to receive a law degree. Nonetheless, Cleveland-Marshall students will also be eligible to enroll in the program. Students enrolled in the general health law certificate program will be able to use the compliance courses as electives.

Working with the Advisory Committee

On September 13, 2012, we met with our external Health Law Advisory Committee (Advisory Committee). At that meeting we introduced the executive boards of the Health Law Society and the Journal of Law & Health. In addition, we gave the members information about the health law activities we had planned for the academic year. We also discussed the proposed curriculum for our health care compliance certificate program and the MLS health law concentration. Throughout the year, we continued to utilize the members of our Advisory Committee in various capacities. For
instance, some members of the Advisory Committee were mentors for students enrolled in the program. When we had our health law career awareness fair, some members of the Advisory Committee served as panelists. Members of our Advisory Committee also taught in our program and created new courses for us.

The Future

In order to further enhance our health law program, we need to take the following steps.

First, we need to get our new health care compliance certificate program accredited by the Compliance Certification Board (CCB). I am in the process of putting together the application materials. I will submit them to you for review.

Second, we need to market the new certificate program. I am in the process of putting together a marketing plan that I will work with you and Elaine to implement.

Third, we need to increase the number of attorneys in our health law mentorship program, so each student enrolled in the program will have a mentor. This will be a great way to increase the reputation of our program with the local bar.

Fourth, we need to create more experiential learning opportunities for the students enrolled in the program. Currently, Pam only supervises four students per semester in the medical-legal partnership that we have with Metro Hospital. Dr. Gieseke Greene, Chief Medical Officer of the Sisters of Charity Health System, would like for us to create a similar program with St. Vincent’s Hospital. I think this would be a wonderful opportunity for our students. Moreover, if our students could do externships with law firms, that would open up additional opportunities.

Fifth, we need to work more closely with the health law section of the Cleveland Metropolitan Bar Association.

Sixth, we need to try to host the health law professors’ conference within the next five years. Gwen and I are in the process of getting on the list for this.

Seventh, we need to follow up on your idea about establishing an annual health law policy meeting at the law school. I have my research assistance looking into topic and possible speakers.

Eighth, we need to be actively involved in the university’s new Center for Health Profession and the American Health Lawyers Association Health Law (AHLA) Curriculums Project. I have submitted a volunteer application to AHLA to participate in the project.
Finally, Dr. Hess from the Cleveland Clinic has indicated that she would like to collaborate with the Center to create a summer health law institute for doctors and health law attorneys. I think we need to pursue this further.

I will be researching in Switzerland from June 1st to July 27th. When I return, I would like to meet with you to discuss the Center's activities for the upcoming academic year.

If you have questions, please let me know.
To: Dean Boise
From: Professor James Wilson
Date: May 28, 2012
Re: Honor Council Report

This academic year, Dean Sundahl informally resolved a few minor cases.

Since I have become Chair, we have strictly followed the Law School prehearing procedures that permit the Associate Dean to informally resolve cases but not to have the power to “plea bargain” by promising a certain punishment if a student admits a violation. Thus, they have to admit wrongdoing without knowing the sanction. While this approach obviously differs from the criminal justice system, it has the advantage of encouraging students to act honorably. While a few more cases may go before the Council for formal hearings than otherwise would be the case, that cost seems worthwhile. When I pointed out this unusual procedure at a faculty meeting and explained some of its strengths and weaknesses, nobody suggested that we change it.

This Summer, two students will be having hearings involving allegations of improper assistance, claims they have both denied. Because one of the students was hospitalized, we had to delay the hearing until June 16. We wanted to hear both cases on the same day, because credibility may play a major role in the outcomes. Because we have yet to resolve these cases, there was nothing to report to the faculty.

At Orientation sessions, Dean Sundahl has emphasized the seriousness of the Honor Code. He has presented anonymous examples of students who have been suspended and/or had damaging reports put in their record.
MEMORANDUM

To: Craig Boise
From: Scholarship Committee, by Chris Sagers (chair)

Re: Year-End Report for Scholarship Committee, 2011-2012

May 29, 2012

Dear Craig:

This memorandum is to report on the activities of the Scholarship Committee for the academic year 2011-2012, its first year as a standing committee.\(^1\) I also wanted to make a few recommendations about the Committee’s work next year.

To summarize, we took four major steps:

(1) We compiled a set of specific policy initiatives that might be adopted at C|M|Law, in memo form submitted to you in February (attached).

(2) We devised a draft course-release policy, which ultimately was not submitted to faculty because I and you together agreed that it would be inappropriate to introduce this year in light of other law school pressures (attached).

(3) Heidi began the work of an internal inventory of our scholarly productivity (some relevant correspondence is attached).

(4) While it was not the work of the Committee itself, Heidi and I were also members of the Summer Research Grants Committee, and we worked with that Committee to impose somewhat tougher expectations of summer grant applicants.

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\(^1\) In AY 2010-2011 Interim Dean Crocker convened an ad hoc scholarship committee, whose members were Michael Borden, Brian Ray, Heidi Gorovitz-Robertson, Chris Sagers, Milena Sterio, and Jim Wilson. AY 2011-2012 is the first year in many years in which the Scholarship Committee has been appointed as a regular faculty committee. The members this year are Brianne Lewis, Reggie Oh, Heidi Gorovitz-Robertson, Chris Sagers, Milena Sterio, and Jim Wilson.
I confess first and foremost that in some major respects, we did not accomplish what I had hoped, and I take full responsibility. Most importantly, we did not engage the faculty as you had requested. I will have a few concluding remarks on how I think that might work better next year.

I. Our Understanding of the Charge, and Additional Objectives

Because we began the year with a little work trying to understand your charge to us, and thinking about what we wanted to accomplish as a group, I wanted to explain how we approached our job. The Committee also took on a few things not necessarily contained in the charge that I understood to be your wishes, based on our conversations.

As I understood your charge, it called on us to do two things: (1) engage in a general brainstorming effort, in collaboration with the whole faculty, aimed at identifying specific policy initiatives, and (2) complete an internal inventory of our scholarly productivity. I would like to explain my interpretation. Here is your charge to the Committee for AY 2011-2012:

1. In consultation with faculty members, develop a detailed set of proposals for enhancing scholarship at the College of Law, with particular attention to creating an atmosphere of vibrant intellectual exchange among faculty and students; raising the quality of faculty scholarship; fostering collaborative scholarship projects among College of Law faculty and between College of Law faculty and scholars at other institutions; and raising the national profile of our faculty as leading edge, innovative thinkers through symposia, conferences or other creative means; and

2. Make proposals to the faculty for increasing and improving our scholarly productivity (both quality and quantity) and recognition. Towards this end, the committee should be creative and expansive in its approach and recommendations. Among other efforts, the committee might conduct an evaluation of the scholarly productivity at CMU LAW compared to comparable schools and to schools with which we seek to be comparable. Proposals should be specific and need to be mindful of budgetary constraints but could include both monetary and non-monetary incentives and initiatives.

In an email during the fall semester I asked the Committee for some discussion as to the charge, and on our own aspirations for the Committee, and I started the discussion by suggestion the following interpretation:

As I read the charge, it breaks down into two discrete tasks, the first quite broad and the second very specific.

1. First, in "consultation with faculty," we should prepare a "detailed set of proposals" for specific initiatives, which may include "monetary and non-monetary incentives," "symposia, conferences, or other creative means," and we "should be creative and expansive in our approach and recommendations." This set of proposals should strive to achieve the following four goals:
   (a) "enhance scholarship at the College of Law," as to both quality and quantity;
   (b) "create an atmosphere of vibrant intellectual exchange among faculty and students" (Craig’s italics);
   (c) "foster collaboration," both within the school and with outside scholars; and
   (d) "raise the national profile of our faculty."
But to me, all of this really just boils down to "come up with a list of ideas to improve output, like the Ad Hoc Scholarship Committee did last year," the difference being that faculty consultation is required and presumably some formal proposal must be made by the committee to the dean or to the faculty.

2. Second, we should perform an in-house study that will evaluate CMLaw productivity as compared to other schools.

During the academic year, you and I also spoke about the Committee on a few occasions, and from those conversations I gathered two further projects you wanted us to take on: you wanted us to compile for you all the various scholarship initiatives we had learned about from other schools, and you wanted us to think about strengthening the standards for summer research grant applicants.

II. Progress this Year

A. Brainstorming

We approached this in a few ways. We met as a committee several times throughout the year, and were engaged in a continuing debate throughout the year as to how we thought feasible and effective improvements could be effected, given what we understood to be very limited funds. We also compiled, as you requested, a memo entitled "Summary of Scholarship Initiatives," dated February 21, 2012 (attached). This memo both summarized matters we had discussed among ourselves pursuant to item 1 of your charge, and all the policy initiatives we had learned about by surveying a group of 12 peer schools.

Finally, we put substantial effort into drafting a formal course-release policy for productive faculty, which exists as a lengthy, undated draft amendment to the Policies on Standard Teaching Schedules, Variances, and Course Releases, which were adopted in 2008 (draft is attached). We identified a course-release policy as one specific initiative that seemed most important to us as scholars, but also one that could feasibly produce a big impact without significant money expense. (We thought that might be possible because there would be some freed-up faculty time from the first-year semesterization change.)

In my mind, these efforts were all in response to item 1 of your charge.

B. Internal Inventory

Heidi has mostly handled this, which is pursuant to item 2 of your charge. As you will recall, the project is now designed as an exclusively internal inventory, similar to the "faculty publications database" the Law Library has maintained for some years. Heidi informed me today that she is still in the process of formulating the survey questionnaire she will use to request faculty to self-report their publications, because she was waiting from Committee input on her questionnaire and never got any. She has not yet requested
any faculty self-reporting or any work by the Law Library. Actual data collection will presumably have to wait until Fall.

By email correspondence of February 2012 (attached), I explained a preference for quite a different approach. I believe we would be better served, and that it would actually be less work, if we conducted some simpler, more objective study that would not just count our internal output, but would compare our output with that of a set of comparable schools.

Whether or not you like that idea, I think it would be better to use the Law Library's existing database as much as possible, rather than faculty self-reporting.

III. Recommendations for Next Year

- I would recommend that the Committee be charged with specific initiatives chosen by you. We have done two years of what I would describe as brainstorming, and another year will not materially aid us.

- I also think having specific charges will help with the one major failure I feel most acutely: a failure to engage with the faculty as a group. It will be easiest for the Committee to set up brown-bag discussions in Fall, early enough in the year that proposals could feasibly be adopted, if the Committee has in hand nicely detailed, specific proposals for discussion.

- If you find it too awkward to recommend specific initiatives, perhaps you could direct the Committee to choose from a list of specific ideas or to come up with detailed specific ideas. If you find it too awkward to recommend specific initiatives, perhaps you could direct the Committee to choose from a list of specific ideas or to come up with detailed specific ideas by some specified date, early in Fall semester.

- Because the internal inventory has not even been begun, I would like to suggest that you, Heidi, and I (or whomever else will chair the committee) meet this summer to discuss next steps. I would urge that even if you don't like my model (you've both made that quite clear), you should just use the Law Library's existing publications database as much as possible instead of starting from scratch, which I understand to be the current plan.

- As for my last point, I don't know exactly what to suggest, and I also don't know how much of the blame is on me for just not being an effective chair, but I had a lot of difficulty getting this particular group to get work done. Almost everything we did this year was done by me alone, and when I would send draft proposals for discussion, I would get literally no response even after repeated prompting. This is by its nature a technical policy committee, and people need to be prepared to do real policy work.

C.L.S.
To: Craig Boise  
From: Scholarship Committee, AY 2011-2012  
Re: Summary of Scholarship Initiatives

February 21, 2012

At your request, the following summarizes information collected by the Scholarship Committee during the past two academic years concerning scholarship support initiatives. We compiled this list for informational purposes only, and take no position on which if any of these ideas should be adopted.

We mainly relied on three sources. First, we studied initiatives that have been in place at Cleveland-Marshall, by reviewing the Faculty Manual, the current strategic plan, past faculty meeting minutes and policy documents, and personal recollections. Second, we performed a survey last year. We contacted 12 schools that we believed were roughly our peers and that we admired, to ask what initiatives they'd begun and what had worked well or poorly. Finally, we reviewed some of the small journal literature that addresses scholarship support initiatives, most of it collected by Dean Robertson.

We did not include all of the initiatives we learned about. For example, all schools appear to

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1 In AY 2010-2011 Interim Dean Crocker convened an ad hoc scholarship committee, whose members were Michael Borden, Brian Ray, Heidi Gorovitz-Robertson, Chris Sagers, Milena Sterio, and Jim Wilson. AY 2011-2012 is the first year in many years in which the Scholarship Committee has been appointed as a regular faculty committee. The members this year are Browne Lewis, Reggie Oh, Heidi Gorovitz-Robertson, Chris Sagers, Milena Sterio, and Jim Wilson.

2 Chapter IX of the Cleveland-Marshall Faculty Manual, entitled “Faculty Development: Scholarship and Teaching,” describes some of the initiatives currently in place.

3 The current Strategic Plan was adopted by the faculty in April of 2007, effective for a period of five years. Its “Goal #3” is to “improve the scholarly reputation and productivity of our faculty.” That goal is elaborated by eight specific “tactics,” which consist of technology and research support ideas, publicity ideas, faculty presentation and retreat ideas, and so on.

4 Arkansas Fayetteville, Florida International University, Chapman, Howard, Indiana University-Indianapolis, LSU Baton Rouge, Louisville Law School, New York Law School, University of Denver, University of Las Vegas, University of San Francisco, and University of St. Thomas (MN).

provide support for travel and research assistance, all schools maintain internal workshop and collaboration opportunities, and they mostly maintain some sort of visiting scholar series or visiting opportunities. CM provides them all as well. While we learned about variations in these kinds of programs and the amounts of money apparently spent on them, in their substance they seem largely similar at most peer schools.

We therefore included ideas that seemed innovative and that hold some potential for significant change.

To summarize CM’s current stance, we maintain a set of essentially miscellaneous scholarship support tools, which are broadly similar to those in place at our peer schools. Most prominent are a handful of compensation items (four named professorships, faculty merit awards, summer research grants), an ad hoc course release policy, and an Associate Dean appointed to encourage scholarship. Various less ambitious initiatives have been in place from time to time, like the present system of “scholarship groups,” in-house faculty presentations and retreats, faculty exchanges with other schools and regional collaborations. Problems at present are that (i) the dollar amounts available for these initiatives are quite small, and (ii) there has been substantial hostility to compensation or other initiatives perceived as unfairly discriminatory. Thus, compensation, travel, and teaching load are all relatively flat, even though the degree of productivity varies. There also has been persistent uncertainty concerning CM’s actual scholarship goals—we are of many minds as to what priority scholarship has within the school and what sort of scholarship is to be encouraged. As one consequence, the chairs and the merit awards have sometimes been granted to recognize non-scholarship values, and there has been general hesitation to inquire into the quality of scholarship or to distinguish among faculty.

In short, despite maintaining a small battery of scholarship support tools that makes us at least superficially similar to other schools, our overall goals remain ambiguous and compensation and other incentives are essentially uniform despite differing levels of productivity.

1. Goal Ambiguity

While your request was for specific strategic initiatives, a first important strategy might be to consider what the purpose should be of a CM scholarship policy. Choosing a consistent overall purpose might hone the specific initiatives adopted, and avoid counterproductive conflicts in goals.

While CM has always espoused some commitment to scholarship, the commitment is ambiguous in at least one important respect. The commitment could serve one of at least three different and sometimes inconsistent goals:

**Quality.** The policy might focus on the substantive quality of the scholarship produced. In that case, there might be less concern that every faculty member be productive or that productivity entail a large quantity of publication. Given the subjective nature of that
purpose, rewards would probably have to be distributed with two problems in mind: (i) rewards would not be equal, unless all faculty produce equal amounts in equal quality, and so an administration likely must accept some personal tensions among faculty, and (ii) rewards would necessarily be awarded with a fair bit of discretion, which implies disagreements over fairness.

Morale and Retention. If productive faculty find flat compensation and equal course and committee burdens to be unfair, productivity compensation could prevent attrition and poor morale. In this case it seems that the problems and useful approaches would resemble those of the first model.

Quantity. Finally, the goal might be quantity oriented. It might encourage either productivity by all faculty or large quantity of publication, or both. On such a model, rewards could be given with comparatively little discretion on more or less objective standards. The problems would be at least these: (i) there still will be faculty tension, as disagreement will persist whether productive faculty deserve additional rewards, and (ii) objective standards may be less effective in encouraging good placement or substantive quality.

II. Specific Initiatives

Structure of the Institution

Associate Dean for Scholarship. Most schools we contacted had an associate dean with either an exclusive or a prominent focus on encouraging faculty scholarship (“Research Dean”). Some schools emphasized the importance of the Research Dean (e.g., the Dean at Denver described the having of such a dean as “one of the best things we have done in this area.”).

The Research Deans at some schools have devised innovative approaches:

We learned that the Research Dean at Florida International University (Joelle Mirano), assisted by reference librarians, scours conference announcements to see if she can place faculty members on panels or enable them to make presentations. She is willing to make the phone calls and be rejected.

The Research Dean at CWRU (Jacquie Lipton) also engages in a large amount of publicity and public relations work to promote the faculty’s work. She apparently has tried to establish informal relationships with the editors of individual law reviews, looking for publication openings and access.

Some Research Deans appear to have some discretionary budget authority. For example, at the University of Denver (where the Research Dean is Alan Chen), every
faculty member receives an annual, fixed "development" allotment to pay for travel and research support, but Dean Chen then has what appears to be a substantial discretionary fund to supplement those faculty who can show a need for it.

Specific suggestions:

The Research Dean should not be over-burdened with non-scholarship-related functions. The has been a persistent basis of complaint for those who have held the post at CM, and has been raised in prior studies of our scholarship policy.

A Research Dean might be given some budgetary authority, for example to help support unusual travel or research assistance needs, or to support special projects (e.g., a legal empirical project might require PACER access over and above that usually available through the Library).

A Research Dean might be tasked with public relations duties, to get the word out about scholarly successes. A Research Dean also might be tasked to arrange for specific opportunities, like making inquiries of specific law journals or specific schools to place faculty members' articles or get them on panels.

Hiring

Appointments Committee Personnel. While various sources stressed the significance of hiring, the only concrete policy suggestion we heard was to ensure appropriate personnel on each year's Appointments Committee. The Committee should not be a "cross section" of interests, but should be composed of serious scholars.

Compensation and Release Time

Overall Recognition Awards or Merit Pay. Salary can be increased with pay raises or one-time bonuses to reflect overall achievement. Most schools seem to adopt some mix of such incentives, and mainly place merit pay decisions in the dean's discretion. (Some specific ideas are discussed below under "Decanal Review and Internal Publicity."

Course Release Policies. We were surprised at the number of schools that have modified or considered modifying their curricular planning to reduce traditional teaching loads. The details of the plans varied substantially. We heard from a few schools that have 3-course loads for all faculty (Cincinnati, St. Thomas and UNLV, although we were told that UNLV is considering requiring a 4-course load for faculty that do not produce). Much more common were plans that provided presumptive or per-application course releases for productive faculty.

As a separate policy, all schools we spoke to appear to have some automatic course
release time for pre-tenure faculty.

**Summer Stipends.** All schools appear to offer some sort of money support for faculty who choose to produce scholarship in summer rather than teach. A problem at many schools seems to be ensuring that faculty receiving support are productive, and we heard of some creative ideas.

CMU Law is apparently unusual in that we allow subsequent funding requests to be made even though a prior grant-funded project remains incomplete. While many schools will allow two years or more to complete a piece, most require some evidence of completion at some point.

At the University of Denver, it is (apparently informally, but firmly) required that a person publish at least once every two years to receive the summer stipend; a person who had not published in two years would be denied “absent extraordinary circumstances.”

At New York Law School, faculty members must publish 25 pages per year to continue receiving the summer stipend.

UNLV requires faculty to write reports, due in September, explaining what progress was made on that summer’s grant-funded project.

We were told that the Dean at Marquette, who was new as of last year, did away with the traditional system of fixed, equal summer grants, and instead made them vary in amount, totally within his own discretion. The amounts have varied between a few thousand and $20,000.

**Per-Publication Bonuses and Awards.** Some schools have adopted cash bonuses or awards for individual publications.

The most striking as at the University of San Francisco, which awards a $15,000 cash bonus for any “substantial” publication. There is no limit on the number of publications per year for which a faculty member can receive the bonus, and there apparently is no inquiry into placement or quality.

We summarize one such program that existed at CM, because the policy had and continues to have some faculty support, but was controversial while it existed.

For some time prior to 2000, CM offered the Cleveland-Marshall College of Law Howard Oleck Award for Distinguished Legal Writing by a Faculty Member. The award appears to have been established by the late Prof. Oleck, formerly of the CM faculty, though we were unable to learn exactly when it was established. In 1996 the school added the Cleveland-Marshall College of Law Excellence in Faculty Writing
Award. Both were administered by a committee called the Awards and Competition Committee, which for some years was chaired by Peter Garlock. Our records search could locate no specific details of the amounts of cash awards, but Phyllis Crocker, who won both of them at different times, recalls that each carried a small cash stipend.

However, in 2000 the faculty chose to discontinue both awards. The reasons given were the doubts of Prof. Garlock's committee that the awards were effective, the difficulty of judging one another's work, and personal animosities.

Since 2000, at least one effort was made to revive some such award. Patti Falk, when she was Associate Dean about 3 to 4 years ago, proposed a plan that would make cash awards for every substantial academic publication, with larger awards available for higher quality placements. She proposed some objective criteria to determine the quality of placement. There was some discussion via email at that time, but the idea went no further.

Information Gathering and Moral Suasion

Productivity Comparison Studies and Internal Monitoring. Many schools keep some objective record of each faculty member's productivity. A school might also maintain some sort of objective comparison with other schools.

The Committee this year, pursuant to your charge, has begun a process of information collection, though the details are still being worked out. The Law Library has also maintained a fairly comprehensive faculty publication database for many years.

One ideal might be to develop standards and databases for comparing our own productivity to that of other faculties. For example, by studying our own productivity and that of a sample of other schools, we could develop a simple, objective quality comparison by using the "impact factor" tool on the Washington & Lee Law Library's law journal database. Ideally, we could generate an estimated, quality-adjusted average productivity measure for faculty at each of a sample of schools. That would provide some rough benchmark for judging our school's work overall, as well as a measure for each individual faculty member. For example, a quality-adjusted productivity number could be generated for each CM faculty member and reported confidentially to that faculty member, along with an averageumber for CM and another average number for the sample schools combined.

Decanal Review and Internal Publicity. Several schools reported that annual decanal reviews include discussion of each faculty member's productivity. Some deans appear to do this fairly informally, some with a great deal of structure. As an example of the latter, we learned from Dean Martin Katz of the University of Denver that he runs a data-driven, substantially objective study of each faculty member as part of his annual review. It has
these highlights:

Dean Katz assigns a numerical grade to each faculty member, according to a formula which he provides to the faculty before the fact. He shared the memo with us, and it is attached. He says that he “rate[s] people on their scholarship (40%), teaching (40%), and service (20%).” He added that he looks at longer than one-year productivity averages, in order not to discourage ambitious, long-term projects. The objective system allows Dean Katz to set concrete benchmarks—a minimum expectation of an article every other year or an essay/book review every year, and a presentation every year.

One other approach to the use of information gathering and objective standards is to distribute some productivity data internally. Presumably, to avoid embarrassment or hostility, that information might only include college-wide averages, plus a faculty member’s own data delivered confidentially directly to the faculty member.
Here is the text of Dean Katz's scholarship memo to his faculty at Denver, which he cut-and-pasted into an email to me:

I gave points according to the following scale:

<table>
<thead>
<tr>
<th>Category</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Books</td>
<td>Depending on Nature of Book</td>
</tr>
<tr>
<td>Full Length Articles (generally ≥ 40pp)</td>
<td>2.5 Points</td>
</tr>
<tr>
<td>Shorter Article/Essay/Book Review</td>
<td>1 Point</td>
</tr>
<tr>
<td>Treatise or Textbook - 1st Edition</td>
<td>2.5 Points</td>
</tr>
<tr>
<td>Treatise or Textbook - Updated Edition</td>
<td>0.5 Point</td>
</tr>
<tr>
<td>Suppl. to Treatise or Textbook</td>
<td>0.2 Points</td>
</tr>
<tr>
<td>Teachers Manual</td>
<td>0.2 Points</td>
</tr>
<tr>
<td>Draft of Article-Length Work</td>
<td>0.2 Points</td>
</tr>
<tr>
<td>Presentations on Scholarship</td>
<td>0.1 Points (0.5 cumulative max.)</td>
</tr>
<tr>
<td>Prestige of Placement</td>
<td>0.2 to 2 Points</td>
</tr>
<tr>
<td>Quality/Quantity of Citations (prior work)</td>
<td>0.2 to 1 Points</td>
</tr>
<tr>
<td>Organization of a Scholarly Conference</td>
<td>Appx 0.5 Points (Depending on Conference)</td>
</tr>
<tr>
<td>Other Scholarship Achievements</td>
<td>Depending on Nature of Achievement</td>
</tr>
</tbody>
</table>

All scores were for work completed during the relevant time period (Sept. 2009 - Aug. 2010). For unsolicited articles and essays, completion was based on the date you accepted your offer. For solicited works, and for books and book chapters, completion was based on final submission to the publisher. Where you had co-authors, I reduced the credit you received, though by slightly less than the proportion represented by other authors. For example, if you had one co-author, I credited you for 3/4 of the work. If you had two, I credited you for 1/2 of the work.

I then gave everyone a raw score, based on the total number of points they had.

Statistics for scholarship raw scores:

<table>
<thead>
<tr>
<th></th>
<th>This Yr.</th>
<th>2 Yr. Avg.</th>
</tr>
</thead>
<tbody>
<tr>
<td>High:</td>
<td>9.9</td>
<td>7.5/year</td>
</tr>
<tr>
<td>Low:</td>
<td>0</td>
<td>0/year</td>
</tr>
<tr>
<td>Mean:</td>
<td>2.8</td>
<td>2.8/year</td>
</tr>
<tr>
<td>Median:</td>
<td>3</td>
<td>2.5/year</td>
</tr>
</tbody>
</table>

In this area, I scaled grades around an expectation of either one article-length piece every other year or one essay/book review length piece every year, as well as one presentation on your scholarship every year. I scaled grades here so that those with a raw score of 1.1 (which reflects this basic expectation) received a grade of 3. (Note that the mean and median were both higher than this expectation. This is a good thing, suggesting that, as a faculty, we are generally exceeding what may be becoming a dated expectation of scholarly output and activity.)
Because I recognize that the relevant time-frame for scholarship is more than one year, I also looked at your two-year average for scholarship. (And I plan to do this even in years when we have had merit raises in the prior year.) If someone has low scholarly productivity in one year, but a high two-year average, I was able to see this. My goal here is to encourage ambitious, long-term projects that might take more than one year to complete.
MEMORANDUM
To: CM|Law Faculty
From: Scholarship Committee

Re: Proposed Course Release Policy Modification

The Scholarship Committee for AY 2011-12 proposes two modifications to the CM|Law Policies on Standard Teaching Schedules, Variances, and Course Releases.1 The first is a technical amendment to conform to the new Named Professorship criteria, and the other is a substantive policy change. The Committee moves their adoption as two separate motions.

A. Motion 1: Technical Correction Concerning Named Professorships

The Dean's changes to the named professorship appointment process require a technical modification to the Policies. Section 5 of the existing Policies accommodates the prior named professorship policy, under which named professors could elect either an automatic course release and a stipend of $2,500 or a full teaching load and a stipend of $10,000. Under the Dean’s revision, named professors will always receive a course release and a stipend of $10,000. To reflect this, the Committee proposes the following amended § 5:

5. Professorships. Absent extraordinary circumstances, faculty members who hold named professorships are not eligible for course release in addition to the one-course release afforded to them automatically. Request for an additional release for extraordinary circumstances may be made through the application process set forth in § 7, but is subject to the rule of § 6.

Rationale: This is a codification of the professorships standards.

B. Motion 2: Presumptive Course Release for Productivity

The Dean charged the Committee to "make proposals to the faculty for increasing and improving our scholarly productivity (both quality and quantity) and recognition."2 The

2 Dean Boise's full charge for AY 2011-2012 directed the Scholarship Committee:

1. to consult with faculty members, to develop a detailed list of proposals for enhancing scholarship at the College of Law, with particular attention to creating an atmosphere of vibrant intellectual exchange among faculty and students; raising the quality of faculty scholarship, fostering collaborative scholarship projects among College of Law faculty and between College of Law faculty and scholars at other institutions; and raising the national profile of our faculty as leading edge, innovative thinkers through symposia, conferences or other creative means; and

2. make proposals to the faculty for increasing and improving our scholarly productivity (both quality and quantity) and recognition. Towards this end, the committee should be creative and expansive in
Committee's ideal, in consultation with Dean Boise, was to identify only one or a very few proposals that would be feasible and have significant impact.

The Committee recommends a policy to use curricular flexibility from semesterization to provide prescriptive course reductions for faculty members who meet standards of quality productivity. Briefly, the proposal would presumptively reduce the standard teaching load for productive legal writing, tenured or tenure track faculty members. It adopts an objective measure of "productivity," which attempts to encourage both quantity and quality, while removing administrative discretion. The proposal retains essentially all other aspects of the Policies.7

The Committee has collected evidence that CMLaw's peer schools have increasingly modified their teaching loads either for all faculty or for productive faculty, with the idea of encouraging productivity.8 The Committee has also worked with the Dean's suite to estimate the likelihood that this new policy could be put in place without additional hard dollar expenditures.

It retains the rule in existing §1 under which a faculty member who teaches 14 credit hours in one academic year may receive a discretionary reduction to 10 credit hours the following year. It retains existing §3, under which any legal writing, tenured, or tenure track faculty member can still request a one-time course release even if they are not eligible for the new prescriptive reduction. It also retains existing §2 of the Policies (now §4), under which any faculty member may request a "variance" to the standard 2-2 schedule. This is in effect a "banking" provision and it will be preserved. Finally, the proposal retains existing §6 of the Policies (now §7) under which, absent extraordinary circumstances, no combination of the prescriptive course reduction, one-time course-release, or banking may be used to secure a zero-course teaching load in any semester.

As under the existing Policies, clinical faculty are not covered by the prescriptive course reduction, the one-time course-release, or the banking policy, because of their different contractual relationship with the school. Clinicians contract to teach year-long courses, which are not defined in terms of credit hours.

7 During NY 2010-11, the ad hoc scholarship committee surveyed 12 schools that we considered to be our peers, to learn about their productivity initiatives. At about the same time, Debby Gore reported responses to a query on TaxProf Blog concerning teaching loads, which added results for an additional 38 schools.

Of the 70 schools included in the two surveys, roughly half (33) have adopted some sort of reduced load either for all faculty or for productive faculty. Among schools that could be plausibly said to be our peers, the following 11 have adopted either a 3-course load for all faculty or some such schedule for productive faculty: CWRU, Cincinnati, University of Denver, DePaul, Loyola L.A., University of Miami, UNLV, University of Oregon, University of San Francisco, Santa Clara, and St. Thomas. Three other schools among our peers are considering moving to some such format. We were told that Marquette and Drexel are both considering a 3-course load policy for productive faculty, and that SNHU is "gradually drifting toward" a 10-credit per year schedule for all faculty.

Such programs are apparently unusual among first and second tier schools. From these data the following 22 schools have such programs: University of Alabama, BYU, University of Colorado, Duke, University of Florida, University of Georgia, George Washington University, University of Illinois, University of Iowa, University of Michigan, University of Minnesota, NYU, University of North Carolina, Northwestern, Notre Dame, Penn State, University of Southern California, University of Texas, Tulane, University of Virginia, Washington University, and William & Mary.
To implement such a plan, the Committee proposes the adoption of the following amendments to the Policies:

Cleveland-Marshall College of Law, Cleveland State University
Policies on Standard Teaching Schedules, Variances, and Course Releases

1. Standard Teaching Schedule. The standard teaching requirement for legal writing, tenured and tenure track faculty is two courses in the fall semester and two courses in the spring semester, typically totaling 11 to 13 credit hours, except as may be adjusted under §2, 3 or 4 below.

The teaching load for a faculty member who teaches four courses totaling 14 or more credit hours in one academic year (exclusive of summer teaching for which additional compensation is received) may be set at the discretion of the Dean, at three courses the following year, provided that the three courses total 16 or more credit hours.

Rationale: CSU Personnel Policies and Bylaws, also known as the Greenbook, do not set a standard teaching load for non-bargaining unit tenured or tenure-track or for legal writing professors. Other CSU faculty generally teach 16-24 credit hours per year. Our peer schools vary in their standard teaching load policies. For example, Toledo, Capital, and Ohio Northern require four courses per year. Case, Cincinnati and Ohio State each require three courses a year. While some peer schools require less than a traditional 4-course load, the details of their course load policies vary substantially, and reduced loads are often keyed to other areas of productivity.

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1 Adopted by the faculty May 8, 2008. Except where otherwise noted, the proposed standards apply to legal writing and clinical professors as well as tenured and tenure-track faculty. "Academic year" (AY) as used in these proposals excludes the summer term.

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2 Article 32.1 of the CSEA AAA-P Collective Bargaining Agreement governs faculty workload. It provides at §13.10: "The teaching load for the faculty shall range from 8 - 12 credit hours per term or 16 - 24 credit hours per academic year. Faculty reassigned to professional duties other than instructional activities may have their instructional load reduced, below these levels. Faculty who are active in productive and assessable scholarship, research, creative activity, and/or University or professional service (including service to the community) that normally be assiged responsibility for 8 credit hours per term. Faculty may be assigned a higher load of their teaching assignments, especially those that add to the responsibilities for a course (e.g., comprehensive exam, laboratory, supervision of interns, etc.) or if they concentrate primarily on research activities, rather than participating in productive and assessable scholarship, research, creative activity, and/or University or professional service (including service to the community). The maximum teaching load for a faculty member should be 13 credit hours per term." In general, CSU faculty members who publish regularly teach five courses per AY, but as the above language indicates, faculty may be assigned more or fewer than five courses based on other professional commitments. The average credit hours per course vary among colleges and departments. For example, many Business Administration and Civil Engineering courses are 3 credit hours, while Psychology and Biology classes are usually 4 credit hours. Introductions, specialty courses and courses with laboratory components range from 1 to 7 credit hours. On average, however, other CSU colleges offer more 4-credit hour courses than we do.
These Policies therefore adopt a what is in effect a four-course teaching load, typically totaling 11 to 14 credit hours, but permits reduction of that load for productive faculty.

Cleveland-Marshall classes taught by tenured, tenure track and legal writing faculty generally range from 2 to 4 credit hours. In some instances, the faculty can choose to teach a course for either 2 or 3 hours. In other courses the credit hours are set (for instance first-year courses that are 3 credits in the fall and 2 in the spring).

Due to the wide range of credit hours per course, the usual four course schedule for a faculty member subject to § 1 might exceed 11-13 credit hours on a regular basis. In other instances a professor may be asked to pick up an additional course due to the unavailability of the faculty member originally scheduled to teach that course. If either scenario results in a professor teaching 14 or more hours in a particular year, exclusive of any credit hours for which additional compensation is received, the dean and the faculty member teaching the overload may negotiate a downward adjustment from the standard four course schedule the following academic year. This adjustment does not require a formal application as provided in §6. The name of any faculty member who negotiates such an adjustment is not included in the list of faculty receiving a course release or variance published by the Dean pursuant to §7.

This standard is not applicable to Cleveland-Marshall clinical professors. Clinicians contract to teach a particular clinical course each year (e.g. Employment Law Clinic, Urban Development Clinic) which involves a seminar component and significant work with students, but the contract does not describe these professors’ obligations in terms of credit hours.

2. Presumptive Course Reduction for Scholarly Productivity. Notwithstanding §1, the standard teaching requirement for legal writing, tenured and tenure track faculty who meet the standard of minimum scholarly productivity set forth in this § 2 is presumed to be two courses either in the fall or spring semester and one course in the other, typically totaling 9 to 11 credit hours.

“Minimum scholarly productivity” means to have published during the preceding two academic years either (a) one substantial, broadly law related article in a journal that is within the top 100 law journals, (b) two substantial, broadly law related articles that are in either the top 200 journals or in highly rated specialty journals, or (c) one substantial, broadly law related book. “Substantial article” means a substantive article, essay, book review or similar journal publication of

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8 Students participating in a clinic can register for 2 to 5 credit hours per semester, externs can register for 4 to 6 credit hours.
9 Legal Writing and Civil Procedure are 6 hour courses (divided into two, 3-hour courses taught by the same instructor). Property, Torts and Contracts are 5 hours (divided into a 3 hour fall course and 2 hour spring course taught by the same instructor). Evidence, Estates & Trusts, Corporations, Tax I, Tax II, and Land Use Control (for JD/MURD students) are 4 hour courses. Many classes are offered for 3 credit hours, although most third-semester writing classes are 2 credits, and professors often elect to teach seminar courses for two rather than three hours. Some courses including First Amendment and Legal Profession are offered for 3 credits during the AY and for 2 credits in the summer.
more than 29 typeset pages. It excludes purely non-substantive publications like in memorium or personal reminiscences, but it includes invited articles and co-authored works. “Substantial book” means a book published by a reputable publisher of more than 119 pages. The Dean and the Associate Dean responsible for course scheduling will determine whether publications are “broadly law related” but will so find unless a work has no likely bearing on an issue of professional or academic relevance to law.

**Rationale:** The purpose of the presumptive course reduction policy is to encourage scholarly productivity, but it aims to encourage both quality and quantity. Any definition of “minimum scholarly productivity” will be imperfect, but to account for its imperfections this section only sets a floor that should be reasonably attainable for faculty making serious efforts. The reduction is presumptive, and not mandatory, because there may be cases in which too many faculty members qualify for it, given curricular needs. As under the current Policies, the school’s educational mission remains paramount.

The ranking of law journals will be by impact factor using the Washington & Lee Law Library database Law Journals: Submissions and Ranking (http://lawlib.wlu.edu/LL). The impact factor query will include all student- and peer-edited English language journals published anywhere, in any subject included within that database.

If in a given year the Dean and the Associate Dean responsible for course scheduling determine that more faculty members are eligible for course reduction under §2 than would be consistent with curricular needs, the Associate Dean responsible for course scheduling will award such course reductions as are available to those faculty whose qualifying publications appear in the most highly ranked journals, using the impact factor ranking method set forth above. In cases in which the qualifying publication is a book, the Associate Dean responsible for course scheduling will perform this ranking by making an appropriate judgment based on the length of the book, the prominence of its publisher, and the professional reception the book has received.

3. **Course Release.** A legal writing, tenure or tenured or tenure-track faculty member not entitled to course reduction under §2 may apply for a one-semester, one-course release if other substantial professional commitments, such as chairing a major university or law school committee, working on a significant publication, assuming a particularly burdensome teaching load, or a combination of these or similar professional commitments place significant demands on the faculty member’s time and the Dean determines that a course release is in the law school’s best interests. See §7 below for application process.

**Rationale:** Teaching releases have been awarded in the past for a variety of reasons on an ad hoc basis. There has been no formal application procedure and no clear criteria for such releases. While not limiting the discretion of law school administrators to grant or deny course releases in any particular case, this standard is intended to make all faculty aware that course releases are available and to identify some of the situations that have justified past releases. This negotiated process also appears consistent with that used in other CSU colleges governed by the CBA. See Fn 2 for details.
In considering whether a "particularly burdensome teaching load" justifies a release, the Dean will generally consider a number of factors. These include the number of students in the professor's classes, the nature and quantity of feedback mechanisms and assignments the professor incorporates into his or her courses, the level of preparation required for the courses and other relevant factors.

4. Variance to Standard Teaching Schedule. A faculty member not entitled to course reduction under §2 may request a variance from the standard teaching schedule under §1. For example, Professor A could apply to teach three courses in the fall semester and one course in the spring semester. Professor B could apply to teach two courses in the fall, one in the spring and one in the summer term, provided that no additional compensation is received for teaching the summer course.

The request for a variance is subject to application process set forth in §7 below and to the limitations in §6 below.

Rationale: This type of schedule flexibility has been individually negotiated by certain faculty members has has never been identified as an option available to all faculty members. It is beneficial to individual professors and to the law school to allow flexibility in scheduling. In addition, this system might encourage more people to teach in the summer.

5. Tenure-Track Faculty. Untenured tenure-track faculty who commence their teaching careers at Cleveland-Marshall are usually allowed two course releases prior to the semester in which they are reviewed for tenure. Generally a new faculty member takes the first course release during the first two years and the second release in the year before being reviewed for promotion and tenure. This release time is negotiated by the faculty member and Dean and does not involve the formal application procedure set forth at §7 below. A faculty member should, however, include this request in the teaching preference form submitted by faculty each year.

Untenured lateral hires are not governed by this provision, but may negotiate pretenure course release(s) with the Dean.

Rationale: This is a codification of current practice. The release time allows new faculty time to work on teaching and scholarship and generally become acclimated to academia. This standard does not apply to clinical or legal writing faculty. It does not automatically apply to tenure-track lateral hires who are untenured, but those individuals may negotiate with the Dean for one or more course releases as a condition of employment.

6. Professorships. Faculty members who hold a named professorship may apply for a one course release each academic year in a reduced financial stipend. The faculty member should include this request in the teaching preference form submitted by
faculty each year. The form must be submitted by the identified due date and is not subject to the application process set forth in §7 below.

Rationale: This is a codification of the professorships standards.

7. Relationship to CSU Professional Leave Policies. Absent extraordinary circumstances, a faculty member may not use any of the mechanisms described above, either alone or in combination, to obtain a complete teaching release for either a fall or spring semester. Such releases must be generally obtained pursuant to university policy and procedures for professional leaves (i.e. sabbaticals) set forth in §§1.8.A.3 of CSU’s Personnel Policies and Bylaws (i.e. the “Greenbook”).

Rationale: Our obligations as Cleveland-Marshall law professors are not limited to teaching and scholarship. Service to and involvement in the law school and university communities are core components of our professional responsibility throughout the academic year.18

Faculty with no teaching responsibilities during either the fall or spring may be tempted to disassociate from the law school and university during that semester, thereby unilaterally transforming teaching release time into a professional leave. This transformation arguably usurps university professional leave policies governing “Leaves with Pay” (i.e. sabbaticals) under §§1.8.A.3, which must be obtained through the application process set forth at §§1.8.C.11

An exception for “extraordinary circumstances” is included to allow reconsideration of the application of this general policy in a compelling case. For example, a professor who receives a Fulbright or similar grant or other unique opportunity for professional development that provides no significant financial remuneration may be able to obtain a release from teaching and perhaps also other law school responsibilities without meeting all the university requirements for a professional leave.

8. Application Process for Course Release or Variance. A faculty member seeking a variance from the usual two-course per semester schedule under §2 or a course release based on substantial professional commitments explained in §3 should submit a written application to the Dean and the Associate Dean in charge of course scheduling. The application is due when the Associate Dean solicits faculty teaching preferences for the upcoming academic year. The application should explain the reason for the request and not exceed two typed pages. If a course release is sought based on substantial professional commitments, the application should also identify and briefly explain all course releases and professional leaves the applicant has received during the preceding five years.

18See Greenbook, §§8.1.2.A.1.c
11Under CSU by-laws that govern law school operations, all “Extended leaves [that] last more than five weeks...must be approved in accordance with Section 8.1.8.C)” of the Greenbook.
At the completion of a semester in which a faculty member has received a course release due to substantial professional commitments, the recipient shall submit a brief report to the Dean reporting on the faculty member's activities during that semester.

**Rationale:** In past years, some faculty members have submitted formal written applications for course releases while others have secured releases through informal discussions with the Associate Dean in charge of scheduling or the Dean. Some faculty members submitted requests well in advance of the affected semester and some asked to be released long after the course schedule has been finalized. This proposed application process is modeled after that used for summer research and teaching grants. It is designed to impose a minimal burden on the applicant, while also providing timely notice to the Associate Dean and Dean of the faculty member's request and sufficient information on which to evaluate the request.

The requirement that a faculty member who receives a teaching release because of other substantial professional commitments report on his/her activities at the end of the semester ensure accountability similar to that required when other law school benefits are received, such as an official professional leave or a summer teaching or writing grant. This report is not required of a faculty member who holds a professorship or a faculty member who has obtained a teaching release by redeeming banked hours.

9. **Decisions on Applications.** The Dean shall make the final decision on all applications for course releases and adjustments to standard teaching schedules based on the recommendation of the Associate Dean in charge of course scheduling. Decisions on course scheduling are not subject to faculty review.

The Dean shall publish a list at the beginning of each AY of faculty members who have been granted a teaching release or variance for that year. The Dean may exercise discretion to omit a faculty member from the list if the release was granted for personal rather than professional reasons.

**Rationale:** Creating a course schedule that satisfies students, faculty, and our accrediting agencies is a daunting task. The Dean and the Associate Dean in charge of scheduling are in the best position to evaluate the individual requests of faculty members in light of larger institutional concerns such as course coverage and equitable workload distribution.

Moreover, principles of faculty governance empower the faculty to establish and revise the curriculum and approve the contents of specific courses. The task of assembling a comprehensive course schedule each academic year does not fall within faculty governance powers, but is relegated to law school administration.

The requirement that the Dean publish a list of faculty members whose applications were approved is intended to increase the transparency of the system. The Dean does not have to provide the rationale for the decision.
Subject: Re: Scholarly impact survey
From: "Christopher L. Sagers" <christopher.sagers@law.csuohio.edu>
Date: 2/10/12 5:59 PM
To: Heidi Gorovitz Robertson <heidi.robertson@law.csuohio.edu>, "Craig M. Boise" < craig.boise@law.csuohio.edu >

Hi Guys: Very sorry it took me so long to get to this. I have a hand of thoughts, and I cc'd Craig mainly because I want to register some mild disagreement about the direction this is taking. I definitely won't stand in anybody's way, but I have some concerns. Anyway, now that I've had this chance to think about it, I will distribute to the Committee for their thoughts as well (that's what you wanted, right HG?))

1. I'm concerned about how many things we request information about. Maybe the omnibus request makes sense for some internal purposes, but I fear two problems. First, something to bear in mind is that we won't be able to make any sort of comparison between this data and data for other schools. I don't believe there would be any way from publicly available sources to figure out how many media appearances or amicus briefs or whatever have been written by faculty elsewhere. So in order to use this data to make a multi-school comparison, I think we would have to kind of start from scratch--we would have to reduce the Survey Monkey results to a simplified quantitative form (e.g., take the list of title, citation and page lengths of articles, essays, book reviews, and book chapters, and reduce it to a simple number for each faculty member).

But much more importantly, our experience with the Law Library's many-year effort to maintain a faculty publication database suggests that this is going to be a lot of work. Despite what others have thought, I believe it will be more work than the multi-school survey I suggested. I wouldn't actually care about how much work it is except that I think it will be damaging to the usefulness of some internal productivity metric, which I believe could be really useful to us.

Here is what I mean. I desire that this Information collection project not only get off the ground, but that it become a reliable, consistent metric from year-to-year, indefatigably, and that it become a fact of life within the Law School. That seems feasible if we develop some relatively simple, objective measure, which we might get if we just do an impact-adjusted count of articles and books. But I fear that it's the effort we try to do what is proposed here--an omnibus collection of a broad spectrum of information—it will wind up being so much work that it just gets dropped after a year or so. But even if it doesn't, it will not in itself produce a meaningful, objective basis of comparison that means anything to people. It will just be a nebulous mass of information.

2. Here's why I believe this will be so much work, even though it is set up as a self-reporting survey. First, I believe we can expect less than 100% participation, and it may be substantially less. Bear in mind that this survey will actually be fairly tedious for people to fill out, because you are asking for titles, citations, and page lengths. For many people, especially more senior or more productive people, it's going to take an hour or more to track all that down. Moreover, this is going to feel redundant to people, because the Library has already collected this information. They have been keeping a publication database, that is relatively complete, for all faculty. They also have periodically asked people to update their library publication lists, and I expect people will feel like this is redundant.

So, what will we do if we get, say, 50 or 60% compliance? We may be stuck doing the hard work that we are trying to avoid by doing a self-reporting survey.

For what it is worth, if we still want to proceed with the omnibus collection effort, maybe a better way to do this is to have the library make a request that faculty supplement their existing publication lists. If there is substantial non-compliance with that request, then the library or someone else will have to try to supplement non-compliers' publication lists as best they can.

Anyway, as to the details of the survey itself, I had only one point of feedback: Why do we care about length? I believe it is unimportant and if you make an explicit metric out of it, you indicate to people that we value length for its own sake, thereby encouraging longer articles for no good reason. The kinds of articles that should be de-emphasized—short, light, tightly sourced essays or personal reminiscences or the like—speak for themselves without us having to know how short they are, and, on the other hand, sometimes very short papers can be very prestigious, important, and high impact.

Heidi Gorovitz Robertson wrote:

Hi Chris,

As you know, Craig wants us to start with a baseline of what we are doing/have done at our own school, on our own faculty. From the bottom, we can focus on 1, improving, and 2, comparing. So, I've put together a draft of a survey we can have faculty fill out, but it's just a draft. I'd love your thoughts, and the thoughts of the Committee on whether I've asked the right questions or chosen the right categories. Feel free to add, delete, change, criticize. Once we've got it where we want it, I can turn it into a survey monkey survey that'll be easy to fill out. That will also give us the data in a very usable format.

Heidi

Christopher L. Sagers
Professor of Law
Cleveland State University
1801 Euclid Ave., LB 138
MEMORANDUM

TO: Dean Craig M. Boise
FROM: Professor Phyllis L. Crocker
RE: Self Study Committee 2011-12
DATE: 16 May 2012

The Self Study Committee began working on the self-study process in the fall of 2012. In the fall the committee as a whole met four times, and in the spring we met seven times. In the fall we created three subcommittees: Mission/Vision, 140 Plan, and Surveys. These groups met regularly apart from the Self Study Committee. In the spring some of these groups continued to meet. In the spring we also created subcommittees for each of the Self Study chapters we will write. These groups also met independently of the Self Study Committee.

This year the Self-Study Committee accomplished many projects:

1. We led the law school conversations about downsizing to a 1L class of 140. As part of this we gathered comprehensive information about other schools in our region and other comparable schools based on criteria such as urban location, public/private, and student population size. We hosted discussions with faculty and staff throughout the fall and spring.

2. We created and administered surveys for faculty and staff. We worked with Tom Geaghan, the head of CSU’s Institutional Research on analyzing and understanding the survey results. The survey subcommittee and the entire Self Study Committee each met with Geaghan. We provided survey results in a variety of formats to the faculty and staff. We held separate discussions with the faculty and staff about the survey results.

3. We participated in the nationwide Law School Survey of Student Engagement.

3. We engaged the faculty and staff in several conversations about our Mission and Vision. The Mission/Vision subcommittee and the Self Study Committee as a whole worked on revising and sharpening the Mission and Vision. We discussed the Mission and Vision with the Visiting Committee, and will do the same with the NAC next week.

4. We divided up responsibility for each of the key sections of the Self Study Report and each of the subcommittees met at least once in the spring. We agreed on a timeline for drafts to be presented to the faculty in the fall of 2012. See attached.

Please let me know if you would like any additional information.
MEMORANDUM

TO: Self-Study Committee
FROM: Phyllis L. Crocker
RE: Self-Study Timeline
DATE: 24 April 2012

Our site visit will begin March 31, 2013. We need to get the Self-Study Report to the ABA and AALS at least six weeks prior to their visit (mid-February). Therefore, I propose that our goal be to have the report approved by the faculty at the last faculty meeting in December 2012. Prior to that we will need to present draft sections of the report to faculty for discussion at lunches. Here is my proposed schedule:

October: We present drafts of the chapters on Program of Legal Education, Students, Library, IT, Administration

November: We present drafts of the chapters on Faculty, Bar Passage, Facilities, Overview/History.

Completed drafts of each chapter will be due on October 1 for the first set and November 5 for the second set. All appendices should be completed by those dates as well.
Memorandum

DATE:       June 4, 2012

TO:         Dean Craig Boise

FROM:       The Teaching Committee — Kevin O’Neill (chair)

RE:         Year-End Report (2011-2012 Academic Year)

Over the past academic year, the Teaching Committee performed two basic tasks: (1) giving you its recommendations on the award of Summer Teaching Enhancement Grants; and (2) giving the faculty its recommendations on updating the Academic Regulations to accommodate our switch to "semesterized" courses.

RECOMMENDATIONS ON THE AWARD OF TEACHING GRANTS

The Committee received an application from one faculty member: Brian A. Glassman.

Brian A. Glassman:
From Art School to Law School:
Lessons for Visual Learners

Recommendation: By a 3-to-1 vote, the Committee recommends that funding for this project be denied.

Comment: The Committee's primary concern with this application is that Professor Glassman is seeking funding for a project on which he has already completed a substantial amount of work — enough work that he gave a presentation on the topic at the Rocky Mountain Legal Writing Conference in March 2011. (Click on the link below for more information on his talk.)

In response to these concerns, Professor Glassman submitted a one-page supplement to his application in which he identified several additional steps, above and beyond what he has already accomplished, that his grant will embrace. Those additional steps would include: (1) familiarizing himself with the body of research on human learning styles; and (2) writing “a publishable article of 15-20 pages” on his project topic. Though some members of the Committee were impressed by this additional work, a majority of the Committee nevertheless rejected Professor Glassman’s application by a 3-to-1 vote.

RECOMMENDATIONS ON SEMESTERIZATION
UPDATES TO THE LAW SCHOOL’S
ACADEMIC REGULATIONS

On April 10, 2012, the Teaching Committee sent a memorandum to the faculty containing our recommendations on semesterization updates to the law school’s academic regulations. That memorandum stated:

THE TWO PROBLEMS TO BE RESOLVED

In this memorandum, the Teaching Committee recommends updating the Academic Regulations to address two problems arising from our switch to “semesterized” courses. Here are the two situations that will pose a problem after our switch to semesterization:

(1)
What happens if, this year, one of our students fails or withdraws from the second semester of a two-semester core course? This poses a problem because next year, that core course will be a one-semester, not a two-semester course.

(2)
What do we do with a transfer student who arrives here having completed only one semester of a core course that we have transformed from two semesters down to one?

OUR SUGGESTIONS FOR RESOLVING THESE PROBLEMS

We suggest that in both of these situations, the student should be required to take our one-semester course. We believe that this bright-line rule is
preferable to the alternative, which would require an individual review of all the topics that were covered in the student's first exposure to the course as compared with the full range of topics to be covered in our "semesterized" course, in an effort to ensure that the two courses overlap sufficiently.

If, as we suggest, all students should be required to take our one-semester course, what do we do with the credit hours that the student has already received for successfully completing the "first half" of the course? We suggest that those credit hours remain on the student's transcript; i.e., that each student be given full credit for all of the work they've successfully completed. The only down side to this approach is that some students might wind up, for example, receiving seven credits for Contracts — three credits for completing the first semester of a two-semester variation of the course, then another four credits for completing our "semesterized" version of the course. But this seems to us much fairer to the student, and much simpler from an administrative standpoint, than nullifying all credit for completing their first exposure to the course.

OUR SUGGESTED REVISIONS TO THE ACADEMIC REGULATIONS

To effectuate our suggestions, it will be necessary to add some language to the Academic Regulations. To address Problem #1 (involving students here at Cleveland-Marshall who have failed to complete the second semester of a core course), we'll need to update Academic Regulation 3.3 — Withdrawal from Multiple-Term or Two-Semester Core Courses. To address Problem #2 (involving transfer students), we'll need to update Academic Regulation 6 — Credit for Work Completed at Other Approved Law Schools.

To resolve Problem #1, we suggest that a new subparagraph be added to Academic Regulation 3.3, as follows:

(e) This provision applies specifically to "semesterized" courses — i.e., core courses that have been transformed from two semesters to one. Any student who fails or withdraws from the second semester of a two-semester course that is subsequently "semesterized" from two semesters to one must enroll in and complete the new one-semester version of that course. The student shall not lose any credit hours previously awarded for successful completion of the first semester of a subsequently "semesterized" two-semester course.
To resolve Problem #2, we suggest that a new subparagraph be added to Academic Regulation 6.1, as follows:

(g) This provision applies specifically to "semesterized" courses at Cleveland-Marshall College of Law — i.e., core courses that have been transformed from two semesters to one. Any transfer student who arrives at Cleveland-Marshall having completed only one semester of a two-semester course that has here been "semesterized" from two semesters to one must enroll in and complete the new one-semester version of that course. The student shall not lose any credit hours previously awarded for successful completion of the first semester of a two-semester course that Cleveland-Marshall has "semesterized."

* * * * *

At the April 26, 2012 faculty meeting, the faculty voted to accept our recommendations with minor revisions.

As to the first amendment (Academic Regulation 3.3(e)), the faculty voted to accept it exactly as the committee worded it.

As to the second amendment (Academic Regulation 6.1(g)), here is the revised language that the faculty voted for:

(g) Any transfer student who arrives at Cleveland-Marshall having completed only one semester of a two-semester course that is here taught as a one-semester course (i.e., Torts, Contracts, Civil Procedure, and Property) must enroll in and complete Cleveland-Marshall's one-semester version of that course. The student shall not lose any credit hours previously awarded for successful completion of the first semester of a two-semester course that is here taught as a one-semester course.

[END]
FACULTY MEETING MINUTES AND SCHEDULE 2011-12 & 2012-13

2011-2012 Faculty Meetings

September 1, 2011
October 6, 2011
November 10, 2011
December 15, 2011
January 12, 2012
February 9, 2012
March 8, 2012
April 5, 2012
April 26, 2012
May 10, 2012

2012-2013 Faculty Meetings

September 13, 2012
October 11, 2012
November 8, 2012
November 29, 2012
December 13, 2012
January 10, 2013
February 14, 2013
March 28, 2013
April 11, 2013
April 25, 2013
May 9, 2013
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW
September 1, 2011
4:00 p.m. – LB 60

ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson and Sundahl; Professors Becker, Broering-Jacobs, Cherry, Curtis, Daiker-Middaugh, Davis, Falk, Forte, Gard, Garlock, Geier, Gelman, Glassman, Heyward, Hoke, Inniss, Kerber, Kowalski, Lazarus, Majette, Mika, Niedringhaus, O’Neill, Plecnik, Ray, Sterio, and Wilson; Visiting Professors Bouvier, Johnson and Simek; Assistant Deans Dempsey and Lucak.

EXCUSED: Professors Borden, Buckley, Crocker, Dougherty, Green, Keating, Lewis, May, Sagers and Weinstein

NOT PRESENT: Professors Oh and Witmer-Rich

A regular meeting of the faculty was convened at 4:03 p.m. by Dean Craig M. Boise.

The agenda is attached as Appendix I to these minutes.

Approval of Minutes of May 12, 2011 Faculty Meeting
Professor Ken Kowalski moved to approve the minutes of the May 12, 2011 faculty meeting as submitted. Professor Hoke seconded. The motion passed unanimously.

Dean’s Report

- Dean Boise invited Assistant Dean Christopher Lucak to give a report on the demographics of the incoming class. Dean Boise then reported that the entering class is smaller than anticipated – 169 students instead of the 190 on which the budget was premised. The reason for accepting a smaller class was due to a reduction in applications (13% down) as well as a decrease in the quality of the applicants.

- The result of accepting a smaller class left a budget shortfall for this fiscal year. A hiring freeze partially addressed the shortfall lost from tuition. The rest will be covered by not replacing Dena Davis and some additional relatively minor cuts.
The budget committee will reconvene to evaluate different budget scenarios for the future.

- This year we will engage in a self-study in advance of the ABA site visit. Professor Croker has agreed to chair this committee. The ABA wants us to look seriously at our institutional issues including the appropriate size of our institution in terms of bar passage and job placement as well as in terms of our faculty needs.

- This year we will be focusing on creating an environment in which scholarship, research, intellectual inquiry and ideas are predominant. We want to raise the profile of faculty scholarship. It is important that faculty be on campus. We have to have a community of scholars when we are in the building.

- The travel policy will be revisited this year. It is expected that it will stay largely the same as last year with the exception of an increase in the total amount of travel allowance per faculty member and a detailed explanation of how this travel will increase our profile and further the scholarly objectives of the law school.

- Dean Boise will be appointing faculty members to fill the two vacant named professorships and chairs. The focus of these appointments will be scholarship. If you have any comments or suggestions regarding additional factors to be considered in filling the openings, feel free to communicate these to Dean Boise.

- A Faculty Scholarship Forum will be held on September 13th at 4:00 p.m. Andrew Morris from the University of Alabama will be the speaker.

- A great deal of thought and discussion went into the curricular reform. It is now important to make sure the implementation of this reform is successful. Two committees will be key to this objective. The Teaching Committee will look carefully at how we move to semesterization. The Curriculum Committee will look at the experiential skills requirement. Later this semester there will be a semesterization retreat designed to begin thinking together about moving from two semesters to one.

- In light of the reduced budget it is becoming ever more important to ramp up our development efforts. This year, we plan on completing the fundraising for the Fund for Excellence. Our goal is to raise $1.2 million dollars. We are about half way to our goal. The money raised by this fund will be used for a range of things including scholarship and travel. In order to assist us in these endeavors we have hired a Director of Advancement, Jennifer Nye. Ms. Nye will begin on September 8th. She has extensive experience with calling centers and annual fund raising. Along these same lines, Dean Boise and Jennifer Blaga hope to visit one law firm every week. They hope to use these firm visits to build a pipeline for jobs as well as increase annual giving. They will be targeting small and mid-size law firms.
Associate Deans’ Report

Associate Dean for Faculty Enrichment

- Over the summer changes have been made in how we communicate with each other and outside the law school. Faculty Focus has been replaced by a blog. The blog is more efficient and versatile. Please sign up to receive the blog and send Dean Robertson any items that you believe are newsworthy.
- The fall schedule of lunchtime lectures will be out in the next few days. The first scheduled lecture will be given by Professor Gelman on September 14th.
- The Supreme Court Review has been moved to Monday, October 17th. If you would like to present 5-7 minutes on a Supreme Court case in your area, please contact Associate Dean Robertson.
- Faculty scholarship groups will be starting again. Please let Associate Dean Robertson know if your research has changed or if you want to change groups.
- Hard copies of all faculty publications will be placed in the faculty lounge. If you have any publications, please give them to Associate Dean Robertson.
- The Northeast Ohio Colloquium will be held on Friday November 11th. Please plan on attending. Our speaker will be Patricia Falk.
- Faculty Coffee Hours have begun. They will be held on alternating Tuesdays and Wednesdays to accommodate teaching schedules.
- The Faculty Research Room in the basement of the law school is open again. We have a limited number of carrels and some tables. Let Associate Dean Robertson know if you are interested. Space will be allocated on an annual basis.
- We will be having faculty exchanges with Capital, Duquesne and Toledo. Professor Plecnik will be speaking at Capital.
- Hartford Insurance Plan is one of the benefits you receive from the university. Copies of the plans were included with your agenda packets. Associate Dean Robertson will disseminate the group number.

Associate Dean for Administration

- Visiting Clinical Professors Linda Johnson and Maya Simek were introduced.
- The printer in the faculty lounge will remain.
- Please review the spreadsheet sent out listing the prerequisites for classes. Assistant Dean Lifter would like to load these prerequisites to the online registration system.
- In preparation for exam review, please submit spring and summer exams to Israel.
• The Curricular Reform Retreat on semesterization will be held on October 14th at noon. Lunch will be served and then a discussion will ensue about redesigning 1L courses. If you teach or plan on teaching a 1L class, please attend.
• Associate Dean Sundahl will be visiting 1L sections to promote the St. Petersburg summer program. Professor Sterio taught there this summer and she gave a short report about the program.
• Last year the Cleveland-Marshall Law Alumni Association began a program to bring practitioners into the classroom. The pilot program went very well. If you want to bring a practitioner in to your classroom, let Associate Dean Sundahl know and he will give you names from which you can select.
• Cleveland State will be hosting a Homecoming Week (October 15-22, 2011). The law school will participate by hosting an admissions open house on Saturday, October 22nd. We will also try to pair other events in the law school to Homecoming.

Report of the Honor Council
Associate Dean Mark Sundahl provided a memo prior to the faculty meeting reporting on the disciplinary matters handled by the Honor Council during the 2010-11 academic year. (A copy of that memo is attached to these minutes.) He noted that the report was informational only.

Professor Wilson, Chair of the Honor Council, stated that the Honor Council will be tougher in their penalties in the coming year. He noted that due to the accessibility of technology, cheating is becoming easier and more prevalent. This is bad for our reputation and we must show students we are serious about imposing penalties for cheating. Associate Dean Sundahl stated that he spoke to a student who believes there is rampant cheating via smart phones. He stated that some faculty do not allow students to bring phones to exams. Professor Hoke suggested banning smart phones and all other electronic devices. This would eliminate the opportunity for easy cheating. A discussion ensued regarding various methods used by students to cheat. Associate Dean Sundahl suggested that faculty make students aware of the repercussions of cheating. Send the message that cheating can ruin their careers.

Report on Dean’s List and Graduation Honors
Associate Dean Mark Sundahl provided a memo prior to the faculty meeting revisiting a motion tabled in 2007 which sought to change the method used to award graduation honors from a numerical to a percentage system. (A copy of that memo is attached to these minutes.) The motion came after the faculty passed a motion to implement a new grading system. At the time, the faculty worried that the new grading system would lead to grade inflation. Four years have passed and data has now been gathered. It appears as if there is a slight increase in graduation honors, but nothing substantial.
Professor Sterio stated that she believes there are too many grades on the lower end of our grading structure. If we were ever to change the structure, she urged the faculty to drop a plus or minus at the lower end. Dean Boise stated that at DePaul, they added minus grades and there was concern that there would be grade deflation not inflation. Professor Curtis asked if a 10% summa cum laude percentage is considered high. Professor Ray replied that other schools have higher than 10% at the summa level.

**Clerkships and University Budget Updates**
Professor Ray announced that we are on pace to have a record number of clerkships. He encouraged faculty to please respond to any outstanding requests for recommendations. The deadline is Tuesday.

Professor Ray reported on the University Budget Committee of which he is a member. The Budget Committee met with the President last week. The President wants to develop a new budgeting frame work for the university. He wants to have some kind of incentive to develop projects consistent with school and college priorities. He also asked the committee to come up with recommendations on how to do program reviews. He would like a comprehensive, across the board review of each program in the university, what they do and how well they do it. The President wants to redirect resources away from underperforming programs. How this effects the law school is unclear. This program review will most likely take place next year. At some point the law school will be asked to engage in its own internal review of what we do and that will be appraised by some external group. The fact that we will be engaged in a self-study this year will actually help us. The President was unhappy with budget cutting from last year because the results were across the board. If more cuts are necessary, he will want to look at underperforming programs.

Professor Wilson questioned whether the review program will look at administration as well as faculty. Professor Ray responded that the review is looking at the academic side only. Professor Gelman expressed concern about the process.

**Adjournment**
Professor Falk moved to adjourn the faculty meeting. Professor Curtis seconded. The meeting adjourned at 5:35 p.m.
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW
October 6, 2011
4:00 p.m. – LB 60

ATTENDANCE:

PRESENT: Dean Boise; Associate Dean Robertson; Professors Becker, Broering-Jacobs, Buckley, Crocker, Curtis, Daiker-Middaugh, Davis, Falk, Forte, Gard, Garlock, Geier, Gelman, Glassman, Green, Heyward, Inniss, Kowalski, Lazarus, Lewis, Majette, Mika, Niedringhaus, O’Neill, Plecnik, Weinstein and Wilson; Visiting Professors Johnson and Simek; Assistant Deans Dempsey and Lifter; Guest Gerald Modjeski.

EXCUSED: Associate Dean Sundahl; Professors Borden, Cherry, Dougherty, Hoke, Keating, Kerber, May and Sterio

NOT PRESENT: Professors Oh, Ray, Sagers and Witmer-Rich

A regular meeting of the faculty was convened at 4:05 p.m. by Dean Craig M. Boise.

The agenda is attached as Appendix I to these minutes.

Proposed Changes in Retirement Benefits
Mr. Gerald Modjeski, Director of Employee Benefits for CSU distributed a handout outlining proposed changes to the STRS program. (See handout attached to minutes.) He explained that the changes are necessary to keep the program sustainable. After answering faculty questions, he thanked the faculty for their time.

Approval of Minutes of September 1, 2011 Faculty Meeting
Professor Patricia Falk moved to approve the minutes of the September 1, 2011 faculty meeting as submitted. Professor Kevin O’Neill seconded. The motion passed unanimously.

Dean’s Report
• Congratulations to Professor Lolita Buckner Inniss for receiving her PhD from York University in Canada.
• Congratulations to Professor Majette and Professor Ray for publishing their most recent scholarship. Professor Forte debated Daniel Mach, Director of the ACLU Program on Freedom of Religion and Belief at the Cornell Club in New York. Emeritus Professor Beggs was interviewed by the ACLU for their Oral History Project regarding his service to the ACLU.

• Committee charges will be circulated tomorrow. Committee chairs should begin scheduling meetings with their committees.

• Dean Boise and Jennifer Blaga are visiting local law firms in hopes of expanding job opportunities for our graduates and as part of our development efforts. So far, they have visited three firms. They plan on visiting many more this year – with a focus on mid-size firms.

• Three major publications will be sent to alumni and friends of C|M|LAW this year – the “Giving Book” which will be a report on giving for the previous year; “Stories Book” which will highlight stories of some of our alumni; and a “Yearbook” which will serve as a solicitation in advance of the end of our current fiscal year.

• The Dean’s Holiday Party is scheduled for Saturday, December 10th from 4:00 to 8:00 p.m. Please mark your calendars. Invitations will be sent out closer to the date of the event.

• The Office of Career Planning is hosting a Hiring Partners mini-conference on November 18th. They are bringing in Bill Henderson of Indiana University who has done a great deal of empirical research on what it takes to hire a good lawyer.

• Moot Court Night will be held on November 10th at 6:00 p.m. in the Moot Court Room. The judges will be Chief Justice Maureen O’Connor and Judges Dan Polster and Benita Pearson.

• Dean Boise will be the keynote speaker at the Norman S. Minor Bar Association’s Trailblazer luncheon on October 14th.

• The law school will be co-hosting an event with Kol HaLev synagogue entitled The People vs. King David: A Trial on November 12th at 7:30 p.m. If you would like to purchase a ticket, please see Professor Weinstein or Associate Dean Robertson.

Associate Deans’ Report
Heidi Gorovitz Robertson

• The faculty research room in the law library is now open. Contact Associate Dean Robertson if you want to reserve space.

• Please make sure your CV on the website is up to date. If you need assistance updating the website, see Associate Dean Robertson.

• Professor Veronica Dougherty is ill and will not be able to return to work. Associate Dean Robertson will send out her address for those who want to send Professor Dougherty a card.
Elect reps for AALS House of Representatives
Dean Boise asked for nominations to the Association of American Law Schools House of Representatives. We need to elect a representative and an alternate. Associate Dean Robertson offered to serve as our representative. Professor Majette offered to serve as the alternate. Both nominations passed by acclamation.

Report of the Self-Study Committee
Professor Phyllis Crocker stated that we are embarking on a self-study in advance of the Spring 2013 ABA site visit. We have no outstanding issues from our last accreditation. Dean Boise and Professor Crocker will be attending a workshop in Chicago to learn about changes in the process since our last time. The Self-Study Committee will be gathering data to determine what size the incoming class should be in the future. They are gathering data from similarly situated schools with incoming classes of 120-170 students. Additionally, the committee will host a brown bag for faculty. Eventually this data will be used for a discussion with the university administration. The Self-Study Committee is also working on a faculty and a staff survey. In the Spring, the committee will turn their attention to mission, vision and strategic plan for C|M|LAW.

Status Report on Proposal to Allow Non-Tenure Track Faculty to be Eligible for Professional Leaves of Absence
Professor Sheldon Gelman updated the faculty on the proposal, previously endorsed by the faculty, to allow non-tenure track faculty to be eligible for professional leaves of absence. He stated that the proposal went from the law school to the University Faculty Affairs Committee (UFAC). The UFAC approved the recommendation and it went on to the Steering Committee. The Steering Committee chose to table the proposal until they could gather further information regarding what other schools do in similar situations. To date, no information has been collected, so it was sent back to the UFAC. At a UFAC meeting, attended by the Provost and Dean Boise, the Provost urged the committee to reject the proposal because he felt there are adequate professional development opportunities for clinical/legal writing faculty. At this point the UFAC has decided to send a formal written request to Dean Boise asking what professional development opportunities are available to clinical and legal faculty. Professor Gelman stated that he believes the UFAC will not approve the proposal. Professor Glassman thanked Professor Gelman for his efforts.

Announcement – Wireless Upgrade Project
Professor Niedringhaus announced that IS & T has begun a campus-wide Wireless Upgrade project. There are several phases of the project, with the first phase being an analysis of signal strength. Beginning on Tuesday, contracted engineers along with a CSU employee, will be walking through every space in the law school to assess the signal strength. This means they will need to unlock your office, walk through with a laptop, and leave the office. It should not take long and they should not disturb anything in your office.
Adjournment
Professor Falk moved to adjourn the faculty meeting and move to Executive Session. Professor Becker seconded. The meeting adjourned at 5:15 p.m.
ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson and Sundahl; Professors Broering-Jacobs, Buckley, Cherry, Crocker, Curtis, Daiker-Middaugh, Davis, Geier, Glassman, Green, Heyward, Hoke, Kerber, Kowalski, Niedringhaus, O’Neill, Plecnik, Ray, Sterio, Weinstein and Witmer-Rich; Visiting Professors Johnson and Simek.

EXCUSED: Professors Becker, Borden (PLOA), Dougherty, Falk, Forte, Gard, Garlock, Gelman, Inniss, Keating, Lewis, May, Mika and Wilson

NOT PRESENT: Professors Majette, Oh, and Sagers

A regular meeting of the faculty was convened at 4:05 p.m. by Dean Craig M. Boise.

The agenda is attached as Appendix I to these minutes.

Dean’s Report

- The results of the Ohio bar exam were released. Our passage rate for first time bar takers was 85%. Although we are one percentage point above where we were last year, it still places us 7th out of the nine Ohio law schools. We are now looking at whether we need to increase the attrition rate. This can be accomplished two ways – either by applying the full range of grades and/or by raising the minimum GPA to stay in law school. Professor Geier asked Professor Falk if there is a difference at Capital Law School since she had just completed a year there as Visiting Professor. Professor Falk stated that class time is 55-60 minutes per hour. This adds 7 more hours per semester with the students. Additionally they have Friday evening classes for part-time students. Professor Lazarus stated that he believes the main reason that students fail the bar is not that they aren’t capable but because they don’t work hard enough in the two months prior to the bar exam. Also, students generally slough off in their second and third year so he suggested not limiting attrition to only first year students.
Professor Davis raised concerns about the writing ability of students. Dean Boise turned the meeting over to Associate Dean Robertson to further discuss the issue of bar results.

Associate Dean Robertson shared two charts: one showing statistical data related to those students passing the July 2011 bar exam and one for those who did not pass. She noted that 20 first-time takers failed the bar. Students who failed the bar are being contacted to obtain additional data. The data that has been compiled shows that:
- 4 of the 20 students did not take the first bar offered after their graduation
- 4 of the 20 had LSAT scores at 150 or below
- 13 of 20 had first year GPAs of 2.5 or below
- 13 of 20 did not attend the free MPT workshops and most of the rest did not participate in a large number of MPT workshops (7 are offered)

Professor Sterio asked if there was a way to make attendance at the free MPT workshops mandatory. Associate Dean Robertson said the bar committee is discussing this idea. They are also talking about having a mandatory writing skills boot camp for those struggling. Dean Boise stated that another idea is to tack on a per semester fee to each students’ tuition which would be used to pay for a bar prep course in the students’ third year. We are still waiting for university approval. Professor Weinstein suggested offering various incentive-based programs. For example, students who attend MPT or other classes have some of their fee returned to them. He suggested that an incentive approach is better than a mandate approach.

Associate Dean Robertson stated that there is a 2-year lag in ABA data regarding attrition. Attrition rates are based on students who withdraw, transfer, or are academically dismissed. For the most recent data (the entering class of 2009) we were 4th in the state with an attrition rate of 15.9%. Our attrition rates have slowly gone down (18.7% in 2006; 17.5% in 2007; 17.3% in 2008). For the entering class of 2010 we had 13 withdraw, 2 transfer and 15 academically dismissed.

Professor Buckley asked whether we track students who take out of state exams. Associate Dean Robertson replied that we have a file on those states that send us reports. Professor Sterio asked if we counsel students to wait and take a later bar exam if they don’t feel ready. Dean Boise replied that we counsel students to take the first bar exam after they graduate when the information and study skills are still fresh.

Dean Boise continued with his Dean’s Report.
• If you have not already done so, please plan on attending the NE Ohio Faculty Colloquium this Friday at Blue Canyon. A large attendance by our faculty will show our peer schools how much we value scholarship.
• Last Monday (November 7th) 110 of our graduates were sworn to the Ohio State bar. The ceremony was preceded by a very nice luncheon, which was attended by four of the seven Ohio Supreme Court justices.
• Moot Court Night is this evening (November 10th). Presiding judges are the Honorable Maureen O’Connor, the Honorable Benita Pearson and the Honorable Dan Polster.
• John Dean is scheduled to visit C|M|LAW in April 2012. His visit will coincide with the 40th anniversary of Watergate and it will also tie in to the students’ professionalism problem. Mr. Dean will make a radio appearance on WCPN, host a faculty talk in the afternoon and speak at a 5:00 p.m. public event.
• The “Giving Book,” a summary of the giving over the past year, is scheduled to go out in the next week or 10 days.
• Next week the Dean is traveling to Washington, DC and New York City on a development trip. He is scheduled to meet with individual alumni and host two alumni receptions.

Professor Crocker asked the status of the clinical faculty search. Dean Boise responded that we have been approved to hire two clinicians. Associate Dean Sundahl is heading the search committee.

Professor Ray asked the status of filling the open named chairs. Dean Boise responded that he will be asking faculty to apply for those chairs in the near future. When choosing faculty to fill these positions, he will focus on scholarship.

Associate Dean for Administration
• Associate Dean Sundahl is chairing the committee to hire two clinicians. The committee is currently working on the job description. If you have any recommendations of potential candidates, please see a committee member.
• Professor Steve Gard has been discharged from the hospital and is expected to make a full recovery. Thank you to everyone who stepped up to cover his classes.
• In response to student complaints regarding cheating during exams involving the use of smart phones, Associate Dean Sundahl proposed the following amendment to the exam procedures:

Electronic Devices and Other Personal Effects
Students are not permitted to bring any electronic devices other than their personal computer to an exam (e.g., cell phones, Personal Digital Devices (PDAs), mp3 players, cameras, or digital or tape recorders). Students may not keep book bags, purses, or briefcases at their table during the exam. If a
student brings a bag, purse or briefcase to the exam, they must be left at the front of the exam room and may not be accessed during the exam. If a student has an emergency that requires the student to make or receive a call during an exam, the student should inform Dean Lifter and arrange to have the call made or received from the Student Services Center. Neither the law school nor the proctor shall be responsible for items left in the front of the room.

Insert the following as a new paragraph 4 under “Proctoring Responsibilities”

4. Remind the students that electronic devices (as described above in Section C) are not permitted in the exam room. Tell the students that if they have any bags, purses, or briefcases, they must place the items in their locker or place them in the front of the room before taking the exam.

Professor Weinstein said that when he proctors exams he only allows one student out of the room at a time and he has them sign out and then back in again. This makes them aware that he tracking how long they are gone. Professor Cherry asked if students turn in their colleagues since they are obligated to do so as part of the Honor Code. Associate Dean Sundahl responded that sometimes students do turn in their colleagues. He also thought that reminding students of this responsibility is a good idea. Professor Geier suggested exploring the possibility of hiring proctors. Associate Dean Sundahl responded that he is looking into hiring proctors or possibly a security firm to proctor exams. Some faculty expressed their concern with hiring a security guard to proctor an exam. They felt it would send a negative message to students. Professor Ray suggested hiring graduate assistants to proctor. Associate Dean Sundahl thought this was a good idea and said he would investigate the matter further.

• The curricular reform retreat was held earlier this month. Although it was not well attended, the conversation was very productive. Criteria for the skills courses still need to be created. This was moved to the Curriculum Committee.

• In light of the reduced number of applications received by the Admissions Office, Associate Dean Sundahl asked for suggestions on how to attract good applicants. Specifically he asked for faculty assistance to break through the media clutter and get information out to potential students. He suggested that if students receive a personal letter from faculty it would make a lasting impression. Several professors offered to participate. Professor Ray suggested having faculty take top prospects out for dinner.

Associate Dean for Academic Enrichment
Associate Dean Robertson’s report was incorporated into the Dean’s Report.

Self-Study Update
Professor Crocker, Chair of the Self-Study Committee, reported on the status of the committee’s work. She stated that the committee is finalizing both the faulty and staff surveys which has been created using SurveyMonkey software. The surveys will be available shortly.

The committee hosted a brown bag to discuss the size of the next incoming class. This same conversation was held with both the Visiting Committee and the National Advisory Committee. Both committees were impressed with the forward thinking of the law school.

Professor Hoke questioned whether SurveyMonkey is completely anonymous. Professor Crocker stated that she believed it is but she will verify the anonymity feature. Professor Ray asked when the proposal for a smaller incoming class would be presented to the university. Dean Boise responded that when we have more data available, probably after the first of the year, he would present it to the University. Currently he is waiting for some modeling data. Professor Buckley asked if other law schools were reducing their incoming class sizes. Dean Boise responded that most law schools have reduced their class size, however, whether they will continue this reduction is not clear.

**Adjournment**
Professor Ray moved to adjourn the faculty meeting. Associate Dean Robertson seconded. The motion passed unanimously. The meeting adjourned at 5:19 p.m.
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW
December 15, 2011
2:00 p.m. – LB 60

ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson and Sundahl; Professors Becker, Broering-Jacobs, Buckley, Crocker, Curtis, Garlock, Geier, Gelman, Glassman, Green, Heyward, Hoke, Kowalski, Lewis, Majette, May, Mika, Niedringhaus, O’Neill, Plecnik, Ray, Sagers, Weinstein, Wilson and Witmer-Rich; Visiting Professors Bouvier, Johnson and Simek; Assistant Dean Lucak.


NOT PRESENT: Professors Davis and Oh.

Dean Craig M. Boise convened a regular meeting of the faculty at 2:05 p.m.

The agenda is attached as Appendix I to these minutes.

Approval of Minutes of October 6, 2011
Professor Geier moved to approve the minutes of the October 6, 2011 faculty meeting as submitted. Professor O’Neill seconded. The motion passed unanimously.

Approval of Minutes of November 10, 2011
Professor Geier moved to approve the minutes of the November 10, 2011 faculty meeting as submitted. Professor O’Neill seconded. The motion passed unanimously.

Dean’s Report

• Faculty Scholarship and Speaking Engagement Update: Professor Milena Sterio is currently in the Seychelles advising officials on the formation of a court dedicated to the prosecution of Somali pirates. She was also recently elected president of the Central States Law Schools Conference. Professor Wilson spoke at the Central States Law Schools conference last month. Professor Karin Mika spoke at the Legal Writing Institute Regional Workshop at Chicago-Kent Law
School. Professor Ray organized and hosted a half-day conference here at the law school on e-discovery. Professor Gelman addressed the Cleveland-Marshall Law Alumni Association board on his recent research. Professor Plecnik’s article was included on SSRN’s top ten downloaded list for three different sub-journals. Please let Associate Dean Robertson know when you present a paper at other law schools and please remember to give a pitch for our law school when speaking at outside engagements. Also, if you have contacts at other law schools, please let us know so that we can secure speaking engagements for our faculty at their schools.

- **Committees:** There are still a few committees that did not meet this semester. Chairs need to convene meetings early and often to ensure completion of committee charges and to give members time for quality and deliberate decision-making.

- **Development/OCP:** Firm visits continue to go well. We are on track to visit 25 law firms this academic year – mostly small and mid-size firms. The firm visits are used to press job opportunities for our students and also as a development tool. The *Giving Book* was placed in faculty mailboxes yesterday. Thanks to those who attended the holiday party last Saturday night. Approximately 250 alumni, faculty and friends of C|M|LAW attended. The goal for this year is to complete the $1 million Fund for Excellence by the end of 2012. This money will be used to expand our branding, update our website, and provide additional funding for faculty research and scholarship.

- **Solo Practice Incubator:** Approximately 15% of our students end up in solo practice. We are looking into creating a solo practice incubator in the law school to give our students inexpensive office space and to allow students to support each other. Last month, we brought in Fred Rooney to give us advice on how to start our own program. Professor Rooney started the first incubator program at CUNY. Dean Boise followed up this meeting by visiting the program at CUNY during his development trip to New York. The Cleveland Metropolitan Bar has indicated they would like to be involved by mentoring the students involved in the incubator program. There is also a possibility for funding from the Cleveland Foundation and other grant-making organizations.

- **Clinics:** Curricular reform requires that students acquire more experiential skills prior to graduation. The best way to do so is with one-on-one supervision. Therefore, to expand our experiential opportunities we will be expanding our externship opportunities. Our clinical faculty will supervise outside attorneys who will supervise our students. This will create more opportunities for our students to practice in a supervised environment and in a broader array of practice areas.

- **Misc.:**
  - Cheating is always a concern during exam period. Please be vigilant when proctoring. Remind those who still have finals to be vigilant of cheaters.
Recently a projector was stolen from a classroom that was left unlocked. Please be more attentive to locking classroom doors after your class.

John Dean of Watergate fame will be here on April 19, 2012. He will be on WCPN, followed by an ethics program for our students, a faculty chat in the afternoon, and a public lecture at 5:00 p.m. The topic of his lecture will be “Watergate: 40 Years Later.” We hope to acquire firm sponsorship to defray the cost of bringing Mr. Dean to C|M|LAW.

Nominations for research chairs will begin in January. After break, Dean Boise will distribute a memo detailing the criteria for securing a chair and the nomination process.

Self-nominations forms for merit pay increases will also be circulated in mid-January.

The People v. King David event held last month at C|M|LAW will be aired on WCPN in January. Next year we will host The People v. Eve.

**Associate Dean for Administration**

- Thank you for implementing the new exam procedures. Although we did not have enough time to secure paid proctors for this exam period, we hope to have them in the future. Professor Becker suggested asking retired professors to proctor exams.
- Please send your teaching preferences to Associate Dean Sundahl as soon as possible. If you want to discuss your teaching preferences personally, feel free to stop in his office.
- On March 28th at 10:30 a.m. the 8th District Court of Appeals will hear oral arguments in the Moot Court Room

**Associate Dean for Academic Enrichment**

- When grading, please remember to use the full range of grades.
- If you are interested in speaking at a faculty luncheon next semester, contact Associate Dean Robertson. She is currently working on the calendar of events for next semester.
- Thank you to those who attended last month’s faculty colloquium. Professor Falk did a great job presenting on behalf of our law school. Case will host the next colloquium in the spring.
- If you are doing research that involves student data, or information about our students, check with the CSU Institutional Review Board. Any information you utilize regarding our students needs to be vetted by the IRB. We also need to ensure there are no FERPA implications.
- Please let Associate Dean Robertson know whenever you have an article published, speak at a conference, or participate in a public event so that it can be included in the faculty blog and SSRN. This also enables the Dean to talk about our faculty scholarship when he goes out into the community.
Admissions Report
Christopher Lucak, Assistant Dean of Admissions and Financial Aid, reported on the admissions statistics for the incoming class of 2011. (See report attached to these minutes.) He noted that applications decreased 13% from last year. This is consistent with the national average of 10% decrease. This trend is continuing this year with current applications down 14%. Specific details of the incoming class of 2011 include:

Selectivity – 38% (increase from 2010 rate of 34.3%)
Yield – 27.5% (decrease from 2010 rate of 30.6%)
Median LSAT – 155 (decrease from 156 score of 2010)
25% LSAT – 152 (decrease from 154 score of 2010)
75% LSAT – 157 (decrease from 158 score of 2010)
Median GPA – 3.27 (decrease from 2010 GPA of 3.45)
25% GPA – 3.02 (decrease from 2010 GPA of 3.16)
75% GPA – 3.52 (decrease from 2010 GPA of 3.65)
Offers to students of color increased 6% this year.
Overall 26% increase in student of color population from last year.

In relation to other public law schools in Ohio:
LSAT Quartiles – we are ahead of Akron, Capital, Dayton, Ohio Northern and Toledo
GPA Quartiles – we are ahead of Capital and Dayton.
Selectivity – we are the second most selective law school in Ohio
Yield – we are the third highest yielding school in Ohio
Students of Color – we are the second highest school with minority enrollment
Female Enrollment – we are the third highest school with female enrollment

In response to questions from the faculty regarding how our scholarship dollars are used to secure applicants, Dean Lucak explained that we have strategically reallocated our scholarship dollars in order to build our incoming class of students in the 157-159 LSAT range. He stated that the competition is steep for scholarship dollars. Akron is outspending us giving $17,000 scholarships to students with LSATs as low as 153.

Professor May asked what class size we are looking to bring in next year. Dean Boise responded that the university administration would like us to enter a class of 200. We believe a class of 140 would be ideal. We are in the process of making the case for a smaller incoming class.

Self-Study Report
Professor Crocker reported on behalf of the Self-Study Committee that surveys have been sent to both the faculty and staff. Please complete your survey before December 23rd. The Self-Study Committee will be hosting another brown bag in January to discuss class size. Dean Boise will present budget models based on a class of 200, 175 and 150.
Sense of the Faculty Regarding Under-Enrolled Courses
Dean Boise asked for a sense of the faculty regarding a policy for classes that are under-enrolled. There are some classes that have only two or three students enrolled in them. If we cancel the classes, how do we ensure that faculty “pull their weight?”

Professor Weinstein asked if there is data on the extent to which this is happening. Associate Dean Sundahl responded that there is such data over time. Currently three courses taught by full-time faculty and three courses taught by adjunct faculty are under-enrolled. Professor Buckley stated that this should be an administrative decision, however, if it is the same course year after year, there should be some warning and then the course should be dropped. Professor Hoke stated that she would be in favor of a requirement that a course not move forward without a threshold of five students at the point of preregistration. Professor Geier stated that she is leery of hard and fast cut-off rules. She stated that she would trust the Associate Dean’s judgment in cancelling a course. Professor Simek noted that she is hesitant to cancel classes that are more specialized. It may be the students’ only opportunity to learn about more select areas of the law.

Dean Boise suggested that if a course is canceled, then we could “bank the course.” For classes that do not have a sustained enrollment, we can have a list of needs and faculty can select from one of those courses to teach. Professor Lewis stated that if the purpose is to make sure that all faculty carry their weight, you need to look at what other courses the faculty member is teaching. They may be teaching one large class and one smaller class so that it may balance out in the end.

Professor Crocker asked if we have information on what other schools do in this situation. Associate Dean Sundahl responded that he heard from 30 other law schools. Most schools canceled under-enrolled courses and professors are reassigned or asked to teach a third course the following semester. The reassignments can be either administrative, picking up another course, taking over a course from an adjunct, or taking a large course and splitting it up.

Professor Ray noted that the rest of the university has some sort of teaching formula to quantify teaching loads. Dean Boise said that the university is currently looking into work load issues.

Sense of Faculty Regarding Policy on Students with Felony Convictions
Dean Boise asked for a sense of the faculty regarding creating a policy for admitting students with a felony conviction on their record or who are convicted of a felony while in law school. He said this question arose after a student was convicted of a felony while in law school and several students contacted him inquiring about our policy for this situation. Professor Crocker stated that we have a policy that we do not exclude people with felony convictions from being admitted to law school. Each case is evaluated on a case-by-case basis.
Professor Geier asked if students exceed the high hurdle of being admitted with a known felony on their record, are they told that they may not be admitted to the bar if they don’t pass the character and fitness requirement? Professor Curtis noted that if they do graduate but are not admitted to the bar because of their character and fitness, we then carry them on our statistics forever.

Some professors stated apprehension to admitting a known felon into law school or allowing them to continue their law school education if they are convicted of a felony stating that it shows disrespect for the law. Additionally, they want to know if someone who is violent is in their classroom. Other faculty stated that we should not be the ethical monitor of these students since they will have served their sentences and therefore paid their debt to society. Still others thought that students convicted of a felony should have the burden of convincing the Honor Code Committee of why they should not be expelled.

Professor Wilson stated that if we do determine a policy, we should have a specific rule for nonviolent political dissent and political crimes.

**Discussion of University Governance**
Professor Wilson followed up on an *AAUP News* newsletter that was forwarded to the law faculty (see copy of newsletter attached to these minutes) discussing faculty governance issues at Cleveland State University. He stated that at the last Faculty Senate meeting Dr. Berkman said he wants to meet with the Steering Committee to talk about faculty governance. In response the Steering Committee will have an Executive Session for all voting members to discuss this issue. If you have any thoughts regarding faculty governance and its effect on the law school, please share them with Professor Wilson.

**Adjournment**
Professor Hoke moved to adjourn the faculty meeting and move into Executive Session. Professor Niedringhaus seconded. The faculty meeting adjourned at 3:39 p.m.
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW  
January 12, 2012  
4:00 p.m. – LB 60

ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson and Sundahl; Professors Becker, Broering-Jacobs, Buckley, Cherry, Curtis, Daiker-Middaugh, Davis, Falk, Forte, Garlock, Gelman, Glassman, Hoke, Inniss, Kerber, Kowalski, Majette, May, Mika, Niedringhaus, O’Neill, Plecnick, Ray, Sagers, Sterio, Wilson and Witmer-Rich; Visiting Professors Bouvier and Simek; Assistant Dean Lifter

EXCUSED: Professors Borden (PLOA), Crocker, Dougherty, Gard, Geier (PLOA), Green, Heyward Keating, Lazarus, Lewis, and Weinstein (PLOA); Visiting Professor Johnson

NOT PRESENT: Professor Oh

A regular meeting of the faculty was convened at 4:02 p.m. by Dean Craig M. Boise.

The agenda is attached as Appendix I to these minutes.

Approval of Minutes
Professor Wilson moved to approve the minutes of the December 15, 2011 faculty meeting as submitted. Professor Becker seconded. The motion passed unanimously.

Dean’s Report – Craig Boise

- **Faculty Scholarship and Speaking Update:** Jonathan Witmer-Rich gave a presentation on federal criminal practice at the Federal Court Training Seminar for the Northern District of Ohio; Chris Sagers was quoted in the *L.A. Times* on December 10 for his views in AT&T’s merger bid to acquire T-Mobile; Lolita Buckner Inniss reviewed Serena Mayeri’s *Reasoning from Race* on *Dicta*; Debby Geier was invited by the U.S. Senate Finance Committee to participate in a two-day Academic Roundtable discussing fundamental tax reform; Alan Weinstein spoke on “The Impact of the Religious Land Use and Institutionalize Persons Act
on State and Local Governments” at Association of American Law Schools annual meeting; Heidi Robertson has been invited by the ABA Rule of Law Initiative to train the law faculty at Helwan University in Cairo, Egypt on environmental clinical education; and Candice Hoke co-chaired a half-day program on internet voting and e-voting at the Association of American Law Schools annual meeting.

- **Sidebar:** The Dean convened a Dean’s Student Advisory Council comprised of 40 students who he meets with periodically through the year in order to get a sense of their law school experience. One thing that came out of these meetings was a desire by the students to have more informal contact with faculty outside of the classroom. To that end, beginning Thursday, January 26th we will have a law school-wide happy hour event for faculty and students entitled Sidebar. Sidebar will be held in the atrium from 4:00 – 6:00 p.m. every Thursday this semester. It will be jointly underwritten by SBA and the law school. The Dean encouraged faculty to attend and mingle with the students.

- **John Dean:** John Dean will visit C|M|LAW on Thursday, April 19, 2012. He will start out the day with an appearance on WCPN followed by a two-hour student presentation from 10:30 to 12:30 p.m. In the afternoon he will have a faculty conversation from 2:30 to 3:30 p.m. in LB 60. At 5:00 p.m. Mr. Dean will give a presentation entitled, “Watergate: 40 Years Later.” This event will be open to the public and ethics CLE will be given.

- **Annual Reviews:** Self-evaluation forms in connection with assigning merit pay increases will be distributed next week. Bear in mind that turning in grades on time is an important faculty responsibility. Students are anxious about their performance and need to receive the feedback of grades as soon as possible.

- **President Berkman:** President Berkman will address the faculty at the Thursday, April 5th faculty meeting.

- **Student Applications:** Applications are down by 30%. Christopher Lucak and the Dean are looking into strategies to increase applications and increase scholarship dollars. Professor Buckley asked if the university has approved a smaller incoming class. Dean Boise responded that they have not. He explained that part of what must happen before approving a smaller class size is that tuition must be increased. He encouraged all faculty to attend a brown bag luncheon convened by the Self-Study Committee on February 8th to discuss the incoming class numbers as well as tuition increases.

- **Committees:** Committee chairs should plan to convene their committees early and often so as to complete committee charges well before the end of the spring semester. By May 31st all Committee Chairs must submit a report to the Dean regarding action taken by the committee to fulfill their charges.

**Associate Dean for Administration**

- Thank you to the faculty who attended the Winter Open House for potential students on January 4th. The next opportunity to assist admissions is on March 31st for Admitted Students Day.
• Thank you to those who responded to the request for suggestions on scheduling first year classes. After reviewing all of your comments, for those teaching courses that meet three days per week, classes will be held for 70 minutes each. Professor Garlock pointed out that by doing so, those teaching the 3-day option will be teaching 210 minutes a week and those teaching the 2-day option will be teaching 200 minutes per week (two 100-minute classes). Professor Sterio suggested that faculty teaching the three-day option can choose two classes to cancel which would even out the time.
• Plagiarism is a recurring problem. Some students believe it is acceptable to adopt the text of another writer and drop a footnote. Please make a point of explaining plagiarism whenever writing is involved in a course.
• Students will be receiving an email regarding proper Internet usage during class time.
• If you are interested in having a practitioner speak to your class, please let Associate Sundahl know.

**Associate Dean for Academic Enrichment**
• Bar Exam Coordinator, Mary Jane McGinty is working on faculty presentations to prepare students for the upcoming bar. If you want to participate, please contact Mary Jane.
• Faculty volunteers are needed to call students preparing for the upcoming bar exam and wishing them good luck. If you want to participate, contact Associate Dean Robertson.
• A master schedule for this semester’s faculty luncheons, coffee hours, and evening events was sent via email. Please mark your calendars.
• Thank you to Professor Becker and Professor Lazarus for the time and effort they put into creating the professionalism problem of the semester.
• Mary Jane McGinty distributed bar exam questions from the June bar exam. Please look at them so you can get a sense of the kinds of questions being asked on the bar exam.

**Election of an Interim Faculty Senator**
Professor Wilson asked for nominations to serve Professor Geier’s Spring, 2012 term on the Faculty Senate while she is on professional leave. Professor Hoke nominated Professor Majette to fill the position. With no additional nominations on the floor, Professor Gelman moved to close nominations. Professor Majette’s nomination was approved by acclamation.

**Health Care Compliance Certificate Proposal**
Professor Sheldon Gelman, on behalf of the Health Law Special Committee, brought forth a proposal seeking the faculty’s support for the creation of a health care compliance certificate program. (See copy of proposal attached.) The Curriculum
Committee approved this proposal earlier this week. It now needs the full faculty approval and the Dean’s approval before it can go on to the Graduate Council.

The proposal includes an 18-credit curriculum which includes three new courses. Professor Gelman suggested that admission requirements be added to the proposal. He recommended the minimum CSU admission requirements for non-JD students to apply to this program.

Associate Dean Robertson stated that she is concerned that many of the courses are not being taught by our own faculty members therefore we have to rely on adjuncts. Professor Majette responded that utilizing people currently practicing in the field is important because it keeps the curriculum up to date. Professor Davis questioned whether it would reflect poorly on us if a large number of our graduates fail the CHC (Certified in Healthcare Compliance) or CCEP (Certified Compliance and Ethics Professional) test. Professor Gelman stated that even if our graduates don’t pass these tests, they remain very marketable. It is not a legal requirement to be certified by these agencies.

Another question arose as to whether students who had graduated and want to return can carry forward their courses. It was agreed that they should be allowed to do so.

After further discussion, the question was called. Professor Gelman asked that the minutes reflect the motion comes from the Health Law Special Committee, the minimum CSU admission requirements will be required for non-JD applicants, and J.D. students who are returning, can carry forward courses for which they previously received credit. The motion passed unanimously.

Research Chair Procedures
Dean Boise, referring to his memo of January 11, 2012 (see attached memo), reviewed the new process for Named Professorship appointments. He noted that there would be no formal committee review of applications. Dean Boise will rely on the nomination process. For those who feel strongly about colleagues who should be considered for professorships, please submit a memo nominating them. He will also accept self-nominations. Another difference in this process is that there is the possibility of a faculty member receiving a subsequent three-year appointment.

Professor Falk stated that she is disappointed with the late date the memo was distributed as well as with the substance of the process. The faculty discussed this process extensively in years past and she feels that entire conversation has been ignored. Additionally, the lack of faculty governance is bothersome. Dean Boise responded that he didn’t feel he was in a position to address the policy in his first semester here. If the faculty wants more time to consider the policy, he is more than happy to discuss it at the next faculty meeting. He views named professorships as his
prerogative to choose with input from the faculty. He has invited this input by asking for comments from the faculty after all applications have been submitted.

Professor Gelman stated he found it extraordinary that a faculty appointment would be made without any formal faculty input. He also stated that he sat on the committee that reviewed applications in the past, and the committee was asked to review applicant’s entire career at C|M|LAW not just the past 2-3 years. Professor Inniss agreed that committee review is important stating there is a certain amount of integrity brought to the process when you sit in a room and talk. Professor Forte stated that he believes for faculty to be intimately involved in a choice of their own, is not a good idea.

Dean Boise responded that he believes faculty are overburdened by committee work. He is looking for people’s candid views without the fear of having to express those views in front of anyone else. Further, he believes this is a different decision-making process than whether someone receives a promotion. It is a way of rewarding productivity that in turn raises the profile of the law school. He asked for comments from faculty on the new procedures between now and the next faculty meeting. At that time he will announce his plans for the named professorship selection process. In the interim, please submit nominations so that piece moves forward.

**Professionalism Problem of the Semester**
Professor Becker introduced the Professionalism Problem of the Semester (see attached). The purpose of the professionalism problem is so that students can look at the issue beyond one course and throughout their curriculum. The problem and supporting material will be placed on the faculty web page. The Teachers Guide gives six general areas of discussion. The Resource Packet has primary materials for your perusal.

**Entering Class of 2011 Student Performance – Dean Boise**
Dean Boise asked for the faculty’s thoughts on the entering classes’ performance as a whole in light of comments he has heard regarding their abilities.

Professor Wilson agreed stating that this class seems to have a large lower third and the lower half of the class has abysmal writing skills. He suggested that the focus of the Self Study should be on how to deal with the decline of student performance now and in the future. Several other professors agreed with Professor Wilson’s assessment of the class.

Professor Becker expressed concern with students’ attitudes. They seem to have a “it’s your job to teach me, not my job to learn” attitude. Professor Curtis added that she believes these students are profoundly disengaged.

Professor Kerber said she has not encountered this issue. She believes it is because she sends individual emails to students to stem problems as they arise. She suggests that
we need to target weaknesses in students, diagnose the problems and then attack the problem before it gets out of hand.

**Adjournment**
Professor Hoke moved to adjourn the faculty meeting and move into Executive Session. Professor Falk seconded. The motion passed unanimously. The meeting adjourned at 5:49 p.m.
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW
February 9, 2012
4:00 p.m. – LB 60

ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson & Sundahl; Professors Broering-Jacobs, Buckley, Cherry, Crocker, Curtis, Daiker-Middaugh, Davis, Forte, Garlock, Gelman, Glassman, Green, Heyward, Inniss, Kerber, Lazarus, Majette, May, O’Neill, Plenick, Ray, Sagers, and Witmer-Rich; Visiting Professors Bouvier, Johnson and Simek; Assistant Dean Lifter.

EXCUSED: Professors Becker (PLOA), Borden (PLOA), Falk, Gard, Geier (PLOA), Hoke, Keating, Kowalski, Lewis, Mika, Niedringhaus, Sterio and Weinstein (PLOA).

NOT PRESENT: Professors Oh and Wilson

A regular meeting of the faculty was convened at 4:04 p.m. by Dean Craig M. Boise.

The agenda is attached as Appendix I to these minutes.

Approval of Minutes of January 12, 2012 Faculty Meeting
Professor O’Neill moved to approve the minutes of the January 12, 2012 faculty meeting as submitted. Professor Ray seconded. The motion passed unanimously.

Dean’s Report

• Faculty Scholarship and Speaking Update: Professor Sterio appeared on WCPN’s Sound of Ideas and was featured in a PD story in December discussing her work on piracy prosecutions in the Seychelles with the Public International Law & Policy Group’s Piracy Working Group; Candice Hoke co-organized and moderated a program at the AALS titled “The Law and Science of Trustworthy Elections: Facing the Challenges of Internet Voting & Other E-Voting Technologies”; Dennis Keating wrote a review of Harvard Professor Susan Fainstein’s “The Just City” that appeared in the January issue of Urban Affairs
Review. In order to raise our scholarship profile, Associate Dean Robertson will be contacting other schools to get our faculty on their speaking calendars. If you have any contacts, please let Associate Dean Robertson know.

- **Committees**: Committee chairs should plan to convene their committees early and often so as to complete committee charges well before the end of the spring semester. This will encourage quality, thoughtful deliberation and avoid rushed decisions.

- **Clinical Hiring**: The two clinical faculty positions have been posted. The Hiring Committee will begin reviewing CVs on February 21st. Dean Sundahl is chairing this committee.

- **John Dean Visit**: John Dean will be visiting the law school on April 19th. His public presentation will be entitled, “Watergate: 40 Years Later.”

- **Great Lakes Sports and Entertainment Law Academy**: Our enrollment for this three-week summer program is up to 47 students.

- **Professionalism Problem**: Professors are encouraged to incorporate the professionalism problem into their classes this semester. The reinforcement from a variety of perspectives will benefit students.

- **Named Professorship Policy**: The Dean received several comments regarding the revised Named Professor policy. In response to those comments: candidates’ performance will be evaluated over a four-year period instead of the originally chosen two-year period; there was concern about reducing the stipend from $10,000 to $7,500 in connection with providing an automatic course release. The Dean reviewed the accounts that fund the professorships and decided to retain the $10,000 stipend and still provide an automatic course release. The Dean reminded faculty that any faculty input regarding candidates’ qualifications for named professorships must be in writing and signed or otherwise acknowledged by the person providing them. Comments are due by February 6th at 5:00 p.m.

- **Annual Reviews**: All Annual Review forms must be completed and returned by March 25th. (This was later corrected in an email to faculty stating the completion date is March 1st.) Annual Reviews will be used to determine merit pay increases.

- **Sidebar**: Thank you for attending Sidebar. Dean Boise has received several positive comments from students regarding faculty attendance at Sidebar.

- **Development/OCF**: The focus of our development efforts this year is to complete the $1 million Fund for Excellence by June 30th. To date $533,061 has been raised ($150,000 in this fiscal year alone). Significant donations have been received by C|M|LAW faculty member Peter Carfagna and his wife who pledged $100,000 to establish the Captains Scholarship. Richard Stovsky, the incoming NAC Chairman, pledged to match, dollar-for-dollar, any NAC donation up to $10,000. This match pledge alone has generated over $27,000. Four new law firms have been added to the Law Firm Giving Challenge program. This program seeks 100% participation by C|M|LAW alumni in law firms. In FY 11, eleven
firms reached 100% participation. The goal for FY 12 is 20 firms. The Dean and his development team are heading to California next week to meet with donors and alumni in San Francisco, Los Angeles and San Diego.

**Associate Dean for Administration**

- The Fall 2011 and Spring 2011 grade distribution sheets were distributed with the agenda. Looking at the percentages for 1L courses for Fall 2011, the combined D+/D/F ranges go from 0% to 25%. The standard is 13%. In Spring, 2011, the ranges were even greater. It is important faculty give out those grades when they are due for the benefit of the law school and the law student. Additionally, it is desirable for all faculty to utilize the same guidelines for grading so that students are graded on equal footing.
- There were 15 course grades that were received after the grading deadline. The Gavel is doing a cover story on the large number of late grades. It is very important for faculty to submit grades in a timely fashion so that students can apply for internships, summer jobs and, in some cases, to ensure they can continue in law school.
- It is very important that faculty assist in the process to help attract the best students. Please attend the March 31st Admitted Students Day and the March 30th Admitted Students Scholarship Reception. Details will follow by email. Also, please volunteer to write a letter to admittees encouraging them to attend. Dean Lucak will create a template for the letter.
- An email will be sent to students reiterating the definition and consequences of plagiarism. Dean Sundahl will also send out an email to students regarding internet usage during class time.
- If you are interested in having a practitioner speak to your class, please contact Dean Sundahl.
- The Provost will launch a new series of Provost lunches where faculty from different departments will get together for an informal lunch and discussion.

**Associate Dean for Academic Enrichment**

- The law school has opened an Expresso Student Account. If you have a student who has written a worthy paper, please let Dean Roberson know and she will facilitate the process. Similarly, if you have anything to post on SSRN, or need help with the article submission process, Dean Robertson can assist you.
- Upcoming events: We are hosting the investiture of our alumni Annette Butler on February 9th; The Northeast Ohio Faculty Colloquium will be held on March 23rd at Blue Canyon – Professors Sagers will be our speaker; The Health Law Symposium will be held on April 4th; John Dean will be visiting the law school on April 19th – there will be many opportunities for students and faculty to meet with Mr. Dean; we are hosting the Urban Agriculture Conference on April 20th.
• The Fulbright Catalog is available. If you are interested, there is a long lead-time so you might want to start looking into it early. Milena and Brian are in the running for next year.

Self-Study Committee Update
Professor Phyllis Crocker thanked the faculty for attending the luncheon to discuss class size. The next luncheon meeting will be held on February 22nd and will focus on revising the mission and vision statements. Drafts of the mission and vision statements adopted in 2005 will be sent prior to the meeting.

Academic Standards Committee
Professor Peter Garlock, on behalf of the Academic Standards Committee, presented two proposed revisions to the Academic Regulations. (See memo detailing the proposed revisions attached.)

The first proposed revision is to regulation 5.1. The provision currently reads: "Any student achieving a cumulative Grade Point Average below 2.00 upon completion of the first Spring semester or any term thereafter, including a Summer term, shall be dismissed.” As the regulation is now written, if a student voluntarily withdraws after the first Fall semester and then returns the following Fall semester, that student has an additional two semesters to attain a 2.00 (since the student can’t be dismissed before completing the “first Spring semester”), for a total of three semesters. It was thought that this gave the second student an unfair advantage over the first student. The committee moved to revise regulation 5.1 to read:

Any student who fails to achieve a cumulative Grade Point Average of 2.00 or higher upon completion of two full semesters, not including Summer semesters, shall be dismissed. Any student who falls below a cumulative Grade Point Average of 2.00 in any semester thereafter, including Summer semesters, shall be dismissed.

Professor Forte questioned how many probations have been granted thus far this year? Assistant Dean Lifter did not have that information with her. Associate Dean Sundahl asked if the committee looked at similar practices at other schools. Professor Garlock stated they had not. A vote was taken and the motion passed unanimously.

The second proposed revision is to regulation 2.4(d)(4)(a). The provision currently reads: “2.4 Grade Dispute Procedures, Grade Appeals and Changes of Grades (d) Student Petitions for a Change of Grade: Petitions to the Academic Standards Committee (4.) A student may petition the Academic Standards Committee for a change of grade to the grade of “P” or “W.” Such a change of grade shall be awarded only in cases in which the student has satisfied the Academic Standards Committee that: (a.) The grade awarded was arbitrary or not in accord with the grading standards applied to the other members of the class because of factors or circumstances extraneous to the
grading process itself, but in no event shall a review of other students’ examinations occur; . . .” Last year’s Academic Standards Committee found that the Committee was receiving a number of non-meritorious petitions for grade changes that really did not fit within the meaning of Regulation 2.4(d)(4)(a). Last year’s Committee began the task of trying to clarify the grounds for student grade appeals; this year’s Committee was charged with completing that task. The Committee surveyed how other schools handle grade disputes. Some schools do not allow grade appeals at all, while others permit challenges only on the basis of computational or clerical error. Still others allow grade appeals on grounds that the grading was “arbitrary and capricious” or the result of demonstrable personal bias by the professor toward the student. The Committee proposed to revise Academic Regulation 2.4(d)(4)(a) to read:

2.4 Grade Dispute Procedures, Grade Appeals and Changes of Grade

(d) Student Petitions for a Change of Grade: Petitions to the Academic Standards Committee

4. A student may petition the Academic Standards Committee for a change of grade to the grade of “P” or “W.” Such a change of grade shall be awarded only in cases in which the student has satisfied the Academic Standards Committee by clear and convincing evidence that:

a. The grade awarded was arbitrary or capricious, but in no event shall the Committee re-grade or otherwise evaluate the petitioning student’s examinations or other course work, or that of other students in the course.

Examples of what shall not constitute proof of arbitrary or capricious grading within the meaning of the above Regulation include, but shall not be limited to, the following:

--disagreement with the professor’s evaluation of the merits or quality of the student’s work;
--criticism of the merits of a professor’s examination or the professor’s grading methodology;
--a student’s claim that his or her work did not accurately reflect his or her knowledge of the material.

Professor Gelman stated that he worries that the examples of what does not constitute proof of arbitrary or capricious will prove misleading. He suggested that the committee state that “mere disagreement” of a grade is not enough. Professor Garlock stated that the committee discussed whether to include the examples and chose to do so. Professor May stated that the examples are helpful because many students have no idea of what is considered arbitrary. After additional conversation, Professor Gelman moved to strike the examples section from the proposal. Professor Forte asked if there
is another vehicle through which examples can be stated rather than in the actual regulation. Assistant Dean Lifter stated there are explanatory sections. The question to strike the examples section of the proposal was called. The motion failed with 7 voting in favor of striking the examples and 16 opposed to striking the examples.

The original proposal as submitted by the Committee was then voted upon. The motion passed unanimously.

**Proposal for Amending the Procedures and Criteria for Promotion**
Professor Buckley, Chair of the PAC, in consultation with Professor Inniss, Vice Chair of the PAC and Professor Gelman, brought forth an amendment to the Criteria for Promotion to the rank of full Professor in the Procedures and Criteria for Promotion. The purpose of the amendment is to bring the law school’s criteria into conformity with the University’s Personnel Policies and to add corresponding changes to the Procedures in order to implement the proposed modifications in the Criteria. (See copy of the proposed changes attached to this agenda.)

Associate Dean Robertson noted that she is not in favor of this amendment because it allows for the rank of full Professor based on a candidate’s scholarship or “sustained outstanding intellectual leadership.” The question arose as to whether the law school is bound by the Greenbook. Professor Crocker noted that the law school’s tenure guidelines for Associate Professor and tenure do not allow for promotion based purely on teaching but the Greenbook allows for promotion based on teaching only. Professor Ray suggested the law school could conform our rules to the Greenbook or we could try to change the Greenbook. Professor Buckley noted that changes to the Greenbook must be approved by the Board of Trustees. He stated that the Provost has created a task force to create more uniformity across the university when it comes to promotion and tenure matters.

Professor Ray moved to table this motion and asked the PAC to look into the possibility of amending the Greenbook instead of amending the Criteria for Promotion and Tenure. Professor O’Neill seconded the motion to table. The motion passed unanimously.

**Adjournment**
Professor O’Neill moved to adjourn the faculty meeting and move into Executive Session. Professor Crocker seconded. The motion passed unanimously. The meeting adjourned at 5:25 p.m.
ATTENDANCE:


EXCUSED: Dean Boise; Professors Becker (PLOA), Borden (PLOA), Buckley, Crocker, Forte, Gard, Geier (PLOA), Green, Keating, Lewis, Mika, Sagers and Weinstein (PLOA); Visiting Professor Johnson.

NOT PRESENT: Professors Broering-Jacobs, Cherry, Glassman and Oh

A regular meeting of the faculty was convened at 4:03 p.m. by Associate Dean Mark J. Sundahl.

The agenda is attached as Appendix I to these minutes.

Announcements

- Faculty Scholarship and Speaking Update: Professor Sterio is a regular panelist on the new WCPN radio program entitled “Talking Foreign Policy”; Professor Witmer-Rich was interviewed on Fox 8 News regarding the shootings at Chardon High School; Professor O’Neill and C|M|LAW alum Patrick Charles have accepted an offer to publish their article in the UTAH LAW REVIEW; Professor Weinstein spoke on the Impact of the Religious Land Use and Institutionalized Persons Act at the AALS conference; Professor Inniss has accepted the position of Elihu Root Peace Fund Visiting Professor in the Women’s Studies Department at Hamilton College in New York for the 2012-2013 academic year.
- Development: Dean Boise sent out an email yesterday delineating the many successes of our development team.
- Admissions: Applications continue to decline. We are down 24% from last year.
**Associate Dean for Administration**

- A streamlined electronic exam number system has been developed. If you give more than one midterm worth more than 10% of the total grade, please ask students to get numbers from Marcie.
- FY 13 schedules will be coming out in the next week or so.
- The Great Lakes Sports Academy currently has 70 students enrolled. Most of the students are from C|M|LAW and Case.
- The Eighth District Court of Appeals will hear oral arguments at C|M|LAW on March 28th at 9:00 a.m. and 10:30 a.m. in the Moot Court Room. This is a public event open to students and the community.
- The Progressive Art Collection invited us to bring our students to the gallery to discuss philosophical questions triggered by the artwork that may have legal or ethical issues. If this is something you find useful, please contact Dean Sundahl.

**Associate Dean for Academic Enrichment**

- Dean Boise and former C|M|LAW faculty Linda Ammons and Fred White have been named to the Black Lawyers Power 100 list.
- Professor Crocker had an article accepted by the Toledo Law Review on interim deaning. Professors Forte and Sterio each had a letter to the editor published in the Plain Dealer. Professor Keating’s review of The Just City appears in the January issue of Urban Affairs Review. Dean Emeritus Steinglass was appointed to the Ohio Task Force on the Funding of Ohio Courts.
- John Dean will be speaking here on April 19th.
- The Urban Agricultural Symposium will be held here on April 20th.
- Please attend Sidebar at the conclusion of this faculty meeting.

**Approval of Joint Faculty Appointment for Professor Ralph Mawdsley**

Associate Dean Mark Sundahl requested approval from the faculty to grant Professor Ralph Mawdsley a joint appointment with the College of Law. Professor Mawdsley is a prestigious scholar in education law currently tenured in the College of Education. His background will match up well when we launch our Master of Legal Studies program because one of the demographics for that program is students in the education field.

Professor Inniss asked whether Professor Mawdsley would be considered a part of the PAC and would he have voting rights? A discussion ensued as to whether other colleges allow joint appointments to vote on faculty matters.

Professor Hoke moved to approve Professor Ralph Mawdsley’s joint appointment. Professor Plenick seconded. A request was made for the pertinent Bylaws and Greenbook provisions to be read to determine voting rights. Another question arose as to whether non tenure-track faculty are able to vote on this motion.
Professor Inniss moved to table the motion to allow for time to determine who is eligible to vote on this matter and whether Professor Mawdsley would be able to vote on law school faculty matters. Professor Gelman seconded. Prior to voting on tabling the motion, Professor Hoke withdrew her motion.

**Emeritus Status for Thomas Buckley**
Professor Thomas Buckley is seeking emeritus status upon his retirement at the end of this academic year. Professor Falk moved to grant Professor Buckley’s request for emeritus status. Professor Hoke seconded the motion. The motion carried unanimously.

**Cleveland-Marshall Fund Budget**
Professor Inniss, on behalf of the Cleveland-Marshall Fund Committee, presented the proposed budget for fiscal year 2013. Prior to the meeting, the committee distributed the proposed budget. (See memo attached to these minutes.) The amount of spendable income from investments for FY 13 is $231,573. She noted that the spendable income is up 4% from last year. Professor Inniss then reviewed each of the lines of the proposed budget. The motion from the committee to approve the Cleveland-Marshall Fund budget for FY 13 passed unanimously.

**Update on Parking Issues**
Professor Sheldon Gelman, in his capacity as Senate Representative to the Parking Advisory Committee, reported on current parking issues on campus. He stated that the good news is there is hundreds of parking spaces available at all times in the South Garage. However, students don’t park there because of the distance and security concerns. The University has eliminated 808 parking spaces this semester as well as 100 metered spaces on Chester Avenue in order to build Campus Village. The Student Government Association is deeply concerned about students missing classes due to the lack of parking. The University is looking at available options including a three-tiered parking system. In the interim, three shuttle buses are running throughout the day and early evening, transporting students/faculty/staff from the outer garages to the core campus.

Professor Hoke suggested having the law school rent parking spaces in Playhouse Square and adding the cost into students’ tuition. Professor Gelman stated he doubts the university will allow us to set up our own parking program. Professor Witmer-Rich asked if the administration is concerned about selling fewer parking passes. Professor Gelman responded that the sense he gets is that a strategic decision has been made to build housing rather than devote space to parking.

**University Computing/IT Upgrades that Impact the Academic Mission: When to Schedule for Least Impact – Candice Hoke**
Professor Candice Hoke, in her capacity as faculty representative to the University Computational Services Committee, asked for the faculty’s thoughts on the least problematic time for computer upgrades so as not to disrupt academic services. Professor Inniss stated that when she uses CampusNet it is usually around 10:00 p.m. at night and several times it has been offline for the evening. She suggested upgrades to CampusNet should be done overnight.

Professor Gelman asked if the change in the physical location of our server affects the autonomy of our IT department? Professor Niedringhaus stated that the moving of servers was a result of the CSU Audit last year. The audit noted that the servers were sitting too close to the sprinkler system and therefore it was determined that the best place to move the servers was into the IT department. Professor Niedringhaus stated she was not under the impression that the move was for any other reason and that the servers are still controlled and maintained by our law school IT department. She also stated that the exam server would be moved at the completion of exams.

**Discussion of Crosswalk Between Law College and Business College**

Professor Forte submitted this item for the agenda. Since he was not able to attend the meeting, the item was not addressed.

**Adjournment**

Professor Falk moved to adjourn the faculty meeting. Professor Witmer-Rich seconded. The meeting adjourned at 5:33 p.m.
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW
April 5, 2012
4:00 p.m. – LB 60

ATTENDANCE:

PRESENT: Dean Boise; Associate Dean Sundahl; Professors Broering-Jacobs, Buckley, Cherry, Crocker, Curtis, Daiker-Middaugh, Davis, Falk, Forte, Garlock, Gelman, Glassman, Green, Heyward, Hoke, Kerber, Kowalski, Lazarus, Lewis, Majette, May, Mika, Niedringhaus, O’Neill, Plecnik, Sterio, Wilson and Witmer-Rich; Visiting Professors Bouvier, Johnson and Simek; Assistant Deans Lifter and Lucak; Jennifer Blaga, President Berkman and Provost Mearns

EXCUSED: Associate Dean Robertson; Professors Becker (PLOA), Borden (PLOA), Geier (PLOA), Inniss, Keating, Ray, Sagers, and Weinstein (PLOA)

NOT PRESENT: Professors Gard and Oh

Dean Craig M. Boise convened a regular meeting of the faculty at 4:02 p.m.

The agenda is attached as Appendix I to these minutes.

Dean Boise reported on the many accomplishments of the faculty during the past month:

- Dennis Keating was interviewed for WCPN’s recent story on demolitions in response to the foreclosure and abandonment crisis. The program was included in this morning’s NPR business segment. He also spoke at the University of North Carolina at Chapel Hill on “Responding to Foreclosure and Home Abandonment” co-sponsored by its Center for Urban and Regional Studies, Department of City and Regional Planning, and School of Law.
- Browne Lewis accepted an offer to publish an article “Due Date: Enforcing Surrogacy Promises in the Best Interest of the Child “ in the St. John’s Law Review.
- Lolita Inniss was awarded a Friends of the Princeton University Library Research grant in order to help support additional work at the Princeton University
Archives. This is in reference to her book project, The Princeton Fugitive Slave Case, and marks the third award she’s received for this book proposal.

- David Forte was reappointed to the Ohio State Advisory Committee to the U.S. Commission on Civil Rights.
- Milena Sterio will be co-editing a book on maritime piracy with Michael Scharf (Case). It will be published by Oxford University Press. Milena was also elected Secretary of the Women in International Law Group within the American Society for International Law.
- Craig Boise participated in a discussion on the law school bubble, along with Brian Tamanaha and Paul McGreal through the ABA Journal’s Law Scribbler Podcast.
- Phyllis Crocker became a member of the Board of Directors of the Cleveland Rape Crisis Center.
- Kris Niedringhaus’ article, Ethics Considerations Relation to Legal Research Practices: A Selective Annotated Bibliography was published in Legal Reference Services Quarterly.
- Steve Steinglass was a featured speaker at a colloquium on the Ohio Constitutional Modernization Commission.
- Brian Ray received a Fulbright grant to go to South Africa next year.
- Jaime Bouvier has accepted an offer to publish her article on the regulation of backyard chickens by the Environmental Law Institute’s Environmental Law Reporter.
- Candice Hoke has accepted an offer to publish her article in the Case Western Reserve’s Election Law Symposium and she has written a book chapter for the ABA’s Election Law Anthology.

**President Berkman and Provost Mearns**

President Berkman explained that he and Provost Mearns were meeting with all college faculties as he concludes his third year as President, to give a sense of where we are at a macro and micro level and the opportunities and challenges ahead. He stated that in terms of the budget situation, Ohio has made incremental gains forward. CSU is trying to expand corporate partnerships to provide a pathway for graduates to stay in Cleveland. The incoming freshman class should be the largest and strongest ever. The university is working on ways to retain and bring these students along and ultimately increase our graduation rate. President Berkman discussed the university’s exploration of borrowing money and bonding additional funds. He noted that the debt burden has risen dramatically due to several projects coming due at the same time - Education Center, Student Center, Parker-Hannifin Bldg, Prospect garage, etc. Specifically we have $20 million in debt with a high interest rate, which needs to be refinanced at a lower rate; $230 million is needed for infrastructure repair and deferred maintenance, and $30 million is needed for the Health Sciences Bldg.
Provost Mearns acknowledged the challenges facing legal education and the impact that it has on law schools. He stated that he is currently discussing with the Dean the impact of reduced enrollment and the fiscal challenges it presents. President Berkman also acknowledged the “law bubble,” and he stated that this provides a unique opportunity to re-position legal education. He said that he believes legal education is an entryway to a lot of different opportunities and it provides a different and unique set of skills applicable in lots of different environments. President Berkman and Provost Mearns then entertained questions from the faculty.

Professor Hoke asked, in light of Chancellor Jim Petro’s comments about the state needing to support more physicians and therefore reducing the number of law schools in Ohio, what are your thoughts in terms of protecting and promoting our law school. President Berkman stated, if it does become an issue, we will need to have a differentiator between C|M|LAW and Akron Law School. We need to make a value proposition between those two law schools indelibly in favor of C|M|LAW. Provost Mearns stated that Chancellor Petro has already eliminated the law school subsidy for out-of-state residents. That has had an insignificant effect because most students create in-state residency by their second year. He fears that Chancellor Petro will eventually eliminate the subsidy all together.

Professor Crocker asked what was the administration’s process for considering allowing the law school to become smaller and what specifically do they want to see. Provost Mearns stated that he has asked the Dean for justification for the proposed enrollment reduction. He stated that the possibility of reducing the size of the law school creates curricular opportunities and he thinks the goal should not be to replicate this law school but to make a smaller and better law school. On the financial side, if enrollment is reduced, this obviously translates into a reduction in revenue. Plans to cover this shortfall will need to include an increase in revenue as well as an expense reduction, which can be addressed over several years. The Provost will review the plan submitted by the Dean and then make his recommendations to the President. He noted that the reduction in revenue is relevant to all university deans because this is a shared enterprise and the law school may require financial assistance.

Professor Gelman stated that he was concerned about the draft Greenbook revisions, which he believes changes the paradigm. President Berkman responded that the Greenbook is a document is in need of syntactical corrections and also needs to be aligned with procedural changes. The Provost, in collaboration with other Vice Presidents, was the logical team to lead that effort. Like most things in academia there are many levels of review that this document must go through. Everyone will have an opportunity to weigh in on the process. The changes you have seen are a beginning and a consultation point. Administration is waiting to hear what the UFAC and other groups have to say. President Berkman acknowledged that the law school is specially situated because we are not part of the Union so the Greenbook has greater meaning. Provost Mearns added that they are not trying to achieve some radical paradigm change. He
stated that he believes the process for disciplinary sanctions for law faculty should parallel the process in the union contract. Professor Forte noted that when the law faculty chose not to join the union there was a whole methodology in place regarding how we solve problems. It is his hope that there is a lengthy consultative process to determine if that methodology should change. Professor Wilson stated that if the procedures end up being less than what the contract offers, perhaps the law faculty would consider joining the union.

To give a sense of some of the action the law school has already taken to reshape ourselves, Associate Dean Sundahl noted our recent curriculum review, expanded clinical offerings, the new certificate program in health law, the Great Lakes Sports Academy, working on the bar passage plan, etc. The President said he was very impressed.

Professor Falk asked if anything could be done about the parking situation. A lengthy discussion ensued about parking. The President acknowledged his concern about parking discontent but he stated there are hundreds of available parking spaces during any given day – just not in the most popular parking lots. Professor Hoke suggested leasing a parking lot. Dr. Berkman said that is one of the options being looked into however, money is an issue.

Dr. Berkman and Provost Mearns thanked the faculty for their time and thoughtful questions. They then left the meeting.

Approval of Minutes of February 9, 2012 Faculty Meeting
Professor Brown Lewis moved to approve the minutes of the February 9, 2012 faculty meeting as submitted. Professor Falk seconded. The motion passed unanimously.

Dean’s Report
Dean Boise presented an initial draft of the “140 Plan” to the Provost along with budget considerations. The Provost will look at the memo and make suggestions with an eye toward making it most effective for the President. Regarding a tuition increase for next year, it was determined that a 9½ % increase is the limit to raise tuition and still allow for an affordable law degree. Even though we are unclear as to how much other schools will be raising their tuition, we will still be in the bottom 2-3 of Ohio law tuition. It is anticipated that the law school will face a $1.4 million shortfall next year. The Provost asked Dean Boise to prepare three budget models: a $500,000 reduction, a $900,000 reduction, and a $1.4 million reduction. The Budget Advisory Committee met three times and created these three models using very strategic cuts. Professor May asked if the Dean would be willing to share the “140 Plan” memo with the faculty. Dean Boise stated he would e-mail the rationale portion of the memo.

Associate Dean for Administration
• The St. Petersburg Summer Law Institute has been canceled for lack of students. Hopefully it will run next year.
• A Graduation Fair will be held on April 10th. All graduating students will be required to attend and certain information will be requested from them prior to receiving their commencement tickets.
• Graduate students have been hired to proctor exams this semester. You are still asked to be available during your exam time for any questions that may arise. Please let Jean Lifter know if you plan on giving a take home exam.
• Disability accommodations apply for midterms as well as final exams.
• Transactional Law Clinic is the new name of the Urban Law Clinic.

**Associate Dean for Academic Enrichment**
Dean Boise reported, on behalf of Associate Dean Heidi Gorovitz Robertson:
• Faculty are asked to find a way to incorporate the Professionalism Problem of the Semester into their courses.
• Upcoming Events – John Dean on April 19th; Urban Agricultural Symposium on April 20th; Lawyers Without Rights Exhibit will be here from mid-April through the end of May. There will be several events surrounding this exhibit. The first one will be the morning of Friday, May 11th. The second event is an evening panel discussion on May 16th.

**Admissions Update**
Assistant Dean for Admissions, Christopher Lucak, reported that applications are currently down 29%. Students of color applications are down 31%. Nationally 84% of all law schools are reporting some degree of decline in their admissions numbers. First deposits are due April 15th. So far 59 students have submitted their deposits (14 students of color). Second deposits are due June 1st.

**9-Month Post Graduation Employment Statistics**
This report was deferred until a later faculty meeting.

**Approval of Joint Faculty Appointment for Professor Ralph Mawdsley**
Associate Dean Mark Sundahl revisited the question of Professor Ralph Mawdsley’s joint appointment. At the last faculty meeting questions arose regarding what voting rights a joint appointee would have and whether all faculty are eligible to vote on this appointment. Regarding the joint appointee’s voting rights, the practice across the university is that a joint appointee has voting rights only in their primary college where they have tenure but voting rights can be granted by the secondary faculty. Our current bylaws give no direction regarding whether joint appointees have voting rights.

Professor Hoke moved to grant Professor Ralph Mawdsley a joint appointment but to follow the precedent of our current joint appointment faculty who are non-voting. A second was heard. After some discussion, Professor Hoke altered her motion to grant
Professor Ralph Mawdsley a joint appointment in the law school and to decide later about his voting rights. Professor Gelman moved to formally amend Professor Hoke’s motion to offer Professor Mawdsley a joint appointment with no voting rights. There was no second to this motion. After further discussion, Professor Hoke restated her motion to invite Professor Ralph Mawdsley to a joint appointment with no voting rights at this time and to postpone until a later point the question of joint appointees’ voting rights.

Associate Dean Sundahl was asked who is allowed to vote on this motion. He stated that since this is not a hiring matter, he believes all faculty should be allowed to vote. The question was called. The motion passed with one vote cast in opposition.

**Academic Standards Committee**
In light of the late hour this item was deferred until the next faculty meeting.

**Faculty Affairs Committee addition of Sheldon Gelman**
In light of the updating of the Greenbook (see discussion above with the President and Provost), Dean Boise proposed adding Professor Gelman to the Faculty Affairs Committee. He stated that Professor Gelman’s expertise on the Greenbook would be advantageous as the FAC work through the proposed revisions. Professor Crocker noted there is a preset number of people on this committee. She asked why Professor Gelman has to be elected at this time and suggested that he could be an ex-officio member or simply volunteer his time for this committee. Professor Gelman stated he would volunteer his time.

**Adjournment**
Professor Falk moved to adjourn the faculty meeting. Professor Hoke seconded. The meeting adjourned at 6:04 p.m.
ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson & Sundahl; Professor Buckley, Cherry, Crocker, Forte, Garlock, Gelman, Green, Hoke, Lazarus, Lewis, Majette, Niedringhaus, O’Neill, Plecnik, Sterio, Wilson & Witmer-Rich; Legal Writing Professors Broering-Jacobs, Curtis, Glassman, Kerber, May & Mika; Clinical Professors Daiker-Middaugh & Kowalski; and Visiting Professor Bouvier.


NOT PRESENT: Professors Davis, Gard, Inniss, and Keating

Dean Boise called the meeting to order at 2:15 p.m.

Approval of Minutes of March 8, 2012 and April 5, 2012 (attachment)

Professor Cherry suggested correcting “Professor Brown” to “Professor Lewis” under the Approval of Minutes section on p. 4 of the April 5 minutes, and then made a motion to approve both March 8 and April 15 (as amended) minutes. Professor Hoke seconded the motion. The vote passed unanimously.

Dean’s Report - Dean Boise

Dean Boise made several announcements on faculty accomplishments:

Alan Weinstein, with co-author Richard McCleary, published “The Association of Adult Businesses with Secondary Effects: The Legal Doctrine, Social Theory, and Empirical Evidence” in the Cardozo Arts and Entertainment Law Review. Alan presented this work at the Association of American Geographers Conference in New York. Alan was also a speaker at the annual national conference of the American Planning Association and in a national teleconference sponsored by the International Municipal Lawyers Association.
At Northern Kentucky University, David Forte spoke on “Can the Secularist Onslaught against Religion Be Halted?” in a debate against Edward F. Kagan, National Legal Director of the American Atheists, Inc. At University of Akron Law School, David debated Akron’s Dean Martin Belsky on issues raised by the question “Is Islam Compatible with Democracy?”

Amsterdam Law Forum, the law review at University of Amsterdam, solicited an article on piracy from Milena Sterio, who is co-editing a book with Michael Scharf of Case on Martime Piracy. Milena was elected Secretary of the Women in International Law subgroup of the American Society of International Law.

Mark Sundahl was quoted extensively in a Space News article on Virgin Galactic’s new space flight program, in particular on issues concerning export licenses for flying U.S. citizens on suborbital flights.

Claire May was interviewed on the Lofty Ambitions Blog regarding this month’s production of her short performance piece, The Trinity Project, at the Oddy Theater Lab.

Gwendolyn Majette has been invited to participate in a two-day workshop—Advancing Public Health through the Law: The Role of Legal Academics—this summer to discuss the role of legal scholarship in public health theory and practice. The workshop is being sponsored by the Robert Wood Johnson Foundation. Gwen will also present an article on health care reform at the Colloquium on Law and Global Health at the University College of London.

Quinnipiac Law Review recently published an article by Matthew Green entitled “Family, Cubicle Mate and Everyone in Between: A Novel Approach to Protecting Employees From Third-Party Retaliation Under Title VII and Kindred Statutes.”

Dean Boise said there was nothing to report on the 140 Plan because the President’s meeting originally scheduled for today was postponed.

Dean Boise is thinking about dividing committee workloads differently over the year so that faculty meetings at this time of year are not so packed with committee reports.

Associate Dean for Administration - Mark Sundahl
Dean Sundahl made three announcements: (1) ABA approval was just received for our Masters of Legal Studies Program. (2) Faculty are encouraged to attend the upcoming lunch presentations by finalists for the two Clinical Professor openings (litigation and transactional). We need to make a good impression on the candidates, and the search committee needs input from faculty. (3) For the first time in C|M|LAW history, we have hired proctors. They have been trained and are ready to begin this semester. Faculty are asked to be available to the proctor during their exam—via phone or present in their office—in case students have any substantive questions.
**Associate Dean for Academic Enrichment - Heidi Gorovitz Robertson**

Dean Robertson reported the success of two recent events: (1) April 19th was a terrific day for the law school with Former Nixon White House Counsel John Dean. The law school was very crowded and the Watergate CLE program was a great success. (2) Thanks to Jaime Bouvier’s huge effort, the next day’s Urban Agriculture Symposium was also very well attended with 250-300 people from all over the country.

Dean Robertson announced the upcoming CLE program *Lawyers without Rights: Jewish Lawyers in Germany Under the Third Reich* on May 11, which will feature a series of high-profile panelists including the Honorable Dan Polster and the Honorable Marcia Ternus. C|M|LAW is hosting the Lawyers without Rights exhibit, which opened on April 20. The exhibit was produced by the German Federal Bar and is being sponsored by the Cleveland Metropolitan Bar Association. It has been nicely displayed in the atrium outside of the law library by some of our library staff since April 16, but the CMBA will be sending professionals to make aesthetic improvements. The exhibit will be displayed through May 31.

Dean Robertson stated that everyone has been great in helping students to prepare for the bar exam. She encouraged faculty to sign up for one-hour presentations in their area of expertise to be held on July 10 and 11. She also has a sign-up sheet for making phone calls to students, and encouraged faculty participation.

Dean Robertson has been working with Thomas Geaghan of the university on building a model Bar Calculator, which allows you to plug in certain data (e.g., LSAT, 1L GPA, etc.) to predict bar passage. There will be a demonstration at the next faculty meeting.

Dean Robertson announced that Professor Sterio is the incoming President of Central State’s Conference, coming in the latter half of October. Faculty are encouraged to present their works in progress.

Dean Boise stated we are focusing heavily on the Bar Calculator and are also looking into the Solo Practice Incubator, which will enable students to rent space cheaply. However, he wants to know the cost first, so he and Professor Niedringhaus have been having meetings with the architects. Dean Boise needs faculty input, so he will appoint a Building Committee this summer to have meetings with the architects.

**Nominations for 2012-13 - Dean Boise**

Dean Boise explained that (1) three faculty members need to be appointed to the Faculty Senate, (2) there are for three openings on the Faculty Affairs Committee, one of which must be filled by an assistant professor and one by a Legal Writing professor, and (3) faculty are needed to serve on a number of committees at the university level.
Regarding university committees, Professor Wilson said the Strategic Planning Committee is the only one.

**Faculty Senate (3 open positions)**

Dean Boise called for nominations. Having served on the Faculty Senate for 21 years, Professor Forte withdrew his continued candidacy and nominated Professor Witmer-Rich. Professor Gelman nominated Professor Wilson. Professor O’Neill nominated Professor Geier, who was not present. Professor Forte made a motion to close nominations, and Professor Crocker seconded. The motioned was approved unanimously. The Legal Writing and clinical professors did not participate in this vote.

**Faculty Affairs Committee (3 open positions - must elect at least one Assistant Professor and one Legal Writing/Clinical Professor)**

Dean Boise explained that whoever is appointed to the Faculty Affairs Committee will be dealing with making substantial revisions to the Greenbook. He announced the current members are Professors Inniss, Garlock, Witmer-Rich, Kerber, Green, and Sterio. Dean Boise called for nominations. Professor Hoke nominated Professor Kowalski. Professor Niedringhaus nominated Professor Gelman, who declined. Professor Broering-Jacobs nominated Professor Kerber. Dean Robertson wanted to make three nominations, but Professor Hoke said that nominations cannot come from our associate deans but only faculty members. Professor Forte asked Dean Robertson for the names of faculty she wished to nominate, and then he nominated them for her—Professors Becker (who was not present), Green, and Lewis. Professor Wilson nominated Professor Witmer-Rich. Professor Crocker nominated Professor Falk, who was not present). Dean Boise said that a private ballot would be distributed.

**Academic Standards Committee - Peter Garlock (attachments)**

Professor Garlock explained that, having reviewed Academic Regulation 3.6(a) regarding the consequences for a student's failure to submit a take-home examination within the time deadline established by the professor, the Committee proposes that faculty adopt a revision of 3.6(a) and the addition of 3.6(b) and 3.6(c)—all three of which were attached to the faculty meeting agenda along with the Committee’s rationale for each.

A discussion ensued about the ambiguity of the phrase “a grade of ‘F’ or its numerical equivalent” in the proposed revision of 3.6(a), and Professor Forte summarized the following amendments that were agreed upon:

3.6 Examinations and Examination Scheduling
(a) Failure to Appear for a Scheduled In-School Final Examination
Unless the student obtains advance permission from the Dean to take a scheduled in-school final examination at another time, any student who fails to
appear for such examination shall receive a grade of "F" or its numerical equivalent for that examination or, if the examination is graded numerically, a zero for that examination. Permission to take an in-school final examination at a different time will be granted only upon a showing of good cause. Unless the student obtains advance permission from the Dean to take a rescheduled in-school final examination at another time, any student who fails to appear for such rescheduled examination shall receive a grade of "F" or its numerical equivalent for that examination or, if the examination is graded numerically, a zero for that examination.

A professor shall also have discretion to stipulate that failure to take the final examination in the course shall constitute a failure to complete the requirements of the course and shall result in a final grade of "F" being awarded for the course.

The vote to adopt the Committee’s revision of 3.6(a) as amended was unanimous.

Professor Garlock moved on to the proposed addition of 3.6(b) and said that the same amendments as just agreed upon for 3.6(a) should also apply. Hence, the proposed 3.6(b) was amended as follows:

3.6(b) Failure to Submit a Take-Home Final Examination by the Deadline Established by the Faculty Member

Unless the student obtains advance permission from the Dean to submit a take-home final examination at a different time, any student who does not submit such examination by the deadline established by the faculty member shall receive a grade of "F" or its numerical equivalent for that examination or, if the examination is graded numerically, a zero for that examination, unless the faculty member has given notice to the class in advance of the final examination of a different system of penalties for failure to submit such examination on time. Permission to submit a take-home final examination at a different time will be granted only upon a showing of good cause. Unless the student obtains advance permission from the Dean to submit a rescheduled take-home final examination at a different time, any student who fails to submit such examination by the rescheduled deadline shall receive a grade of "F" or its numerical equivalent for that examination or, if the examination is graded numerically, a zero for that examination.

A professor shall also have discretion to stipulate that failure to submit a take-home final examination by the established or rescheduled deadline shall constitute a failure to complete the requirements of the course and shall result in a final grade of "F" being awarded for the course.
Professor Curtis thought it might be better to retain the phrase “or it numerical equivalent” in the case of take-home finals. Professor Majette did not see a need for creating a penalty system in advance nor for including a statement about such a penalty in a syllabus. Professor Hoke suggested it might avoid a charge of favoritism. Professor Garlock said that there is an obligation to be uniform and encourages faculty to consider penalties in advance. Professor May thought it was a good idea to include a statement in the syllabus in order to avoid arguments with students later. Dean Robertson agreed with Professor Majette and said that providing them with a statement in advance was like giving students the option to skip an assignment. Professor Forte said this was analogous to giving word limits on exams. What do we do if a student exceeds the word limit? He felt there is a need to define the sanction in advance. Professor Gelman asked what if there is no stated penalty but just a warning that there will be a penalty. Professor Crocker questioned how a take-home is different from an in-class final. Professor Sterio said the same rationale would apply if a student submitting an exam via e-mail encounters a power outage versus a student trying to arrive for exam and the car breaks down. Professor Garlock said that gets into a case by case situation. Professor Crocker asked about students who turn their exams in late. Why are they allowed? Professor Niedringhaus said the language between 36(a) and 36(b) does not have to be parallel, but different language is likely to create problems.

**Professor Majette called the question. The Committee’s proposal to adopt 3.6(b) as amended was carried unanimously.**

Professor Garlock read the Committee’s proposed 3.6(c)

3.6(c) Exceptions to Academic Regulations 3.6(a) and 3.6(b) for Unforeseeable Emergencies

Exceptions to the requirements of Academic Regulations 3.6(a) and 3.6(b) may be granted by the Dean only in cases of extraordinary unforeseeable emergencies, and provided that the student notifies the Dean as soon as practicable of the circumstances of the emergency.

A brief discussion followed regarding the embellished language of “extraordinary unforeseeable emergencies.” Professor Cherry suggested these regulations be included in the packet of materials given to students at Orientation.

**The vote to adopt Regulation 3.6(c) as written by the Committee was carried unanimously.**

**Semesterization Updates to Academic Regulations - Kevin O’Neill (attachment)**

Professor O’Neill summarized the proposal from the Teaching Committee to revise Academic Regulations 3.3 and 6.1 in order to solve two problems:
(1) What happens if, this year, one of our students fails or withdraws from the second semester of a two-semester core course? This poses a problem because, next year, that core course will be a one-semester, not a two-semester, course.

(2) What do we do with a transfer student who arrives here having completed only one semester of a core course that we have transformed from two semesters down to one?

Professor O’Neill explained that the proposed addition of subparagraph (e) to 3.3 was written to resolve problem #1:

3.3(e) This provision applies specifically to "semesterized" courses — i.e., core courses that have been transformed from two semesters to one. Any student who fails or withdraws from the second semester of a two-semester course that is subsequently "semesterized" from two semesters to one must enroll in and complete the new one-semester version of that course. The student shall not lose any credit hours previously awarded for successful completion of the first semester of a subsequently "semesterized" two-semester course.

The proposed addition of subparagraph (g) to 6.1 was written to resolve problem #2. Dean Sundahl and Professor Forte suggested the following amendments:

6.1(g) This provision applies specifically to "semesterized" courses at Cleveland-Marshall College of Law — i.e., core courses that have been transformed from two semesters to one. Any transfer student who arrives at Cleveland-Marshall having completed only one semester of a two-semester course that has been "semesterized" from two semesters to one must enroll in and complete the new Cleveland-Marshall’s one-semester version of that course. The student shall not lose any credit hours previously awarded for successful completion of the first semester of a two-semester course. Cleveland-Marshall has "semesterized" that is here taught as a one-semester course.

The amendments were accepted. The motion to adopt the committee’s proposal to add 3.3(e), as written by the committee, and 6.1(g), as amended, to the Academic Regulations was carried unanimously.


Professor Witmer-Rich summarized the Curriculum Committee’s proposed new standard for the Experiential Skills Requirement, which was attached to the faculty meeting agenda.
Professor Hoke suggested adding the phrase “at least” to the first sentence of the proposed new standard: “In order to graduate every student must complete at least one experiential skills course, as described below.” She also suggested changing item 3.b. from “Appellate advocacy” to “Advocacy before appellate courts, administrative agencies, or legislative bodies.” Both of Professor Hoke’s amendments were accepted.

Professor Sterio asked if we currently have experiential skills courses besides the clinical ones. Professor Crocker pointed out Trial Advocacy, and Professor Kelly named Moot Court. Professor Hoke asked if faculty are now going to be encouraged to develop courses that meet the Experiential Skills Requirement. Dean Sundahl replied that the Curriculum Committee will survey existing courses that satisfy the requirement, and that faculty should also develop more courses so that they will be on the schedule beginning 2013.

Because double-dipping is prohibited by the ABA, Professor Crocker suggested the following clause (highlighted) be added to the tail-end of the last sentence of the proposed standard: “The experiential skills requirement cannot be satisfied by the same course used to satisfy the 3rd Semester Legal Writing requirement, and cannot be satisfied by the same course used to satisfy the Upper Level Writing requirement.” Professor Crocker’s amendment was accepted.

Hearing no further discussion, Dean Boise called for a vote on adopting the Curriculum Committee’s proposal as amended. The motion was carried unanimously.

Faculty Affairs Committee: Decanal Voting - Matthew Green (attachment)

Professor Green explained the proposal by the Faculty Affairs Committee to amend the Bylaws granting Legal Writing and Clinical Professors the same decanal voting rights as the tenured and tenure-track faculty have.

We are entering into tough times that will get tougher, Professor Lazarus stated, and the faculty needs to be unified. Therefore, everyone on the faculty should be able to vote on the incoming dean.

Having reviewed faculty meeting minutes from 2002 and 2006 when this same issue had been raised, Professor May reported that she found nothing in the minutes that fully addressed the decanal voting rights of Legal Writing and Clinical Professors.

Professor Glassman stated that some of the Legal Writing and Clinical Professors are approaching decades of experience at C|M|LAW. He asked tenured and tenure-track faculty to consider if they really have the best interests of the law school at heart in not including a portion of very experienced faculty in decanal decisions. In particular, he addressed the tenure-track assistant professors and pointed out that, according to Section 8.1.2b of the Greenbook, they can be fired by the Dean, whereas LW and clinical
faculty could not. Professor Green clarified that there are various levels before the Dean can fire someone.

Professor Crocker was in favor of the proposal and felt that everyone seems to have the same fears—e.g., that the Dean would find out how an individual voted and perhaps deny that professor tenure. She noted that everyone seems to have worries and fears about self and one another, and those worries and fears will not change regardless of whether the proposal passes.

Professor Garlock asked if granting decanal voting rights to LW and clinical faculty will next lead to their wanting to vote on promotion and tenure issues, which he does not agree they should have.

Professor Curtis said she did not favor this proposal and agreed with Professor Garlock. She asserted that the law school is in crisis right now, and we have far more important matters that we should be focusing on. She left the meeting.

Professor Forte was against the proposal. He said if the LW and clinical faculty block supported a dean candidate that tenure and tenure-track faculty were against, then that could result in favoritism by a new dean who learns he/she was not supported by the regular faculty. Professor Kowalski pointed out that there is a misperception that LW and clinical faculty are all in agreement on issues. Professor Niedringhaus agreed and stated that a group of people can have the ability to look outside of themselves to see what is best for the law school.

Professor Lewis, who served on the last Dean Search Committee, said that input of everyone at the law school, including LW and clinical faculty, was considered in the selection of our Dean. Therefore, she agreed with Professor Curtis and did not see why time was being spent on this issue.

That LW and clinical faculty are perceived as somehow different from tenured and tenure-track faculty, Professor May said, means that the first group is not being represented.

Professor Kerber addressed Professor Lewis and said that being given a form to complete on each decanal candidate is not the same thing as having the right to vote. She further pointed out that, except for perhaps Professor Wilson, Professor Kerber had herself been at C|M|LAW longer than most of the tenured and tenure-track faculty present at the meeting. Yet she is not perceived as faculty but as staff and said that this issue is about equality and collegiality.

In the 22 years that she has been at C|M|LAW, Professor Mika said, she has never cared about who the Dean was. Professor Mika said voting will not make or break her, and others in her position. However, it is not good for the future of the law school to
continue denying LW and clinical faculty the right to vote—and, Professor Glassman added, to maintain standards of lesser forms of participation.

Professor Garlock pointed out that none of the faculty vote, but they simply recommend decanal candidates to the Provost and the President based on a procedure that has included opinions of everyone in the law school. Professor Crocker pointed out that our Bylaws specifically refer to voting.

Professor Garlock asked who gets to vote on today’s proposal from the Faculty Affairs Committee? Professor Green stated that the committee discussed it, but they had not been charged with resolving that issue. Professor Garlock suggested that the Dean should now rule since it is a Greenbook issue in question; alternatively, perhaps we should vote both ways and, if the outcome is the same, then there is no appeal.

Dean Boise said that much of the discussion has focused on the differences between Legal Writing and clinical versus tenured and tenure-track faculty, and he agreed with Professor Curtis that too much time is spent in regard to status issues. The two groups of faculty have different duties and responsibilities. The faculty’s role in a dean search is advisory to the President only, and if a significant portion of the faculty is not being heard, then it is up to the President to change. Dean Boise’s opinion is that LW and clinical faculty should be allowed to vote. However, Article II, Section 2 of the Bylaws restricts voting “on matters relating to ... the hiring or retention of the Dean,” to tenured and tenure-track faculty. The vote that is on the table now should be made by the tenured and tenure-track faculty. He reiterated Professor Crocker’s sentiments in regard to fears and worries. Dean Boise then called the question.

Professor Green stated that the first vote was to determine if the voting on the Faculty Affairs Committee’s proposal was to be by secret ballot. Index cards were circulated, which Professor Wilson and Rosa DelVecchio counted. The result was 10 to 9 in favor of a secret ballot.

The second vote was on the Faculty Affairs Committee’s proposal to amend the Bylaws so that Legal Writing and Clinical Professors would be granted the same decanal voting rights as the tenured and tenure-track faculty have. Index cards were circulated, and Professor Wilson and Rosa DelVecchio counted them. Results were 10 opposed the proposal to amend the Bylaws, and 9 in favor of amending the Bylaws. The majority ruled, so the Bylaws were not amended.

Self-Study Update - Phyllis Crocker

Due to time constraints, this item was tabled until the next faculty meeting.
Professor Lewis made a motion to adjourn the faculty meeting. Professor Wilson seconded. The motion carried unanimously. The meeting was adjourned at approximately 4:15 p.m.
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW
May 10, 2012
2:00 p.m. – LB 60

ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson and Sundahl; Professors Broering-Jacobs, Buckley, Crocker, Curtis, Daiker-Middaugh, Falk, Forte, Garlock, Gelman, Glassman, Green, Heyward, Hoke, Kerber, Kowalski, Lazarus, Lewis, Majette, May, Mika, Niedringhaus, O’Neill, Sterio, Wilson and Witmer-Rich; Visiting Professor Simek; Assistant Dean Lifter

EXCUSED: Professors Becker (PLOA), Borden (PLOA), Cherry, Geier (PLOA), Inniss, Keating, Plecnik, Ray and Weinstein (PLOA)

NOT PRESENT: Professors Davis, Gard, Oh and Sagers

Dean Craig M. Boise convened a regular meeting of the faculty at 2:05 p.m.

The agenda is attached as Appendix I to these minutes.

Approval of Minutes of April 26, 2012 Faculty Meeting
Approval of the minutes for the April 26, 2012 faculty meeting will be voted on at the next faculty meeting.

Dean’s Report
140 Plan - Legal education is experiencing difficult times and Dean Boise reiterated that we must find a way to respond to these changes and not only survive, but thrive. The response we have developed is the 140 Plan. The Plan’s goal is to reduce the entering class to 140 students, improve our entering credentials, selectivity, bar passage rates, placement and other factors. This plan will be financed through a combination of tuition increases and budget cuts. This week, President Berkman approved our 140 Plan on the condition that we raise tuition 9.5% in each of the next three years, make $800K in budget cuts, and forego future replacement of retiring or resigning faculty members until we’ve achieved $750K in salary and fringe savings.
Over $620K of the required budget cuts will be achieved through positions that already have been vacated and will not be refilled. Another approximately $170K will be achieved through uncommitted savings from new hires and an across the board operating budget cut.

Part of the savings we were able to count toward the $800K requirement will come from reorganizations of various functions within the law school that were not undertaken for budget purposes.

The first reorganization is academic support. As previously configured the program had become populated with high-performing students, not at-risk students. Additionally our CSU funding for the AEP Fellows was in jeopardy. Accordingly, Daniel Dropko's position will be eliminated and responsibility for academic support will be given to faculty member Kelly Curtis. She will assume the title of Director of Academic Support and will be working with Associate Dean Robertson to develop a new model for providing critical academic support to our most at-risk students.

Our bar passage rate has declined for the past five years. As part of the 140 Plan, we will provide every student enrolling this fall with the BAR/BRI course at no cost. In addition, we will contract with BAR/BRI to assist with our OBEST course and provide online training, testing and diagnostic support for our students through all three years of law school.

The Office of Admissions will also be reorganized in order to adapt to the increasing use of technology in the admissions process that is being driven by best practices at the undergraduate admissions level. Elaine Terman’s role as communications coordinator will expand to include a broader set of marketing, web content and social media management, and print marketing functions. Steve Antol will be leaving the Admissions office to assist Elaine in her expanded duties.

A Director of Student Life position will be created to oversee student organizations and events, provide an office of financial aid counseling, administer our LRAP program, oversee SBA financing which will be transferred from CSU to the law school, and generally ensure that our students have a great experience here at C|M|LAW.

The Advancement department will be hiring an additional person to assist with the greatly expanded development work we’ll be doing.

The Clinics will be redesigned in order to expand our engaged learning experiences for students. A key component of this expansion of clinical faculty duties is oversight of adjunct supervising attorneys who will work one-on-one with students on projects in a much broader array of practice areas.

Professor Falk said she is disappointed that this is the first time she is hearing about the academic support changes. Dean Boise responded that one of the reasons is that the
situation itself was unstable so he was not sure what he would be able to do in terms of the 140 Plan. It was not his intention to exclude the faculty from these decisions. He appreciates faculty comments and suggestions and he is working hard to provide the best opportunity for students. Professor Wilson noted that at Akron Law School, students identified as at-risk after their first semester are placed in a special class. There is not much stigma associated with placement in this class. A short discussion ensued regarding placing at-risk students in a separate section.

**Great Lakes Sports & Entertainment Legal Academy** – The GLSELA begins on May 19th. There are close to 70 students enrolled. The proceeds from this program will be split 50/50 with Case. We anticipate a net profit of $50, 000.

**Health Care Compliance and Master of Legal Studies** – We hope to market and launch both of these programs in 2013.

**Associate Dean for Administration**
- The new proctoring system has been successful. If you have comments or recommendations please let Dean Sundahl know.
- Please abide by the exam deadlines, which will be circulated.
- Dean Sundahl has received complaints from students regarding some professors unilaterally making changes to their class schedule. Students rely on the schedule; so if you need to make variations to your class schedule, let Dean Sundahl know.
- In compliance with the faculty handbook, all take home exams must be given during the exam period.
- Thank you for attending the luncheons for clinical professor candidates. The Committee will bring forth three candidates for each of the two available positions.

**Associate Dean for Academic Enrichment**
- Thank you to all faculty who have agreed to make phone calls to bar takers.
- Presented a spreadsheet containing data on students who failed the Feb. 2012 bar exam. Also demonstrated a calculator created by the Office of Institutional Research that took the relevant factors in predicting whether a student will pass the bar on their first attempt. When the relevant data is plugged in (LSAT, first year GPA, undergraduate GPA and taking an MPT course) participation in MPT workshops raises the probability of bar passage substantially as does first year GPA. This is a useful, but not definitive tool. The faculty may want to consider raising the minimum GPA to stay in law school.

**Approval of Graduates**
Dean Boise presented a list of 179 J.D. candidates. (See list attached to these minutes.) Professor Forte moved to accept the list of graduates, subject to confirmation of their
completion of all requirements. Professor Buckley seconded the motion. The motion passed unanimously.

**Nomination to the University Task Force on Promotion and Tenure**
Dean Boise explained that under the AAUP contract, a task force was charged with better coordinating the promotion and tenure procedures across the university. Professor Buckley was the law school’s representative to this task force. Since he is retiring at the end of this year, we need to choose a replacement. Professor O’Neill was nominated and seconded. Hearing no additional nominations, Professor O’Neill was unanimously voted to the University Task Force on Promotion and Tenure.

**Self-Study Committee Update**
Professor Phyllis Crocker, Chair of the Self-Study Committee, announced that the ABA/AALS visit is scheduled for March 31, 2013. She then gave an update of the committee’s work to date. She stated that the committee first looked at the 140 Plan and then turned their attention to revising the mission and vision statements. The mission and vision statements were presented to the Visiting Committee who were very impressed. The Self-Study Committee will next present the mission and vision statements to the Alumni Association and the National Advisory Council for their recommendations. Law students were asked to participate in the Law School Survey of Student Engagement in April. Just over 50% participated. We should have the results of this survey in June. The committee will continue their work throughout the summer.

**Adjunct Appointments**
Associate Dean Mark Sundahl referred to his memo of May 8, 2012 (see memo attached to these minutes) in which he recommended renewing the appointment of Adjunt Professor status for Thomas A. Moran, David Neel, the Honorable Diane Palos, and the Honorable Benita Pearson for a period of three years – FY11 through FY13. He stated that each professor has met the threshold requirement of having taught at least three semesters and at least once in the last three years. Additionally, he requested a motion to recommend new appointments for the same three-year period for: Adam Davis, Charles Fleming, Pamela Johnson, Margaret Koosel, Anthony Lazzaro, and Patricia Ritzert. Professor O’Neill moved to recommend the six new appointments. Professor Hoke seconded. The motion passed unanimously

**Low Enrollment Policy**
Associate Sundahl referred to his memorandum of May 8, 2012 (see memorandum attached to these minutes) in which he introduced a new policy for courses with low enrollment. He noted that this issue had been discussed at a prior faculty meeting and that the issue of low enrollment presents itself on a regular basis. Classes with low enrollment taught by adjunct faculty are cancelled. Classes with low enrollment taught by tenure or tenure-track faculty raise the question of whether this is the best use of faculty time. Associate Dean Sundahl surveyed other law schools to find out their
policies before deciding on the policy below. The new policy preserves all options and gives the dean the discretion to cancel courses while taking into account various factors.

If any course has an enrollment of six or fewer students one week after enrollment has opened for all students, the course may be cancelled at the discretion of the Dean. In making this determination, the Dean will take into account the needs of students, such as the need to complete graduation requirements or prepare for the bar exam. If a course is cancelled, the Dean may require the professor, in lieu of teaching the course, to (1) undertake additional administrative duties during that semester or a future semester, (2) teach another class that semester, or (3) teach an additional class during a future semester. In addition, the cancelled course may be offered less frequently in future semesters in order to attract higher enrollment when the course is offered again.

Several faculty members felt that this policy should have been referred to the Faculty Affairs Committee for recommendation and then brought before the faculty since it deals with terms and conditions of faculty work. Associate Dean Sundahl felt that the proposal and recommendations are within the scope of his duties. There also was discussion regarding what is considered “low enrollment” and whether six is an appropriate cut-off number. Additionally, one faculty member felt that the proposed policy is inflexible and provides no consultation with the faculty member whose class is being cancelled.

Professor Garlock moved to refer the low enrollment issue to the Faculty Affairs Committee for further discussion and ask that they make a recommendation to the Dean. Dean Boise noted that there is a fine line between what is administrative policy and when faculty input is appropriate. He said he has no problem sending this matter to the Faculty Affairs Committee for their recommendation.

**University Health Care Committee Update**
Professor Ken Kowalski reminded the faculty that Open Enrollment for employee benefits is currently underway and will close on May 20th. This year you are required to re-enroll for medical, dental and vision benefits. Professor Kowalski reviewed some of the nuances of the changes for this year.

**FERPA and IRB Policies**
Professor Karin Mika gave a brief presentation on the Family Educational Rights and Privacy Act and Internal Review Board policies.

**Adjournment**
Professor Falk moved to adjourn the faculty meeting. Professor O’Neill seconded. A meeting of the tenured faculty PAC followed.
ATTENDANCE:

PRESENT: Dean Boise; Associate Dean Sundahl; Professors Becker, Borden, Broering-Jacobs, Curtis, Daiker-Middaugh, Davis, Falk, Forte, Heyward, Gard, Garlock, Geier, Glassman, Green, Kalir, Kerber, Kowalski, Lazarus, Lewis, Majette, May, Mika, Niedringhaus, Plecnik, Ray, Sterio, Weinstein, Wilson and Witmer-Rich; Assistant Dean Lifter; Dan Thomas, Assistant Dir., Technology Operations

EXCUSED: Associate Dean Robertson; Professors Cherry, Crocker, Gelman, Hoke, Inniss (LWOP), O’Neill (PLOA), Sagers

NOT PRESENT: Professor Oh

A regular meeting of the faculty was convened at 4:02 p.m. by Dean Craig M. Boise.

The agenda is attached as Appendix I to these minutes.

Recent Faculty News

- Professor Sterio participated in the 7th Annual International Humanitarian Law Dialogs in Chautauqua, NY. She spoke at a student-oriented session on Somali piracy issues along with Professor Scharf of CWRU.
- Professor Sterio participated in a taping of “Talking Foreign Policy” focusing on the expansion of presidential powers during the Bush and Obama administration.
- Professor Sagers blogged in the Huffington Post about Universal Music’s bid to acquire EMI
- Professor Majette spoke and published on the Global Health Law Norms and the Affordable Care Act
- Professor Weinstein’s 2012 edition of the Federal Land Use Law and Litigation Treatise was published
• Professor Witmer-Rich commented on the Sixth Circuit’s upholding of U.S. v. Amawi. The decision was highlighted on the Lawfare blog, which then posted commentary by Professor Witmer-Rich
• Professor Weinstein published two land use articles – one in the Fordham Urban Law Journal and the other in the Cardozo Arts and Entertainment Law Journal
• Professor Mika presented at the Western Regional Legal Writing Conference on the use of sight and sound in the legal writing classroom
• Professor Geier’s letter to the editor was published in the Wall Street Journal. In her letter she clarified the distinctions between the Tax Reform Act of 1986 and Steve Forbes’s flat tax
• Professor Hoke commented on Ohio’s redistricting proposal on WCPN 90.3’s Sound of Ideas
• Professor Niedringhaus was elected Vice Chair of the Society of Academic Law Library Directors
• Professor Weinstein was quoted in the Wall Street Journal and was interviewed on WLW (in New Orleans) regarding Chick-fil-A and the First Amendment
• Professor Weinstein moderated a panel and spoke at the National Planning Law Teleconference. He also contributed to the second edition of the Encyclopedia of Housing
• Professor Keating also contributed to the Encyclopedia of Housing and moderated a panel at the Federal Reserve Bank of Cleveland’s Policy Summit on Housing, Human Capital, and Inequity
• Professors Lind and Keating co-authored an article in The Urban Lawyer on Cleveland’s responses to the mortgage crisis
• Professor Lewis published a book entitled “Papa’s Baby” with NYU Press
• Professor Inniss posted on the American Constitution Society blog on the 40th anniversary of Title IX and noted potential uses for combating sexual harassment
• Professor Kowalski spoke at the NLRB Region 8 law seminar on the recent U.S. Supreme Court labor and employment decisions. He also argued in the Ohio Supreme Court.
• Professor Sterio published in the Amsterdam Law Forum regarding pirate prosecutions in the National Courts of Kenya, the Seychelles, and Mauritius
• Professor Sterio won a Fulbright Award to teach and conduct research in Azerbaijan
• Professor Sagers published a guest opinion piece in FTC Watch discussing a gridlocked Congress as it attempts to move the Federal Trade Commission out of its long time home
• Professor Forte spoke to a Comparative Constitutional Law class at the State University of Milan in Italy. He also spoke at the Acton Institute for the Study of Religion and Liberty as well as being interviewed by Xenit, the Catholic News Agency
• Professor Crocker and Adjunct Professor Gordon Friedman were appointed to the Cuyahoga County Public Defender’s Commission
• Dean Boise was quoted in the *Plain Dealer* regarding the tax implications of Eaton’s Irish incorporation of its new merged company
• Professor Sterio participated in WCPN’s “Talking Foreign Policy” regarding the controversial policy of using drones to kill Americans abroad, the challenges of bringing indicted tyrants to justice, and America’s Afghanistan exit strategy
• Professor Sagers was quoted in the *Wall Street Journal* on a potential antitrust enforcement action by the FTC against Google

**Approval of Minutes of April 26, 2012 Faculty Meeting**
Professor Borden moved to approve the minutes of the April 26, 2012, meeting as submitted. Professor Kerber seconded. The motion passed unanimously.

**Approval of Minutes of May 10, 2012 Faculty Meeting**
Professor Kowalski moved to approve the minutes of the May 10, 2012, meeting as submitted. Professor Borden seconded. The motion passed unanimously.

**New IT Support System**
Dan Thomas, recently appointed Assistant Director of Technology, introduced some changes to the technology department. He noted that “automation” is a dated term so his department is henceforth to be known as C|M|LAW Information Technology. The email address will be information.technology@law.csuohio.edu.

During the first three weeks of school, the C|M|LAW Information Technology department received 154 requests for assistance. 114 of those were closed. In order to facilitate technology assistance, Mr. Thomas introduced a system he called a “Clear Path to IT Support.” There are three ways to request IT support. They are: 1) to open a ticket via the library website; 2) to send an email to newticket@law.csuohio.edu (this will convert into a new ticket just as the website does); and 3) to call the help line at ext. 7555.

**Dean’s Report – Dean Boise**
• Please plan on attending the State of Law School address this Thursday for an update on the general status of the law school.
• We continue to hear from students that they feel disengaged from the faculty. This was also reflected in the LSSSE survey. One opportunity to engage with students is at Sidebar. This year Sidebar will be held twice a month, the first and third Thursday of each month, in the newly renovated Student Lounge. Please plan on attending and engaging with your students.
• Professors Green and Hoke are up for tenure and promotion. We need to have as many faculty evaluations as possible of their classroom teaching. Contact Professor Wilson or Cherry to schedule a time to visit their classes.
• The Ohio legislature passed pension reform bills that now await the governor’s signature. The reform bills affect COLAs, contribution rates, the calculation of
final average salary and the benefit formula. Professor Becker sent an e-mail about this to the faculty yesterday, and you can click through that e-mail to find detailed information about the changes.

- The composition of the faculty committees and charges for each committee was circulated in hard copy. Dean Boise noted that committees have been designated either full-year, Fall or Spring committees. Fall committees will need to complete their committee charges by the end of this semester. Full-year and Spring committee charges need to be completed by the end of the Spring semester. The Curriculum Committee has one charge that needs to be completed by October 31st. Professor Ray suggested moving the Clerkship Committee to the Spring. Dean Boise concurred. The Committee list also includes some additions in Spring – Employment Law Faculty and Criminal Law Faculty Group. The sole charge of these committees is to determine, by the end of Spring semester, programming for the following year. This will allow us to better promote our conferences well in advance.

- Professor Heyward, newly appointed Director of Engaged Learning, distributed a handout delineating all of the externships available. She asked faculty to encourage students to complete the application by the October 1st deadline.

**Associate Dean for Administration**

- Thank you for participating in orientation. The new class of students is very impressive. This year, orientation included a new session called “Entering the Session Profession” which emphasized professionalism and focused the Honor Code. On the Saturday of Orientation week, Professor Daiker-Middaugh spearheaded a “Living Justice Day” which was well attended. Ipads were given to the incoming class. An upper class orientation for returning classes will be held to talk to them about the Barbari program and Bloomberg Law as well as impressing upon them professionalism and networking.

- Faculty iPad training is set for October 3rd at noon. The eight available iPads have been distributed. If you have your own iPad, please join.

- Associate Dean Robertson is participating in the Utica Shale Conference, which is why she is not in attendance today. She invites all faculty to join the conference. Part of the strategy of holding this conference is for C|M|LAW to be at the forefront and to build a curriculum in energy law. We hope to partner with the College of Urban Studies.

- When the Curriculum Committee completes their survey, we can determine how many skills courses are being offered and if we need to create more courses. Please consider re-tooling or creating a new skills course. If you do choose to teach a new course next Fall (Fall of 2013), approval must be secured by Jan. 2013.

- Dean Sundahl has received a number of desperate complaints in classes where there were a great number of cancelled classes. Some students even demanded tuition refunds. This complaint was also reflected in the LSSSE surveys. The
issue needs to be addressed. If you have recommendations, please see Dean Sundahl. In the meantime, Dean Sundahl will be following-up on canceled classes to ensure that they are being made up.

Self-Study Committee Update – Kristina Niedringhaus
Professor Niedringhaus, on behalf of the Self-Study Committee, reported that the committee met with the Visiting Committee, National Advisory Council, and C|M|LAW Alumni Board of Trustees for suggestions regarding the mission and vision statements. Professor Crocker will be meeting with the Dean’s Student Advisory Council in the near future. Additionally the committee received an excellent response rate for the LSSE. The summary of results was sent to faculty via email. If you have any questions about the summary, please see a committee member.

The Committee is in the process of drafting chapters for the Self-Study and completing the Site Visit Evaluation questionnaire. Half of the chapters will be completed by October 1st and will be distributed to the faculty. On October 16th and 17th, the Self-Study Committee will host brown bag lunches to discuss the chapters and hear your comments. The second set of chapters are due November 1st and again, they will be distributed to the faculty. Brown bag lunches will be held on November 14th and 15th. After incorporating faculty comments into the report, the committee will have the final draft ready for the faculty to approve at the December faculty meeting.

Nominations for University Committees – Milena Sterio
Professor Sterio requested volunteers to serve on the University Strategic Planning Committee (we need one representative from the law school for a two-year term), the Academic Misconduct Review Committee, the Committee on Athletics, and the Student Life Committee. Additionally, the Faculty Senate expressed concern to President Berkman with the composition of the Provost Search Committee. President Berkman promised to re-populate this committee. Therefore, we are being asked to submit two names of faculty who would be willing to serve as the law school representative to this search committee. The President will pick one of those two people. Finally, we need a volunteer to serve on the University Research Committee. This volunteer must be a full or associate professor. If you are interested in volunteering for any of these committees, please contact Professor Sterio.

Adjournment
Professor Borden moved to adjourn the faculty meeting. Professor Falk seconded. The meeting adjourned at 4:58 p.m.
ATTENDANCE:

PRESENT: Dean Boise; Associate Dean Sundahl; Professors Becker, Borden, Broering-Jacobs, Cherry, Crocker, Curtis, Daiker-Middaugh, Forte, Garlock, Geier, Gelman, Glassman, Green, Heyward, Kalir, Kerber, Kowalski, Lazarus, Lewis, Majette, Plecnik, Ray, Sagers, Sterio, Weinstein, Wilson and Witmer-Rich; Assistant Deans Lifter and Lucak; Amy Miller (Director of Student Life)

EXCUSED: Associate Dean Robertson; Professors Falk, Gard, Hoke, Inniss (LWOP), Keating, Mawdsley, May, Mika, Niedringhaus and O’Neill (PLOA)

NOT PRESENT: Professors Davis and Oh

A regular meeting of the faculty was convened at 4:02 p.m. by Dean Craig M. Boise.

The agenda is attached as Appendix I to these minutes.

Approval of Minutes of September 13, 2012 Faculty Meeting
Dean Boise noted an error on page 4 of the minutes under the Associate Dean for Administration report. The correct title of the orientation session is Entering the Profession, not Entering the Session. Associate Dean Sundahl moved to approve the minutes with the correction noted by Dean Boise. Professor Kerber seconded. The motion passed unanimously.

Recent Faculty News
- Professor Becker, in her capacity as President of the Ohio ACLU, participated in a webcast sponsored by the National LGBT Bar Association. She addressed the issue of voter rights and voter suppression.
- Professor Borden’s article Of Inside Monitors and Outside Monitors: The Role of Journalists in Caremark Litigation has been accepted for publication in the University of Pennsylvania Journal of Business Law.
• Professor Geier’s Letter to the Editor was published in the *Wall Street Journal* regarding capital gains tax rates and their impact on the U.S. Economy.

• Professor Inniss’ Letter to the Editor was published in the *Wall Street Journal* regarding the importance of parental support and early economic advantage in child success.

• Professor Lewis has been invited to be a visiting scholar for the first two weeks in July at the Hastings Center for Bioethics and for the last two weeks in July at Yale University’s Interdisciplinary Center for Bioethics.

• Associate Dean Robertson served on the organizing committee and spoke at a conference held at C|M|LAW on the development of shale oil and gas in Ohio. The conference was jointly sponsored by C|M|LAW, the College of Urban Affairs, CMB, Crains Cleveland Business, the University Clean Energy Alliance of Ohio, and several law firms.

• Professor Sagers participated in the WCPN program, *Civic Commons*, discussing the Crisis in the Courts. He also commented in the *Huffington Post* on Libertarian Party candidate, Gary Johson’s antitrust lawsuit arguing that the major political parties have monopolized politics. He was also interviewed on a new internet TV channel, *Huffington Live*, concerning the Universal-EMI merger.

• Professor Sterio presented to the U.N. Contact Group on Piracy off the Coast of Somalia in her capacity as an independent academic member of the Public International Law and Policy Group. She spoke about the treatment of detained juvenile pirates by the capturing or prosecuting state, as well as the need to aggressively detain and prosecute those who recruit juvenile pirates. She also was a participant on WCPN’s *Talking Foreign Policy* program. She spoke on the presidential power in a “war without end.”

• Dean Emeritus Steinglass participated on a panel at the Ohio Constitutional Law Seminar, sponsored by the law firm of Vorys, Sater and presented at the Ohio Historical Society in Columbus.

**Dean’s Report**

• Thanks to faculty who responded to the library’s request for permission to put their works in the Engaged Scholarship institutional repository. Dean Boise encouraged those who have not yet responded to please do so. Works in Engaged Scholarship make them more discoverable and accessible on the web. So far, the library has uploaded records for 607 faculty works. These records received 3,782 hits since Spring 2012. There were 612 full text downloads. Faculty with works in the Engaged Scholarship repository receive statistics via email as to hits and downloads. Contact Sue Altmeyer or Amy Burchfield with any questions about Engaged Scholarship.

• Thanks to faculty who volunteered to help with mandatory 2L bar counseling. It is great to have faculty involvement in this important part of our bar plan.
• Two faculty members are up for tenure or promotion this fall. Please contact Jim Wilson and April Cherry to find out when you can sit in on Matt Green’s and Candice Hoke’s classes.

• The Marketing Department has been working with the Library, IT and Admissions on a new website design. The work so far has largely been technical, but we have received proposals for the project from outside vendors, one of which is particularly compelling. Minds On, one of the vendors who submitted a proposal, will give a presentation at a faculty brown-bag on Wednesday, November 8th to show faculty some of the ideas they have regarding the look and functionality of the new website and to get faculty comments, suggestions and ideas.

• Professor Falk asked that the Dean remind faculty of the upcoming PAC meeting on November 8th.

• In Associate Dean Robertson’s absence she asked Dean Boise to report that the Academic Support program appears to be working much better than in the past. The AEP fellows are working hard and are very engaged with the students. Professor Curtis is meeting with them weekly on both teaching and substance issues. The revamped Academic Support program is a work in progress. A brown bag will be held in the spring, once Professor Curtis has enough data to provide some feedback on what works and what needs improvement.

• CSU Homecoming is this week. Faculty are encouraged to attend the C|M|LAW Alumni Reception on Thursday, October 11th from 5:30 to 7:00 p.m. Alumni are always pleased to reconnect with their former professors. As part of the homecoming festivities, CSU is sponsoring a 5K and 10K race, on Saturday, Oct. 13th. Professor Sterio is coordinating a 5-person C|M|LAW team. If you are interested in running or walking, please contact Professor Sterio.

**Associate Dean for Administration**

• Please start thinking about final exams. If you are giving a take home exam, please inform Assistant Dean Lifter. Take home exams may only be given during the exam period. Please also check the on-line schedule to ensure that your course is listed. If it is not, please contact Assistant Dean Lifter.

• If you are interested in having a practitioner participate in your class, please speak to Associate Dean Sundahl.

• The Northeast Ohio Faculty Colloquium with Case and Akron is scheduled for Friday, October 26th from 12:00 – 4:00 p.m. at Blue Canyon Restaurant. Professor Lewis will be speaking on behalf of C|M|LAW. Please contact Associate Dean Robertson if you plan on attending.

• If you are not yet signed up for the Faculty Blog, please do so. Contact Associate Dean Robertson if you need assistance. Professor Kalir suggested sending out an email before faculty are scheduled to be on the radio or at local events so that faculty can plan on attending.
• Associate Dean Robertson will continue to monitor Scholastica, a new tool for submitting articles to law reviews, to see how many schools are utilizing this service.
• Jackson Lewis LLP funds a labor and employment law scholarship. This year, in addition to a cash award, the awardee will receive preference for a clerkship position. If you know of any student who may be interested in applying, please contact Associate Dean Sundahl.

Admission Report
Christopher Lucak, Assistant Dean for Admissions, gave a final report on statistics for the 141 members of the incoming class of 2012. He stated that the admissions process was very challenging this year for several reasons. The number of applicants dropped by 29%, the largest drop in volume in C|M|LAW’s recorded history. This was mirrored nationally with 170 schools reporting drops in application volume. 114 of those schools reported application drops in the 10-29% range. The quality of applicants also declined as noted in their LSAT scores. The most challenging for us was an 18.4% decline in applicants with LSAT scores in the 150-154 range because this is the range that we draw a large number of our applicants. The end result was a much more competitive process for a smaller applicant pool.

The good news is that the median undergraduate GPA as well as the 75% percentile undergraduate GPA of our incoming class is slightly higher than last year’s. The 25th percentile is slightly lower. The incoming class’s median and 75th percentile LSAT scores were the same as last year with the 25th percentile slightly lower. In relation to all Ohio law schools, our incoming class’s median undergraduate GPA is exactly in the middle at 3.30. We fared slightly better in median LSAT scores with the fourth highest score in Ohio at 154.

In terms of the percentage of female students enrolled as a percentage of the entering class of 2012, C|M|LAW is at 39% with the average of all Ohio law schools at 45%. We are finding that there was a decline in women applicants nationally. Women tend to be more concerned with the amount of scholarship money they can obtain and they seem to shy away from urban universities. We rank fourth highest in the state in the percentage of minority students enrolled as a percentage of the entering class of 2012 at 19%. The state average is 18%.

We rank first among all Ohio law schools in terms of our selectivity or rate of admission (applications received divided by offers sent) at 43.4%. We rank second highest in Ohio for our yield (offers sent divided by those who actually enroll) at 28.8%. Professor Witmer-Rich asked why we are so successful in these categories. Assistant Dean Lucak replied that we are able to focus our attention on those students that we feel are the best fit for C|M|LAW. We are not just looking at numbers in our application process; we are looking at student’s likelihood of coming here. We then have consistent,
meaningful conversations with these students and make them feel connected to our community.

Professor Gelman asked, in Assistant Dean Lucak’s opinion, how many students who were not admitted would be capable of doing well at C|M|LAW. Assistant Dean Lucak replied there is very slim viability on the waiting list. The waiting list is the size of the admitting class. Professor Becker asked if we admitted an extra 12 students, can he estimate how many would accept our offer. Assistant Dean Lucak said he didn’t really know.

Professor Daiker-Middaugh asked if the LCOP students are factored into the statistics. Assistant Dean Lucak replied that they are factored in because they are fully admitted students. This year we accepted 17 LCOP students with a median UGPA of 2.85 and a median LSAT of 144 – both stats are declines from the previous year. Professor Wilson asked if we should consider changing the LCOP system to a conditional admission and use the process to eliminate the weakest students similar to how other law schools administer their programs. Professor Crocker noted that a few years ago a committee chaired by Professor Falk, looked into the LCOP program and determined that we should maintain the same system.

Professor Gelman noted that we are tied for the 10th highest percentage of decline in application volume in the country. Akron’s decline was only 12%. He asked for Assistant Dean Lucak’s thoughts on why he believes this occurred. Assistant Dean Lucak replied that we are behind the times in terms of how we communicate with potential students. Students no longer attend law school fairs, they find information via websites and social media. We are currently working on updating our web site and will be hiring a Communications Specialist solely for the Admissions department to address these issues.

Professor Crocker asked if more scholarship dollars would have improved our median LSAT and UGPA scores and would have helped meet the target of 140 students in the incoming class earlier. Assistant Dean Lucak agreed that more scholarship dollars would help especially because we are consistently outspent by our peer law schools. By increasing tuition last year we increased scholarship dollars, but we still miss students in the 160 and above LSAT range. He noted that in addition to increasing dollars for scholarships, we need to improve the renewal rate for scholarships. Our renewal rate used to be 60%. This past year it was less than 50%. Professor Sterio asked if other law schools give out scholarships without tying them to a particular GPA and if so, would that help us. Assistant Dean Lucak stated there are schools that offer scholarship awards at a much higher amount and that the bar to maintain the scholarship is very high, sometimes unrealistic. Assistant Dean Lucak was asked if we are awarding more money to less qualified students. He replied that we are and that the sooner a target class is secured, the easier it is for him to plan and to aggressively pursue students. Professor Weinstein stated that he wonders whether an all or nothing approach is a
good idea. Alternatively, we could give scholarships with the requirements that if you drop below a certain GPA, you are guaranteed a certain portion of your scholarship and at another pre-determined point you lose your scholarship altogether. There is a cognitive bias against losing everything. By facing an all or nothing we are keying into that risk aversive. Dean Boise stated that when you talk about increasing retention rates, that is a re-allocation issue. The available scholarship dollars have to cover all years. If we increase scholarship retention, we have to reduce scholarships awarded to first-year students. You take into account the first-year scholarships, so unless you are talking about enlarging the pool, then you need to determine what brings students in. There is the risk that if you expand retention on the back end, you will need to decrease scholarships granted on the front end. It’s a risk assessment.

**Student Life Report**
Recently appointed Director of Student Life, Amy Miller, spoke about her four main initiatives for the coming year. First, she will work with the 28 law student organizations on the idea of continuity, creating programming that is impactful internally and within the community, and working to plan ahead. Second, as advisor to the SBA, she will work on the application process organizations will need to complete to access their money, which is held by the SBA. President Berkman gave $150,000 to SGA to create a better student government. SBA did not receive any of that money. Amy will work to coordinate a petition requesting that SBA receive a fair portion of that money. Third, Amy would like to focus student programming on three tracks – dual degrees and concentrations, financial literacy for law students, and helping law students to be better citizens and attorneys. Finally, Amy would like to create a binder for each organization that describes the role faculty advisors play in each organization.

In conclusion, Amy stated that if you have any issues or ideas for student organizations, please see her. Additionally if you recognize that a student is “falling through the cracks,” please let her know so that she can help that student.

**Self-Study Committee Update**
Professor Crocker, Chair of the Self-Study Committee, reported the committee will be releasing a draft copy of five chapters of the self-study. On October 16th and 17th faculty and staff are invited to a luncheon to comment on those chapters. The committee is especially interested in the strengths and weaknesses section of each chapter. The next set of chapters will be released in early November followed by two more luncheons for faculty and staff to comment.

**Strategic Priorities Committee**
Dean Boise stated that as part of his presentation at the State of the Law School he included a slide that stated budget cuts may create faculty salary freezes, salary cuts or faculty layoffs. He stated that it was not his intent to cause panic. He does not anticipate any imminent cuts or layoffs; however, he wanted to make it clear that this is the environment that we face. In his address he challenged faculty to work together to
create such a compelling legal education program that no one outside the law school would want to change it. Dean Boise then announced a May Day summit to talk about some of the big picture items. He noted that he believes the market will be flat or down for the next few years so he does not have the sense that we have to come up with budget cuts between now and May. Following the State of the Law School address several faculty suggested that we begin to think about what we might do to adapt and look at legal education ahead of the May Day summit. To that end, Dean Boise said he intended to hold a series of faculty discussions about various aspects of the current legal education environment as a lead up to the May Day summit. Dean Boise noted that Professor Ray also circulated an email proposing creation of a Strategic Priorities Committee. This committee would be the precursor to a larger strategic plan. Dean Boise asked Professor Ray to introduce his proposal.

Professor Ray stated that after speaking with several faculty members and Dean Boise, he drafted the following proposal for creating a Strategic Priorities Committee.

**Strategic Priorities Committee.** This committee will consist of at least six faculty members, elected by the faculty. There will be at least one Full Professor, one Associate Professor, one Assistant Professor, one Clinical Professor and one Legal Writing Professor on the committee. Faculty members who presently serve in an administrative role are not eligible to serve on this committee. The Chairs of the Budget and Curriculum Committees will serve ex-officio on this committee if they are not elected as members.

**Mandate 1:** The committee will examine the effects of the 140-plan on student enrollment, the size and structure of the faculty and the Law School’s budget. The committee will examine whether possible future decline in applications warrants seeking faculty approval for a further reduction in the entering class, the effect of any such reduction on the Law School’s budget and potential cost savings in that budget and other possible revenue sources to offset revenue losses. The committee should consult with the Budget Committee in this process. Any recommendation to reduce next year’s entering class size should be made to the Dean and the Faculty no later than March 1, 2013.

**Mandate 2:** The committee will examine the effects of the 140-plan in light of the issues that Dean Boise raised in his recent State-of-the-Law-School presentation, including the overall decline in Law School applications, the effects of tuition on student debt burden and applications to Cleveland-Marshall, and the bar-passage and job placement prospects of our graduates. The committee will work with the Curriculum Committee, and the Bar Passage Committee to consider
recommendations to the Dean and the Faculty for addressing these issues.

**Mandate 3:** The committee will work with the Faculty Affairs Committee to examine past Law School initiatives that recommended major changes in Law School policies and the role of shared governance in those initiatives, including the Bar Passage Plan, the recent curriculum changes and the 140-plan.

Professor Ray stressed that this is a draft proposal and he is open to suggestions.

Professor Gelman asked Dean Boise if he was considering further reducing the incoming class size and if so, and the university is not asked to bear any more of the costs, wouldn’t that mean budget cuts in the next fiscal year? Dean Boise responded that in that case we would need to come up with a budget effective in 2014. Professor Gelman asked if we admit 120 students next year would there be budget cuts effective in the fall of 2013? Dean Boise responded that he would go to the Provost and ask for financial help.

Professor Sterio noted that Assistant Dean Lucak said in his report today, that the earlier our target number for the incoming class is set, the better it is for our admissions department. What is our target for the next class? Dean Boise responded the target class is 140 and that he will not cut that number unless absolutely necessary.

Dean Boise noted that according to the bylaws, committees can be created by either the Dean or the faculty. He said that the only issue he has with Professor Ray’s proposal is that faculty with administrative responsibility are exempt from serving on the committee. He thought that creates an artificial separation. Further, if we are to resolve these issues, there is knowledge and information that administrators have that can be helpful to this process. If you exclude administrators, he suggested tasking the Faculty Affairs Committee with this charge. Professor Gelman noted that if an administrator disagrees with their superior, they could lose their administrative position. Dean Boise stated that Associate Deans Robertson and Sundahl often disagree with him. He said that is not part of an administration conspiracy, and that he fights for the law school at the administrative level all of the time. Additionally, he would prefer to sit with faculty and talk about ideas about which he would have to make a unilateral final decision. Professor Curtis noted that she, Professor Heyward and Professor Lewis all have administrative titles. Would they be exempt?

Professor Ray stated that there are two issues here – the serious issues facing the law school and the faculty governance concerns. He considered whether to recommend sending this to the Faculty Affairs Committee, however he wouldn’t want to be told as a FAC member that this was part of their charge in addition to everything else they are dealing with. Dean Boise asked for clarification on the faculty governance issue.
Professor Ray responded making sure that when we decide the class size, that all faculty are consulted and understand the effects of a smaller class. Also that faculty are on the front end of decision making. He reiterated his belief that the administrative faculty should not be members of this committee.

Professor Sterio agreed saying that sometimes if the Dean is a member of the committee the discussion becomes skewed because people don’t participate as freely. She did agree that the committee should be in regular communication with the Dean. Professor Becker agreed stating that she would be uncomfortable if the Dean was on the committee because he has exclusive control and ultimate authority.

Professor Gelman then seconded Professor Ray’s motion as submitted. After similar discussion of whether administrative faculty should be part of this committee, Professor Ray said he would amend his proposal by striking the third sentence, “Faculty members who presently serve in an administrative role are not eligible to serve on this committee.”

Professor Gelman questioned approving a committee if the charge is unclear. Professor Sterio suggested revisiting the mandate at the next faculty meeting. Professor Ray stated that he agrees with Professor Gelman. Professor Weinstein suggested that it does make sense to say that a committee should be created and then discuss the charge at the October 18th brown bag. A formal vote could be taken at the next faculty meeting. It was widely agreed that this was the best method of moving forward.

Professor Ray tabled his motion to create a Strategic Priorities Committee.

**Adjournment**
Professor Heyward moved to adjourn the faculty meeting. Professor Green seconded. The meeting adjourned at 5:45 p.m.
MINUTES OF SPECIAL FACULTY MEETING OF COLLEGE OF LAW
November 19, 2012
12:00 p.m. – LB 60

ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson and Sundahl; Professors Becker, Borden, Broering-Jacobs, Cherry, Crocker, Curtis, Daiker-Middaugh, Falk, Forte, Garlock, Geier, Gelman, Glassman, Green, Heyward, Kalir, Kerber, Kowalski, Lazarus, May, Mika, Niedringhaus, Plecnik, Ray, Sagers, Sterio, Weinstein, Wilson and Witmer-Rich

EXCUSED: Professor Hoke, Inniss (LWOP), Keating, Mawdsley, O’Neill (PLOA), and Oh

NOT PRESENT: Professors Davis, Gard, Lewis, and Majette

Dean Craig M. Boise convened a special meeting of the faculty at 12:05 p.m.

The agenda is attached as Appendix I to these minutes.

James Flaherty
Dean Boise noted the passing of Professor Emeritus James Flaherty. After giving a brief eulogy, he asked for a moment of silence in memory of Professor Flaherty.

Strategic Priorities Committee
Dean Boise stated that this special meeting was called to revisit Professor Ray’s motion to create a Strategic Priorities Committee, which was tabled at the October 18th faculty meeting so that a brown bag could be held. Since that time a brown bag was held and Professor Ray distributed a revised motion based on the discussion at the brown bag. Dean Boise asked Professor Ray to present his motion. Professor Ray introduced the following motion:

Strategic Priorities Committee: This committee will consist of at least six faculty members, elected by the faculty. There will be at least one Full
Professor, one Associate Professor, one Assistant Professor, one Clinical Professor and one Legal Writing Professor on the committee. Faculty members who presently serve in an administrative role are not eligible to serve on this committee. The Chairs of the Budget and Curriculum Committees will serve ex-officio on this committee if not elected as members and if they do not serve in an administrative role.

Mandate. 1. The committee will examine the effects of the 140-plan on student enrollment, the size and structure of the faculty and the Law School’s budget. The committee will examine whether possible future application declines warrant seeking faculty approval for a further reduction in the entering class, the effect of any such reduction on the Law School’s budget and potential cost savings in that budget and other possible revenue sources to offset revenue losses. The committee should consult with the Budget Committee in this process. Any recommendation to reduce next year’s entering class size should be made to the Dean and the Faculty no later than March 1, 2013.

2. The committee will examine whether the Law School should consider other measures, in addition to the 140-plan, to address the issues that Dean Boise raised in his recent State-of-the-Law-School presentation, including the overall decline in Law School applications, the effects of tuition on student debt burden and applications to Cleveland-Marshall, and the bar-passage and job placement prospects of our graduates. The committee will work with the Curriculum Committee and the Bar Passage Committee to consider recommendations to the Dean and the Faculty for addressing these issues.

3. The committee will work with the Faculty Affairs Committee to examine past Law School initiatives that recommended major changes in Law School policies and the role of shared governance in those initiatives, including the Bar Passage Plan, the recent curriculum changes and the 140-plan.

The floor was then opened for discussion.

Professor Lazarus asked who is considered an administrator. Professor Ray stated that he believed that administrators were those with oversight authority in terms of staffing. Dean Boise read a list of administrators who fall within that definition: Dean Boise, Associate Deans Robertson and Sundahl, and Professor Niedringhaus, Broering-Jacobs, Curtis and Heyward. Professor Gelman suggested following the Faculty Senate’s definition, which is to consider anyone whose administrative responsibilities entail more than 50% of his or her time as an administrator. Professor Niedringhaus and Broering-Jacobs each withdrew themselves from consideration. Professor Forte stated that he
believes the strength of this faculty is that we have faculty who also administrate. He stated that other than the Dean and two Associate Deans who have the power to create policy, he believes everyone else on the faculty should be eligible to serve on this committee. Professor Sterio suggested adopting a bright line approach and setting a precedent for the future rather than having faculty excuse themselves from consideration.

Professor Forte moved to limit the definition of administrator to the Dean and both Associate Deans only. Professor Becker seconded. The motion passed by a majority of hand votes.

Professor Ray noted that the last sentence of the first paragraph should read: “The Chair of the Curriculum Committee will serve ex-officio on this committee.” Professor Weinstein questioned the rationale for eliminating the chair of the Budget Committee as an ad hoc member. Professor Ray responded that the current Chair of the Budget Committee is the Dean who is an administrator. Dean Boise stated he is more than happy to meet with the committee to discuss budget matters.

Professor Gelman asked whether the last sentence of Mandate 1, stating “recommendations to reduce next year’s entering class size should be made to the Dean and the Faculty no later than March 1, 2013” is an appropriate recommendation. Dean Boise stated that the reduction in class size will depend on applicant data and that March 1st may be premature. He said he is not in favor of lowering entering credentials to fill a class of 140 students. If we do have to go to a smaller class size he will go to the administration and ask for support. He further stated that he believes the administration will honor our three-year budget plan. Professor Ray stated that he anticipated that the committee would look at existing data and suggest various models to the Dean to create a broader discussion. Professor Becker noted that March 1st is a short period of time to gather and analyze data. Professor Heyward suggested using the second seat deposit date as a deadline date. Dean Boise noted that the second seat deposit date is June 15th, which would be too late for faculty discussion. Professor Ray reiterated his point that March 1st was just an arbitrary date by which the faculty would have a full discussion. The idea was not to lock into a particular class size but rather to assess the variables and model possibilities.

Professor Forte suggested moving the date to April 1st because the faculty meets twice in April allowing time for faculty discussion. Professor Gelman stated that his concern is that the decision will be made before March 1st. He stated that according to Greenbook, requirements for admission is a faculty decision. Dean Boise disagreed stating that since this is a budget concern, it is ultimately a Dean’s decision with faculty consultation. Professor Falk suggested leaving the actual date up to the committee.

Professor May moved to move the deadline to “no later than April 1st.” Professor Becker seconded. The motion passed unanimously.
Professor Becker asked that Mandate 1 be corrected to read “Budget Task Force Committee” instead of Budget Committee.

Professor Forte asked what “at least” means in the first sentence of the motion. Professor Becker moved to strike the words “at least” from the first sentence so that it reads: “This committee will consist of six faculty members ...” Professor Ray seconded. The motion passed unanimously.

The faculty then voted on the original motion as amended. Below is the corrected motion:

**Strategic Priorities Committee**: This committee will consist of at least six faculty members, elected by the faculty. There will be at least one Full Professor, one Associate Professor, one Assistant Professor, one Clinical Professor and one Legal Writing Professor on the committee. Faculty members who presently serve in an administrative role are not eligible to serve on this committee. The Chairs of the Budget and Curriculum Committees will serve ex-officio on this committee if not elected as members and if they do not serve in an administrative role.

**Mandate.** 1. The committee will examine the effects of the 140-plan on student enrollment, the size and structure of the faculty and the Law School’s budget. The committee will examine whether possible future application declines warrant seeking faculty approval for a further reduction in the entering class, the effect of any such reduction on the Law School’s budget and potential cost savings in that budget and other possible revenue sources to offset revenue losses. The committee should consult with the Budget Task Force Committee in this process. Any recommendation to reduce next year’s entering class size should be made to the Dean and the Faculty no later than March April 1, 2013.

2. The committee will examine whether the Law School should consider other measures, in addition to the 140-plan, to address the issues that Dean Boise raised in his recent State-of-the-Law-School presentation, including the overall decline in Law School applications, the effects of tuition on student debt burden and applications to Cleveland-Marshall, and the bar-passage and job placement prospects of our graduates. The committee will work with the Curriculum Committee and the Bar Passage Committee to consider recommendations to the Dean and the Faculty for addressing these issues.

3. The committee will work with the Faculty Affairs Committee to examine past Law School initiatives that recommended major changes in
Law School policies and the role of shared governance in those initiatives, including the Bar Passage Plan, the recent curriculum changes and the 140-plan.

The floor was then opened for nominations. The following faculty members were nominated but declined: Professors Becker, Crocker, Daiker-Middaugh, Garlock, Heyward, Ray, Green, and Kalir.

The following faculty members were nominated and accepted the nomination: Professors Cherry, Falk, Geier, Wilson, Borden, Lazarus, Weinstein, Plecnik, Witmer-Rich, Curtis, Robinson-May, and Kowalski.

It was agreed that a paper ballot would be distributed at a later date with the results being reported via email.

Teaching Schedules
Associate Dean Sundahl stated that he is beginning the scheduling process. Soon he will be sending out an email asking for faculty course preferences. One change from last year is that he will attempt to schedule for the next two years. Although this has been attempted in the past, he believes that scheduling for two years is beneficial for students, especially part-time students. He also noted that the University is moving towards two-year schedules.

Professor Becker asked if the rumor about reducing the number of first-year sections is accurate. Associate Dean Sundahl stated that at this point, he is considering reducing the sections from three to two day sections. The effect of this would be an increase in the average class size from 37 to 50 students. The trade off is that it will free up faculty to teach a specialty course or secure a course release for scholarship.

Several faculty stated that they were in favor of keeping smaller sections because they felt students were more inclined to participate in a smaller group, they could give better feedback, and with the change from two-semester to one-semester courses, there is already a lot of anxiety amongst students.

Adjournment
Dean Boise adjourned the meeting at 12:55 p.m.
MINUTES OF REGULAR FACULTY MEETING OF COLLEGE OF LAW
November 28, 2012
4:00 p.m. – LB 60

ATTENDANCE:


EXCUSED:  Associate Dean Robertson; Professors Davis, Heyward, Hoke, Inniss (LWOP), Mika, O’Neill (PLOA) and Oh

NOT PRESENT:  Professor Geier

Dean Craig M. Boise convened a regular meeting of the faculty at 4:07 p.m..

The agenda is attached as Appendix I to these minutes.

Approval of Minutes of October 9, 2012 Faculty Meeting
Professor Falk moved to approve the minutes of the October 9, 2012 faculty meeting as submitted. Professor Broering-Jacobs seconded. The motion passed unanimously.

Approval of Minutes of November 19, 2012 Faculty Meeting
Professor Carolyn Broering-Jacobs moved to approve the minutes of the November 19, 2012 faculty meeting as submitted. Professor Borden seconded. The motion passed unanimously.

Dean’s Report
Dean Boise began the meeting by stating that he wanted to discuss what he described as a widely perceived continuing disconnect between himself and the faculty. He noted that he had meet earlier in the day with the Faculty Affairs Committee to discuss this issue and he had an extremely positive and productive meeting. On a personal level he continues to work on how best to communicate his concerns at the administrative level
and how best to obtain faculty input, suggestions and guidance regarding his concerns. At the State of the Law School address he laid out his plans to begin a strategic planning process to map out the future course for the law school. When the faculty asked to begin this process earlier, he cooperated by setting up a series of meetings to address the formation of a faculty committee charged with developing strategic priorities. He has also engaged faculty in the development of our website and by scheduling a series of roundtable discussions. However, the Dean noted, this openness needs to be a “two way street.” He stated he senses that the faculty is becoming more divided and he pointed to the faculty’s effort to unionize as an example. He also noted that some faculty have chosen to deal with their concerns by approaching the Editor of the Gavel to make their case and at least one faculty member, Sheldon Gelman, approached a staff member and asked for information to “go after Craig.” Dean Boise said, “Shame on you Sheldon Gelman. Shame on you.” Dean Boise stated that he is concerned about the effects of this subversive underground campaign on our law school. He stated he was concerned about the effect this will have on our students, on our ability to attract prospective students, and on our reputation in the community.

Dean Boise turned to the positive happenings at the law school. He talked about the Great Lakes Sports and Entertainment Law Academy, the solo practice incubator project, and the positive press we are receiving for both of these programs. He singled out several faculty who have been successful and innovative in their teaching and research.

Dean Boise stated that we have the ability to end the bickering and divisiveness and he said it has nothing to do with whether the faculty unionize. It is a question of collegiality. Additionally, we have spent a lot of time building our reputation in the community. It is critical that we pull together to maintain and build on this reputation for our prospective students and employers. We cannot afford to dissolve into negativity. Dean Boise then pledged to better communicate with the faculty and he asked that the faculty join him in that endeavor.

Dean Boise then moved on to the issue of class size for the incoming class of 2013. He said he just received word from the President and the Provost that they want us to bring in an entering class of 140 students next year. Having a clear directive from the administration, Dean Boise announced a Strategic Roundtable on December 4th to discuss admissions and suggestions for how to bring in the best possible class.

Professor Sterio recommended the Dean schedule office hours. Dean Boise thanked Professor Sterio for this idea and stated he would do so. Professor Sagers said he heard Dean Boise speak about C|M|LAW at a public forum and he was very impressed with how well he was received. Professor Crocker stated that having additional scholarship dollars, even an influx on a short-term, emergency basis, will help us in recruiting new students. Dean Boise acknowledged that we are behind in terms of scholarship dollars as compared to the other public law schools in Ohio. He stated that Akron has put a lot
of money into scholarships, however, he noted a small percentage of those students retain their scholarships for their entire tenure at the law school. He stated he would have scholarship figures at the Strategic Roundtable on December 4th.

Dean Boise announced that he had met with Patricia Motta, who had originally accepted her appointment as a Clinical Professors effective January 1, 2013. Since that time she was offered a position with her current employer that she felt she could not pass up. Therefore, she has withdrawn her application. This leaves an unfilled faculty position in the Clinic and the question of whether to fill that position or re-arrange responsibilities and relinquish the position toward our $750,000 obligation to the university. Some faculty felt that it was important to start paying down the $750,000 obligation. Others felt that the position should be filled especially in light of the effort to increase experiential learning for our students. Dean Boise explained the process by which the law school fills vacant positions when faculty leave or retire. He also noted that he has proposed to the administration a retirement incentive plan for the next academic year. He is waiting to hear back from the administration.

**Associate Dean for Administration**

- Following up on last month’s discussion regarding reducing the number of 1L day sections from three to two, Associate Dean Sundahl stated that the general feedback he has received is that it would be best to maintain three day sections and that based on that feedback the Dean directed him to do so to the extent that it is possible. Professor Borden asked what the staffing effect has been from going from a class of 250 students to 140. If we will indeed only have four clinical positions and we are making the strategic decision to emphasize skills, then all faculty should consider themselves subject to helping out with experiential skills courses. Professor Broering-Jacobs stated that after legal writing lost Jamie Bouvier’s position and with the shifting numbers, the first year section size is about 35 students per faculty member. Most upper level writing courses are now taught by adjuncts. Professor Borden asked if we are in compliance with ABA standards. Associate Dean Sundahl stated that after analyzing the data he has determined that we are indeed in compliance with the AALS standards which means that 2/3 of all credit hours are taught by full-time professors.

- Once again we will use outside proctors for exams. Proctors go through an intensive training process.

- On November 16th Associate Dean Sundahl attended a program in Columbus, Ohio hosted by the Task Force on Professionalism under the auspices of the Ohio Supreme Court. He was proud to listen to Professor Lazarus speak about professionalism in our curriculum and various initiatives at C|M|LAW.

**Associate Dean for Academic Enrichment**

No report.
Nomination of Representative and Alternate Representative to AALS House of Representatives
Dean Boise asked for nominations to the Association of American Law Schools House of Representatives. According to the AALS Bylaws, “The Faculty of each member school shall select the individual who is to represent the school in the House of Representatives and an alternate representative to serve in the absence of the regular representative.” Dean Boise and Professors Lewis and Borden were all nominated. Professor Lewis declined her nomination. Dean Boise agreed to serve as the representative and Professor Borden agreed to serve as alternate. Both nominations passed by acclamation.

Nomination of Representative to the University Personnel
Professor Falk explained that the law school needs to elect an ex-officio member to the University Personnel Committee. The representative must be a tenured member holding the rank of Professor, and this person may not have served on the subcommittee of any candidate or as PAC chair. The faculty member elected by the law school faculty will serve a two-year term.

The function of the UPC is to study dossiers and make recommendations to the Provost where the PAC and the Dean have made conflicting recommendations. In our case both the PAC and the Dean have given the candidates applying for promotion and tenure favorable recommendations. The Provost, however, may solicit the UPC for consideration and recommendation.

Professors Becker, Forte, Gard and Geier all received nominations to fill this position. Professor Forte declined the nomination. Professor Geier was not present to accept or decline the nomination.

It was determined that a paper ballot would be distributed with the three candidates’ names: Susan Becker, Stephen Gard and Deborah Geier. If the top vote getter was Professor Geier, Professor Falk would ask her if she wanted to accept the position. If not, then the next highest vote getter would receive the nomination.

Professor Geier received the highest number of votes. After the meeting, Professor Geier agreed to be the law school’s representative to the University Personnel Committee.

Self-Study Committee Update
Professor Crocker, Chair of the Self-Study Committee reported that a full draft of the Self-Study will be sent to the faculty next week. The Committee anticipates voting on approval of the report at the December 13th faculty meeting. At that same meeting, the Committee would like to have a discussion regarding identifying the top strengths and weaknesses. She thanked the committee members for their hard work.
Unionization
Professor Crocker suggested the faculty meet to discuss the unionization issue. She also suggested that an independent labor law attorney be invited to answer any questions. Questions could be submitted ahead of time in written form to preserve anonymity. It was agreed to hold this meeting on Thursday, December 6th at 12:15 p.m. in LB 60.

Professor Garlock stated that as he understands the procedure, once the SERB Request for Recognition notice has been posted the only question is whether CSU will object to recognition. While it is fine to discuss the merits, he questioned what more can be done at this point. Professor Curtis noted that individual faculty who have been excluded can file an objection. Professor Gelman said that of the proposed unit of 32 members, 21 people signed union cards. He further stated that the process was followed according to the statute and that no one asked for any meeting and no procedural consideration was denied.

Professor Weinstein said he considered this the most significant decision the faculty has made in the past two decades since he has been here. Essentially, if the university does not object, we are unionized. He further said that he was told there would be an opportunity to consider whether we unionize. Had he known that was not the case, he would have taken more action. Several other faculty stated they too believed it was a preliminary step and not a final vote when they signed the union card. Professor Ray stated that he is sympathetic to views about consultation and process, however this is a legal issue. You have a right to collectively bargain. It is not a faculty’s right. Further, faculty shouldn’t view the process as flawed because the law doesn’t require openness. It is important to understand that shared governance is different from individual choice. It is a legally defined majoritarian process.

Dean Boise stated that regardless of how this comes out we must all work together. He called for cohesiveness. We have students to teach and a reputation to uphold.

Faculty Affairs Committee – Susan Becker
Professor Becker began by stating that the Faculty Affairs Committee and Dean Boise had a very candid conversation earlier in the day. She believes that they now have a much better understanding of each other. She further stated that she is proud of this institution and when we all work together we will come out of this experience much stronger.

Professor Becker explained that the Provost created a University Task Force Committee charged with developing specific criteria to assure university-wide application of standards for granting promotion and tenure. Professor Buckley served as the law school representative on this committee until his retirement. After receiving the final report of the Task Force, the Provost made some minor revisions and then directed all
Deans with implementing these recommendations. The directives are divided into four categories:

1. Standards and Procedures for Student Evaluation of Instruction
2. Standards and Procedures for Peer Evaluation of Instruction
3. Standards and Procedures for Obtaining External Reviews of Scholarship
4. Standards and Procedures for Departmental Tenure and Promotion Guidelines

Dean Boise charged the Faculty Affairs Committee with looking at these directives and proposing methods for implementation. The Faculty Affairs Committee found that we already follow most of these procedures. However, for the procedures that we do need to revise, the Faculty Affairs Committee proposed several motions.

The first motion is in response to category 1 – Standards and Procedures for Student Evaluation of Instruction (SEI), recommendation 8. The Task Force recommendation stated that “The Student Evaluation of Instruction process should be institutionalized and centralized.” Professor Kerber, on behalf of the Faculty Appointments Committee moved that the Associate Dean for Administration serve as Coordinator of SEI Activities and further that they be responsible for reporting to UFAC on content issues and questions in order to comply with the CSU Task Force Committee recommendations. Professor Borden seconded the motion. The motion passed unanimously.

The next motion was also in response to category 1 – Standards and Procedures for Student Evaluation of Instruction, recommendation 9. The Task Force recommended that “Current materials (sheets of questions and the green or blue test forms) should be replaced with a scannable score sheet.” Professor Kerber, on behalf of the Faculty Appointments Committee, moved to maintain the current SEI sheet, which is scannable with open questions on the back side and to slightly modify the Faculty Instructions distributed with the course evaluations forms. (A copy of the revised Faculty Instructions is attached to these minutes.) After a short discussion, Professor Kerber modified her motion to change the text of Guideline 1 in the Faculty Instructions to read: “The law faculty unanimously voted to make course evaluations and the use of the forms mandatory of all faculty members. You must use the enclosed forms, although you may supplement them with your own survey.” Also the form should remove the words “The Teaching Committee” from the bottom. Professor Niedringhaus seconded the motion with the revisions proposed by the faculty. The motion passed unanimously.

Due to the late hour, the remainder of the Faculty Affairs Committee motions will be addressed at the next faculty meeting.

**BarBri Outlines for Core Courses**
Due to the lack of time, this agenda item will be addressed at the next faculty meeting.
**Adjournment**
Professor Falk moved to adjourn the faculty meeting. Professor Curtis seconded. The meeting adjourned at 5:58 p.m.
ATTENDANCE:

PRESENT: Dean Boise; Associate Deans Robertson and Sundahl; Professors Becker, Borden, Broering-Jacobs, Crocker, Curtis, Daiker-Middaugh, Falk, Forte, Gard, Garlock, Geier, Gelman, Glassman, Heyward, Kalir, Kowalski, Lazarus, Lewis, Majette, May, Mika, Niedringhaus, Plecnik, Ray, Sagers, Sterio, Weinstein and Witmer-Rich; Self-Study Committee members Jennifer Blaga and Christopher Lucak

EXCUSED: Professors Cherry, Davis, Green, Hoke, Inniss (LWOP), Kerber, O’Neill (PLOA), Oh and Wilson

NOT PRESENT: None

Dean Craig M. Boise convened a regular meeting of the faculty at 2:00 p.m.

The agenda is attached as Appendix I to these minutes.

Approval of Minutes of November 29, 2012 Faculty Meeting

Prior to the faculty meeting, Professor Gelman sent an email requesting that the minutes under the Dean’s Report section be changed from: “He also noted that some faculty have chosen to deal with their concerns by approaching the Editor of the Gavel to make their case and at least one faculty member (who the Dean named) approached a staff member and asked for information to ‘go after Craig.’ Dean Boise said the faculty member should be ashamed of having made such a comment to a staff member” to the following. “He also noted that some faculty have chosen to deal with their concerns by approaching the Editor of the Gavel to make their case and at least one faculty member, Sheldon Gelman, approached a staff member and asked for information to ‘go after Craig.’ Dean Boise said, ‘Shame on you Sheldon Gelman. Shame on you.’” Also prior to the faculty meeting, Professor Weinstein sent an email requesting that the minutes be changed in the same section from “He further said that he felt pressured to sign the
union card and was told there would be an opportunity to consider whether we unionize” to “He further said that he was told there would be an opportunity to consider whether we unionize.” Both changes were made to the minutes prior to the faculty meeting.

Professor Forte moved to approve the minutes as submitted. Professor Becker seconded.

Professor May stated that on page 5 of the minutes under the discussion about Unionization, there is a statement that reads “Several other faculty stated they too believed it was a preliminary step and not a final vote when they signed the union card.” She said she did not recall faculty specifying that they actually signed a card under this impression. She therefore suggested that the minutes be revised to read: “Several other faculty stated they too believed that if they signed the union card, it would be a preliminary step and not a final vote.”

Professor Crocker asked that the last line of the first bullet point under the Associate Dean for Administration’s report be changed from “Associate Dean Sundahl stated that after analyzing the data he has determined that we are indeed in compliance with the standards which means that 2/3 of all credit hours are taught by full-time professors” to “Associate Dean Sundahl stated that after analyzing the data he has determined that we are indeed in compliance with the AALS standards.”

Professor Forte accepted both amendments to the minutes and moved to approve the minutes as revised. Associate Dean Sundahl abstained from voting because he was not present during the portion of the meeting that was revised. The motion passed unanimously.

**Self-Study Committee Update**
Professor Phyllis Crocker, Chair of the Self-Study Committee began by identifying the members of her committee and thanking them for their hard work. She noted that there will be some additional changes to the Self-Study report before it goes to the ABA such as Patricia Motta’s decision to decline the clinical position, Professor Niedringhaus’ leaving to accept new position, the unionization situation, etc.

Professor Garlock asked if a friendly amendment to the report is still acceptable. He suggested that under Section III, Program of Legal Education, Strengths, #3 should be expanded to read, “Our redesigned first-year curriculum recognizes the importance of legislative and administrative law, while continuing to recognize the importance of a thorough grounding in core, common law subjects.” Professor Crocker accepted the change and said she would make the revision. Professor Majette asked that her areas of expertise be corrected in the Health Law section of the report. Professor Crocker accepted that change as well.
Professor Crocker than moved, on behalf of the Self-Study Committee, to approve the Self-Study document including the strengths and weaknesses. The motion passed unanimously.

Dean Boise thanked the Self-Study Committee for their hard work and in particular Professor Crocker for shepherding this process. Professor Crocker then noted that the chair of the Site Team, Dean John Hutson, will be coming to C|M|LAW for a pre-visit in January. He will be meeting with alumni, administrators and students. There will be an opportunity for faculty to meet with Dean Hutson on January 15th at 3:00 p.m. for a coffee hour. He is also scheduled to meet with the Faculty Affairs Committee at 4:15 p.m. on that same day.

Dean Boise stated that he would send out a list of the members of the site team next week. He noted that Dean Hutson specifically requested that faculty not contact any of the site team members.

**Faculty Affairs Committee**
At the November 28, 2012 faculty meeting, the Faculty Affairs Committee (hereinafter “FAC”) presented motions to bring the law school in compliance with the Provost’s directives to implement the University Task Force on the Application of Promotion and Tenure Standards and Processes. Professor Becker reminded the faculty that the Provost’s directives were divided into four categories:

5. Standards and Procedures for Student Evaluation of Instruction
6. Standards and Procedures for Peer Evaluation of Instruction
7. Standards and Procedures for Obtaining External Reviews of Scholarship
8. Standards and Procedures for Departmental Tenure and Promotion Guidelines

The faculty approved motions to bring us in compliance with category 1: Standards and Procedures for Student Evaluation of Instruction, at the last faculty meeting. The next directive addressed was category 4: Standards and Procedures for Departmental Tenure and Promotion Guidelines. According to the FAC, we are in compliance with all but one recommendation – “There needs to be a mechanism in place for periodic review and updating of these documents, given that performance standards and the types of evidence that measure these standards do change over time. We suggest that this mechanism be activated from the Provost’s office and be applied university-wide to all academic units. Every five years may be the right interval.” The committee proposed the following motion to bring us into compliance:

_Cleveland-Marshall Procedures and Criteria for Promotion and Tenure (PCPT) as amended in 2009 and as supplemented by Procedures for Mentoring and Evaluation of Faculty in the Years Preceding Application for Personnel Action and by Criteria and Procedures for the Appointment of Tenured Faculty shall be referred to the Faculty Affairs Committee_
every five years for review, starting in the spring semester of 2013. The FAC will consult with tenured and tenure-track faculty about possible revisions and recommend all proposed amendments for a faculty vote. This five-year review process does not preclude faculty from amending any of the procedures or criteria contained in these materials at other times.

The motion passed unanimously. After the motion passed it was agreed that the Criteria, Standards, and Procedures for the Appointment of Non-Tenure-Track Clinical and Legal Writing Professors shall be referred to the Faculty Affairs Committee every five years for review, starting in the spring semester of 2014.

The next directive to be addressed was 2. Standards and Procedures for Peer Evaluation of Instruction. The Provost’s directive accompanying the Task Force Recommendations asks deans “to work with faculty to develop and disseminate consistent peer evaluations policies.” The Provost further directs that “to the degree that they are applicable, the Task Force Recommendations 1-4 on Peer Evaluations should be explicitly and fully incorporated into each department’s written policies and procedures. Whenever possible, peer evaluations should be done by tenured faculty with multiple evaluators. Deans are charged with ensuring that these policies are in place by the end of Fall 2012, so that they can be implemented by departments conducting evaluations in the Spring 2013.”

The FAC noted that we have never created a form or specific criteria for faculty evaluations. They felt that having a uniform form would be helpful for both the evaluator and the evaluatee. The FAC created a Peer Teaching Evaluations Form, which is included in the agenda packet. The form includes items that need to be addressed when considering promotion and tenure and it includes the Provost’s directives. Since this form has not been considered by the entire faculty, the FAC put forth three options: Option A – refer to the Teaching Committee for consideration developing a standard peer teaching evaluation form. This would then be brought to the faculty for consideration no later than the March 2013 faculty meeting; Option B – adopt the Peer Teaching Evaluation form as presented; or Option C – adopt the Peer Teaching Evaluation form as presented for use during the Spring 2013 term and refer the matter to the Teaching Committee for further evaluation and potential modification. This would then be brought to the faculty for consideration no later than the March 2013 faculty meeting. After a short discussion, Professor Becker, on behalf of the FAC, put forth the following motion:

_The faculty adopts the Peer Teaching Evaluation form presented at pp. 7-8 of the Faculty Affairs Committee’s memo of 11-27-12 for use during the spring semester 2013 and refers the matter to the Teaching Committee for further evaluation and potential modifications to or substitution of_
The motion passed unanimously.

The Provost’s directives also stated that a pre-observation and post-observation meeting of the instructor and observer should be scheduled and held. The FAC put forth the following motion in order to comply:

*The Teaching Committee shall consider the procedural issues related to pre- and post-evaluation meetings between the evaluation and the person being evaluated pursuant to Pt. 4(c) and (d) of the Provost’s Category II: FAC Recommendation re Peer Evaluation of Instruction during the spring 2013 semester. The Teaching Committee shall present a recommendation to Faculty regarding possible amendments to CM’s “Procedures for Mentoring and Evaluation of Faculty in the Years Preceding Application for Personnel Action” (which supplement Cleveland-Marshall Procedures and Criteria for Promotion and Tenure) no later than the March faculty meeting to comply with the Provost’s mandates.*

The motion passed unanimously.

**Joan Baker Eulogy**
Professor Becker gave a moving eulogy of Professor Emerita Joan Baker. She announced that a memorial service for Professor Baker would be held at the law school sometime after the winter break. Dean Boise then asked that the faculty join him in observing a moment of silence in memory of Professor Baker.

**Faculty Affairs Committee (cont.)**
The final directive from the Provost was 3. Standards and Procedures for Obtaining External Reviews of Scholarship. Professor Witmer-Rich introduced the FAC’s motions related to this directive. He stated that in most respects, our Procedures and Criteria for Promotion and Tenure meet or exceed the recommendations of the Task Force and those of the Provost. However, there are two differences regarding reviewer impartiality and the number of external reviewers.

Currently the C|M|LAW standard regarding reviewer impartiality calls for full disclosure, “The candidate should disclose any relationship with any proposed evaluator.” (Procedure §21) The Task Force recommends the following:

“The reviewer:
  o Cannot have been a co-author or collaborator on any project with the candidate;
o Cannot have been a mentor or professor in any institution during the
time the candidate received a degree or other form of professional
training;
o Cannot be someone in a position to receive some advantage or benefit
beyond the honorarium based on the outcome of the candidate’s
review.
• Evidence of arm’s-length impartiality requires a written statement of such
from the reviewer within his/her review letter and from the candidate
during the process of developing the list of potential reviewers.
• Candidates should refrain from any direct or indirect contact with a potential
external reviewer.”

The FAC recommends that the Dean seek permission from the Provost to vary our
standards to read:
“The reviewer:
  o Cannot have been a co-author or collaborator on any project with the
candidate;
  o Cannot have been a mentor or professor in any institution during the
time the candidate received a degree or other form of professional
training;
  o Cannot be someone in a position to receive some advantage or benefit
beyond the honorarium based on the outcome of the candidate’s review
during the review period.
• Evidence of arm’s-length impartiality requires a written statement of such
from the reviewer within his/her review letter and from the candidate
during the process of developing the list of potential reviewers.
• Candidates should refrain from any direct or indirect contact with a potential
external reviewer.”

Professor Niedringhaus asked for clarification regarding what the “review period”
entails? Professor Weinstein suggested a bright line rule that starts the prohibition at
the time an individual formally seeks promotion or tenure and ends after the external
review has been received. Professor Sterio stated that if you are working on an ongoing
project with someone, i.e., perhaps on a panel for a conference, that is a long time.
Associate Dean Sundahl agreed stating that not being able to contact a roster of experts
in his field would be very difficult for him. Several other suggestions were made to the
motion.

The faculty agreed to vote on the following motion and, if approved, request the Dean
present the proposal to the Provost and request a variance:

  The reviewer:
  • Cannot have been a co-author or collaborator on any project with the
candidate
  • Cannot have been a mentor or professor of the candidate in any
institution during the time the candidate received a degree or other
form of professional training from that institution
• Cannot be someone in a position to receive some advantage or benefit beyond the honorarium based on the outcome of the candidate’s review
• Evidence of arm’s-length impartiality requires a written statement of such from the reviewer within his/her review letter and from the candidate during the process of developing the list of potential reviewers
• Candidates should refrain from any direct or indirect contact regarding the review process with a potential external reviewer during the review period from the time of the candidate’s application to the Dean for promotion or tenure until the reviewer has submitted the review.

The motion passed unanimously.

Professor Witmer-Rich then moved to the second variation between C|M|LAW practices and the Provost’s directives - the number of external reviewers. The Provost’s directive states “The PRCs are expected to obtain at least five evaluations from external reviewers. In the event that this is not possible, the PRCs will seek approval from the Provost’s Office for soliciting a minimum of three reviews. The College of Law will seek approval from the Provost’s Office by the end of Fall semester 2012 for a higher number of minimum and maximum external evaluations than those recommended by the Task Force, the recommendation will be consistent with national practices and include the rationale.” Currently the C|M|LAW standards provide: “At a minimum, the Subcommittee should attempt to select at least twice as many evaluators as there are publications to be evaluated. However, whether an evaluator should be asked to read all of the publications, or only one or more of them, should be determined by the Subcommittee.” Procedures §21.

The FAC recommended that the law school add the following sentence to Procedure §21 to make it clear that five external reviewers is the minimum. The sentence would read: “At a minimum, the Subcommittee should attempt to select at least twice as many evaluators as there are publications to be evaluated, and in no event fewer than five evaluators.” Regarding the maximum number of reviewers, the FAC recommends not having a maximum. The FAC recommends asking the Dean to seek a variance from the Provost to have no maximum number of external reviews.

Professor Sterio asked if we must choose a maximum number of reviewers, who would decide which letters to omit from consideration. Professor Falk noted that our rule has always been that if we solicit a review that it has to become part of the file. Dean Boise stated that he would seek a variance from the Provost and strongly advocate for not having a maximum number of reviewers.

The faculty agreed to vote on the following revision to § 21 and, if approved, request the Dean present the proposal to the Provost and request a variance on the maximum number of reviewers:
At a minimum, the Subcommittee should attempt to select at least twice as many evaluators as there are publications to be evaluated, and in no event fewer than five evaluators. However, whether an evaluator should be asked to read all of the publications, or only one or more of them, should be determined by the Subcommittee.

The motion passed unanimously.

**Curriculum Committee**
Professor Witmer-Rich, Chair of the Curriculum Committee, explained that in 2011, the Ad Hoc Committee on Curriculum Review proposed and the faculty approved the following “The [Ad Hoc] committee proposes that our skills requirement be strengthened in two ways. First, we propose redefining the criteria so that only courses offering students an experiential approach to skills development satisfy this requirement. Second, we propose that students not be allowed to “double dip” requirements by automatically satisfying their skills requirement by taking any required 3rd semester Legal Writing course (except Scholarly Writing, which does not qualify as a skills requirement). (Memo of the Ad Hoc Curriculum Committee, p. 20.).” The faculty then charged the Curriculum Committee with drafting a revised standard in line with the Ad Hoc Committee’s report. The Curriculum Committee drafted the Experiential Skills Course Requirement (hereinafter ESCR), which the faculty approved in the spring of 2012. The new requirement applies to the incoming 2012 class, meaning current 1Ls will need to satisfy the new ESCR standard in their upper-class coursework.

The faculty then charged the Curriculum Committee with evaluating which courses satisfy this requirement. The Committee began by asking each faculty member to identify courses that they felt satisfied the ESCR standard. The Committee then discussed how the new standard should be applied. The sense of the committee was to make the existing skills course requirement substantially more robust. As the Committee began applying the ESCR standard to the list of potential courses, it became apparent that an application of the plain meaning of the terms in the new ESCR standard might result in approval of the exact same (or nearly the same) list of courses under the new standard as were approved under the old standard. The Committee discussed three options: 1. Apply the standard in some “heightened” manner; 2. Apply the standard without any “heightened” interpretation; or 3. Propose that the faculty adopt a new standard. Given the need to approve courses satisfying this requirement for students to enrolling starting next fall, the Committee decided to approve a list of courses under the existing standard.

The courses approved by the Committee are: Externships, all Clinics, Moot Court I and II, Trial Advocacy and Trial Advocacy Team, and Legal Drafting: Special Topics: Patent Preparation and Prosecution (L798). Professor Witmer-Rich, on behalf of the Curriculum Committee, moved to approve this list of courses to satisfy the Experiential Skills Course Requirement.
Professor Geier asked if this limited list is approved will there be enough room for all students to satisfy their ESCR requirement. Dean Boise responded that yes there is. He also noted that it would encourage students to enroll in externships. Professor Heyward stated that the clinics could accommodate 50 or more students each semester and 80 students in externships. Professor Witmer-Rich asked about how part-time/evening students would be able to fulfill this requirement. Dean Boise noted that would have to be addressed.

Dean Boise then said that in considering the capacity of the clinics, faculty should be aware that he has decided to fill the clinical position which Patricia Motta vacated. The search will reopen and the search committee will reconvene next semester.

Professor Curtis pointed out that students must try out for both the Moot Court teams and Trial Advocacy teams. Professor Lewis asked how those students who do not have a minimum 2.5 GPA would be eligible for an externship.

Professor Crocker asked what standard was used to approve courses. Professor Niedringhaus stated that there was disagreement among the committee members regarding how the standards were to be applied. Professor Witmer-Rich noted that due to time constraints, after significant discussion the committee needed to vote. The classes with the majority of votes are in the list presented today.

Professor Kowalski stated that real life experiences, representing clients or being in a law office dealing with attorneys is very valuable. Professor Curtis agreed, stating that she believes in simulation courses but they are not the same as experiential, true client contact or even working with an attorney. Dean Boise agreed and stated that requiring an externship or clinic experience would put us in the forefront of U.S. law schools.

Professor Ray said that although he likes the idea of externships, the question of how to work these into the night program and what to do with those below a 2.5 GPA still needs to be addressed.

Professor Broering-Jacob recommended following the third option considered by the committee: proposing a new standard. Professor Crocker proposed returning this to the Curriculum Committee because under ABA standards we cannot give part-time students an experience that is less than full-time students. Dean Boise asked if there was consensus to send this back to the Curriculum Committee? Professor Geier suggested that if this does go back to the committee that the committee should state that although simulation courses have value, only experiential classes (clinics and externships) would satisfy the ESCR.

The sense of the faculty was to require all students to participate in a clinic or externship and to have the Curriculum Committee consider how best to require part-
time students and those with GPAs below 2.5 to participate. The Committee should then report back to the faculty by April in time for spring registration.

Associate Dean Robertson noted that this is not what the faculty voted on when it passed curriculum reform. If that is now what the faculty wants, then they need to pass a different curriculum reform. Professor Lewis stated that what is now proposed is beyond the scope of the Curriculum Committee. Dean Boise stated that the faculty could override the previously approved curricular reform by its action on this proposal.

At that point the faculty voted to have the Curriculum Committee develop a proposal under which clinics and externships would be required in order to satisfy the ESCR. Such proposal should address how to provide externships or clinics for part-time students and students having a GPA below 2.5.

The motion passed unanimously.

**Dean’s Report**
Dean Boise read the names of 22 J.D. candidates and 2 LL.M. candidates for graduation. (See list attached to these minutes.) Professor Curtis moved to accept the list of graduates, subject to confirmation of their completion of all requirements. Professor Borden seconded the motion. The motion passed unanimously.

In the interest of time, Dean Boise said he would save the rest of his report for the January faculty meeting.

**Associate Dean for Administration**
- An email with the grade deadlines was sent out earlier this week. Please turn in your grades by the established deadlines.
- Two new adjuncts have been hired for spring semester. Scott Bratton will be teaching Asylum Law and Glenn Krassen will be teaching Oil and Gas Law.
- As part of this year’s Great Lakes Sports and Entertainment Law Academy we will be piloting a remote learning class. Dean Sundahl is meeting with the IT people to work out the details. The end goal is to allow students all over the world the ability to log on and participate in this program.
- New Associates at Benesch will be holding a voir dire exhibition on February 14th at 8:00 a.m. in the trial courtroom. C|M|LAW law students will be portraying the jurors. So far 20 students have volunteered to participate.
- Please give your teaching preferences to Dean Sundahl by the end of next week.

**Associate Dean for Academic Enrichment**
- Working on putting together names, dates, and speaker bios for future programs by early summer so that we can properly promote these events.
Working with faculty on utilizing iPads in the classroom. There has been one training session and one brainstorming meeting. If you would like to participate in an upcoming webinar, please let Associate Dean Robertson know and she will send you the link.

The Cleveland-Marshall Fund Committee will be seeking recommendations for a visitor for next year. They would like the visitor to stay for 2-3 days.

If you have an abstract, draft or newly published paper that you would like posted on SSRN, please contact Associate Dean Robertson. Also, if you have anything for the faculty blog, please let her know that as well.

**BarBri Outlines for Core Courses**
In the interest of time, Professor Garlock suggested moving this item to the January agenda.

**Graduate Council Faculty Representative Replacement for Brian Ray**
Dean Boise asked for nominations to replace Professor Ray as the law school Graduate Council Faculty Representative for spring semester. (Professor Ray will be on leave during the spring semester.) Professor Plecnik was nominated. Professor Forte moved to close nominations. Professor Plecnik was chosen by unanimous vote to serve as the Graduate Council Faculty Representative for the spring semester.

Dean Boise also asked for nominations to replace Professor Sterio as a member of the Faculty Affairs Committee for the spring semester. Professor Sterio resigned her position because she will be on leave spring, 2013. Professor Lewis nominated Professor Green. A motion to close nominations was accepted. Since Professor Green was not present to accept the nomination, it was determined that the faculty would vote on his nomination and, if approved, he would be contacted as to whether he wanted to accept. The faculty voted unanimously to approve Professor Green’s nomination to the Faculty Affairs Committee for the spring semester.

**Law Library**
Professor Niedringhaus, Director of the Law Library, distributed a list of law review subscriptions indicating which have been canceled for budgetary reasons. (See list attached to these minutes.) The total savings is just over $42,000. After a short discussion, Professor Niedringhaus invited any faculty with further questions or comments to see her.

**Adjournment**
The meeting adjourned at 4:01 p.m. and moved into Executive Session.
8.1.3 **Academic Freedom**

Cleveland State University subscribes to the 1940 "Statement of Principles on Academic Freedom and Tenure" of the American Association of University Professors and the Association of American Colleges (as shown in Attachment A, 8.1.12).

**A) The Right to Demonstrate and Protest on University Property**

It is recognized that free speech is essential in a democratic society. As individuals or as groups, the faculty are permitted to demonstrate and protest on University property in opposition to University, city, state, national, or international policy provided they do not violate any applicable local, state or federal law, or, in the case of members of the bargaining unit, provisions of the Agreement between CSU and the CSU-AAUP Chapter, and no acts are performed that (1) cause damage to property (personal University); (2) cause physical injury to any individual; (3) prevent any student from attending class, entering or leaving any University facility, or attending any special program on University property; (4) prevent administrative officers, faculty, students, employees, or invited guests of the University from performing duties they are authorized to perform; (5) block the normal business of the University, particularly classroom or laboratory instruction; and (6) block pedestrian or vehicular traffic.

Faculty members are subject to the limitations imputed by law in the exercise of their rights of freedom of speech, protest, and demonstration in support of or opposition to public or University policy. Some of these limitations are set forth in Attachment D (8.1.15) appended hereto.

1) **Institutional Due Process.** As a principle, the University will operate in such a way that faculty enjoy freedom from arbitrary or discriminatory treatment. Each Dean or faculty body, as appropriate, shall establish reasonable criteria and fair procedures pursuant to which decisions significantly affecting faculty, including the assignment of courses, the scheduling of classes, the participation in summer quarter instructional programs, and the award of promotional and annual salary increments, shall be made.
College of Law Clinical Professor Positions at Cleveland State University – Non-tenure track

Cleveland-Marshall College of Law (CM|LAW) invites applications for two clinical professor positions to begin in the 2012-2013 academic year. The clinical professors will be non-tenure-track full-time members of the law faculty on 11-month contracts with full benefits and will be eligible for a long-term contract after five years. CM|LAW strives to be a model of experiential education by offering a broad array of experiential learning opportunities in a variety of practice areas for our students. In furtherance of this goal, we seek clinical professors with an entrepreneurial spirit who will actively grow our experiential learning curriculum. The clinical professors will be responsible for providing experiential learning opportunities, or “engagement experiences,” designed to prepare our students to enter the legal marketplace with the skills and knowledge needed to make them successful lawyers committed to excellence and ethical practice. In this role, the clinical professors will (1) develop and oversee a variety of external engagement experiences supervised by adjunct faculty or on-site attorneys, (2) develop and teach a skills course to prepare students for their engagement experiences, and (3) directly supervise students in the representation of clients. We seek to fill one position with a transactional lawyer and the other with an experienced litigator.

Minimum qualifications: Candidates must be admitted or be eligible for admission to the Ohio bar.

Preferred qualifications: Candidates should have a strong academic record and significant transactional or litigation experience (5 years or more); ability to manage and supervise other attorneys; teaching experience and knowledge of pedagogical methods; familiarity with the Cleveland bar; strong interpersonal skills; and strong communication and writing skills.

To apply, candidates should submit the following items in pdf format by email to Rosa DelVecchio at rosa.delvecchio@law.csuohio.edu: a resume, a list of three references, and a cover letter addressed to Mark J. Sundahl, Chair of Hiring Committee. Candidates should indicate in their cover letter whether they are applying for the transactional or the litigation position. The search committee will begin to review applications on January 9, 2012 and the positions will remain open until filled. Hiring is contingent on maintaining existing levels of funding from the state.

Cleveland State University is an Equal Opportunity/Affirmative Action employer. Women and minorities are especially encouraged to apply. All applicants will receive equal consideration for employment without regard to race, color, national origin, religion, sex, pregnancy, marital status, sexual orientation, gender identity, age, physical or mental disability, or covered veteran status.
THE CLEVELAND-MARSHALL COLLEGE OF LAW, CLEVELAND STATE UNIVERSITY, invites applications for two tenure-track faculty positions. Applicants must have a J.D. degree or its equivalent, a distinguished academic record, and a potential for significant scholarly achievement. Our principal curricular needs include health law, criminal law and criminal procedure, tax, and business law, but we encourage all qualified candidates to apply. In furtherance of our institutional commitment to a diverse faculty, we particularly welcome applications from women and minorities. Cleveland State University is an equal opportunity employer. We have successfully implemented a comprehensive plan to make the law school student body smaller and stronger, so the Cleveland-Marshall College of Law is a dynamic place to teach and write. Cleveland possesses world-class cultural amenities, such as the Cleveland Orchestra, the Cleveland Museum of Art, and the Rock & Roll Hall of Fame and Museum, and it has major league basketball, baseball, and football teams. With reasonable real estate prices and an excellent quality of life, Cleveland is a great place to live. Contact: Please promptly submit letters of interest, resumes (including the names and addresses of at least three references), and a statement describing your scholarly research agenda to Professor Kevin O’Neill, Chair, Faculty Appointments Committee, Cleveland-Marshall College of Law, 2121 Euclid Avenue, LB138, Cleveland, OH 44115. These positions will remain open until filled. These positions are contingent on continuous levels of funding from the State of Ohio.
8.1.2 Standards and Procedure for Faculty Appointments, Continuation, Promotion and Tenure (Non-Bargaining Unit Members Only)

Recommendations for appointments and promotion shall be made to the President and thence to the Board of Trustees pursuant to the procedures set forth in Sections 8.1.2(D)(1-2) and shall be accompanied by the academic and personal qualifications of nominees, as stipulated in Section 8.1.2(A)(1-6), including relevant biographical data, evidence of academic degrees and honors, a statement of publications and other professional achievements, and letters or memoranda evidencing recommendations from at least three responsible academic or professional sources.

A) Qualifications for Academic Rank

Appointment to the faculty shall be on the basis of merit and without regard to race, color, religion, sex, or national or ethnic origin. In addition to requirements of formal education, the relevant standards are teaching ability, creative achievement, professional service, and professional ethics and academic responsibility.

1) Standards of Professional Merit

1.a) Teaching. The highest standards are comprehensive knowledge of the field of study, thorough preparation, intense interest in students as well as sensitivity to student interest, open-mindedness, independence and integrity, and above all, intellectual enthusiasm that is transmitted to students.

1.b) Creative Achievement. The standard of scholarship requires a working commitment to inquiry and research and to creative achievement. The University obligation for the generation of new knowledge and practices imposes a responsibility for creativity, whether in inquiry and investigation, writing, design and production, or in the performing and fine arts. In the best of scholars and the best of teachers, creative inquiry is joined with effective classroom teaching.

1.c) Professional Service. A University faculty member is "a citizen, a member of a learned profession, and an officer of an educational institution."* After a period of personal growth in

* A.A.U.P. and A.A.C., 1940 Statement of Principles on Academic Freedom and Tenure
which she or he is encouraged to develop abilities as a teacher and creative scholar, a faculty member may properly be expected to assume increased responsibility, in keeping with his or her professional interest, for the government of the University, the standards of his or her discipline, and the welfare of the civic community.

1.d) **Professional Ethics and Academic Responsibility.** Commitment to acceptable professional ethics and academic responsibility shall be a relevant consideration in appointments and promotion. Attachment C provides a statement that may be used as a standard to the extent that it is not in conflict with University policies.

2) The evaluation of faculty members shall be based upon the standards of professional merit and the standards of academic rank set forth in Sections 8.1.2(A)(1) and 8.1.2(A)(3) and 8.1.2(A)(4) of these policies. The Chairpersons shall annually attempt to reach agreement with each faculty member concerning goals based on these standards. If a goals statement is developed, it will serve at least in part as the basis for evaluation of the faculty member for promotion and tenure. Any agreement on goals between the Chairperson and a faculty member will be communicated in writing promptly to the faculty member and to the members of the Personnel Action Committee responsible for the evaluation of the faculty member for promotion or tenure.

3) Possession of an earned doctorate in the discipline or a cognate field of study is required for all appointments above the rank of instructor except as specified herein.

3.a) When the doctorate is not the recognized standard of attainment in a discipline or field of study, the Faculty Affairs Committee, upon petition from the appropriate Chair and/or Dean, may determine that a field is atypical. In fields in which the Master's Degree is the terminal degree, appointment to the rank of assistant professor shall follow a period of several years of professional experience in the field.

3.b) In rare cases, when there is a shortage of appropriate candidates in a given field, evidence may be submitted by the Dean of the College to the University Faculty Affairs Committee requesting a temporary exception for the discipline or field of study. If the University Faculty Affairs Committee is convinced of the need, a field may be exempted for a period not to exceed three years. At the end of the specified period, the Dean may request a renewal of the exception for a further limited period.
3.c) An exception to the requirement for the earned doctorate may be made in cases of outstanding intellectual leadership in the field.

3.d) An exception to the requirement for the earned doctorate may be made in cases where there is extensive publication in refereed journals or of scholarly books that are deemed to be equivalent to an earned doctorate.

With respect to all such appointments made in the absence of an earned doctorate, at the time of initial appointment a statement establishing specific criteria to be applied in promotion and tenure decisions shall be agreed to in writing by the appointee, the Department Chair, and the Dean.

4) In addition to the requirements of subsection (3) above, the following are the minimum standards for appointment at each faculty rank:

4.a) **Instructor.** An instructor is appointed principally upon evidence that she or he holds a Master's Degree or its equivalent, is well advanced upon doctoral or comparable study, if such is required in his or her discipline, exhibits good promise as a teacher and original scholar, and possesses the qualities for professional development.

4.b) **Assistant Professor.** Appointment or promotion to the rank of assistant professor shall be based on evidence of interest in and potential for effective teaching and upon evidence of the ability to conduct valuable research.

4.c) **Associate Professor.** Appointment or promotion to the rank of associate professor is based on evidence that the candidate is a fully competent teacher. In addition, the candidate shall demonstrate significant scholarship beyond publication of material contained in his or her dissertation, or outstanding intellectual leadership beyond the University community, or exceptional achievement as a teacher. Only in rare cases may promotion to associate professor occur before the beginning of the fourth year in rank as assistant professor.

4.d) **Professor.** Appointment or promotion to the rank of professor is based on evidence of sustained excellence in teaching. In addition, the candidate shall have an outstanding record as a scholar or shall demonstrate sustained outstanding intellectual leadership as a practitioner in his or her field. Evidence of reputation in the discipline or a related discipline beyond the local community is required. Only in rare cases may promotion to professor occur before the beginning of the
fourth year in rank as associate professor. In rare instances, promotion to professor may be based in significant part upon sustained and generally acclaimed leadership in the realization of the mission of the University.

5) Outstanding intellectual leadership for the purposes of these rules means the attainment of a position of prominence in the field, demonstrated by activities (other than simply holding positions in committees and organizations) evidencing that the candidate has played a major role in developing in the field a policy or program that can be documented by papers, reports, or other written evidence.

6) Exceptional achievement as a teacher for the purposes of these rules means outstanding classroom performance plus a significant contribution to good teaching evidenced by papers, reports, or other materials that can be evaluated.

B) Procedures for Appointment to the Faculty

(1) These procedures shall be followed for appointment to the faculty:

1.a) The appropriate Peer Review Committee shall assist the Chairperson in seeking well-qualified candidates for the faculty. The Chairperson shall forward the name of the recommended candidate, including a recommended salary, rank, and tenure status or tenure decision date to the Dean and Provost. Before the Chairperson forwards his or her recommendation, he or she must submit a recommendation of salary range, rank, and tenure status to the Peer Review Committee. This committee will either support the Chairperson's recommendation or submit a recommendation of its own. Recommendations shall include statements of evidence in support of, or critical of, the candidate's qualifications. If the Peer Review Committee and the Chairperson disagree on an appointment recommendation, the matter shall be submitted to a vote of the entire faculty grouping concerned (Section 8.1.1 (I)). If the faculty grouping supports the Chairperson, its recommendation supplants that of the Peer Review Committee. If the faculty grouping supports the Peer Review Committee, the Provost shall refer the matter to the University Personnel Committee (see Section 8.1.2(F)(3)) or University Peer Review Committee. In cases where a Chairperson is selected from outside the University, his or her appointment to the departmental faculty shall follow

* In this and any subsequent section, the Dean of a College not organized into departments shall perform the functions delegated in these Policies to the Chairperson.
the above delineated procedures; however, the Chairperson of the selection committee (Section 8.1.5(A)(1)) shall perform the functions delegated to the Chairperson.

1.b) Where a majority of the faculty committee does not support an appointment, on grounds other than salary considerations, and the committee is supported by a majority of the faculty grouping, such an appointment shall be made only in rare instances and for compelling reasons that shall be stated in detail by the President or Dean to the faculty grouping. The candidate should be informed of the negative recommendation of the majority of the faculty grouping at or before the time she or he is formally offered an appointment; however, if after discussion with the Chairperson the faculty grouping deems that forwarding of such information to the candidate is unwise, the candidate shall not be informed and the entire faculty grouping shall be bound by this decision.

1.c) The name of each candidate proposed shall be forwarded to the President, accompanied by statements from the Peer Review Committee, the Chairperson, the Dean, and the Provost.

1.d) From such candidates, the President shall recommend to the Board of Trustees those acceptable for appointment.

2) Joint appointments to two or more departments, colleges, or academic units shall be made in accordance with the procedures for appointment to each such department, college, or academic unit.

3) Members of the faculty may be selected for and removed from the faculty of the College of Graduate Studies according to the procedures established in the Bylaws of the Cleveland State University Faculty Organization and the Bylaws of the College of Graduate Studies. Such selections shall not be considered to be joint appointments.

C) Conditions of Appointment

Appointments to the faculty shall be either with tenure or subject to a probationary period, both as provided in Personnel Policies Section 8.1.2(D)(1) below. Contracts accompanying appointment shall stipulate the following conditions: rank, tenure, status, salary, pay periods, and if the appointment is without tenure, the length of the probationary period specifying the latest date by which a tenure decision will be made. Absence of a statement with respect to tenure status shall not be construed as the granting of tenure. Subject to the limitations hereinafter set forth, a contract may specify that successive contracts shall be offered to the faculty member.
1) **Instructor.** An instructor shall be offered a contract for one academic year, subject to dismissal pursuant to Sections 8.1.2(D)(1) and 8.1.4(A-D), and may be offered not more than three subsequent contracts in the rank of instructor. An offer of a contract for a fourth year as an instructor shall be accompanied by notice of termination (see Section 8.1.2(E)(5)).

2) **Assistant Professor.** An assistant professor shall be offered a contract for one academic year, subject to dismissal, pursuant to Sections 8.1.2(D)(1) and 8.1.4(A-D), and may be offered subsequent annual contracts. Except as stipulated in Section 8.1.2(D)(1), however, the cumulative years of appointment in Cleveland State University in the ranks of instructor and assistant professor shall not exceed seven.

3) **Associate Professor and Professor.** An appointment to the rank of associate professor or professor may be with tenure or may be subject to a probationary period.

   3.a) If the appointment is with tenure, an associate professor or professor shall be offered a contract for one academic year and must be offered subsequent one-year contracts, subject to dismissal, pursuant to Sections 8.1.2(D)(1) and 8.1.4(A-D).

   3.b) If the appointment is without tenure, the associate professor or professor without prior full-time college teaching experience (8.1.2(D)(1)), shall be offered a contract for one academic year, and may be offered not more than four subsequent one-year contracts unless tenure is granted, subject to dismissal, pursuant to Sections 8.1.2(D)(1) and 8.1.4(A-D).

   3.c) If the appointment is without tenure, the associate professor or professor having had one or more years of prior full-time college teaching experience (8.1.2(D)(1)) shall be offered a contract for one academic year and may be offered not more than three subsequent one-year contracts unless tenure is granted, subject to dismissal pursuant to Sections 8.1.2(D)(1) and 8.1.4(A-D). A contract for a fourth year without tenure shall be accompanied by notice of termination.

**D) Tenure**

Tenure is the University's most effective guarantee of academic freedom and embraces the reciprocal obligation of the faculty member to maintain the highest standards of his or her profession. It is awarded, therefore, in recognition of professional competence and not simply as a condition of employment.
1) Probationary Periods and Tenure.

Tenure may be granted only to faculty members of the rank of associate professor or professor. Persons who hold concurrent faculty appointments and administrative positions may have tenure only in their faculty capacities. Unless granted at the time of the original appointment in the rank of associate professor or professor, tenure may be granted during a probationary period (8.1.1(E)) which shall not exceed three years, or, for a person without previous full-time college teaching experience, four years. Faculty members whose original appointment was as instructor or as assistant professor shall have a probationary period (8.1.1(E)) not exceeding six years. In computing years of service in fulfillment of this six-year maximum probationary period, credit shall be given for:

1.a) all years of full-time service at Cleveland State University, except for the optional waiver of pre-terminal degree service as explained below.

1.b) all years of full-time service at the equivalent rank of instructor or higher in other fully accredited institutions which grant baccalaureate or higher degrees, following receipt of the terminal degree in the field, except that the Dean may choose to limit to three years the amount of such service which is to be credited. Faculty members for whom three years of prior service is counted will submit dossiers for promotion and tenure no later than the beginning of their fourth year at Cleveland State University, even though, in such instances, the probationary period may exceed six years.

The faculty member may choose to waive in writing up to two years of prior full-time service at Cleveland State University or another institution which complies with Section 8.1.2(D)(1.b) if it took place before the granting of the terminal degree in his or her discipline. All other years of such prior full-time service must count toward the tenure probationary period at Cleveland State University. The faculty member wishing to count or waive any prior service performed before the granting of the terminal degree must come to a written agreement with the Dean at the time of initial appointment in a tenure-track position (Section 8.1.2(C)(1) and (2)).

If tenure is not granted at the end of the probationary period, notice of termination shall be given in accordance with the schedule of dates set forth in Section 8.1.2(E).
2) Promotion and Tenure. Promotion to the rank of associate professor or the promotion of a non-tenured associate professor to the rank of professor must be accompanied by the granting of tenure. Therefore, if separate Peer Review Committees vote upon promotion recommendations and tenure recommendations, the recommendations of both committees are required. If these recommendations are in conflict, the Provost shall refer the matter to the University Personnel Committee or the University Peer Review Committee.

3) Tenure Without Promotion. The awarding of tenure to a faculty member already holding the rank of professor or associate professor is based on evidence that the candidate has continued to maintain the standards for academic rank outlined in Section 8.1.2(A)(4.c) or Section 8.1.2(A)(4.d) as appropriate.

E) Continuation or Termination of Non-tenured Appointment

Subject to the limitations of Section 8.1.2(C), a faculty member who is subject to a probationary period will receive successive annual contracts for each year of such probationary period unless: (1) his or her original contract states the contrary, or (2) the University has made the decision to terminate his or her appointment pursuant to the following procedures and his given him or her timely notification according to the provisions of this rule.

1) Recommendations for the termination of a faculty member's services may originate with the Peer Review Committee, the Chairperson, or the Dean. Whatever the origin, the committee, the Chairperson, and the Dean shall consider the faculty member's qualifications and make a recommendation to the Provost. If the several recommendations are in conflict, the Provost shall refer the matter to the University Personnel Committee (See Section 8.1.2(F)(3)) or University Peer Review Committee. The Provost shall consider all the recommendations and forward them, together with his or her own recommendation, to the President, who makes recommendations to the Board of Trustees.

2) The University complies with the Standards for Notice of the A.A.U.P.* The initiation of the formal (i.e., written) recommendation

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*The A.A.U.P. Standards for Notice as adopted at the 50th Annual Meeting in 1964 are: “Notice of non-reappointment, or of intention not to recommend reappointment to the governing board, should be given in writing in accordance with the following standards:

(1) Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year, or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

(2) Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year, or, if an initial two-year appointment terminates during an
of termination should occur at least four weeks before the acceptable A.A.U.P. notification date, and normally it will not occur later than three weeks before that date. A faculty member whose termination is under consideration shall be informed of the contemplated action at least four weeks (or, if the faculty member is in his or her first year, three weeks) before the initiation of the formal recommendation and shall be given an opportunity to submit materials in his or her behalf.

Regular academic year contracts shall be considered to expire on the third day after the spring commencement.

3) Recommendations for termination shall be forwarded to the President and shall be accompanied by all relevant documents including statements for and against the recommendations and materials submitted by the affected faculty member.

4) If a termination notice is not sent by the President or the President's designated representative by the appropriate dates specified in Section 8.1.2(E)(2) above, the faculty member shall receive one additional annual contract. This contract shall be a terminal contract unless the faculty member is awarded tenure during its term.

5) A member of the faculty in the rank of instructor who is not to be promoted to assistant professor at the beginning of his or her fourth year of full-time regular service shall receive notice by the third day after the spring commencement of his or her third year that the contract for a fourth year is a terminal contract unless she or he is promoted during that year. Failure to send appropriate timely notice does not obligate the University to grant promotion even though the faculty member is entitled to a fifth year terminal contract according to the provisions of Section 8.1.2(E)(4) above.

6) A member of the faculty in the rank of assistant professor who is not to be promoted to associate professor with tenure at the beginning of his or her seventh year of full-time regular service shall receive notice by the third day after the spring commencement of his or her sixth year that the contract for a seventh year is a terminal contract unless she or he is promoted during that year. Failure to send appropriate timely notice does not obligate the University to grant promotion or tenure even though the faculty member is entitled to an eighth year terminal contract according to the provisions of Section 8.1.2(E)(4).
7) Any other faculty member who has not been formally granted tenure by the end of his or her probationary period shall receive timely notice (see this section above) that the next annual contract is a terminal contract unless she or he is awarded tenure during the forthcoming year. Failure to send appropriate timely notice does not obligate the University to grant tenure even though the faculty member is entitled to an additional terminal contract according to the provisions of Section 8.1.2(E)(4) above.

8) Any assistant professor in his or her fourth or fifth year of full-time service shall be prepared to submit a dossier setting forth his or her qualifications for promotion and tenure. The appropriate Peer Review Committee, the Chairperson, the Dean, or the Provost may request that she or he submit the dossier by October 15 for review. Following review, the faculty member shall be advised (1) that she or he is a qualified candidate for promotion, or (2) that she or he has a reasonable chance for promotion with additional effort, or (3) that she or he is unlikely to be promoted and that a termination recommendation may ensue. Unless an assistant professor is recommended for promotion and tenure or is sent a notice of termination, the advice given to the faculty member is to be deemed a current status report which is subject to revision in subsequent reviews.

F) Procedures for Promotion in Rank and for the Award of Tenure in the Cleveland Marshall College of Law*

1) These procedures shall be followed with respect to promotion in rank and the award of tenure:

1.a) Every faculty member eligible for promotion and/or the award of tenure shall have the opportunity to be considered for promotion and/or tenure and shall be permitted to submit material supporting his or her request for promotion and/or tenure.

1.b) Prior to October 15 of each year, preferably in the preceding spring term, each Peer Review Committee shall meet to consider candidates for promotion to the rank or ranks over which it is given jurisdiction or for the award of tenure or both.

1.c) The committee may seek, in addition to the materials submitted by the candidate, other materials it deems relevant to the evaluation.

* Other non-bargaining unit personnel with faculty rank will be governed by the dates and procedures specified in the CSU-AAUP Contract.
1.d) The committee shall adopt by a vote of the majority of the total membership a statement of all substantial reasons it relied upon in forming its judgment. A minority statement (or statements) may also be prepared together with notation of the number of committee members supporting the statement(s). A copy of each such statement shall be supplied to the candidate upon that candidate's written request.

1.e) On or before October 27, each such committee shall forward the candidate's application together with the committee's recommendation to the Chairperson. The committee recommendation shall include a numerical record of the committee vote and shall be accompanied by any minority statements. By November 1 the Chairperson will transmit these documents, along with his or her own recommendation, to the Dean for forwarding to the Provost. The Dean will supply a statement of support or lack of support for the recommendation to the Provost on or about November 15. The Chairperson will be provided with a copy of the Dean's statement.

1.f) At the time they are transmitted to the Deans and to the Provost, written copies of recommendations by the Chairpersons and the Deans that are favorable to the candidate shall be given to the candidate and the Peer Review Committee, and candidates who received one or more unfavorable evaluation(s) shall be so informed. Written copies of recommendations by the Chairpersons and Deans that are unfavorable shall be given to the candidate as soon as possible following upon his or her written request. The candidate may also request in writing that these evaluations be given to the Peer Review Committee. A recommendation that, in the opinion of the Provost, is not clearly stated to be favorable shall be considered unfavorable.

1.g) If a candidate receives an unfavorable recommendation, she or he may remove himself or herself from further consideration at that time unless constrained by the provisions of Section 8.1.2 (E)(8) above.

1.h) If the recommendations of the majority of the Peer Review Committee, the Chairperson, or the Dean are in conflict in a particular case, the Provost shall refer the matter to the University Personnel Committee (see Section 8.1.2(F)(3)) or University Peer Review Committee. Before making its recommendation, the University Personnel Committee or University Peer Review Committee shall solicit comments and
supplementary materials pertinent to the conflicting recommendations regarding the candidate. In no case does the University Personnel Committee or University Peer Review Committee have the authority to hold hearings concerning dossiers. It shall forward its recommendations to both the candidate and the Provost. Supporting reasons sent to the Provost shall be given to the candidate upon his or her written request. These reasons may be given to the Peer Review Committee only upon written request of the candidate.

1.i) The Provost shall consider all documents and recommendations before him or her, giving particular attention to the University Personnel Committee's or University Peer Review Committee's recommendation on disputed cases, and forward them together with his or her recommendations to the President. Only in rare instances and for compelling reasons shall the Provost recommend persons lacking faculty support (i.e., the candidates should have the support of their Peer Review Committee, the University Personnel Committee, or the University Peer Review Committee); the Provost must discuss all such cases with the University Personnel Committee or the University Peer Review Committee before making a recommendation. If the Provost declines to support a candidate having uniformly favorable recommendations, she or he shall refer his or her reasons to the University Personnel Committee or the University Peer Review Committee. The University Personnel Committee or the University Peer Review Committee shall provide the candidate with these reasons and solicit the candidate's response. The University Personnel Committee or the University Peer Review Committee shall then advise the Provost concerning the faculty member's candidacy.

1.j) From candidates who have been reviewed in accordance with the procedures outlined above, the President shall recommend acceptable candidates to the Board of Trustees for promotion, the award of tenure, or both. The President shall recommend persons lacking faculty support only in rare instances and for compelling reasons that must be stated in detail to the faculty grouping prior to making such recommendations to the Board of Trustees.

1.k) On or before April 15, every candidate shall be notified of the decision with respect to his or her promotion and/or tenure by appropriate administrative officials. (Revised 12/6/00)

1.l) It is the responsibility of each participant in the promotion/tenure process to consider the qualifications of each
candidate and in comparison to appropriate departmental, college, and University standards. The candidate should receive notification as to the positive or negative nature of the recommendations of his or her departmental Peer Review Committee, his or her Chairperson, and/or his or her Dean concomitantly with the forwarding of these recommendations to the appropriate University officer.

1.m) A candidate who believes that the denial of promotion and/or tenure in his or her case was:

(a) arbitrary, discriminatory, or based on an inadequate consideration of his or her qualifications;

(b) in violation or disregard of the established standards for promotion or tenure; or

(c) in violation of his or her academic freedom, may request a hearing after January 15 from the formal hearing committee as provided in the Bylaws of the Faculty Senate. In such hearings the burden of proof rests on the faculty member. The formal hearing committee shall forward its report and recommendations to the Provost promptly.

2) Special Provisions for Joint Appointments. In cases of joint appointments, the department, college, or academic unit with primary responsibility (8.1.1(G)), shall, after consultation with the other concerned academic division(s), make the nomination for promotion and/or tenure.

3) In the case of disagreements in the recommendations forwarded to the Provost by the Peer Review Committee, the Department Chairperson, and/or the College Dean, the Provost will forward the candidate's dossier together with all recommendations to the University Personnel Committee or the University Peer Review Committee. It is the Committee's function to study the dossier and to recommend a course of action to the Provost. The Committee's recommendation must be submitted to the Provost within the time constraints she or he specifies.

4) While faculty are expected to act according to the highest standards of professional ethics, conflicts of interest may arise to varying degrees in numerous situations. Traditional safeguards and the good conscience of individual faculty members may be relied upon to maintain high ethical standards, yet in the areas of faculty activity described below, the overall perception of total fairness is deemed so important that specific safeguards are given:
4.a) Nepotism

No person shall initiate or participate in any decision involving a direct benefit (e.g., initial appointment, continuance of non-tenured appointment, promotion, tenure, salary increment, leave of absence) to a member of his or her immediate family (here defined as spouse, parent, child, or sibling). Where such a relationship exists, the Provost shall approve a procedure that shall eliminate such related person from any role in direct benefit decisions affecting the other related person. The President shall replace the Provost in the function described above if the Provost is himself or herself involved in a direct benefit decision affecting a member of his or her immediate family.

4.b) Faculty Awards and Internal Research Grants

No faculty member seeking, or having been nominated for, internal research grants or any other award in recognition of excellence or outstanding performance shall participate in any deliberations or decisions made by the evaluating committee during the academic year in question. Agreement to serve on such an evaluating committee shall be construed as agreement not to receive direct benefits from decisions made by the committee.

4.c) Personnel Actions

No faculty member seeking, or having been nominated for, tenure and/or promotion shall participate in any deliberations or decisions made by the same Peer Review Committee or University Peer Review Committee during the academic year in question. Agreement to serve on a Peer Review Committee shall be construed as agreement not to receive direct benefit from decisions made by the committee.

No faculty member shall participate in the discussion and/or vote in a given personnel action both at the University Personnel Committee (UPC) level or University Peer Review Committee (UPRC) level and at either the college or departmental Peer Review Committee (PRC) level. If the entire faculty of a college constitutes its PRC, the Conflict of interest provision would be invoked only when a UPC member or a UPRC member has been delegated a substantial role other than as a voting member of the body in the evaluation process at an earlier stage. The faculty member shall choose at which level to participate.
4.d)  *Dual Status as Student and Faculty Member*

No faculty member at Cleveland State University may enroll in any Cleveland State University course in which credit will be awarded toward the degree program in which that faculty member serves. No student at Cleveland State University may serve as instructor of record in any Cleveland State University course in the degree program in which that student is enrolled.
Report To The College of Law Tenured Professor Personnel Action Committee By The Subcommittee Evaluating The Application For Promotion Of ASSISTANT PROFESSOR MATTHEW GREEN

Milena Sterio, Steve Lazarus, James Wilson, Chair
2012
I Introduction

Professor Green received a B.A. from the University of Maryland at College Park in 1992, majoring in Journalism and minoring in Spanish. He received a J.D. degree, *magna cum laude*, in 2000 from the University of Baltimore School of Law, where he was a member of the Heisler Honor Society and received a Law Faculty Award. He also was the Associate Managing Editor of *The University of Baltimore Law Review*. In 2007, he received an L.L.M. from the Columbia University School of Law, where he was a Harlan Fiske Stone Scholar.

After graduating from Law School in 2000, he clerked one year for U.S. District Court Judge Deborah K. Chasanow and one year for the Sixth Circuit Court of Appeals Judge Eric L. Clay. From 2002 to late 2004, he worked at the law firm, Hogan & Hartson. From 2005 to June, 2008, he worked at the firm, Ober, Kaler, Grimes, & Shriver.

Professor Green joined the faculty of Cleveland-Marshall with the rank of Assistant Professor in August, 2008. At the law school Professor Green has taught Contracts, Civil Liberties, and Employment Discrimination. As an Adjunct at the University of Baltimore Law School, he taught a litigation process course.

Professor Green's *Application Statement* was submitted in October 2012; it is reproduced in the Appendices.

II Scholarship

The subcommittee and the candidate selected three articles for outside peer reviews, all of them published since Professor Green joined the Cleveland-Marshall Law Faculty. The three articles and the reviewers are:

A. *Family, Cubicle Mate and Everyone in Between: A Novel Approach to Protecting Employees from Third-Party Retaliation Under Title VII and Kindred Statutes*, 30 *QUINNIPAC LAW REVIEW* 249 (2012). Reviewers: Professor Susan Carle, American University School of Law; Professor Patricia Wilson, Baylor University School of Law; and Professor Camille Hebert, Ohio State University School of Law.
B. Express Yourself: Striking a Balance Between Silence and Active Pursuative Opposition Under Title VII’s Antiretaliatin Provision, 28 HOFSTRA LAB. & EMP. JOURNAL 107 (2010). Reviewers: Professor Alex Long, University of Tennessee College of Law; Professor Deborah Brake, University of Pittsburgh School of Law; Professor David Gregory, St. John’s University College of Law; and Professor Mark Brodin, Boston College Law School.

C. Lawrence: An Unlikely Catalyst for Massive Disruption in the Sphere of Government Employee Privacy and Intimate Association Claims, 29 BERKELEY JOURNAL EMP. & LAB. LAW 311 (2008). Reviewers: Professor David Gregory, St. John’s University School of Law; Professor Marvin Jones, University of Miami School of Law.


The subcommittee considered approximately twenty possible reviewers for Professor Green’s articles. Professor Green suggested names at the subcommittee’s request. The subcommittee identified other potential reviewers by using Westlaw and the AALS handbook to identify scholars in employment discrimination law. Professor Green did not oppose any reviewers recommended by the subcommittee. The three articles that were reviewed and the reviewers' qualifications are described in detail below, accompanied by summaries of the reviewers' comments. The letters of reviews and the resumes of the reviewers appear in the appendices. Unless indicated otherwise, Professor Green and the reviewer had no significant professional or personal contacts. The report includes edited versions of the reviewers’ analysis.


Summary by Professor Green

My first article, Lawrence: An Unlikely Catalyst for Massive Disruption in the Sphere of Government Employee Privacy and Intimate Association Claims, 29 Berkeley J. Lab. & Emp. L. 311 (2008), addressed privacy rights in government employment. Privacy and intimate association claims most often arise when a government employee is terminated or otherwise punished for being involved in a relationship the public employer contends conflicts with the employer’s interest. The idea for the article stemmed from the 2003 U.S. Supreme Court decision, Lawrence v. Texas, 539 U.S. 558 (2003). In Lawrence, the Court overturned a Texas statute that banned homosexual sodomy. One of the dissenting opinions in Lawrence argued that the Court’s holding would cause a
"massive disruption" in the current social order. To substantiate its point, the opinion cited cases, many in the area of public employment, the foundations of which allegedly were undermined by Lawrence. The purpose of my article was to examine decisions that implicate privacy and intimate association rights that arose in government employment and examine whether Lawrence might have the effect the dissenting opinion claimed. The article argues that the "massive disruption" theory was unfounded. The conclusion was based on several factors. The article argues, for instance, that the government's interests are generally at their zenith when it acts as an employer, and courts traditionally have afforded personnel decisions made by government employers significant deference. Lawrence did not appear to change the level of deference government employers are traditionally afforded. Specifically, Lawrence did not appear to undermine the deference given to decisions made by government employers to curb a worker's right to enter into a relationship the employer contends conflicts with its effective functioning. The article also notes that several lower courts have adopted stringent tests to analyze employee privacy and intimate association claims and that such tests rarely result in employee victories.

Review by Professor Gregory, St. John's University College of Law

With reference to the factors you expressly asked me to address: his scholarship, both analytically and descriptively, is delivered with clarity and grace. He has chosen important subjects for his scholarship. While he is a persuasive writer, the thoroughness of his presentation seems somewhat abbreviated. That is particularly true of the conclusions reached in his articles. Of course, the relatively brief conclusions may be due to the grinding "style" of law reviews. Nevertheless, I would like to know what Professor Green thinks, with more detail and depth.

Review by Professor Jones, University of Miami School of Law

The article was excellent. It was well organized, clear and displayed a craftmanship in the analysis of complex issues involving the intersection of the right of privacy and public sector employment law. Professor Green challenges [Justice Scalia's] massive disruption thesis in the context of public employment law. The implications of Scalia's thesis are that the doctrine "employment at will" would be upended and employers would lose their freedom to separate employees who engaged in "immoral" acts. He demonstrates clearly that in this context of public law Scalia's prophecy is not likely to come true. * * *

Professor Green has done a fine job. He deserves to participate in the national conversation about equal rights, privacy and public employment. While I am very happy

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1 After my Lawrence article was published I received an e-mail from Professor Paul M. Secunda lauding the article. Although we disagreed on the potential impact of Lawrence, Professor Secunda congratulated me on doing a "great job." (See Attachment A). An associate professor at Marquette University School of Law, Professor Secunda is a well-regarded employment and labor scholar and editor of the Workplace Prof Blog. The Workplace Prof Blog is a popular site among employment and labor scholars and features current information on scholarship, legislation and judicial opinions in employment and labor law.
to say it is a fine piece, I would like to close with some ideas as to how Professor Green can have an even greater impact. The problem that I see is that while Professor Green is quite correct in his analysis about the durability of the employment at will doctrine there is question of whether that doctrine is legitimate or coherent in the modern context.

Professor Green’s Summary

After my *Lawrence* article was completed, I contemplated where I wanted to go with my scholarship. I initially considered turning my attention to another of my passions, education law. I decided, however, to continue to focus on employment discrimination. I have focused my scholarship in this area for several reasons. I teach employment discrimination and believe that my teaching is enhanced greatly by contributing to the scholarly discussion in that area. In settling on a particular area of interest, I found the issue of retaliation under federal anti-discrimination statutes ripe for critical study. In an often-cited article on retaliation, Professor Deborah Brake at the University of Pittsburgh School of Law stated “[i]n the wealth of scholarship about discrimination and inequality, retaliation is an understudied phenomenon.”2 I agree with Professor Brake’s observation about the dearth of scholarship in the area of retaliation. I have thus focused my scholarship on the issue of workplace retaliation for complaining about unlawful discriminatory practices. However, I do not only write on the important issue of retaliation because it is an “understudied” topic that could use scholarly debate and development, although, in my view, it certainly does. I also believe that a strong anti-retaliation provision is critical to the viability of any workplace anti-discrimination statutory scheme. The primary purpose of such a scheme is to eliminate workplace discrimination on the basis of prescribed characteristics, e.g., race, sex, or religion. However, without affording strong protections to employees for raising the specter of possible discrimination in the workplace, the underlying goals of the statute will never be achieved. Few employees will be willing to allege they have been victimized by discriminatory practices, thereby creating an opportunity for such practices to be eliminated, if after making such complaints, an employer is permitted to discharge or otherwise sanction that employee. Thus, I also began to write on the area of retaliation because it is critical to the success of challenging and eliminating unlawful workplace discrimination. Finally, I also opted to write on retaliation because the issue has received recent attention by the Supreme Court. Within the past six years, the Court has decided several cases addressing workplace retaliation. The lower federal courts must follow Supreme Court interpretation of federal anti-discrimination statutes. Often state courts analyzing discrimination issues under state anti-discrimination statutes look for guidance to the interpretation given to similarly worded federal anti-discrimination statutes by the Supreme Court and other lower federal courts. I saw the Court’s recent retaliation decisions as a unique opportunity for me to join the discussion regarding how the

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holdings in these decisions should be interpreted and applied by other courts going forward.

My first article addressing retaliation, *Express Yourself: Striking a Balance Between Silence and Active, Purposive Opposition Under Title VII’s Anti-Retaliation Provision*, 28 Hofstra Lab. & Emp. L. J. 107 (2010), addressed the scope of the opposition clause under Title VII of the Civil Rights Act of 1964. Title VII protects individuals from workplace discrimination on the basis of race, sex, color, religion and national origin. The statute also protects employees and others who oppose alleged unlawful workplace discrimination. The statute is silent on the type of opposition that is protected. I recognized that several courts had held that opposition had to be “purposive”—i.e., communicated to the employer with the intent to remedy the alleged discriminatory practice. In some instances, however, employees who feared retaliation for what they perceived to be a discriminatory practice failed to alert their employer directly but voiced their concern to a third-party, a colleague or relative. Nevertheless, the employer learned of the discrimination complaint and retaliated against the employee who indirectly voiced concern about alleged discrimination. The issue in such instances is whether that employee had opposed a discriminatory practice although he or she did not bring a grievance to the employer’s attention for the purpose of remediation. My article disagrees with those decisions that extend protection only to purposive or intentional opposition. The article focuses largely on a recent U.S. Supreme Court decision, *Crawford v. Metropolitan Government of Nashville & Davidson County, Tennessee*, 129 S.Ct. 846 (2009). *Crawford* examined the term “oppose” under Title VII. Although the Court imposed no definitive limits on the term, it acknowledged that the term carried several meanings, including to “resist,” “withstand” and “to be hostile or adverse to, as in opinion.” Because of the Court’s inclusion of “opinion opposition” as a possible meaning of the term oppose, some critics, including a concurring opinion, opined that the Court’s language might open the door to “silent opposition.” Such an understanding was problematic because it could potentially hold employers liable for retaliation although an employee never expressed a word of opposition to anyone. My article advocates for a middle ground between these two polls: purposive, intentional opposition on the one hand and purely silent opposition on the other. I argue for an expressive form of opposition but argue against imposing an intent requirement. I contend that as long as the employee can demonstrate an employer learned of the expression of opposition and retaliated because of it, the employee should be protected under the statute. The article demonstrates, among other things, that such an interpretation is consistent with the language and purposes of the statute and is consistent with the position adopted by the Equal Employment Opportunity Commission, the government agency charged with administering Title VII, which has long recognized that opposition need not be intentional.
Review by Professor Deborah Brake, University of Pittsburgh School of Law

Overall, I was very favorably impressed by the article and found it particularly helpful in furthering my own thinking about this area of the law. * *** The article addresses...what might count as "opposition" for purposes of the retaliation claim, and in particular, might be the mere holding of an opinion ("silent opposition") qualify as protected activity under the opposition clause? The article answers the latter in the negative and goes on to develop a proposed standard...

The article is well-organized and progresses logically toward a conclusion. [P]rotecting silent opposition would under the purposes of the affirmative defense, which is premised on the goal of encouraging reporting and voluntary compliance. * ***

Despite the clarity and persuasiveness of the argument...I wondered whether the prospect of courts protecting truly "silent" opposition was at all realistic...the employer would never find out about it. In other words, the problem—if there is one—of protecting silent opposition is already addressed by the existing doctrine of causation, which requires proof both that the employer knew about the plaintiff's opposition and the opposition was the reason (or motivating factor) for the adverse action taken. * *** Upon further reflection, I saw two reasons for taking seriously the silent opposition problem. For example, an employee might keep a diary. A second justification...[the article] adds credibility to the article's take-home point: the advocacy of a broad and employee-friendly standard of opposition. * ***

The article's greatest strength, however, lies in its advocacy of an expressive standard for establishing "opposition," rejecting [Justice Alito's] stricter and narrower alternative, an "active and purposive" standard. * *** This section makes good use of employment discrimination scholarship on the affirmative defense and shows a thorough grasp of the relevant literature, while making an important contribution to that literature by exploring how the affirmative defense intersects with the retaliation doctrine. * *** It compares very well with other legal scholars writing in the area of retaliation law and policy.

I had not my Professor Green until he hosted my visit for the Little-Mendelsohn Labor-Employment Law Lecture this past Spring. He was a delightful host and I very much enjoyed talking to him. Prior to that, [I read] Lawrence: An Unlikely Catalyst..., which I found helpful in thinking through such arguments in the educational/athletics context. Since then, I have also read Family, Cubicle Mate, which I found to be incisive, well-researched, and very helpful on my own work in retaliation law. [I]t too compares very favorably to other scholarship in the field.

Review by Professor Alex Long, University of Tennessee College of Law

Although I have never met Professor Green, I was actually familiar with the piece. * *
* The introduction lays out a hypothetical to help illustrate his point ...that under the
approach advocated by Justice Alito... the employee would not have a claim for retaliation under Title VII because she did not engage in "active, purposive" opposition to unlawful behavior.

[M]y primary criticism of the article is that is always clear to me which way Professor Green is using the phrase ["silent opposition"];...an "opinion that is unexpressed" or "an opinion that is expressed, but not to the employer." [The first issue] is "not one that as a practical matter is likely to arise very often." [The second issue] is "by far, the more important issue, and the article is on much firmer ground when it focuses on this point. * * * The interpretation of the term "oppose" in Title VII's anti-retaliation that Professor Green proposes is consistent with those goals. These arguments are strong and Professor Green presents them in a persuasive manner. The article makes a good point that I hadn't considered before, namely that Justice Alito's requirement by purposive would leave unprotected the employee whom the employer mistakenly believed held hostile or adverse opinions.

I believe Parts III and IV make a meaningful contribution * * * He raises an interesting point that caused me to think about the concept of opposition in a manner I hadn't before. Thus, to my mind, the quality of these sections outweighs the concerns I raised earlier and allows me to form a generally favorable impression of the article.

Review by Professor Mark Brodin, Boston College Law School

His topic here—silent opposition—is a narrow part of the story, but nonetheless important. The piece is well-researched and thoughtful, and I believe makes a contribution to the scholarly conversation. * * * I particularly like...Professor Green's use of a hypothetical...especially since I found myself a bit confused by his Introduction, which does define either "silent" or "opinion opposition." (I confess I remain somewhat confused as to the latter, as I do with regard to "expressive opposition," by which Green includes "words, action, or inaction." Green is quite persuasive in his case against Justice Alito's eccentric and constricted view of 704(a) protections (although, in fairness, Alito is an easy target here, and certainly no fan of anti-discrimination statutes at that).

I also like Green's analogy to the hostile workplace cases**** He makes effective use of Title VII's legislative history...."

While I find the prose clear (albeit repetitious in spots, and chopped up into too many subsections), definition of key terms earlier would have better served the reader. I would also like to see some attention to the broader (and more interesting) question of why the Court is more sympathetic to retaliation plaintiffs than to those raising claims of bias. What philosophy/ideology/worldview does this contrast evidence?

Professor Green has produced a piece of quality scholarship. I would hope, though, that in future endeavors, he broadens his perspective and takes on the larger issues in the areas he chooses to explore.
Review by Professor Gregory, St. John University College of Law:

[Please note that Professor Gregory reviewed two articles by Professor Green and applied his conclusion to both]

With reference to the factors you expressly asked me to address: his scholarship, both analytically and descriptively, is delivered with clarity and grace. He has chosen important subjects for his scholarship. While he is a persuasive writer, the thoroughness of his presentation seems somewhat abbreviated. That is particularly true of the conclusions reached in his articles. Of course, the relatively brief conclusions may be due to the grinding “style” of law reviews. Nevertheless, I would like to know what Professor Green thinks, with more detail and depth.


Professor Green’s Summary:

My most recent published article on retaliation, Family, Cubicle Mates and Everyone in Between: A Novel Approach to Protecting Employees From Third-Party Retaliation Under Title VII and Kindred Statutes, 30 Quinnipiac L. Rev. 29 (2012), focuses on an issue that the lower federal courts had grappled with for decades—the viability of third-party retaliation claims. Third-party retaliation arises when an employee complains about discrimination but is not punished directly for the complaint. Rather, the employer targets the employee’s close associate, typically a spouse, relative or a romantic partner, who also works for the same employer. Contrary to the position adopted by many lower courts, in Thompson v. N. American Stainless, L.P., 131 S.Ct. 863 (2011), the U.S. Supreme Court recently held that third-party retaliation was unlawful under Title VII. My article analyzes the Court’s holding in Thompson. Much of the discussion surrounding third-party retaliation revolves around who should be protected under the theory—a spouse? sibling? close friend? coworker? Some lower courts that had recognized the theory prior to Thompson had argued that only extremely close relatives of the person who engaged in protected activity should be protected under the theory. I argue against such a mechanical, formalistic approach to third-party retaliation, extending protection against third-party retaliation when a fixed-class of relationships is alleged and rejecting claims in all other cases. Rather, I argue that an employee should be protected against third-party retaliation whenever there is proof that the employer targeted him or her to get back at a coworker who engaged in protected activity regardless of the
relationship between the coworkers—family, friend, cubicle mate or otherwise. I argue for protecting that coworker whenever that individual suffers a particular adverse action (e.g., discharge or failure to promote) that would have sufficed for an actionable retaliation claim had the employer taken the same action against the employee who engaged in protected activity. Thus, my proposal would bar employers from doing indirectly (to a third party) what they are prohibited from doing directly to the third-party’s associate who engaged in protected activity.

Review by Professor Camille Hebert, Moritz College of Law, OSU

I very much enjoyed his article. *** The article does a good job of explaining [Burlington Northern v. White] and critiquing that standard.

The article persuasively argues that the lower courts should not insist on the existence of a familial or intimate relationship between individuals in order to find third-party retaliation to be actionable, as some lower courts seem to be suggesting.

The article is well written, with its analysis and conclusions clearly stated. The article presents a thorough analysis of the issue of third-party retaliation and makes an important contribution to the literature on retaliation claims under the anti-discrimination laws. I believe the article has the potential to advance the understanding of the lower courts concerning the implications of Thompson decision for third party claims generally, if the courts are interested in listening. *** I believe the work is of high quality, compared to other scholarship in the field, particularly by a relatively junior scholar.

Review by Professor Wilson, Baylor Law School

I thoroughly enjoyed reading it. *** In short, my conclusion is that Professor Green makes a significant and worthy contribution that I expect both academics and practitioners in the area of employment law will appreciate. ***

Professor Green selected an interesting and important issue to tackle [Employer retaliation against third parties]. The answer to this question has far-reaching implications given the myriad state and federal statutes that prohibit employers from retaliating against employees who engage in protected conduct, and now the associates of those employees...

Professor Green not only argues that the scope of relationships that should be protected from third party retaliation should be broad, but also that it should be based on a totality of the circumstances test. He then proceeds to make arguments in support of this thesis.

I appreciate that Professor Green took a balanced approach....In my former days as an in-house lawyer, I might not have liked Professor Green’s conclusion given that it is
one that is fairly characterized as favoring employees and I represented a major employer. Nonetheless, I would have been hard-pressed to argue that his suggestion is not reasonable, and indeed a well-supported, conclusion.

Review by Professor Carle, American University School of Law

Professor Green starts his article by noting a curious feature of the U.S. Supreme Court's employment discrimination jurisprudence, which is that it is far more pro-employee on retaliation issues than on most other areas of doctrine. He is right about this, and also right to focus on it as an interesting area for scholarly inquiry. ***The point of Professor Green's article is to argue for an expansive interpretation, based on the individual circumstances of the case presented, of when third party retaliation is covered under Title VII's anti-retaliation provisions; Green wants to argue that it is not just spouses, other close relatives, and intimates, that should be protected, but potentially a much broader class of third party employees.

Ultimately, Professor Green succeeds in suggesting how the issue should be addressed in a manner that is consistent with the policy of the antiretaliation statutes as well as the cases that have interpreted those statutes. *** The next section of his article undertakes a clear, thorough and accurate analytic description of the Court's doctrine in the retaliation area. It displays the marks of a scholar who knows his field very well. It may have been a bit long, and at times I felt that points that were already well made were repeated, but overall this section was impressive in its thoroughness and sophistication. Professor Green also did a good job of weaving in other scholars' work, especially an important article by Cynthia Estlund about how workplace relationships matter generally. ***

I must confess that up to this point in the article, I was enjoying the work very much but I retained quite a bit of skepticism about its thesis. Even though I am a fairly liberal, pro-employee scholar who has also written about the importance of appreciating the subtleties of context, just as Professor Green is doing in this article, I could see many reasons why his thesis might be over-broad and unworkable. But despite my views in this regard going in, Professor Green thoroughly persuaded me of his thesis in his analysis section. He did this by starting with a concrete set of facts -- facts that not only presented the perfect case to illustrate his point, but also happened to have been drawn from a real case, which the plaintiff lost, unfairly it seems based on the equities of the facts involved. ***

Professor Green skillfully comes back to Estlund's theoretical point to drive his thesis home: relationships built in workplaces matter a great deal to the employees involved even when they do not lead to personal intimacy. Professor Green also does an excellent job of refuting potential objections to his argument -- such as the ones I had had earlier in reading the piece. *** I ended the article thoroughly convinced of Professor Green's point, and intend to make reference to it in my teaching of retaliation doctrine in the future (especially the concrete example, which will stay with me for a long time).

Every review of this type must mention some points of criticism so I will mention mine, though they are quite minor. As already noted, I think the sections of this article laying out
the case law developments could have been somewhat tighter (without sacrificing thoroughness, which I found a virtue). I likewise would have enjoyed more by way of Professor Green's analysis and argument. Professor Green is a thoughtful and careful analyst; I think in future work he could be bolder and take on bigger issues, but only because he is clearly capable of doing so while continuing to maintain his steady level-headedness as a reliable commentator, observer, and analyst. To make his analysis section longer and even deeper (though as mentioned it did not lack for persuasiveness), he could have delved more into theory.

III Teaching

A. Professor Green's Description of his teaching philosophy

I have taught several courses during my four years at C-M Law: Contracts (formerly Contracts I and Contracts II), Employment Discrimination and Civil Liberties. I have taken different approaches to teaching these courses, but with all the courses I have taught I encourage an interactive, participatory learning experience. One of the most enduring pieces of advice I ever received as a new lawyer was from a more senior associate with whom I worked at Hogan & Hartson. A partner had given me a complaint that had been filed against our client and asked me to draft an answer. I recall feeling lost because I knew little about the facts or the law. I mentioned my feelings to my colleague who told me that I would never know everything about a case going into it. A large part of our jobs as attorneys is "to figure stuff out." I took from that discussion that as a lawyer it was my job to study thoroughly the law and the case before me in an effort to determine how best to meet my client's needs. No one was going to give me the legal principles I needed wrapped in a package. I have approached teaching that way. I do not believe that legal training should be based on a strict lecture format with me in the first instance telling students what they should have learned from the material they studied before class. To better reflect actual practice, I believe that learning should be a joint effort between the students and myself, engaging the material together. Therefore, I encourage students thoroughly to study the material before class to try to understand it as best they can. In class, by way of questions and answers and general discussion, the students and I then unpack the legal principles set forth in the material and the rationale underlying those principles. I have grown into this philosophy, and I tend to take this interactive approach with the various courses that I teach.

While my more recent teaching evaluations have been relatively favorable, I realize there is always room for improvement. I have attempted to improve my teaching in several ways. First, each semester I study my teaching evaluations for those aspects of the classroom experience students thought were effective and those students believed
were not as effective. One example where I used this technique to change my approach to teaching involved mid-semester assessment. In my Contracts class, student grades are based primarily on their final exam, a traditional law school practice. I learned from my evaluations, however, that some students thought that a mid-semester assessment would be helpful so that they could better appreciate where they stood with understanding the material covered up to that point. In the fall 2010, I gave students a midterm. The first time I did so, it took me several weeks to grade and to return the exams to students. I gathered from the evaluations that semester that while students appreciated the assessment, they also wanted a faster turnaround. Recognizing that what students desired foremost was feedback, I began to offer ungraded mid-terms, which provided the feedback students desired but with a quicker turnaround. Another way I have sought to improve my teaching is by inviting another professor into my classroom to offer helpful criticism, visiting another professor’s class to learn new insights on teaching from that professor’s perspective and talking to colleagues about teaching methods. During my first year, Professor Kathleen Engel visited my Contracts course and offered advice on how I might make the learning experience more effective. She advised that students might benefit if I used more visual aids as well as wrote more of the concepts we discuss on the board. I have since made every effort to use visual aids when teaching and constantly use the blackboard to write out various points of discussion throughout the lecture. A couple of years ago, I also visited Professor Browne Lewis’s class to study how a more senior colleague approaches teaching. I learned from Professor Lewis the importance of summarizing each topic after we conclude it and also to constantly ask students throughout the lecture whether they have any questions. I believe these additions to my lectures have enhanced the learning experience, among other things, by allowing me to assess during class whether students are grasping the material. I also spoke with my colleague Professor Michael Borden about teaching methods. I adopted from Professor Borden the practice of beginning each class with a wrap-up from the prior day’s class. Professor Borden opined, and I agreed, that doing so, among other things, reaffirms important points from the topics previously covered and provides a transition into the material that will be covered during class that day. Finally, I have sought to enhance my teaching by participating in CSU’s Center for Teaching Excellence in 2010. During the program, I created a teaching portfolio, which enabled me to articulate my teaching philosophy, describe my teaching methods and examine why I teach as I do. The program provided me an excellent opportunity to examine my approach to teaching. One of the enduring lessons I took from the workshop is to examine critically the methods I use to teach a concept (e.g., visual aids) and to use student feedback on questions I pose as a means to gauge the effectiveness of a particular method.

Contracts (formerly Contracts I and Contracts II)
Until fall 2012, Contracts was divided into a two-semester course. In Contracts, I teach first-year law students. I begin my contracts class with the story that I shared earlier about our jobs as attorneys being to figure things out. I tell students that the class is not based on strict lecture format but that they will have to study the material carefully in an effort to understand it and that we will then discuss the legal principles and underlying rationale together. Over the years, I have experimented with several approaches to engaging students. While I do take volunteers, I also tend to call on a large number of students at random each class to discuss the material and concepts we are studying. I believe this approach is helpful for two reasons. First, it keeps students engaged as everyone is on notice that he or she may be called on to discuss the material. Second and equally as important, it allows me to assess which students are grasping the material and which students are having more difficulty. I have used this method to identify students who may need additional assistance after class. To that end, I am a stickler about keeping my office hours as I believe part of engaged learning requires me to be accessible to students outside of as well as in class. While I believe students should put the hard work in to understand the materials before class, I also try to guide students through the material in various ways to ensure they are taking from it what they need to know. For instance, I always ask students at various points in the discussion whether they have any questions about the material. I also attempt to wrap up a particular lesson by explaining to students what I believe are the primary points they should take away from the lesson. Moreover, I begin each class with a mini-review of the topics we covered during the previous class.

Employment Discrimination

I use an interactive approach to discuss various legal principles and their underlying rationale in employment discrimination as well. I also encourage students to think about discrimination law from a normative perspective, i.e., what the law should be based on any number of policy considerations. For instance, under federal and state law, employees have a right to be free from unlawful discrimination on the basis of certain protected traits, e.g., race or sex. Courts also recognize, however, that in enacting various employment discrimination statutes, Congress intended to leave intact the traditionally broad discretion an employer enjoys to select and control its workforce. Those competing interests may influence a judicial decision on how broadly or narrowly to define what it means to discriminate. I advise students that protecting employees from discrimination is still a relatively recent phenomenon. As practitioners they may be in a position to grapple with novel legal issues that the law has yet to address. They may find themselves arguing for expanding existing judicial interpretations of the law (or for the passage of new laws) to address emerging issues. By using hypotheticals often based on decisions working their way through the courts or situations taken from the news, I
challenge students not only to think about how particular judicial decisions might apply to these diverse factual scenarios but how the law should address these scenarios taking into account numerous policy considerations, including those previously mentioned.

I have also attempted to introduce students to the practical aspects of practicing employment discrimination. For instance, I have previously invited a representative from the Ohio Civil Rights Commission to my class to discuss administrative filing requirements in Ohio.

Civil Liberties

I taught civil liberties during my first semester at C-M Law. My approach to civil liberties mirrored my approach with my other courses. I strove to keep students engaged and make class as interactive as possible. The course focused primarily on First Amendment constitutional issues, including freedom of expression and religion. We also covered First Amendment issues in the context of schools and employment. The course was taught in seminar format. For the first several weeks, students read various cases and law review articles pertaining to the First Amendment for in-class review and discussion. Students were also required to write a 25-page research paper on a topic of their choosing pertaining to the First Amendment. Students selected such diverse topics as the right to protest at funerals of U.S. soldiers to the legality of laws and regulations that attempt to curb cyber-bullying. After students selected paper topics, I met with them several times throughout the semester during mandatory meetings to review their outlines and first and second rough drafts of their papers.

During the final few weeks of the course, students were required to present their papers to the class. I ended the class this way because a large part of the class involved student independent research and the presentation phase allowed students to share with the class their hard work on the topics they had selected.

B. Student Evaluations

Introduction

The evaluations inspected for this report were those for the following 13 courses taught by Professor Green:

Civil Liberties Seminar, fall semester, 2008
Employment Discrimination, spring semesters, 2009 and 2011 and fall semesters, 2010 and 2011.
a. Quantitative Evaluations

Given the criteria for awarding tenure and promotion to associate professor outlined in paragraph I.A. of this report the questions selected for analysis from the quantitative portion of the "Student Evaluation of Faculty and Course" commonly used at the law school were the following:

a) Knowledge of Subject Matter  
b) Preparation for Class  
c) Overall Effectiveness of Instruction  
d) Overall Effectiveness of Course

Statistics are furnished in the pages that follow reflecting the quantitative student assessments for Professor Green's classes. Students were asked to rate their professor on a scale of 1 (poor) to 5 (excellent) in each category listed.
Contracts I (Evening)  
Fall, 2008  
(39 Respondents)

Knowledge of Subject Matter

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Mean of Four Criteria:  
4.00
Civil Liberties Seminar (Day)
Fall, 2008
(13 Respondents)

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Overall Effectiveness of Course

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Mean of Four Criteria:
4.42
Contracts II (Evening)
Spring, 2009
(37 Respondents)

Knowledge of Subject Matter

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Mean of Four Criteria:
4.24
Employment Discrimination (Day)  
Spring, 2009  
(6 Respondents)

Knowledge of Subject Matter

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Mean of Four Criteria: 4.96
Contracts I (Evening)
Fall, 2009
(32 Respondents)

Knowledge of Subject Matter

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Mean of Four Criteria:
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## Contracts II (Evening)
### Spring, 2010
### (33 Respondents)

### Knowledge of Subject Matter

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Contracts I (Day)  
Fall, 2010  
(51 Respondents)

**Knowledge of Subject Matter**

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**Preparation for Class**

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**Overall Effectiveness of Instruction**

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**Overall Effectiveness of Course**

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Mean of Four Criteria: 4.44
Employment Discrimination (Day)
Fall, 2010
(22 Respondents)

Knowledge of Subject Matter

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Mean of Four Criteria:
4.64
Contracts II (Day)  
Spring, 2011  
(45 Respondents)

**Knowledge of Subject Matter**

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**Overall Effectiveness of Course**

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**Mean of Four Criteria:**

4.36
Employment Discrimination  
Spring, 2011  
(7 Respondents)

### Knowledge of Subject Matter

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**Mean of Four Criteria:**  
5.00
Contracts I (Day)
Fall, 2011
(41 Respondents)

Knowledge of Subject Matter

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Mean of Four Criteria:
4.60
**Employment Discrimination (Day)**  
*Fall, 2011*  
*(23 Respondents)*

**Knowledge of Subject Matter**

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**Mean of Four Criteria:**
*4.85*
Contracts II (Day)
Spring, 2012
(39 Respondents)

Knowledge of Subject Matter

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Mean of Four Criteria:
4.71

b. Qualitative Evaluations

a) Response to question "Would you recommend this professor to other students?"

i) Contracts I, fall semester, 2008, evening (39 respondents)

Yes: 27
No: 3
No Response: 9
ii) Civil Liberties Seminar, fall semester, 2008, day (13 respondents)

Yes: 11
No: 0
No Response: 2

iii) Contracts II, spring semester, 2009, evening (37 respondents)

Yes: 23
No: 3
No response: 11

iv) Employment Discrimination, spring semester, 2009, day (6 respondents)

Yes: 6
No: 0
Response: 0

v) Contracts I, fall semester, 2009, evening (32 respondents)

Yes: 22
No: 0
No Response: 10

vi) Contracts II, spring semester, 2010, evening (33 respondents)

Yes: 17
No: 0
No Response: 16
vii) Contracts I, fall semester, 2010, day (51 respondents)

Yes: 45
No: 2
No Response: 4

viii) Employment Discrimination, fall semester, 2010, day (22 respondents)

Yes: 20
No: 0
No Response: 2

ix) Contracts II, spring semester, 2011, day (45 respondents)

Yes: 33
No: 5
No Response: 7

x) Employment Discrimination, spring semester, 2011, evening (7 respondents)

Yes: 7
No: 0
No Response: 0

xi) Contracts I, fall semester, 2011, day (41 respondents)

Yes: 38
No: 1
No Response: 2

taxii) Employment Discrimination, fall semester, 2011, day (23 respondents)

Yes: 23
No: 0
No Response: 0

xiii) Contracts II, spring semester, 2012, day (39 respondents)

Yes: 35
No: 0
b) Illustrative Student Comments

Contracts I, fall semester, 2008, evening

Positive

Professor is very courteous and well prepared for class. He is very knowledgeable on subject matter.

Spends a few minutes recapping what we learned in the class before; it's a good review and gets my brain going.

Very intelligent.

He knows his stuff.

Critiques

Maybe too intelligent. Speaks over heads of ILs.

Professor needs to speak up and enunciate clearer.

Civil Liberties Seminar, fall semester, 2008, day

Positive

Prof. Green did an excellent job and is a great addition to Cleveland-Marshall.

Permitted all sides of a discussion to be presented.

Accessible outside class.

Critiques

The casebook seemed unnecessary.
Contracts II, spring semester, 2009, evening

Positive

Very knowledgeable on material and respectful of students.  
I like that he gets alternative viewpoints.

He is always well organized.

The material is presented clearly and students are encouraged to share their views.

Critiques

The 50 minutes class sessions seemed a little too short at times.

Too specific with case facts.

Employment Discrimination, spring semester, 2009, day

Positive

Very enthusiastic and interesting.

Well organized and well presented.

Refreshingly encourage[ing] in interactions with students.

Critiques

[None]

Contracts I, fall semester, 2009, evening

Positive

He does not ignore the questions/concerns of students.

Very approachable.

Very respectful and knowledgeable
about subject matter.
The professor challenges us to think
through the cases and explore concepts on our own rather than just giving
answers.

Critiques

Class discussions go too far off topic.

I don't like this course in general;
contracts is hard.

Contracts II, spring semester, 2010, evening

Positive

Very well prepared. Sparks good
discussion.

[i like] knowledge of subject matter and
experience in practice.

[Good] flow and slowed down material
when appropriate.

Always fair to the students while
maintaining a high standard for learning.

You could feel and tell that Professor
Green cares about his students.

Critiques

Professor Green answers too many
questions.
Moved a little fast sometimes.

Contracts I, fall semester, 2010, day

Positive

He communicates the subject matter
well.
[i like] general demeanor, use of humor,
deepth of explanation.
Very analytical, precise. Course tested ability to think critically. Very receptive to students’ questions and responses. [I like] on call list.

Critiques

[I do not like] on call list. I feel uncomfortable asking questions when I’m not on call.

The socratic method of teaching was hard to follow.

Employment Discrimination, fall semester, 2010, day

Positive

Very respectful of students and questions. Far more collaborative than other law profs.

Extremely organized and knowledgeable.

He is very clear and always willing to reexplain [if] people do not understand.

He actually enjoys what he teaches and therefore makes the class interesting.

Great professor.

Critiques

Insists on waiting on volunteers instead of either calling on students or continuing with lecture.

I would like to know exam details sooner.

Contracts II, spring semester, 2011, day

Positive

[I like] being on call; allows for better preparation.
Took time with each topic and explained them thoroughly.

Very knowledgeable of the material.

Highly effective.

He is very respectful and knowledgeable.

Although he uses the socratic method he's still very helpful in guiding students through his questions.

**Critiques**

Exams (i.e., multiple choice) were excessive and exhaustingly tedious.

[His pace] is inconsistent. He can be extremely slow sometimes but really fast other times.

Employment Discrimination, spring semester, 2011, evening

**Positive**

Great materials and presentation.

Very thorough.

His great sense of humor makes the class interesting.

One of the best professor at CM.

**Critiques**

Sometimes the pace of the class was slow if no one volunteered.
Contracts I, fall semester, 2011, day

Positive

Extremely knowledgeable.

He wants to make sure everyone understands the concepts.

Professor Green keeps the class interesting and goes at a good pace.

There is a lot of material to cover in this course; Professor Green keeps everyone involved and forces you to pay attention.

Out of all my professors this semester, Professor Green displays the most professionalism and compassion for his students.

Critiques

Allows students to expand on wrong answers.
Sometimes difficult to follow.

Employment Discrimination, fall semester, 2011, day

Positive

Knowledgeable and has great real world insight.

By far my favorite professor.

Professor is truly an expert in the field.

The professor is amazing.

Give him a raise.

Critiques

Too much discussion.
Contracts II, spring semester, 2012, day

Positive

[I like] the pace and clarity.

I like how thorough and consistent the instruction is.

I like his knowledge of the material and how it relates to real world situations.

Professor Green's knowledge of contracts is second to none. He keeps everyone involved by cold calling on people.

Green is great.

Critiques

Sometimes his questions can be a bit vague.

The pace of the class could have been a bit quicker.
c. PAC Members' Evaluations of Candidate's Teaching

On this page and on those following are thirteen evaluations of Professor Matthew Green's classes. Two are longitudinal evaluations, made prior to Professor Green's application for promotion and tenure, in accordance with law school policy on faculty development. Nine of the evaluations were made during the fall semester, 2012, as part of the promotion and tenure process.

In summary, the PAC evaluations are highly positive. They recognize the diligence with which Professor Green prepares his classes, his skill in inducing his students to thoughtfully and actively participate in their education, and his sensitivity to what his students are thinking and feeling. Without exception, each PAC evaluation finds Professor Green to possess the qualities necessary to satisfy the required criteria for tenure and promotion to associate professor.

III SERVICE

A) LAW SCHOOL

This section lists the various services Professor Green has provided, and provides more detailed commentary by Chairs of important Committees that he has served on.

2008-09:

Bar Exam (Susan Becker, Chair)
Special Committee on Orientation Planning (Michael Borden, Chair).

Professor Borden described Professor Green's contributions on the Special Committee on Orientation Planning:

I was chair of the Special Committee on Orientation planning in 2008-09 on which Professor Green served. This committee did a lot of work in reformulating the orientation program for first year students. Professor Green was extremely helpful in this committee. He attended all the meetings, occasionally helped me prepare for the meetings, and cheerfully and carefully performed all of the tasks I assigned him, particularly providing feedback on the various documents I drafted for distribution to the incoming students. His input during meetings was thoughtful and helpful. In short, his service on this committee was excellent.

2009-10:
Bar Exam (Susan Becker, Chair)
Honor Council (Stephen Gard, Chair)
Hiring Committee for the Director of the Office of Career Planning (Phyllis Crocker, Chair)

Professor Gard summarized Professor Green’s contributions on the Honor Council:

    Matt Green served on the Honor Council in 2009-10. I was the chair. Matt served honorably and performed all of the duties of a council member diligently, professionally and more than competently. In fact, he was outstanding.

Professor Crocker described Professor Green’s contributions on the Hiring Committee for the Director of the Office of Career Planning:

    As Associate Dean, in 2009, I chaired a search committee for a new Director of the Office of Career Planning. Matt was one of four members of that committee. We worked quickly and efficiently—but that meant everyone had to be focused, available, and thoughtful. Matt was all of those. In addition, the time frame was not the best for anyone—we conducted the search, interviews, and deliberations during May and June—the time for giving and grading exams. Matt arranged his schedule so that he could fully participate in this search.

2010-2011

Cleveland-Marshall Fund/Baker & Hostetler Scholars Committee (Lolita Buckner-Innis, Chair)
Clerkship Committee (Brian Ray, Chair)
Honor Council (Michael Borden, Chair)
Faculty Affairs Committee (no Chair selected)

Professor Green reported on his service and role on the Faculty Affairs Committee:

    There was no chair this year, but I took the lead in calling a meeting so that the FAC could discuss Professional Leave of Absence Applications. I also drafted the e-mail to then interim dean Crocker explaining the FAC’s recommendations for the leave applications.

Professor Crocker further reported on Professor Green’s service on the Faculty Affairs Committee:

    As Interim Dean in January 2011, I had the responsibility of recommending to the Provost which faculty Professional Leaves of Absence applications should be granted. I asked the Faculty Affairs Committee to review and make recommendations to me regarding each application. The committee had no chair, but Professor Green took the lead in convening the committee and writing the explanation of the committee’s recommendations. I was grateful to Professor
Green for his initiative and follow through on this important and time-sensitive matter.

2011-2012

Clerkship Committee (Brian Ray, Chair)
Faculty Affairs Committee (Matthew Green, Chair)
Faculty Advisor to the Christian Legal Society
Interim Faculty Advisor to C-M Allies
Hiring Committee for Clinical Professors (Mark Sundahl, Chair)

Professor Ray reported on Professor Green’s service on the Clerkship Committee:

Matt has been a very active member of the Clerkship Committee since we reconstituted it several years ago. In addition to regularly attending and contributing to our planning meetings, Matt took the initiative for recruiting the judges for our first, highly successful judicial panel on clerkships. He spent many hours contacting federal district court and sixth-circuit judges. Those same contacts also helped lay the groundwork for the judicial panel in following years, and we have had a much easier time recruiting judges because of Matt’s hard work.

Professor Sundahl described Professor Green’s contributions on the Hiring Committee for Clinical Professors:

Matt served on the hiring committee for the two clinical professorships this last year of which I was chair. Matt was an excellent member of the committee. He was reliable and completed any tasks assigned to him in a prompt and professional manner. He also contributed thoughtfully to the committee’s discussions and posed helpful questions during the interviews.

2012

Clerkship Committee (Brian Ray, Chair)
Admissions Committee (Debby Geier, Chair)
Co-faculty Advisor of BLSA (with Browne Lewis)

B) UNIVERSITY

Professor Green was appointed to the President’s Council on Diversity in March 2010 for a two-year term. Professor Green currently serves on this committee. As part of his duties on the Council, Professor Green was a member of a subcommittee that was charged with recommending ways to improve the recruitment and retention of diverse faculty and staff.
Professor Green has been a University Senator in 2009-10 and 2010-11. As a Senator in 2010, Professor Green was a member of the Interim Dean Search Committee.

Professor Sterio, who was also a Senator in 2010, described Professor Green’s work on the Interim Dean Search Committee:

Matt Green was a diligent member of the Interim Dean Search Committee. This Committee met frequently over a 30-day period. In addition to meetings among Committee members, this Committee also met with the University President and Interim Provost several times, as well as with the entire law faculty, to report on progress in the interim dean search. Many of these meetings were contentious as difficult matters were being discussed. Matt Green conducted himself professionally and demonstrated the ability to handle high-pressure situations. I was thoroughly impressed with Matt Green throughout the search process.

C) OTHER

Professor Green is a member of the American Bar Association.

Professor Green, along with Professor Becker, organized a conference at Cleveland-Marshall on October 21, 2011, entitled “The Politicization of Judicial Elections and its Effect of Judicial Independence.” Professor Becker reported on Professor Green’s role in organizing this conference:

Starting in the spring of 2011 Matt Green and I started planning a conference on the topic of the role of judicial independence in advancing or hindering the LGBT civil rights movement. Matt came up with this idea after Iowa’s Chief Judge, Marcia Ternus, and two other Iowa Supreme Court judges were ousted in their retention bids due to the court’s unanimous decision that the Iowa Constitution bestowed the right to marry on same-sex couples. This project required a tremendous amount of work throughout the spring and fall of 2011, and included getting students and other organizations working on the conference (e.g. Ohio ACLU, Northeast Ohio Chapter of the American Constitution Society). More than 200 people attending the conference, titled “The Politicization of Judicial Elections and its Effect on Judicial Independence," at CM on Oct. 21, 2011, and the vast majority rated the program very highly. Former Iowa Justice Ternus was the keynote speaker. The program also featured remarks by attorney Camilla Taylor, the Lambda Legal attorney who argued the Iowa marriage case, and Ohio State Professor Daniel Tokaji, the Deputy Director of the Mortiz College of Law’s Election center. A video of the conference is available at https://www.law.csuohio.edu/lawlibrary/guides/sexualorientation and the speaker’s comments are published in the Volume 20, no. 2 edition of the Cleveland State Law Review.
CLEVELAND-MARSHALL COLLEGE OF LAW

REPORT TO THE COLLEGE OF LAW FULL PROFESSOR PERSONNEL ACTION COMMITTEE

SUBMITTED BY THE PAC SUBCOMMITTEE EVALUATING THE APPLICATION FOR PROMOTION OF ASSOCIATE PROFESSOR S. CANDICE HOKE

APRIL L. CHERRY (CHAIR)

MICHAEL H. DAVIS

SHELDON GELMAN

OCTOBER 2012
# Personnel Action Committee (PAC) Subcommittee Report on Associate Professor S. Candice Hoke's Application for Promotion to Full Professor

## Report Index

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I. INTRODUCTION

Professor S. Candice Hoke has petitioned the PAC for promotion to Professor of Law. In May of 2012, Professor Patricia Falk, Cleveland-Marshall PAC Chair, in consultation with the Dean and the Vice Chair, Professor Susan Becker, appointed this Subcommittee to gather information and submit a report to the PAC concerning Professor Hoke’s qualifications in the areas of teaching, scholarship, and service. Pursuant to the College of Law’s requirement that “[t]he report shall not carry a recommendation,” the Subcommittee makes no recommendation regarding whether the candidate has met the criteria for promotion. Rather, the Subcommittee has gathered and summarized relevant data below so that individual PAC members may make informed individual decisions.

The Subcommittee studied the candidate’s resume, Personal Statement, student evaluations, and scholarship. It also solicited external evaluators of Professor Hoke’s scholarship, as well as evaluations of her scholarship and teaching by members of the PAC. Members of the Subcommittee, acting in their capacity as PAC members, have submitted teaching evaluations which have been incorporated as part of this report. The candidate’s statement, her curriculum vitae, copies of both external and internal reviews, and scholarship impact analyses and citation lists are contained in separate Appendices that have also been distributed to each PAC member. A copy of this report and its Appendices also has been provided to the candidate at the same time. If the candidate wishes to submit an additional written statement regarding matters contained in this report, the Subcommittee will circulate it to the PAC members prior to the meeting scheduled to consider Professor Hoke’s petition for promotion on November 8, 2012.

II. BIOGRAPHICAL INFORMATION ON CANDIDATE

Candice Hoke earned her undergraduate degree from Hollins University in Roanoke, Virginia, earning departmental honors for her thesis and the Bushnell Award for the “Finest Spirit of Leadership.” After graduate study in Political Science at the University of Chicago, Professor Hoke attended the Yale Law School where she was awarded her J.D. degree. While at Yale, she was Senior Editor of the Yale Law Journal. Professor Hoke then clerked for two years with the Honorable Hugh H. Bownes of the U.S. Court of Appeals for the First Circuit in Boston, Massachusetts and in Concord, New Hampshire. Following her clerkship, Professor Hoke spent two years at the Hill and Barrow law firm practicing in the area of employment litigation. Professor Hoke left this position in order to enter academia. She spent six years as an Assistant Professor of Law at the University of Pittsburgh School of Law, and one year as a Visiting Professor at Case Western University Law School prior to joining the Cleveland-Marshall College of Law in 1994, where she received tenure effective in the fall of 1996.
Since 2005 Professor Hoke has been active in concerns regarding election law and electronic voting technology. From 2005 to 2008, Professor Hoke served as the Director of the Center for Election Integrity at Cleveland-Marshall, the College of Law's first research center. From 2006-2008 Professor Hoke served as the Project Director of Public Monitor of Cuyahoga Election Reform. In the summer of 2007, Professor Hoke served as the Research Team Leader and Visiting Research Engineer at the University of California — Berkley, working on an assessment of voting systems for the California Secretary of State. In addition, to these activities, Professor Hoke has provided testimony and has consulted with federal, state, local, and academic entities on issues of voting technologies since 2006.

At present, in addition to teaching, Professor Hoke is pursuing a masters' degree in information security at the Heinz College, School of Information Systems at Carnegie Mellon University. She states that this degree program will enhance her scholarship and public service, as "so few lawyers and law professors understand the technical aspects of computer-based information systems that have generated vast new vulnerabilities for our nation and its assets."

III. Promotion Standards: Teaching, Scholarship, and Service

Promotion Standards

Cleveland State University Faculty Personal Policies §8.1.2 provides:

Professor. Appointment or promotion to the rank of professor is based on evidence of sustained excellence in teaching. In addition, the candidate shall have an outstanding record as a scholar or shall demonstrate sustained outstanding intellectual leadership as a practitioner in his or her field. Evidence of reputation in the discipline or a related discipline beyond the local community is required. Only in rare cases may promotion to professor occur before the beginning of the fourth year in rank as associate professor. In rare instances, promotion to professor may be based in significant part upon sustained and generally acclaimed leadership in the realization of the mission of the University.

In addition, Cleveland-Marshall College of Law Procedures and Criteria for Promotion and Tenure, Criteria §4 provides:

[Promotion to the rank of full Professor . . . ] is based on evidence that the candidate has (a) a record of sustained excellence in teaching; (b) an outstanding record as a scholar; and (c) a reputation in the discipline beyond the local community.
Criteria §9 provides that a person has an “outstanding record as a scholar” if he or she “has produced a canon of work, such that as several law review articles, or a treatise, or monograph, which establish the candidate as a well-recognized expert in the field.”

Finally, Criteria §5 provides that “all candidates for personnel action must demonstrate that they have fulfilled their faculty governance and public and professional service obligations.”

Professor Hoke’s candidacy is based on sustained excellence in teaching, her outstanding record as a scholar, and sustained outstanding intellectual leadership as a practitioner in her field.
A. Sustained Excellence in Teaching

Professor Hoke's Approach to Teaching

Associate Professor Hoke was promoted to Associate Professor and awarded tenure commencing in the fall of 1996. Since her promotion, she has taught a variety of courses, including Civil Procedure, Jurisprudence, Constitutional Federalism, Federal Jurisdiction, Work-Family Law, Employment Law, Agency & Partnership, Regulatory Law, and Election Law. In addition, she taught Comparative Constitutional Federalism in the College of Law summer program in St. Petersburg, Russia.

Professor Hoke explains her general approach to teaching as follows:

As my cardinal teaching objectives, I strive to challenge students to develop the essential analytic and practical skills that will distinguish them as legal and public leaders. As often noted by both faculty and students, my classes require intense intellectual inquiry. During our study of the distinctive subject matter, queries, and skills that comprise law school, I also attempt to instill in my students a fundamental respect for the dignity of all persons and openness to new ideas, values, and ways of thinking. But I also hone skills in logical critique, to support their rigorous assessment of competing arguments. I encourage students to reflect upon their most deeply held values and prejudices, and to develop a lifetime commitment to become better persons as well as excellent public-spirited, ethical lawyers. I hold out the goal of their becoming creative architects of the law and legal systems, to assist law in responding to rapid changes in the world instead being merely passive inheritors of a static legal tradition. Finally, I counsel students to retain a healthy degree of their idealism about the ability to achieve justice through law, and to work steadfastly to achieve the promise of "equal justice for all," despite the many diversions and cynics who will cross their paths.

Fundamentally, I recognize that by articulating high goals for my students, cultivating the skills and values to attain them, and overtly affirming my belief in their capacity to reach them, they both achieve more academically and develop the personal confidence requisite to success. Although there usually are some students who would prefer a less personalized method of instruction, I believe most of my students have appreciated being in my rather demanding classes. And while I can be exceptionally theoretical and abstract, reflecting both my
prior training in philosophy as well as law, I also teach concrete practical skills, and endeavor to illuminate my students on the essential interrelation of legal theory and practice. As most of my students and many prior faculty evaluators have attested, the dual exposure I provide is both valuable and unusual.

I love teaching and delight in my students’ achievements. I encourage them to develop the character and behavior that befits the public leadership role bestowed upon lawyers. And like a parent (for good teaching in many ways is, I think, like wise parenting), I strive to treat them with equal respect, knowing that sometimes equality for those historically excluded from law and public leadership means providing additional counsel, assistance, and warm endorsement in order that they may have an equal opportunity to succeed.

Over the past decade, I have modified the course requirements in each of my courses in order to implement the law faculty’s recommendations for curricular improvement and to help achieve the Board of Trustees’ objectives for higher rates of bar passage. My course modifications have included requiring more written homework with more frequent feedback than merely a final exam; the use of the full range of grades, especially in the earlier years of law study; using a broader range of classroom technology where it supports educational objectives; and integrating skills development and practical application of legal principles via problem sets into traditional legal courses.

When describing her pedagogy and general objectives, Professor Hoke notes:

In all of my courses at the outset, I use contemporary news articles (and occasionally short videos) to bring vividly to life the types of legal issues that the course will cover and their importance to the world external to law school. I believe that students should have a chance to see how in “real life” currently – not simply in the casebooks – the course’s legal issues matter. This technique has assisted in tying legal theory and concepts to actual legal practice, and whets student interest. Often, the materials I selected allow me to identify the role of lawyers in the dispute or public policy problematic, and to comment on their contributions or lack of skill/judgment. A subsidiary purpose has been to help build student understanding of the importance of their dedication while a law student as real people and their interests will depend on the quality of their representation.
In all courses, I also provide Supplementary Reading materials that have included scholarship (interdisciplinary and legal), news articles, additional judicial opinions, and occasionally an editorial cartoon – that I have developed to update the casebook at low charge to students. These materials allow me to emphasize some points or skills that otherwise would be missed although they are costly in time to produce.

Professor Hoke seeks to refine her teaching methodology and objectives as is appropriate for each class. Her efforts to tailor her teaching to the specific material and concerns of the courses she has most recently taught (Employment Law, Agency & Partnership, Regulatory Law, and Election Law) are described below.

1. Employment Law

*Employment Law* is an elective . . . introductory survey course that explores the law covering predominantly the non-unionized workforce. I was one of the first law professors in the nation to teach this course (at the outset of my teaching career elsewhere), preceding the creation of the first casebook. . . .

Teaching *Employment Law* is quite demanding for a law professor because it is actually a course that has been pulled together from a variety of disparate fields that impact the employment setting (i.e., common law wrongful discharge, occupational safety/workers’ compensation, agency, noncompetition and trade secrets law, pension and benefits, and depending on the teacher, various other law). One of the chief hardships in *Employment Law* is the persistent fact that to remain abreast of the “field,” one actually must stay abreast of at least five fast-moving subfields of employment law, each of which could be a separate course. Trying to remain current in Employment Law can require as much (or more) time as remaining current in all of one’s other teaching responsibilities.

I believe my course has been a success because I did not let any casebook dictate the structure or provide the majority of materials my students read. Instead, based on my own practice knowledge as a former employment litigator and my frequent discussions with current practitioners in the field, I update my Syllabus and materials annually. I want my students to be exposed to the basic law but also develop sufficient sophistication to be able to deal with cutting edge employment law issues.
The materials have succeeded pedagogically. I have often heard praise from prior students regarding their success in handling difficult employment law problems, which they attributed to my course. Numerous former students have written me to relate that they received permanent job offers from their law firms primarily based on the skill with which they were able to analyze and handle complicated employment problems. One alumna reported that she had shared a photocopy of my course materials among numbers of associate attorneys at the large law firm where she was located, as it provided a well-organized overview of the major judicial decisions in the field.

2. Agency & Partnership

The Agency and Partnership ("A & P") course provides an opportunity to study the three hundred year old common law of agency. The course title is actually a misnomer because in addition to Agency law, its scope includes the law of all unincorporated business structures. Thus, in addition to general partnerships, it includes limited partnerships (LPs), limited liability partnerships (LLPs), limited liability limited partnerships (LLLPs), and the most important new development, limited liability companies (LLCs). The LLC form blends aspects of both partnership and corporations with a limited liability shield. It has become the most popular business organization form, now exceeding by far the number of new businesses choosing the corporate form.

The law of Agency is not only fundamental for corporate and business law but also constitutes the essential grounding for parts of Employment Law. By teaching A & P, I deepened my understanding and capacity for teaching that portion of Employment Law. I created a supplement of fascinating, memorable Agency cases, a portion of which I use in Employment. To assist students in the most fundamental Agency principles needed for legal life and the Bar exam, I also wrote a four-page outlined summary which students have repeatedly said has helped them greatly in their bar study and success. Notably, I do not distribute this "crib sheet" until after we have studied the Agency materials.

The business organization materials that cover the hodge-podge of business governance options can be brutally abstract, dry, and uninteresting. Hence, I have taught this portion of the materials as a business strategy course. Using a series of problem-focused materials that I developed, students are exposed to different types of problems that can arise as a particular business grows from one owner to multiple investors in a multi-million dollar entity. They first study the pros and cons of a particular business organized as a sole proprietorship. These
include its exposure to lawsuits for tort liability, obstacles to capital for expansion, opportunities to shield from the public its internal business records, and other considerations.

Over the weeks post-Agency, the business grows and faces new challenges. Students must consider whether, at each juncture, one of the newer studied business forms would be preferable to their present organization. A portion of class time is dedicated to group work where legal and client roles are assigned. After the business has expanded into multiple investors, the group work becomes relatively intense and challenging. The students seem to appreciate having limited lecture on major points, and instead having the opportunity to apply the principles to a concrete business situation with "clients" they represent.

When students report back at the end of class on how the problem was resolved, each group has reached a distinct approach, which they explain and we critique. This experience drives home the importance of sound judgment and creative problem-solving as well as legal learning. I am pleased that the A & P course now allows for teaching the lessons I believe to be most important for preparing our students for the contemporary challenges of legal practice, especially in the world of business law practice.

3. Regulatory Law

I originally taught Constitutional Federalism and the Regulatory State. That course provided students with depth exposure to the constitutional doctrines of federalism that are derived mainly from constitutional structure and from the Tenth Amendment. It then explored federalism-intensive statutory areas where the Federal and State governments were both involved in regulating the subject matter or entities. Such areas include (but are not limited to) the health care industry; public assistance benefits/"welfare"; the environment; employment and the workplace; corporate business entities; public education at all levels; the election administrative system; food and agricultural production; the pharmaceutical industry, and energy production and distribution (electrical grid, "green" energy sources, oil/gas, etc.). The original course provided students with an opportunity to study the interaction of constitution, statutory, and administrative law in complex fields of regulation. But it did not provide opportunities for legal practical skills development other than analytic and critical reading, and writing skills.
Over the past decade, I have modified the course substantially and revised its name twice, better to reflect major changes in its structure, expectations, and learning objectives. It became *Regulatory Federalism* and then simply *Regulatory Law*. In its current structure, I include more exposure to basic Administrative Law than previously.

Perhaps most importantly, I have re-designed the course is designed to function as a "capstone" that integrates legal learning across the curriculum with skills development. For the past decade, the course has culminated in a student research project and presentation on a regulatory project of their own choosing. They are permitted to satisfy the final written work requirement by either writing a paper on their regulatory problem or by taking an exam.

The regulatory project and its presentation are problem-oriented, focused on a real world regulatory problem that has persisted or a regulatory apparatus that has failed in some manner. To support their skills development, I include units on researching administrative and regulatory law, delivering effective presentations, and exercises in applying core concepts in regulatory law and process. A law librarian visits the class to lecture on relevant research skills, which are different from general legal research. Students learn strategic legal research approaches covering legislative and administrative action, and pending regulatory activity. They meet with me several times to discuss and hone a topic, to craft their thesis, and to clarify expectations. I invite a prior year's *Regulatory Law* student in to deliver his/her project presentation to clarify the expectations for the presentation. I encourage them to use the presentation grading rubric I have developed as a guide to expectations, and to use visual presentation software such as PowerPoint or Keynote. As audience members, the students use the grading rubric I distribute to provide the student presenter with constructive feedback. This exercise also assists them in drawing lessons for how to construct and deliver their own presentations.

Thus, *Regulatory Law* is no longer primarily a substantive law class but seeks to integrate skills development with a sophisticated understanding of how the regulatory process actually works—which can differ importantly from the legal rules specifying the process. I seek for them to understand how to analyze and influence the regulatory process for their clients and for the larger public good. My own public service contributions in the regulatory apparatus for election administration, health care/health insurance, and national security have
deepened my understandings of the reality of regulatory process, which I seek to communicate.

At least nine student presentations have resulted in published legal articles in law reviews that range from our own to specialized journals at other law schools. I also encourage students who are not interested in publication credit to write up their presentation in a form that allows it to be submitted to the particular regulatory apparatus that needs to improve. These short memoranda have helped to generate important modifications in some regulatory apparatus, including the Cleveland brownfields policy and the city's omission of a comprehensive inventory of available properties for redevelopment. I currently encourage students to let me help them craft a regulatory project that will help to qualify them for the legal positions in which they are most interested. This approach has assisted several students recently in securing a permanent legal position that they value.

4. Election Law

As traditionally conceived and taught nationwide, Election Law is a constitutional law course that draws close attention to the conflicts over federalism and Individual rights that characterize other constitutional courses. From my vantage point, that solely constitutional focus was one of several huge mistakes; most Election Law issues that arise are not constitutional but regulatory and procedural. When I began teaching Election Law in 2005, the existing casebooks exclusively focused on Federal constitutional law and the quasi-constitutional Voting Rights Act (also taught for its constitutional features rather than regulatory import).

Unquestionably, an Election Law course must begin with the U.S. constitutional structure and texts that ground our democratic Republic; that law is a necessary foundation. The mistake scholars have made, however, is to treat it as sufficient. My background as a teacher of Federal Jurisdiction and Regulatory Law, and my public service exposure to the limitations in the practicing bar when election disputes and crises occur, caused me to restructure the course significantly. Beginning with my first Election Law course offering (2005), I have sought to ensure that students recognize all the sources of law that govern our election system, and that they have exposure to the law-making and implementation apparatus at every level and in every branch of government. Thus, I included a major chunk of Ohio election law
(constitutional, statutory and regulatory) and comparisons with other States’ law. I modified the topics for depth focus depending on the particular set of issues that were at the time receiving the most news or legal attention (e.g., 2005-06: litigation over Ohio’s election performance; nonpartisan election administration; transition to e-voting; 2007-08: voting technology deficiencies & reform of Ohio’s election laws; 2009-2010: redistricting; 2011: Citizens United and campaign finance). Students were able to satisfy the Administrative Law credit requirement in Election Law.

At the beginning of Election Law, I always ask students if they would like simply the “by the book” course or a more dynamic course that responds to the developing law. By overwhelming margins, they always choose the latter. It does mean more work for me and also less ability for them to know well in advance exactly what judicial opinions we will be reading, which has generated some student frustration. I now allocate less time to dynamic developments and also provide an open-book, open notes examination that focuses on applying their knowledge to resolve an emerging Election Law issue.

This class challenged me as a teacher. Since we were located at “ground zero” for the national elections scene, I endeavored to structure opportunities for students to learn how, or if, the governing law was implemented reasonably. Thus, I appear to have been the first Election Law professor who requested that law students serve as poll workers (election “Judges”). In this position, they would be charged to implement the governing law and also serve the larger public interest in fair elections. I included an “experiential learning” requirement that could be satisfied by being a poll worker or any of several other roles, and required a reflective essay on what they observed and learned.

Most years I permitted a paper in lieu of exam, including for the Upper Division writing credit. Some semesters I supervised as many as 20 papers in this one course in addition to classroom teaching. One paper involved field research on Ohio’s implementation of the National Voter Registration Act. That paper resulted in path breaking litigation after the student submitted it to national voting rights organizations. The student was featured at press conferences, and the litigation ultimately resulted in a comprehensive settlement and consent decree requiring statewide implementation of the Act.

To expose students to a range of election law ideas and critiques, I have brought in speakers from both major political parties, the local Board of Elections, the Secretary of State’s office, and the Libertarian
Party. In 2008, in the midst of multiple litigations over Ohio's election laws, litigators from two cases addressed the class about their cases and the litigation's purpose. Both litigators won major federal injunctions upholding their positions.
Summaries of Student Evaluations

The subcommittee reviewed student evaluations of Professor Hoke’s classes from Fall, 1996 to Spring, 2012. The "AVG" scores for Spring, 2009 and earlier semesters were calculated by hand, since computer calculations were unavailable. Results for each semester follow, including representative student comments.  

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4. Preparation for Class

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10. Overall Effectiveness of Instruction

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14. Overall Effectiveness of Course

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Representative Student Comments:

Prof had great attitude!
I liked her, but believe I could have learned more.
Vibrant, energetic, incredibly smart well-informed & caring professor. You can tell she truly wants us to succeed. Like relying on case law instead of the rules to learn this subject.
I think this will end up being a good class for long-term learning.
Prof Hoke is very nice & cares about her students.
Prof. Hoke handed out the evaluations and was present in the room when we started evaluating.
So distracted/unorganized – rambled on and on most days – wasted a tremendous amount of time throughout the semester.
So off topic – classes largely irrelevant.
Very compassionate and has great anecdotes.
She knows her stuff, but cannot talk about it for more than 10 min of class.
She’s obviously passionate and knowledgeable about the subject matter and she tried hard to pass that knowledge along to the students. She was also very concerned with each student’s path in law school and offered her help and support numerous times.

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1 No evaluations were on file for the following semesters: Spring, 2010; Fall, 2009; Spring, 2002; Fall, 2001; Fall, 1997; Spring, 1997.
Helpful for explaining difficult concepts.

**Employment Law – Spring 2012**

3. Knowledge of Subject Matter

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**Representative Student Comments:**

Very passionate and knowledgeable about issues and field. Brings a lot of current issues into class discussion.

Professor is very knowledgeable and well established but better as a contact than a prof.

Class can be a bit random. I feel you do so much excess reading and material for nothing since its barely discussed in class and you’re told way after the fact not on exam.

Fix the syllabus & online course page – only have us read what we will go over in class.

The topic is interesting but I don’t feel like I learned as much as I could have.

She cares about the potential success and interests of her students. She may be the only professor I’ve had who does.

Talks about herself way too much.

Learned nothing.

**Election Law – Fall, 2011**

3. Knowledge of Subject Matter

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4. Preparation for Class
Representative Student Comments:
Professor Hoke is very knowledgeable and is able to present a fairly unbiased position on election law issues. Extremely intelligent and fun. Interesting issues and she is very enthusiastic. I like the requirement to participate in the election process. It’s the best way to learn. Very nice woman, very intelligent — however the class is a joke. No matter what our assigned reading was she would ramble for 45 mins about election machine hacking. Professor Hoke is very kind and she obviously cares for her students and subject very deeply. Poor organization, and poor teaching methods.

Regulatory Law – Fall 2011
3. Knowledge of Subject Matter
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0 1 2 4 9 4.31

4. Preparation for Class
1 2 3 4 5 AVG
0 6 4 5 1 3.06

10. Overall Effectiveness of Instruction
1 2 3 4 5 AVG
2 3 5 3 3 3.13

14. Overall Effectiveness of Course
1 2 3 4 5 AVG
3 3 5 4 1 2.81

Representative Student Comments:
She’s knowledgeable about regulatory law. And she’s enthusiastic about it. Although she is very intelligent and excited about reg law, she seems passive aggressive and controlling. Prohibits laptops. Most if not all students take notes on laptops. She claims to be flexible, but she’s passive aggressive and makes students feel they’re unprepared.
It was disorganized. No real syllabus. Lectures had little substance. Book was hardly used. Prof tried to sell value of course through Oct. Last half of semester was a class on listening to student presentations.

I have never given a bad review. But this class was a complete waste of time & money. If this is going to be on the 1st year curriculum, it needs significant retooling.

Nice teacher – very experienced & has strong knowledge.

Professor is disorganized. The book was rarely used. While the presentations were great, they were too long and basic[ally] let the professor take a month off. Sometimes we went on tangents.

Professor Hoke inspires you not to be complacent and that if you seek reform you must become a thorn in the side of those who are in control.

Employment Law – Spring, 2011
3. Knowledge of Subject Matter

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4. Preparation for Class

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10. Overall Effectiveness of Instruction

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14. Overall Effectiveness of Course

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Representative Student Comments:
Great professor and great cours[e].
Amazing feedback.
[Only 2 students comments.]

Regulatory Law – Spring, 2011
3. Knowledge of Subject Matter

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4. Preparation for Class

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10. Overall Effectiveness of Instruction
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14. Overall Effectiveness of Course
1  2  3  4  5  AVG
1  0  3  7  4  3.87

Representative Student Comments:
She's a great person and very helpful. Book is really good.
You can tell she really knows regulatory matters.
Professor was very kind and material was interesting.
I have already fulfilled admin & upper level writing requirements and thoroughly
enjoyed the class. It was a great learning experience.
I didn't think the reading assignments were very beneficial.

Election Law – Fall 2010
3. Knowledge of Subject Matter
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4. Preparation for Class
1  2  3  4  5  AVG
1  0  5  11  10  4.07
10. Overall Effectiveness of Instruction
1  2  3  4  5  AVG
3  3  6  11  4  3.37
14. Overall Effectiveness of Course
1  2  3  4  5  AVG
2  5  8  7  5  3.30

Representative Student Comments:
... Professor was often too flighty and could not keep on task.
She is knowledgeable about the topic.
She made a course which should have [been] entertaining & interesting boring & a
dread to attend.
She isn’t a bad teacher but her concerns about the class seem to be misplaced.
The class is unfocused and I don’t feel like I am ready for the final exam at all. Professor
is too intense.
Professor knew the material and was easy to work with outside of class.
I didn't learn anything useful. The course is time consuming. She makes you work on
election day. Her lectures are all over the place.
Smart, she cares deeply ... .
Thanks for being a very accommodating teacher.
Very insightful and good use of powerpoint.
Just horrible, scary. She might know the subject but doesn’t teach it. I liked the experiential learning requirement. She knew... her stuff on election law. Best professor.

**Employment Law – Fall, 2010**

3. Knowledge of Subject Matter

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10. Overall Effectiveness of Instruction

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14. Overall Effectiveness of Course

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**Representative Student Comments:**

- Tangents in class & news recaps distract from lessons/materials which are on the exam.
- Lectures should be more focused on actual reading.
- Too much tried to be squeezed in each class period so that we had to rush over several cases without much discussion.
- One of the worst teachers/professors I have ever had. In fact, I would advise anyone thinking about taking any class with her to go a different route.
- Very respectful.
- Very unclear teaching.
- Nice person. Irritating teaching style.
- Solid, interesting class.
- Course is useful, and very easy.
- Great practice view. Learned a lot.
- Professor is very passionate about the material.
- Kept it interesting.
Regulatory Federalism – Spring, 2009

3. Knowledge of Subject Matter

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4. Preparation for Class

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14. Overall Effectiveness of Course

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Representative Student Comments:

The course was very informative, and due to the class size, offered personal attention. Professor Hoke is a great professor. She is thorough in teaching the material and cares that her students learn and think appropriately.
Great professor, very knowledgeable. Helpful in preparing students for presentations/papers.
Self-learning experience.

Election Law – Fall, 2008

3. Knowledge of Subject Matter

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4. Preparation for Class

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10. Overall Effectiveness of Instruction

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14. Overall Effectiveness of Course

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Representative Student Comments:

Great professor ... should be professor of the year. Demonstrates unusual level of passion for the subject and effectively infuses this passion in her students.
Didn’t cover assigned readings on scheduled day.
Not enough structure.
Prof is fun and knows a lot about the subject.
She's very passionate about the topic/subject matter. Interesting to learn about voting rights, etc.
She was nice, easy to listen to.
Knowledgeable & informed – current event articles. Helped me stay involved.
Knowledgeable, enthusiastic.
It is difficult to understand what we will be tested on.
Very passionate & well informed about subject.
Professor Hoke is very knowledgeable in the field, just need more structure to the course.

Election Law – Fall 2007
Knowledge of Subject Matter

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Representative Student Comments:
She is a good professor w/ inside information on the subject.
She truly cares about the subject material.
Class wasn't cohesive – we spent a lot of time on technology problems but only one class on campaign finance & electoral college.
Learned a lot.
[Like about prof/course] House party and practical experience.
She really cares about her students and the issues. Her passion toward election law is infectious. It was very nice of her to have us over to her house.
The course could be better organized. Class time could be used more efficiently.
Respectful to students.
The compassion & her intelligence are unmatched. The lack of structure was not a factor . . . [illegible].
Did not learn much substance.
Should offer 2 sections. 1 practice & 1 more law based. We overlapped too much to do justice to either.
Prof Hoke has great knowledge & enthusiasm for the subject.

**Employment Law – Fall, 2007**

Knowledge of Subject Matter

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Representative Student Comments:

Professor Hoke is very concerned about fairness and helping students out in any way possible. She truly wants us to do well and is very supportive. Keeps class interesting. Fun but fair, and always willing to help. She genuinely cared [that]... we understood the material and its applicability to the real world. Very knowledgeable professor. Very interesting professor, I enjoyed her enthusiasm in class and the class was very interesting. Prof is so smart sometimes don't understand questions posed until after class & 3rd review of assignments. While her real world approach to course is helpful and different, I feel she failed to treat enough law and cover relevant material. While certain aspects were frustrating at times, overall I enjoyed the class.

**Agency & Partnership – Spring, 2007**

Knowledge of Subject Matter

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Overall Effectiveness of Course

Representative Student Comments:

Very helpful.

Very unorganized preoccupied and absent.

Professor Hoke is interesting and knowledgeable.

She is extraordinarily disorganized. I never know where we are. Legitimate concerns are giggled away.

Good overall.

She’s great!

Amiable. Great to talk to. Brilliant.

She respects students.

She is friendly & knowledgeable.

Slightly disorganized.

She is thoughtful and gets her point across quickly.

Professor Hoke is very knowledgeable and her real life experience is a valuable part of the course.

Professor Hoke is a terrific lecturer.

I have taken her for the last 3 semesters. I think she is a great teacher that cares about/motivates the students.

Employment Law - Spring, 2007

Knowledge of Subject Matter

Preparation for Class

Overall Effectiveness of Instruction

Overall Effectiveness of Course

Representative Student Comments:

Professor Hoke is very knowledgeable and her real life experience is a valuable part of the course.
Professor Hoke is a terrific lecturer.

[Like least] The constantly changing syllabus and lack of organization.
I have taken her the last 3 semesters...I think she is a great teacher that cares about/motivates the students.

[Like least] disorganized, often off track discussions. So many cancellations make exam prep extremely difficult.
The Professor is interesting and provides a lot of information. The material was organized and clear.

Professor Hoke is clearly very knowledgeable on this subject matter but I feel I didn't learn anything from her lectures. She was unorganized and sometimes would lashout at students' questions.

Consistently unprepared – cancelled class constantly & came late – does not cover ½ of our syllabus – rude to students – talked more about election law than employment law – unclear when she did lecture – today was last class & I still have no idea what is on the exam. Disrespectful.

[typed statement] This class has been a horrible experience... Prof. Hoke has cancelled class a total of 4 times this semester... [A] substantial portion of our class time each day... was spent discussing areas of law completely unrelated to employment law... [W]e have had to skip almost half of our syllabus...

She was the worst law professor I have ever had. She is extremely unorganized and her lecturers are always over random topics that are unrelated to the readings. She had little to no respect for her students.

She loves this subject & is highly knowledgeable about it, as well as passionate.

Very unorganized – very moody and unreasonable at times. There were incidents where she came to class totally unprepared and other times where she unreasonably snapped at students... She has way too much on her plate right now.

### Election Law – Fall, 2006

#### Knowledge of Subject Matter

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#### Preparation for Class

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#### Overall Effectiveness of Instruction

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Representative Student Comments:
Disorganized; the lady answered her cell phone in class!!
She is very informed on the issues.
She had a strong understanding of the subject matter.
She did not have good organization, we did not really learn much law.
The class was enjoyable, and the professor very knowledgeable.
No organization—did not cover a lot of topics, a lot of discussion was on election problems. There was no study on the actual law of elections.
Very passionate/energetic professor.
Incredible depth & breadth of knowledge on subject . . . .
Fair teaching and grading.
Too disorganized.
Interesting—thought provoking.
She’s not afraid to get beyond black letter law and talk about what’s really going on.
Experiential learning is what I liked. I enjoyed working at BOE.
She did not teach us one thing about election law.
The professor was never organized and never taught us anything. This was a waste of time and money.
She is one of the most well-known experts in election law and it was great to get her perspective on the issues.

Agency and Partnership — Spring, 2006

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Representative Student Comments:
The professor really explained the subject and applied it to the real world.
Professor Hoke is very smart and very kind—a great combination for a professor. You’ll learn a lot in this class, and she has a lot of knowledge about practical & real world problems.
She gets the students excited about the subject. Professor is fair and very respectful to all.

Great teacher, very approachable.

Great teacher! Her teaching style is conducive to learning materials very well!! It is obvious that Prof. Hoke cares deeply about her students.

Very poor organization, barely discussed cases that were assigned — essentially had to teach yourself the material.

Professor very interested in the material. Very enthusiastic about the class. Very caring about the student & the students doing well in the course & in the careers.

Difficult to follow. Teaching, in class, could have been more organized & clear. I felt like she assumed that I had a business background. It was difficult b/c I have no business background at all.

She taught from Examples & Explanation — this was not a professionally instructed course.

Party @ Prof's house was a nice idea.

Lacks respect for students. Unorganized. Veers off-topic & leaves students to teach themselves.

**Election Law – Fall, 2005**

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**Representative Student Comments:**

She is obviously an expert in this field, and has great passion for the subject.
Seemed a bit distracted with other work and seemed at times to view class as interfering with her schedule.
She really cares about teaching students the material.
No syllabus.
Interesting Professor who is passionate about subject matter & speakers.
Needed more clarity about what was expected from students.
It was the first class that got me actively involved in issues.
She needs more structure and organization in her teaching.
Employment Law - Fall, 2005

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Representative Student Comments:

Actually cares about students.
Top-three professors I’ve experienced . . . Hire more like her for first year classes, as well as generally.
Disorganized syllabus, I never knew what we were doing.
Full of herself . . . . If you are a national expert in something, you typically do not have to tell me a dozen times. Don’t take this class.
Very scattered. Gets off topic sometimes.
I have learned more about legal writing, procedure, and common sense type matters than [in any other class] . . . . She is awesome!
. . . . Great class.
With all of her other academic obligations, it seems like employment law class is an afterthought.
Excellent “teacher.” Does get carried away with personal stories.
. . . . Her presentation is all over the placed, she does not return assignments, and constantly berates students for her perception of lack of preparedness, although untrue. Always off on tangents for more than ½ the class time & talking about how great she is.

Federal Courts & Federal System – Spring, 2005

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### Representative Student Comments:
- Respects students; very knowledgeable about subject.
- Tangential discussions often got classes way off track.
- Syllabus would help.
- The subject matter... presented clearly by Prof. Hoke.
- ... Prof Hoke is one of the greats.

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### Regulatory Federalism – Spring, 2005

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### Representative Student Comments:
- Truly seemed to care about students and used many alternative forms of instruction... allowed option of paper vs. final for grading.
- Prof Hoke is very excited about the subject is able to excite students about the subject as well.
- Very willing to talk to students about a variety of issues.
- Not as focused on covering the material as I would have liked.
- I truly enjoyed the opportunity to craft a presentation – excellent exercise. Also to opt to do a paper rather than final.
- Too much disorganization.
- Professor is absent minded, rude, and disrespectful of students.
- This subject area... is Prof. Hoke’s strong suit. She was at her best.
### Agency & Partnership – Fall, 2004

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**Representative Student Comments:**

- Very clear about what she expects from students. Sunny disposition.
- Very knowledgeable.
- Too much focus on non-class-related issues.
- The professor apparently did not care about her students as she put her own interests before her class and duties as a professor.
- Excellent prof. Very well liked.
- It was a nice break from reality.

### Employment Law – Fall, 2004

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**Representative Student Comments:**

- Employment law is very interesting and Professor Hoke is inspired by it and passes that on to us in class.
She tried hard to engage the students.
Class was everywhere—I had no clue what was going on.
Very nice professor—truly enjoyed this class.
Professor Hoke is a clear presenter with great lectures... Very accessible outside of class.
A little unclear about what our assignments were.
She always made us make-up missed classes! I wish we would have just had a free day!
Very knowledgeable on the subject matter. Doesn’t talk down to students like some professors.
Sometimes she loses track of what is to be done.
She respects students and understands our situation in law school.
Very disorganized presentation...

Regulatory Federalism — Summer, 2004
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Representative Student Comments:
I think Prof Hoke is very down-to-earth and accessible. A lot of times I think professors enjoy the power that the title “professor” holds and use every drop to their advantage, but Prof Hoke is not like that at all. She knew so much about the subject area, but was eager to learn from student presentations. This was a treat learning experience and it was very helpful that you could pick your own topic.
... This is a tremendous class!!
One of the best professors I’ve had.
Run like a seminar.
Regulatory Federalism – Spring, 2004

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Representative Student Comments:

Easy to... discuss personal presentations.

It was a really interesting course. I liked the class presentation method.

Not much gained from it, but other than paper & presentation – workload is small, so good class with several heavy classes.

A lot of this course seems rather vague; either from the breadth of the subject or just lack of real experience with the course. This course still feels experimental.

I enjoyed the opportunity for researching & presenting information on current topics. Admittedly the first time this class has been offered, but organization needs to be improved & [student] presentations scrapped or altered.

She has an excellent broad based wealth of knowledge and she shares this with the students. The student presentations and papers a great way to assure that we learn how to determine [?] regulatory activities around given topic of interest. This will likely be a good resource in the future.

Excellent course taught by an excellent professor.

Agency & Partnership – Fall, 2003

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Representative Student Comments:

Professor Hoke has difficulty with students. She can be very arrogant & sometimes treats students poorly. She has little patience & often treats us like children. I did not care for that.

I thought the overall presentation was awful. She was frequently unable to answer questions & never returned with [an] answer. To make matters worse, she frequently mistated the law. While I did quite well on her quizzes, I fail to see the relevance of them & do not feel that they prepared me for the bar exam or practice.

She has enthusiasm for the subject matter and genuinely wants the students [to] be better people/lawyers.

She appears utterly unorganized and does not seem very confident in her knowledge of the subject matter; plus she wastes lots of class time.

She has a complete lack of respect for our ages and intellects. She treats students like middle-schoolers – she goes off on unrelated tangents and fails to cover the materials assigned. I spent too little time on partnerships & LLC’s – too much time on agency. She relied & taught out of Examples & Explanations.

Without a close second, she is the worst "in class" professor . . . in this law school.

. . . She seems to care about the success of her students – even if she fails to focus on the course material most times.

Obviously, Candice Hoke is a bright, knowledgeable professor. However, her teaching & student relationship skills leave a great deal to be desired . . .

I thought that the instructor was very pleasant and considerate outside of the classroom, and I really like her as a person.

Helpful, available, knowledgeable – we learned a lot more than it seemed – Very nice Professor, caring, accessible to student questions & after class.

[Like best] Clarity of presentation and selection of relevant cases only for assignments. This professor really cares for students.

I disliked the disjointed lectures that sometimes varied from topic to topic and sometimes backtracked.

I thought this professor was very knowledgeable and explained things clearly. I enjoyed the real-life examples she shared with us also.

This is my fourth & final year of law school and for some reason it’s the first class where I noticed a lot of whiners and complainers in the class—wish she had better control over noise level, etc. at times.
Employment Law – Fall, 2003

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Representative Student Comments:

The class was very interesting and the professor was very enthusiastic and intelligent. In my entire C-M education I have never felt this strongly as to not recommending a professor. Completely unprofessional.

I really liked this class. Some students have been very childish and disrespectful which I found very disturbing. A couple of things about the class were not perfect but what/who is? Keep at it, Professor Hoke!

There was little to no attention given to Employment Law. I wanted to learn the legal doctrines of all aspects of employment. In that respect, I was limited to what I learned on my own from my reading. However, I wanted to get a better understanding of employment law from her, which I did not get. The class format was more similar to an undergraduate class on the social effects of employment policy in America. Interesting, but not what I paid for.

Not very well organized, expects too much from students especially when she missed so many classes, was not well prepared, and failed to cover most of the employment law topics thoroughly.

Sidetracked way too much.

Overall, Prof is interested in students learning.

Very organized. Very dedicated to teaching employment law.

Very nice. Very knowledgeable.

Professor seemed to have real interest in teaching her students. The course introduced me to many new concepts.

We never got our quizzes back.

Often times canceled class or presented a videotape lecture as a replacement. One audio version of a missed class was not made available until 1 week before the final exam – students were responsible to listen on their own time.

[Like best] Her enthusiasm, openness & Intelligence. Professor Hoke as much to offer but the disorganization is a problem.
Very intelligent professor. Does a good job stimulating interest in employment law and applying the issues to present day problems.

In all 3 years of law school, she is the worst professor I have had – based on her lack of respect for us.

She really made students think about the impact of unemployment on economy.

It is one of the most practical courses I have taken at this law school.

Clearly very committed to teaching & to students learning.

Employment Law – Spring, 2003

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Representative Student Comments:

Too opinionated, one sided - for employees.

Very knowledgeable & seeks to give both sides of picture.

Professor Hoke is [a] very interesting speaker (lecturer) She knows the subject very well. The material is also interesting.

Professor Hoke is extremely knowledgeable about employment issues and explains the material very well.

Talks about many things – don't know what it is we need to know – don't feel like I learned anything. Just speaks & can't distinguish learning points.

I think that at times it was hard to follow the syllabus. We skipped around & omitted things in syllabus.

Excellent knowledge base on subject matter integrates such knowledge with everyday examples, thus permitting students to understand the real life applicability of empl law in daily life.
### Federal Courts – Spring, 2003

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**Representative Student Comments:**

Great respect for other opinions, refreshing to discuss why subject is important rather than just the nuts and bolts.

Incredible knowledge and understanding – took very difficult issues and made them clear.

Frequently late and skips classes.

I understand Con Law & Civ Proc much better now.

Professor Hoke is an excellent teacher – friendly, available, explains well.

### Agency & Partnership – Fall, 2002

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Representative Student Comments:
She is a very intelligent . . . accessible prof w/ a great attitude . . .
Towards the end clarity on the material was lacking.
The professor is great, the material is just boring & the book not effective.
She uses plain language to explain things. Very funny person too.
Superior knowledge of the subject matter. Great clarity of presentation. Friendly atmosphere.
I thought the in class problems & fact patterns were helpful in learning how to apply the materials.
I liked her teaching method very much.
Great teacher who responds to students needs.
Supplemental reading packets were wonderful. Prof took time to edit cases & provide factually interesting cases.

Employment Law – Fall, 2002
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Representative Student Comments:
Very knowledgeable, enjoyable, great lecturer – Interesting, really enjoyed discussion in class – she explained a lot about procedure . . .
She had a passion for the subject.
Prof very easy to understand. Really knows the course subject and trys to convey it to students.
She is a good “teacher.” She is extremely knowledgeable and she takes the job of conveying her knowledge to the student seriously.
Sometimes lectures strayed from the issues – but not that big of a deal in scheme of class.
Very good instructor – Definitely in the same league as Professor O’Neil.
The progression of the course was somewhat slow and lacked clarity regarding black letter law and its application.
She is extremely intelligent and I appreciated her wealth of knowledge on policy. Every class I learned new concepts, excellent strategies, and new ways of seeing Employment law & issues.

**Agency & Partnership - Spring, 2001**

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**Representative Student Comments:**

Whether it was the fault of a poor administrative decision or Hoke herself -- Hoke should not be teaching this course. She is not knowledgeable about Agency/Part. She does not know the subject matter. She obviously did not prepare for this course. The casebook, by her own admission, is no good. So then why did she choose to use it? Shouldn't a prof make sure a casebook is adequate/organized, useful before assigning it? Now --¾ through the semester she tells us to buy another expensive supplement, to make up for the expensive casebook.

Prof Hoke was highly recommended by other students -- however I do not believe Agency is one of the strongest classes she has had to instruct. I really would have preferred to take Prof Hoke for federal cts.

At times she seemed lost which made it difficult to follow the lecture.

She has a thorough knowledge of the law.

She's nice & really cares about the students -- also gave us bar question on agency -- very helpful. Obviously really cared about students & teaching the law.

The lack of preparation just irks me too much.

She puts her heart into her instruction and goes well beyond call of duty to educate her students not just about the course but related matters and practice tips.

I really thought she was a great teacher & had a lot of information.

Very clear.

Sometimes the wording of Professor Hoke's questions are vague, unclear & sometimes "over students' head."

Very accessible/enthusiastic. Keeps the subject matter interesting.
Employment Law – Spring, 2001

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Representative Student Comments:
- She is supportive and caring.
- Professor Hoke is one of the better professors.
- Knowledgeable and prepared; she cares about her students.
- Professor Hoke was prepared, but usually late!
- Interesting topic; good chance to explore how broad legal & social avenues can be paired or intertwined to solve societal problems.
- She is a wonderful professor & always willing to help her students do better.

Employment Law – Fall 2000

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Representative Student Comments:
Very knowledgeable about the subject matter – provides interesting, useful "real-life" examples. Respects her students.
Knowledge of employment law w/ excellent supplemental info w/ very useful.
Pleasant to listen to. Gives clear insight on subject matter and knows students interests when needed when further explanation was required.
I enjoyed her style of teaching, and the class itself was very informative.
... she is great.
She's tremendously dedicated to our profession & it shows; tries hard to help us be better attys in future.
Tends to get off pt. a bit but we love her anyways! Course too much work to do 2 emails & paper plus time to ready everyone else's e-mails plus teacher's numerous e-mail.
Too much, too quickly. Would have liked more discussion in the different topics.
Very personable and knowledgeable.
She's extremely knowledgeable in this area.
Spent too much time on Emp. At Will – had to rush through rest of material.
The course covered too many topics. Taking E'ment discrimination out of the syllabus would be beneficial in understanding other areas.
Fair, understandable; one of the few generally good professors.
I thought it was an excellent course. Covered a lot of the employment law in scope.

Federal Courts & Federal System – Fall, 2000
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Representative Student Comments:
Prof. very personable and understanding that this is a very complex area of law which needs lots of explaining.
Especially appreciate practical advice.
Might just be the material but seems very "up in the air" a lot of the time.
She is very passionate about the subject matter. Professor Hoke tries to present all the viewpoints and not just her own ideas. She is an excellent Professor. She cares about her students and how she can help them to do their best.

This course was fabulous & very complex. Prof. Hoke is enthusiastic & very lively; dedicated to our profession & passionate on the subject. Perhaps a bit difficult for professor to bring material to our level of expertise & some haven’t finished con law, either.

Great energy and knowledge of the material. Very good Professor! Also willing to help you understand the different issues.

Organization of the material. There is much material in this course it is hard to structure or pull it together. It is not really her fault, more the subject matter of the course.

The professor displays a genuine concern for the students and possesses an immense amount of knowledge on the subject matter. Sometimes we got off on tangents—although the discussions were always interesting.

She really cares about her students. She is great.

She was very knowledgeable about the course.

I think some concepts were very unclear, it was hard to get a bottom line or underlying rule at it some of the topics.

It is a pleasure listening to a professor who is passionate & knowledge about her subject.

She is truly concerned with her students doing well. She lectures in a manner that is clear. She assigns only relevant reading material.

Very knowledgeable about the subject matter.

Subject matter was very un-interesting.

Sometimes didn’t answer student questions succinctly.

I think the fact that she knows so much tended to be a barrier in her teaching style. It was obvious she viewed herself as teaching clearly, and wasn’t very receptive to students who didn’t share the same view.

Employment Law – Spring, 2000

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Representative Student Comments:
Has genuine concern for students. Very knowledgeable.
Professor Hoke cares about this subject and the students. Her respect for students is unparalleled amongst this faculty.
Professor Hoke is extremely knowledgeable on the subject matter. In addition, she allows the class to express alternative points of view.
Her opinions are often terribly one-sided... students are left to believe hers is the only possible interpretation.
Good class. Effective instruction, great enthusiasm.
I like her relaxed style and willingness to "go beyond what’s in the “4 corners” of a case. I enjoy hearing her stories about the “real world” of lawyering, although I know others find her comments border on the excessive.

Federal Jurisdiction – Fall, 1999
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Representative Student Comments:
She is very knowledgeable about the subject area. She is really helpful when we have questions.
Class is very confusing. Maybe if she would hand out notes on what is important to know.
She’s well knowledged on the subject matter.
The reading assignments are hardly ever touched upon in class. The professor spends too much time discussing irrelevant information... unrelated to the reading and the class.
Civil Procedure – Spring, 1999

Knowledge of Subject Matter

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Representative Student Comments:

She was a little disorganized.
She's fair – no matter how many people... [complain], she's still fair in her methods.
I enjoy having Professor Hoke as an instructor.
Her teaching style is based on humiliating students – I hate it.
Prof Hoke cancelled too many classes (at least 9!!).
She spent a lot of time talking about herself and her accomplishments. She made me feel inferior because of her “highly regarded” education. She says her teaching method was so good – but felt the need to justify it. Constantly boasts of being so important in this school’s Civ Pro Dept . . . .
She is understanding and very knowledgeable about Civil Procedure. She talked about her personal experience and how law applies outside the classroom. Gave writing assignments that helped develop these skills.
Often talked too much about subjects not relevant to subject matter. Sometimes when she asks questions I felt like she was the only person that knew the answer. There were times I did feel nervous about participating because if my answer was wrong I felt discouraged and embarrassed.
In 18yrs of education she is by far the worst teacher... that I’ve ever had.
Professor was very personable, knew her subject matter, but was too disorganized – often missing class, not having syllabus prepared, etc.
### Employment Law – Spring, 1999

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**Representative Student Comments:**
Teacher is very knowledgeable on topic and generates interest in subject matter. Demonstrates respect for students in & out of class.

[Recommend] More examples, problems to pull all the mat’l together. She was very nice. She really seemed to care about students/course. She never looked down on students.

### Federal Jurisdiction – Fall, 1998

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**Representative Student Comments:**
[Like best . . . ] obvious, extreme knowledge of the subject matter. Presentation wasn’t always clear. It seemed we spent a long time on facts of a case (Prof. would lecture about what happened in case) and then the holding would get lost somewhere in the discussion. Prof. Hoke really tries to take complicated issues & simplify them so we can understand the concepts.
High quality of presentation – provided a clear understanding.
I believe she is really in touch w/ her students' needs and knows how to best impart her
knowledge . . .
Professor Hoke is extremely knowledgeable and up to date in her subject area.
Great professor.
Professor Hoke is an excellent professor. It is a pleasure to be in her class.

Employment Law – Spring, 1998
Knowledge of Subject Matter

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Representative Student Comments:
This professor is very effective, especially in this course. She was also extremely
responsive to student questions and concerns.
Seemed to be unorganized. It was a lot of work for 2 credits. Most of the material was . . . (?) and areas that we covered were not very effective.
Gets off subject much too often.
Enjoyed her open approach.
Hoke is intelligent and highly competent.
Very enthusiastic & knowledgeable. Very in tune with current issues.

Federal Jurisdiction – Fall, 1996
NOTE -- THIS SCALE RAN FROM ZERO TO FOUR -- WITH FOUR THE HIGHEST RATING.
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**Representative Student Comments:**

Great teacher. Creates a relaxed atmosphere that creates learning.

Very knowledgeable on the subject matter. Made the course interesting through her enthusiastic teaching style.

Professor was often hard to follow. Spoke above the class.

She spends too much time chatting about herself & not enough on the important issues to be covered.

Prof Hoke is one of the top three professors I have experienced in my ten years as a student. Her teaching ability is superb, her respect for the students clear & her personal knowledge of the subject matter very high.

Prof Hoke is very knowledgeable about fed jurisdiction. However, her tendency to digress widely limited the amount of knowledge she was able to impart.

The class work is fair and the learning environment is comfortable.
PAC Evaluation of Professor Hoke’s Teaching
Summary of Class Visits/Teaching Evaluations

Fall, 2012 Teaching Evaluations

Five PAC members visited Professor Hoke’s class in Fall, 2012 and submitted evaluations. The evaluations are summarized below, and their full text appears in the Appendix.

Professor April Cherry visited Professor Hoke’s Regulatory Law class on October 22, 2012. Professor Cherry observed “spirited discussion” throughout the class and noted that “every student participated.” Professor Cherry concluded:

Throughout the class, I was impressed with both Professor Hoke and her students. There was a mutuality of respect between them. Professor Hoke’s expertise in regulatory law was evident in her teaching. She conveyed the material in a clear, organized, and effective manner. Her teaching style demonstrates affection and respect for her students while demanding rigor of them. Professor Hoke’s Regulatory Law class is a great example of what our students should be doing during their third year of law school.

Professor Phyllis L. Crocker visited Regulatory Law on September 26, 2012. Professor Crocker commented on Professor Hoke’s “deep and broad knowledge of regulatory systems and the political and economic forces and people that affect them” and on her “deft” responses to students. Professor Crocker’s “one disappointment with the class was that it was almost exclusively lecture.” In general, Professor Crocker concluded that

Prof. Hoke did an excellent job, throughout the class, of connecting the topics to the practice of law—be that by working in the government relations department of a law firm, for a non-governmental organization, a trade organization, or a government agency. She talked about the value of being able to identify the players and the available options in any matter, as well as the importance of carefully and fully diagnosing the problem at hand so that one can know best how to respond. She tied together the players, options, and problems that the students identified in the automobile industry example to show how one needs to, and can, do that in any regulatory context.

One of Prof. Hoke’s goals in the class is to have students learn skills that they can use as attorneys in the regulatory context. This is a unique skill set that can help set our students apart from others. I was impressed at the way Prof. Hoke wove this goal throughout the class and was explicit
with her students about identifying the particular skills they were learning.

Finally, Professor Crocker observed that Professor Hoke remained after the class hour to discuss student writing projects, an act that was "very helpful and meaningful to the students."

Professor Patricia J. Falk visited Regulatory Law on September 29, 2012. She commented that "[c]lass interest, attention, and participation were quite high" and that Professor Hoke demonstrated "almost encyclopedic command of the material . . . . a tour de force in teaching." Professor Hoke "did a fine job teaching the class," Professor Falk observed. Professor Falk concluded:

Professor Hoke is an accomplished and gifted teacher. She is knowledgeable and enthusiastic about her subject matter. She is animated and demanding—keeping her students engaged in the material. She encourages students to come to class prepared and to maximize their classroom experience. It seems abundantly clear that students leaving Professor Hoke's class would have an excellent understanding of regulatory law.

Professor Sheldon Gelman visited Regulatory Law on September 29, 2012. He described Professor Hoke as "lucid" and commented on the wide variety of pedagogical techniques that she employed. He concluded that:

[T]he class was exemplary. It was simultaneously structured, informal, serious, and engaging. Professor Hoke had outstanding command of the material and inspired a high level of student involvement and learning.

Professor James Wilson visited Regulatory Law on October 20, 2012. He commented that students were "engaged" (although a single student was surfing the internet) and they brought special expertise to bear on problems. One student, for example, was a journalist and another is an elected office holder. Professor Wilson summarized his assessment as follows:

It was a very fine class, a model example of what a third year class should be. Her extraordinary expertise and experience was illuminating. She was very lucid, enthusiastic, and respectful. She supplements her personal experience with nontraditional sources that reveal the political aspects of regulatory law.
Longitudinal Evaluations

PAC members visited Professor Hoke’s classes in the years prior to her current application for promotion. Their evaluations are summarized below, and appear in full in the Appendix.

Professor Thomas Buckley visited the candidate’s Regulatory Law class in Fall, 2011. Professor Buckley concluded: “My overall impression of the class was extremely favorable. Professor Hoke is an expert on regulatory law and she conveys what she knows effectively to her class.” Professor Buckley also visited the Election Law class taught by Professor Hoke in Fall, 2011. The class was “mainly a lecture.” Professor Buckley observed that Professor Hoke “is a nationally recognized expert in this field and the class demonstrated that she knows how to convey her knowledge and her own insights in clear and down to earth language.” He concluded:

This entire class was engaging and informative thanks to Professor Hoke’s knowledge of the subject and her enthusiasm in conveying what she knows. She is an excellent teacher.

Professor Susan Becker visited the candidate’s Election Law and Employment Discrimination classes in Fall, 2010. Professor Becker characterized the Election Law class as follows:

Students seemed engaged throughout the class and demonstrated significant knowledge of - and comfort with - the complex subject matter covered in this class. Professor Hoke was clear, enthusiastic, and connected with students on a personal level. Overall this seemed to me a very effective class.

And Professor Becker provided this summary of the Employment Discrimination class:

This was a very good class. Professor Hoke did an excellent job of explaining the origin, structure and contemporary role of agencies, and of emphasizing the importance of agencies in creating and enforcing laws. She also explained how, unlike courts and legislatures, the work of these agencies often seem invisible, but in some areas it is the most powerful force in the development and enforcement of law. Students undoubtedly came away with a new appreciation of administrative law that likely filled a gap in their legal education and which will serve them and their future clients well.
Professor Thomas Buckley visited the candidate’s Election Law class in Fall, 2008. Professor Buckley described the class in detail and characterized the discussion of provisional ballot issues as “excellent.” Also in Fall, 2008 Professor Buckley visited the candidate’s Employment Law class. He noted “a lot of student participation” and that students “seemed genuinely interested.” Professor Buckley visited a second Employment Law class during Fall, 2008. He concluded his evaluation as follows:

This was a good class, with a lot of student participation. The topic is inherently of great human interest and Professor Hoke elicited the lots of good ideas from the students.

Professor Kunal Parker visited the Regulatory Federalism class taught by Professor Hoke in Spring, 2008. Professor Parker described Professor Hoke as “an effective instructor” and the course as an “engaging and instructive” one.

Professor Stephen Gard visited the candidate’s Agency & Partnership class in Spring, 2007. Professor Gard observed that the “presentation was clear and straight-forward” and Professor Hoke responded to student questions “with clarity.”
B. An Outstanding Record as a Scholar and Reputation in the Discipline

Criteria §7 of the Cleveland-Marshall College of Law Procedures and Criteria for Promotion and Tenure provide that only scholarship published since promotion to Associate Professor with Tenure and not previously reviewed by outside scholars will be circulated for outside review, as sending out material that was previously reviewed by outside scholars in connection with promotion to Associate Professor would be duplicative. The standard for promotion to Professor, however, looks to whether the candidate has “an outstanding record as a scholar” and “a reputation in the discipline beyond the local community.” Moreover, a person has an “outstanding record as a scholar” if he or she “has produced a cannon of work, such as several law review articles, or a treatise, or monograph, which establish the candidate as a well-recognized expert in the field.” The impact of all of the candidate’s work has had is thus relevant to the consideration of whether the promotion standard has been satisfied.

Description of Candidate’s Scholarship Not Evaluated by Outside Reviewers

In addition to the scholarship evaluated by outside reviewers, Professor Hoke has published one law review article, four interdisciplinary papers in major conferences proceedings that include online access to scholarship, and four “white paper” monographs.

In 1997, Professor Hoke authored Arendt, Tushnet, and Lopez: The Philosophical Challenge Behind Ackerman’s Theory of Constitutional Moments 47 CASE W. RES. L. REV. 903 (1997; solicited). This article was not circulated to the external reviewers for evaluation.

With regard to the interdisciplinary paper she authored, Professor Hoke, in her personal statement, reveals that “[t]hree of the four papers were accepted for publication via competitive peer-review, with one solely authored and three co-authored. Two are focused on Internet voting regulatory and research issues. One develops election forensics approaches in an academic manner. The fourth is a study of Cuyahoga County’s former Diebold voting system.” These papers, not distributed for outside evaluation for the purposes of promotion, are:


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Professor Hoke’s “white paper” monographs and reports for various government agencies are listed below. Descriptions of these works can be found in the candidate’s personal statement.

1. **Final Report Of The Cuyahoga Election Review Panel** (July 20, 2006) (with Ronald Adrine and Thomas J. Hayes) (200+ page report was published electronically to a wide readership and received prominent news coverage).


3. **Documentation Assessment Of The Diebold Voting Systems**, part of the Top to Bottom Review of Voting Systems conducted by the University of California, commissioned by the California Secretary of State (July 2007)(with David Kettyle), found at: http://www.sos.ca.gov/voting-systems/oversight/top-to-bottom-review.htm (under the firm now renamed Premier Election Solutions). Professor Hoke describes this project:

Description of Candidate’s Scholarship Evaluated by Outside Reviewers

Synopses of Professor Hoke’s most recent post-tenure scholarship evaluated by outside reviewers and summaries of these reviews are found below. The subcommittee and the candidate selected four pieces of scholarship for outside review, consisting of 2 law review articles and 2 book chapters.

   Reviewed by: Deborah Merritt, the John Deaver/Baker Hostetler Chair in Law, Ohio State University, Moritz College of Law; and Muriel Morisey, Associate Professor of Law, Temple University, Beasley School of Law.

   **Professor Hoke’s Summary:**

   The article advanced an assessment of the Clinton era bipartisan welfare reform act that substantially differed from its reigning interpretation. Specifically, several critics had condemned the Act for devolving vast discretion to the State governments that would erode the vital social safety net. My close review found this claim faulty. The Act had actually devolved very limited discretionary power to State governments, and delegated power almost only in ways that permitted States to be more punitive and restrictive toward public assistance beneficiaries. It was actually the Federal Act itself that mandated preemption of the social safety net that many States had erected and sought to protect. States possessed very little discretion to undo the harsh terms built into the Act unless the Federal Government authorized a variance from the Act.

   Reviewed by: Richard Hasen, Chancellor’s Professor of Law and Political Science, University of California – Irvine, School of Law; Daniel Tokaji, Jones Day Designated Professor of Law and Senior Fellow, Election Law @Moritz, Ohio State University, Moritz College of Law; and Andrew W. Appel, Eugene Higgins Professor of Computer Science, Princeton University.

   **Professor Hoke’s Summary:**

   *Judicial Protection of Popular Sovereignty: Redressing Voting Technology, Symposium: Baker v. Carr After 50 Years: Appraising the Reapportionment Revolution, 62 CASE W.L. REV. 997 (2012); extends three solicited national conference presentations. I urge the U.S. Supreme Court to follow the lead of*
German's Constitutional Court and invalidate the use of electronic voting technologies that can covertly deprive the electorate of its fundamental rights to popular sovereignty. I also examine the constitutionality of Internet voting.

3. **Voting Technologies and the Quest for Trustworthy Elections, in AMERICA VOTES! (2nd ed. Benjamin Griffith, ed. 2012) (ABA Press, solicited).** Reviewed by: Andrew W. Appel, Eugene Higgins Professor of Computer Science, Princeton University; Walter Mebane, Professor of Statistics and Professor of Political Science, University of Michigan; and Daniel Tokaji, Jones Day Designated Professor of Law and Senior Fellow, Election Law @Moritz, Ohio State University, Moritz College of Law.

**Professor Hoke's Summary:**

In *Voting Technologies and the Quest for Trustworthy Elections, in AMERICA VOTES! (2nd ed. Benjamin Griffith, ed. 2012)* (ABA Press, solicited), I argue that both Departments have not fulfilled their statutory legal duties and need to reassess their activities. While my earlier legal works were mainly dedicated to explaining and critiquing statutory and regulatory schemes that governed election technologies, in my most recent article I have moved to a constitutional assessment of deployed voting technologies. The chapter summarizes the conclusions of the definitive scientific scholarship on voting technology and translates the scientific findings into legally meaningful and actionable concepts. I advance the argument that deploying voting technologies that are capable of secretly changing votes and vote tabulation without also using quality assurance auditing measures to check on the tabulation violates the Equal Protection Clause.

Reviewed by: Andrew W. Appel, Eugene Higgins Professor of Computer Science, Princeton University; and Walter Mebane, Professor of Statistics and Professor of Political Science, University of Michigan.

Professor Hoke's Summary:

In the aftermath of the Florida 2000 election and the US Supreme Court's Bush v. Gore decision, comprehensive Federal legislation was enacted with over $3 billion appropriated for new election technologies. This chapter poses two questions:

-- From the early 2009 vantage point, what has been the field record of the Federally financed election technologies (voting technologies and statewide voter registration databases)?
-- What are the reasons for the abysmal performance of this new computer-based election technology? Are the deficiencies partly attributable to the Federal regulatory system?

The chapter outlines briefly the types of technical malfunctions that were reported in the 2008 presidential election cycle. It spends most space reviewing the Federal statutory requirements (2002) and dysfunctional regulatory system that resulted. It reaches four main conclusions that include: the activities the statute mandated were not properly sequenced for achieving technological improvement, as the timetables for spending the monies expired before the standards-setting apparatus was in place.

The chapter's overarching goal was to identify Federal regulatory mistakes so that any revised effort would not repeat these. Toward the end, it concludes that instead of preventing future Florida 2000 voting technology problems, the Act has nationalized the problems, rendering us much more likely to experience

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2 Professor Hoke's co-author indicates that his contribution was minimal. In a letter addressed to Professor Cherry (found in the Appendices), Dr. Jefferson specified that the book chapter was fundamentally (Professor Hoke's) work. She initiated the project and wrote the entire draft. Obviously all of the legal material was hers. My role would be best characterized as "editor". I took a second pass over the prose, smoothing it, removing redundancy, and correcting the technical material by adding qualifications, rendering it into standard vocabulary, and helping with the footnotes where needed. The only reason I was a coauthor is that we had originally planned for me to do much more of the writing, and because we were trying to bridge the two worlds, legal and technical. I would say our respective contributions in that work were something over 90% hers and the remainder mine.
major vote tabulation or voter registration issues in many States than in 2000. The Federal legislation pushed State and local election administrators into the use of technologies they do not understand and which have vulnerabilities that they cannot control. The impact on election integrity and overall government legitimacy has not been fully recognized.
Evaluations of External Reviewers

The external reviewers’ qualifications are described in detail below, accompanied by summaries of the reviewers’ evaluations of each piece of reviewed scholarship. The letters of review and the resumes of the reviewers appear in the appendices. Unless otherwise noted, Professor Hoke and the reviewer have had no significant professional or personal contacts.


Review by Richard Hasen, Chancellor’s Professor of Law and Political Science, University of California – Irvine, School of Law.

On the University of California – Irvine website, Professor Hasen describes his work in Election Law and statutory interpretation as being at “the intersection of law and politics.” The issues he has written about include campaign financing, election administration (such as voter identification laws), redistricting, the initiative process, and statutory interpretation. Moreover he has been very active in helping to develop the field of Election Law, including co-authoring a casebook, serving for nine years as founding co-Editor of the Election Law Journal, writing (since 2003) for his Election Law Blog (now with over 19,000 posts), and by co-managing listservs in Election Law and Legislation.

Reviewing Judicial Protection of Popular Sovereignty, Professor Hasen writes:

Judicial Protection of Popular Sovereignty accomplishes two aims. The first half of the article serves as a definitive history of the last decade’s attempts to improve voting technology, and particularly attempts to evaluate the security and reliability of various voting systems used either directly to record voters’ votes or indirectly, through vote tabulating equipment which counts hand-completed ballots. Professor Hoke explains in detail the California and Ohio reviews ordered by each state’s Secretary of State and their troubling findings about voting systems’ lack of security and reliability. The first part also describes particular voting technology controversies which arose in the last few years and uses those controversies to illustrate the challenges facing those who wish to have confidence in voting technology. The second part of the article turns from the historical and technological focus to a legal and normative one. In this part, Professor Hoke reviews and critiques a number of court cases which have considered constitutional (and in some cases, federal statutory) challenges to various voting technologies. For example, does it violate the due process, equal
protection, or other rights of individuals to cast a vote using technology which does not provide for a "paper trail" to verify that the vote counting machinery is accurately counting the ballots? Professor Hoke argues that these judicial decisions have been insufficiently protective of voters' rights, and argues by analogy from minority vote dilution cases and similar cases that courts should impose stricter scrutiny in these voting technology cases.

Moreover Professor Hasen remarks:

Professor Hoke's article is a powerful indictment of the legal system's failure to grapple with the constitutional issues raised by potential insecure and unreliable voting technology. She is right to call out the election law scholarly community for failing to pay sufficient attention to these issues. Some of the stories she tells in the article are quite chilling, and suggest that much more needs to be done to protect the right to vote for these issues which are nonsalient to the general public and even to many specialists.

Professor Hasen notes that his "only quibble" with this article is that he "would have liked to see Professor Hoke offer more detail about how specifically she would have courts evaluate and adjudicate these kinds of claims, as well as a stronger description of the similarities and differences between more traditional voting rights litigation and these claims."

In summary, Professor Hasen states that this "article makes a strong contribution to the literature and is of very high quality. It is original and thoughtful. It is well researched, well-written, and passionate. It can have an effect on thinking in both the academy and the courtroom (not to mention in state legislatures considering legislation concerning the security and reliability of voting technology)."

Review by Daniel Tokaji, Jones Day Designated Professor of Law and Senior Fellow, Election Law @Moritz, Ohio State University, Moritz College of Law.

Professor Daniel Tokaji is an authority on election law and voting rights. He specializes in election reform, including such topics as voting technology, voter ID, provisional voting, and other subjects addressed by the Help America Vote Act of 2002. He also studies issues of fair representation, including redistricting and the Voting Rights Act of 1965. Professor Tokaji's scholarship addresses questions of political equality, racial justice, and the role of the federal courts in American democracy, with a special focus on election administration. His work has appeared in such prestigious journal as the Michigan Law Review, Stanford Law & Policy Review, Yale Law Journal, and the Yale Law and Policy Review. He is also a co-author of the

In his correspondence, Professor Tokaji notes that he has known Professor Hoke "for several years in a professional context, and (has) spoken with her at various academic conferences and other election-related events." Furthermore he observes that his "professional contacts with Professor Hoke further support (his) opinion that she is a leading expert on the subject of voting technology."

After reviewing the content of the article, Professor Tokaji states:

In my opinion, the article makes an important contribution to the election law literature. As Professor Hoke notes, there has been relatively little scholarship undertaking a thorough assessment of voting technology, and specifically considering the computer science literature on the subject. I am one of the few legal scholars who has written on this topic, but Professor Hoke has paid much closer attention to the computer science literature in recent years, surpassing my own knowledge. In fact, she is more conversant with the computer science of voting technology studies than any other legal scholar of whom I am aware. Her article also does an effective job of explaining the relevance of this literature to constitutional cases challenging voting technology. This is a complicated subject, but Professor Hoke's clear and graceful writing makes it easy to understand.

The article is also quite thorough in its research, referencing all the relevant sources on both the computer science and election law side. She is also fair and balanced in her criticism of the approach that some judges and scholars (myself included) have taken. Although I do not agree with all her conclusions, there is no doubt that the article represents a creative and careful approach to an important subject. It is persuasive on a number of points, most notably the need for courts to pay close attention to computer security research when considering challenges to contemporary voting technology. In this regard, I especially appreciated her inclusion of a comparative law perspective, specifically her discussion of a decision by the German Constitutional Court, whose approach she recommends for U.S. courts.
Professor Andrew Appel has an extensive background in Computer Science, having been awarded a PhD in Computer Science from Carnegie Mellon in 1985, and serving on the faculty of Princeton University since 1986. While much of his focus has been in the area of computer science, he has also written and published articles on information technology policy, the federal policy concerning the export of cryptography. Professor Appel scholarly activity is wide-ranging. He has published 6 articles on electronic voting machines and internet voting, and spoken on panels at the APSA (Political Science) and AALS (Law) national conferences. In addition he has published approximately 98 other refereed articles and books in pure computer science. In 2003 he started studying the issue of computerized voting machines, and their vulnerability to election manipulation by the simple expedient of loading new (fraudulent) computer programs in the voting machine.

Professor Appel discloses that he met Professor Hoke at the Electronic Voting Technology conference in 2007, and has seen her at professional conferences since then. In addition, he notes that he has corresponded with her on about a dozen times since 2007, when he was seeking her advice on some issue or when she was seeking his advice.

Regarding his knowledge of Professor Hoke's work, Professor Appel notes:

Candice Hoke first came to my attention when I was the editor/referee for an article she submitted to the 2007 workshop on Accurate Electronic Voting Technology. This was a refereed conference (that is, full articles were solicited, not panels, and the articles were selectively refereed with less than a 50% acceptance rate). The conference organizers solicited articles from computer scientists, lawyers, political scientists, and related fields. Professor Hoke's article, "GEMS tabulation database design issues in relation to voting systems certification standards" was one of the only articles submitted by a lawyer, and what was interesting was that it was primarily on an issue of technical computer science and engineering. This was an excellent article that raised an issue not previously noticed; it was well written, technically accurate, and timely.

In discussing his review of this article, Professor Appel writes:

I have also read Prof. Hoke's recent article entitled "Judicial protection of popular sovereignty: redressing voting technology," 62 CASE W.L. REV. 997 (2012). I am not a lawyer (as they say on the Internet), so I cannot evaluate the Supreme-Court jurisprudence analysis, but the explanations of how the science bears on the topic is first-rate. Lawyers are sometimes tempted to pile on with every possible argument, so that
the important arguments are hidden under a mess of weak arguments; but this article homes in on the main technological point, with a sharp focus. If there’s no good way of knowing that the numbers reported by the machine have anything to do with the actual votes cast, then the people have lost the substantive right to vote. This is an excellent article, scholarly and precise (with regard to the aspects where I can judge).


Review by Deborah Merritt, the John Deaver/Baker Hostetler Chair in Law, Ohio State University, Moritz College of Law.

Professor Merritt has published widely on issues of equality, affirmative action, federalism, health and technology, legal education, tort reform, and law and social science. In December 2008, Professor Merritt and her colleague Ric Simmons published a new Evidence casebook, *Learning Evidence: From the Federal Rules to the Courtroom*. It has been described as a text that offers a new pedagogy for teaching the basic Evidence course. In addition to her impressive body of scholarship, Professor Merritt has been honored by the Ohio State University as a University Distinguished Lecturer (1999), University Distinguished Scholar (2002), and Distinguished Teacher (2009). These are awards that are bestowed upon the University’s most outstanding professors.

Professor Merritt describes *State Discretion Under New Federal Welfare Legislation: Illusion, Reality, and a Federalism-Based Constitutional Challenge* as a “very thoughtful article that challenges the conventional wisdom about aspects of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.” According to Professor Merritt, in this article, presents a novel thesis. Professor Hoke “persuasively argues, the statute substantially restricted state discretion: It imposed massive new costs on the states, while tightly limiting their ability to deviate from federally mandated program requirements.” Professor Merritt explains:

To buttress this conclusion, Professor Hoke carefully analyzes the statute’s complex scheme. Her observations are meticulously documented, yet easy to follow. Achieving that dual result is no easy task; the original statute is densely worded. Professor Hoke, however, clearly illuminates key aspects of the statute. States, for example, must compel welfare recipients to assign child support rights to the state and to cooperate in establishing paternity. If a state deviates from these requirements—finding them, for example, an unwise intrusion into family privacy—the state loses some of its federal support.
In addition to illuminating the operation of this landmark welfare legislation, Professor Hoke identifies options for states that want to challenge federal control of their decisionmaking. Some states may choose to forego at least some federal funds; others may apply for program waivers; still others may establish "segregated" programs supported entirely by state dollars. Professor Hoke helpfully and concisely explains how states might pursue each of these paths.

Finally, Professor Hoke outlines a possible Tenth Amendment challenge to the federal act's provisions. She acknowledges that, at the time of her writing, the Supreme Court treated spending conditions with extreme deference. She notes, however, the Court's burgeoning doctrine in other Tenth Amendment cases and suggests ways to apply this doctrine to spending-power challenges. Her analysis proved extremely prescient in light of the Supreme Court's recent health care decision.

Concluding, Professor Merritt states:

Professor Hoke is a widely respected scholar in the field of federalism; this article contributes to her well deserved reputation in that field. The article, like her other work on federalism, has been cited by dozens of scholars—including scholars as renowned as Daniel Meltzer, the Story Professor of Law at Harvard Law School. Even before reading this piece, I would have named Professor Hoke as one of our leading national scholars on federalism. This piece amply confirms her stature in the area.

Review by Muriel Morisey, Associate Professor of Law, Temple University, Beasley School of Law.

Professor Morisey teaches Administrative Law, Legislation and Public Policy, and Professional Responsibility. Her primary scholarly interest is how the United States Congress makes policy decisions and enacts legislation. Prior to joining the Temple faculty Professor Morisey was on the faculty of Harvard University’s Graduate School of Education and Director of Policy Analysis in the University’s Office of Government, Community, and Public Affairs. She has also served as Legislative Counsel of the American Civil Liberties Union and the United States Department of Justice Civil Rights Division. Professor Morisey is Vice-chair of the Leadership Conference Education Fund, a national civil rights organization, and a former Chair

Concerning State Discretion Under New Federal Welfare Legislation: Illusion, Reality, and a Federalism-Based Constitutional Challenge, Professor Morisey notes that "[t]he clarity, effective organization and solid analysis of the article enhanced its contribution to understanding one of the most significant pieces of domestic policy legislation in decades." With regard to the analysis, Professor Morisey writes:

Professor Hoke rebuts critics who complain that the legislation transfers too much control to the states over the use of federal social welfare funds. She presents her thesis clearly and succinctly at the outset. She facilitates understanding of the subject area for those with special expertise and those who are not already familiar with it. The article is also well-organized. The reader gets at the outset a thorough summary of the legislation's provisions, a necessary element of following and appreciating the subsequent analysis. The summary presents the substance of the legislation without succumbing to the temptation some feel to use inaccessible legalize when presenting legal material. Statutory language is inherently so cumbersome that plain English summaries, such as the one Professor Hoke provides, are enormously useful...

Professor Hoke argues that, contrary to the widely-held view, the legislation grants too little rather than too much discretion to the states. She says states cannot fully undo the troublesome impact of the statute's rejection of indigents' entitlement to benefits based on national eligibility standards. She says Congress provides some opportunities for states "to move in a more compassionate direction" but adds states face "onerous procedural hurdles or a risk of financial penalties." Such a charge is most persuasive when grounded in specific features of the statute, which Professor Hoke sets out effectively and in detail.

Professor Hoke also argues that states should undertake two strategies mending the safety net, as she puts it. One is to take advantage of specific statutory features and the other is to pursue constitutional challenges based on "the Spending Power as informed by Tenth Amendment values." Her argument about using statutory provisions is solid but would be more persuasive with a bit more detail in the form illustrative examples of how her suggestions would operate in practice. As for the possible constitutional challenges, Professor Hoke is rather tentative about their potential. For that reason her argument is less persuasive than it might have been. Both her statutory and
constitutional arguments find support in her endnotes. Much of this could have been put in the text to strengthen its persuasive power.

Professor Hoke was writing about a new, complex statute that embodied a number of controversial policy positions. Much more could have been and since has been written about the statute. But she had a specific thesis that did not require exploration beyond what she covered. Professor Hoke could have inserted more textual detail about the political and public policy controversy surrounding welfare reform. However, I am not persuaded doing so was essential to the analysis and might have been a distraction from her key goal, which was to challenge the prevailing liberal commentary on the legislation.

Although Professor Morisey does not believe that Professor Hoke continues to be a well-recognized expert in this field because “it is important to note that at some point after writing the article evaluated here she shifted her focus to voter participation and electoral politics.” Regarding the contribution made by this article, Professor Morisey believes that “the article’s greatest potential was to aide implementation of the statute at the state level. It may in fact have done so.”

In the end, Professor Morisey concludes that “Professor Hoke’s article makes a high quality contribution to the field of statutory analysis and policy implementation in the area of social welfare programs.”


Review by Andrew W. Appel, Eugene Higgins Professor of Computer Science, Princeton University.

With regard to Professor Hoke’s book chapter, Voting Technologies and the Quest for Trustworthy Elections, Professor Appel notes that Hoke covers different ground than in her previous work. He writes:

The Chapter, “Voting Technology and the Quest for Trustworthy Elections” by Hoke in the second edition of America Votes covers slightly different ground. Again there is a good summary of the technology issues for the law audience, but instead of focusing on the legislative history 2002-2008, she covers litigation 2004-2010. Indeed there was quite a bit of litigation, mostly at the state level in several stages, and this is the best coverage of it that I have seen. Also in that article is coverage of Internet voting. Several computer scientists, including myself, wrote during 2004-2008 on the dangers of Internet
voting. Professor Hoke is the only scholar to notice (and pay sufficient attention to) the role of the Defense Department’s “Federal Voting Assistance Program” in promoting Internet voting; that section of the article covers material that cannot be found anywhere else. In general it is one of the best scholarly articles on Internet voting.

Professor Appel concludes:

Of the half dozen law professors that write on the issue of election technology, the two that are the most knowledgeable and active, that have published the most influential work, that are best-connected to the technology side, are Prof. Candice Hoke and Professor Richard Hasen of U.C. Irvine. Among computer scientists, the ones that write on the policy and legislative history of voting technology are Prof. Douglas Jones (U. Iowa) and Dr. Barbara Simons (researcher emeritus, IBM). I would say that Prof. Hoke is certainly in this top-four group, in terms of influence in recognition; that is, she is clearly a well-recognized expert in the field. There are other computer scientists who write on these topics, but are less knowledgeable about law and legislation; and there are other law professors in this field who know the voting and legislation but not so much the technology.

Review by Walter Mebane, Professor of Statistics and Professor of Political Science, University of Michigan.

Walter R. Mebane, Jr. is a Professor of Political Science and a Professor of Statistics at the University of Michigan, Ann Arbor. He works on political methodology and American politics, especially elections. His current primary project is election forensics, a field of study that aims to develop statistical and computational tools for detecting anomalies and diagnosing fraud in election results. Professor Mebane’s work in this area includes several papers about the 2000 presidential election focused on Florida and a report written for the Democratic National Committee analyzing the 2004 presidential election in Ohio. Another project that Professor Mebane is currently engaged in studies strategic coordination among voters in American elections, linked to the separation of powers between the President and the Congress.

Professor Mebane discloses that he has had previous contacts with Professor Hoke, but that these have mainly involved meeting her at various conferences.
In his review of Professor Hoke's scholarship, Professor Mebane writes that he believes that "Professor Hoke's work . . . make[s] her a well-recognized expert in the field" of election technology. With regard to Professor Hoke's book chapter, *Voting Technologies and the Quest for Trustworthy Elections*, Professor Mebane writes:

This chapter has a thorough and accurate coverage of state of the voting technology field (where it intersects legal and policy processes) as of late 2011. . . . The chapter conveys with great clarity how the narrowly technical issues have presence in policy fights, both in entirely domestic settings (HAVA, TGDC) and as concerns overseas ballots (UOCAVA, FVAP).

While generally complementary of this book chapter, Professor Mebane has one "minor complaint." He writes:

The one development it would have been good to see discussed more is technology for post-election audits of paper ballot records, which can be very useful for validating electronic tallies. . . . I don't know whether any litigation has yet involved such audits—perhaps the lack of such cases is a reason for their omission— but they and analogous technology is an essential part of the 'evidence-based elections' mention in the paper.

Review by Daniel Tokaji, Jones Day Designated Professor of Law and Senior Fellow, Election Law @Moritz, Ohio State University, Moritz College of Law.

After reviewing the scope of the subject matter of the book chapter, Professor Tokaji opines:

Professor Hoke's book chapter covers a great deal of ground, but it is impressively thorough and careful in its analysis of all four topics. Like her article, the book chapter is meticulous in its research, addressing all the relevant computer science and election law literature of which I am aware. It is also lucidly and engagingly written, discussing complicated topics in a way that makes them easy for non-experts to understand.

While there is much to admire in this chapter, I was especially impressed by her discussion of administrative and technical challenges that have attended the implementation of HAVA's voting technology mandate. These problems include the sequencing of voting technology changes—including the replacement of old voting technology before new voting system standards were in place—as well as problems with the market the HAVA created for new systems. She offers the most comprehensively research and rigorously analyzed discussion of these
technological and administrative problems that I have seen anywhere. I also found great value in the book chapter's discussion of the role that the Justice Department has played and should play with respect to voting technology. She makes a persuasive case that the Justice Department has not been sufficiently active in its enforcement of federal laws governing voting technology, probably because it lacks the requisite technical expertise to evaluate arguable violations. Finally, her discussion of the perils of internet voting is the most extensive that I have seen in any legal scholarship. She makes a strong case that the U.S. should proceed with great caution in this area.

With reference to both this book chapter and her article, Judicial Protection of Popular Sovereignty: Redressing Voting Technology, Symposium: Baker v. Carr After 50 Years: Appraising the Reapportionment Revolution, 62 CASE W.L. REV. 997 (2012), Professor Tokaji states:

Taken together, these two pieces make a significant contribution to the scholarly debate over voting technology. Both are high-quality legal scholarship addressing an important subject. Both the article and book chapter are careful and balanced in her approach, clearly and gracefully written, and original in their conclusions. There is no doubt that Professor Hoke has established herself as a leading expert on the subject of voting technology through this scholarship. While it is always hard to gauge the impact of relatively recent work, I expect that both pieces will have a significant influence not only in academic circles, but also in the ongoing debates in courts and legislative bodies.


Review by Andrew W. Appel, Eugene Higgins Professor of Computer Science, Princeton University.

Regarding this book chapter, Professor Appel succinctly writes:

This is a scholarly and readable account of computerized voting in the period 2002-2008: legislation and legislative history, technology and its scientific analysis, and administration. It is accurate on the facts and their interpretation (at least for the parts where I have expertise to judge, which is much of it). One of the article’s main contributions, from my point of view is to analyze concisely and effectively the many ways and mechanisms by which HAVA (Help America Vote Act of 2002) made things worse instead of better—and in a case where legislators really intended, in a bipartisan way, to make things better. The article has a
good explanation for a law audience of the relevant results in computer science. In addition, Section III of this paper is the best coverage of computerized voter-registration databases that I have seen, except for Prof. Hoke's later work.

Review by Walter Mebane, Professor of Statistics and Professor of Political Science, University of Michigan.

Professor Mebane states:

This chapter offers a thorough discussion of HAVA, covering its origins, form and consequences. Appropriately, it is mostly a catalog of HAVA's essential failure. The California TTBR and Ohio EVEREST studies, discussed in the chapter, demonstrate the inadequacies of procedures, regulatory environments and markets in the wake of HAVA to produce reliable and trustworthy voting technologies. The chapter also gives a good overview of shortcomings in voter registration databases following HAVA. The chapter is not framed as a road map to future litigation in that it does not cite specific state and federal laws that are implicated by the various events discussed, but the discussion of the facts of the matter is sound.
C. Service

Criteria for Service

Candidates seeking promotion to full professor “must demonstrate that they have fulfilled their faculty governance and public and professional service obligations.” Criteria § 5. As defined in Criteria § 10, the “Public and professional service obligations,” as used in Criteria § 5, encompasses:

(a) public service, which means

(i) engaging in activities that enhance public understanding of the law or of issues in related social, economic, or political fields; and

(ii) providing professional services or making other contributions to the work of governmental, educational, charitable, or public interest entities, or to others that serve the interests of significant segments of the public; and

(b) professional service, which means

(i) service to the profession of law; and

(ii) service to organizations furthering the work of legal education.

Candidate’s Record of Service to C-M and Cleveland State University

Professor Candice Hoke has served the College of Law and Cleveland State University in several capacities since her promotion to associate professor with tenure in 1996. Her committee work and related service work is described below. In addition, Professor Hoke has given numerous presentations in the wider community in an effort to expand public understanding of the law. Her recent presentations are described in her curriculum vitae provided in the Appendices. In addition, Professor Hoke has served the College of Law and the University as the Director of the Center for Election Integrity.

Professor Hoke describes her record of service to C-M, as follows:

I have served on a myriad of law school committees that shouldered substantial work, including Standing Committees and a multi-year ad hoc Curriculum Reform Committee. The most significant workloads and work products occurred in that committee and in the Building Committee. My Building service extended over virtually all the years that the law Building renovation was planned and executed. I have also served a total of five years on Academic Standards, two years on the
Admissions Committee, five years on the Cleveland-Marshall Fund, four years on the Teaching Committee, two years on the Appointments Committee, and have chaired the Library committee. I have also served on an assortment of other committees that were not charged with significant duties.

For the better part of two years during the late 1990s, the Ad Hoc Curriculum Reform Committee met repeatedly under Associate Dean Jack Gutman’s leadership. I drafted large portions of the final report that contained recommendations for restructuring the First-year law program. That report received law faculty endorsement by overwhelming margins but then was later set aside. The successful C|M curricular reform discussed over the past 24 months offered similar recommendations and rationales as that prior effort.

For six years I served as the Law Faculty’s representative to the University Health Care and Benefits committee. This committee demanded considerable hours each year, both in committee work and in following up with the law school constituencies. I was a major contributor to the structure of employee health care options, and helped the university administrators craft the options.

Other College of Law service has included four years as a Faculty Senator and over a decade of participation and rotating leadership in the Employment & Labor Law Teachers’ Group. In the latter role, I drafted the documentary record required for the Concentration, and first launched the annual E/L speakers program that has been underwritten by a prominent local labor and employment law firm. The E/L teachers group exercises stewardship over the E/L curricular offerings and quality of adjuncts; we work closely with the Associate Dean to facilitate class scheduling that does not cross-schedule major E/L courses to ensure that students can satisfy the Concentration requirements. We also work with the ELLA student group (Employment and Labor Law Association) to plan social and educational events.

In work for the PAC, I have chaired the PAC subcommittees on the tenure and promotions of Professors David Snyder and Lolita Inniss, and have served as a member on Professor Brian Ray’s subcommittee.
While her services to the Cleveland State University over the past 15 years has been multi-faceted, Professor Hoke believes that four of her activities are most noteworthy. She states:

The contributions I have made to the University’s larger interests that may be most noteworthy include:

1. The Student Poll worker excused absence policy that the Faculty Senate and University Administration approved in 2006 and which continues in force currently. I drafted the proposal and presented it to the Senate after President Schwartz also endorsed the idea. Our CSU policy has been quoted in Federal documents nationwide as a model policy that other universities, colleges and community colleges should emulate. Congressional oversight committee counsel have also commented on its helpfulness. As a result, CSU has been able to support “engaged learning” opportunities for students and also help shoulder the public service of staffing polling places. Our CSU effort is cited to employers around Cuyahoga County as a challenge for them to release some employees to help staff polling places with qualified workers. CSU has provided regional and national leadership that fills a gap, assists in assuring the fundamental right to vote, and helps rebuild Ohio’s reputation as a “good government” State.

2. Working closely with the University’s HR Administrator and the CSU Executive VP on Health Care issues: The cost and set of health insurance options constitute contentious, expensive issues over which some employers face strikes, decreasing morale, and other negative responses. We forged a congenial working environment across units, with all seeking to understand and realize simultaneously the University’s interests in cost containment with the needs of employee groups. I helped to set the tone in the committee, aggressively questioning insurance companies on their proposals (to reveal hidden profit lines), and seeking to develop options that would assist in keeping health insurance options affordable for all CSU employees. I left the Committee in 2006 to focus on the Center for Election Integrity’s work.

3. Currently, I chair the Senate’s Computational Services Committee (2011 - present), and serve on the University’s IT planning committee, ITAC (Information Technology Advisory Committee) (2010 - present). These are proving to be intensive assignments as the University faces major IT decisions and transitions.

4. U. S. Department of State-sponsored International Guests – Over the past six years, by request of the Cleveland Council on World Affairs (which works with the State Department), I have organized and hosted
at least eight separate groups of international guests at CSU. One of these featured over 30 journalists from around the world. Another brought forward legislators from Southeast Asian nations. Virtually all wanted to learn about government accountability in the U.S., the university’s role in fostering democratic process, and how the university was working to help resolve Ohio election issues. Sometimes I brought in other speakers, for instance, from local government. Other law faculty joined or moderated discussions with these groups and managed other groups when I could not. More recently, the Dean’s Office has assisted in the organization of these meetings.

The Center for Election Integrity

Professor Hoke drew up a proposal for the Center. Consistent with the University’s policies governing research centers, she presented it to the Deans of Law, Urban Affairs, and Graduate Studies. With the endorsements of key administrators, including then-President Schwartz, Professor Hoke worked with CSU Board of Trustees in defining the Center’s work and structure. In her personal statement, Professor Hoke writes about her ideas for the center:

Founding the Center for Election Integrity seemed the responsible course of action after the 2004 presidential election. Ohio’s election system had not functioned in ways that guaranteed fundamental voting rights and the capacity of the People to hold their governments accountable. The requirements of Ohio election law had not been taught to poll workers and election staff, undermining the capacity for respecting and implementing the law. While some critics perceived a partisan strategem within the Ohio election difficulties, from my discussions at the polls and with poll workers of both parties, it seemed more a failure of education. Ohio needed to improve its assurance that voters’ ballots would be cast and counted in accordance with governing law. Our University’s assets for this work included its geographic location, its public administration faculty and research center, and its law school’s historic depth in public law.

Although the Center was open for only 3 years, the Center was awarded $346,000 to study and produce a guidebook on recruiting and training college poll workers. Vis-à-vis the success of this project, Professor Hoke writes: “The congressional oversight committees were so impressed with it that they funded multiple special grant programs for colleges and universities to pilot such programs using our Guidebook.” The Center also held two conferences during the fall of 2005 that were dedicated to exploring Ohio election reform issues.
In May 2006, “following the Federal primary election debacle that launched the county’s new Diebold e-voting equipment,” the Cuyahoga Board of Elections (BOE or Board) appointed Professor Hoke to a member of the 3-member Cuyahoga Election Review Panel. They charged the panel to investigate the causes of the primary debacle. With Congresswoman Stephanie Tubbs Jones, the Center convened public hearings around the county, hired law student staff and produced a Report in late July, in time for the recommendations to be implemented during the preparation for the November general election. Professor Hoke states:

> With our findings, we recommended over 300 separate steps to improve the county’s election performance. I drafted approximately 90% of the Report. Shortly thereafter, the Cuyahoga County Commissioners and the county Board of Election appointed the Center for Election Integrity to serve as “Public Monitor of Cuyahoga Election Reform.” In that capacity, we spent many hours at the Board’s offices between August – December, seeking to explain and support their implementation of the Report.

In summing up her participation in the Center, Professor Hoke writes: “Our Center drew notable national, State, and local attention for its unprecedented on-the-ground security work in an actual election.”
Candidate’s Record of Service to the Bar and Legal Professional

Professor Hoke has been an active member of the American Bar Association (ABA) and the Association of American Law Schools (AALS). She describes this service as follows:

I have been active in the American Bar Association, serving as a Presidential appointee to the ABA Standing Committee on Election Law (2007-10, 3 annual appointments). In this prestigious and influential bipartisan policy body, I have drafted two Resolutions related to election technologies that the Committee introduced and the House of Delegates unanimously passed. I chaired subcommittees on the ABA’s election policy statements, and delivered lectures at national conferences and Section meetings (as requested), and worked with other Sections on other policy statements.

In the 1990s-early 2000s, I was active in the Section on State and Local Government, where I also helped to plan two national Section meetings.

In the Association for American Law Schools (AALS), I co-chaired a “cross-cutting” session on voting technologies at the 2012 Annual Meeting in Washington, D.C., and planned the session’s panels with a law professor at the University of Miami.

Candidate’s Record of Public Service

Professor Hoke has been actively involved in service to the public through her activities in connection to election law and voting technology. Although the Subcommittee requested evaluations from sources identified by Professor Hoke regarding her public service, only one, Douglas A. Kellner, replied. Mr. Kellner serves as the Co-Chair of the New York State Board of Elections, and is a partner in a law firm that specializes in litigation and real estate law. Mr. Kellner worked with Professor Hoke on various projects. Regarding their interactions Mr. Kellner writes:

In the course of my activities with the Board of Elections, I have worked with Professor Hoke in connection with the promotion of election integrity. She has appeared on a number of panels on the subject that I have attended. I have also gotten to know her through her attendance at several conferences on election integrity issues that we have both attended. We also serve together on the Advisory Board of the Verified Voting Foundation.

In evaluating her service to the cause of election integrity, Mr. Kellner states:
Professor Hoke has been an extremely active contributor to the work of the Verified Voting Foundation. She writes very frequently, often more than once a day, to the internal list of the Election Verification Network, which keeps the members informed on issues relating to election technology, legislation, litigation and regulatory issues that affect voting systems. Her writing is both high informative and incisive.

Professor Hoke also took a leadership role in a particular project when I also invested a substantial amount of time – the acquisition of Diebold/Premier’s election business by Election Systems & Software (ES&S). ... Professor Hoke assumed the laboring oar in negotiation of anti-trust and other issues with the United States Department of Justice. Her preparation was extremely thorough and we achieved a very successful result.

In closing, Mr. Kellner states that Professor Hoke’s contribution to election integrity has been indispensable.

Professor Hoke and the Center for Election Integrity have made a very substantial contribution to the field which is absolutely essential to maintenance of a vital democracy. Her grasp of both the legal and technical issues of election administration cannot be matched and could not be easily replaced.

In 2009, the former PAC Chair, Tom Buckley spoke to the former Ohio Secretary of State, Jennifer Brunner about Professor Hoke’s election reform work. Professor Hoke had been part of a watchdog group involved in the surveillance of Ohio election reform. Secretary Brunner had an unfavorable impression of Professor Hoke’s involvement. Professor Buckley reports:

Secretary of State Brunner began by saying that she could not give Candice the best recommendation. While she "has made contributions," her actions were erratic and were not helpful to election integrity.

Secretary Brunner said that Candice’s attacks on a state agency (which I understood to the Secretary of States office) were not helpful.

Secretary Brunner turned to a voting machine study which was commissioned. "Confidentiality agreements" had to be entered into to protect the manufacturer’s source code. There was a negotiation with CSU regarding participation in the study of the voting machine; university scientists and corporate scientists were both to be involved in parallel studies of security. Candice caused CSU to lose a $300,000 grant
because she could not keep up. ... Secretary Brunner had to call in Mike Schwartz, CSU's former president on account of Candice.

While, Secretary Brunner noted that she maybe “too sensitive,” she believed that Professor Hoke’s work made her job as Secretary of State more difficult.

In her personal statement, she details two of the major public service initiatives she undertook after the closing of the Center for Election Integrity. She believes that these projects are illustrative of her service to the public. They are described in detail below.

1. **2009-10: Divestiture Following the Merger of the Two Largest Voting System Companies**

   When the two largest voting systems companies in the world announced a completed merger in August 2009 for a price tag just under $5 million, the combined company's voting technology would have obtained control of over 75% of all U.S. cast votes. Both of the companies that had merged had generated a deplorable record of price discrimination and virtual extortion against county governments, among other well-documented misconduct. ES&S/Election Systems and Software’s purchase of Diebold’s Premier Election Solutions Division and their merger of operations had been shrouded from the public until implementation was underway, likely designed to render any objection moot.

   Many election officials were deeply concerned about the portent of monopolistic pricing and worse. Specifically, election officials had been building the record of the voting system vendors’ threats that if the officials publicly reported equipment flaws and inaccuracies in vote tallies, the companies would substantially raise their county costs for voting tech service and replacement parts. Some county officials in more remote locations who had refused to knuckle under had faced 300% price increases the following year. In addition to election officials around the nation (both the State and local levels expressing concern), the major national nonpartisan nonprofit “think tanks” that work for fair and accountable elections also identified this merger as a major threat to election integrity.

   Various impediments blocked these individuals and organizations from working together, however. The election officials were concerned that if their names were known, their counties or States might be targeted by the merged company for pricing penalties that had occurred in the aftermath of election officials taking other public stands. The national nonprofits, for the most part, lacked legal staff or where
lawyers were on staff, they lacked antitrust knowledge. The national nonprofits did seek the U.S. Department of Justice Antitrust Division's (AD) inquiry, but the AD responded that the dollar amount fell below the threshold of concern.

Our Nation faced a disastrous situation if we could not unwind this merger. Time was of the essence. We also lacked the funds for a protracted private litigation, even if we could entice a law firm into the battle on a pro bono basis. We needed the DoJ to act in the larger public interest. Our goal was first, to achieve the Justice Department's scrutiny of the merger, and then to assist the DoJ/AD in pursuing the case vigorously. Because we knew quite well the sins of these vendors against both the market/governmental units and against the public, and also knew the Justice Department lacked the time to master the intricacies of the market and still unwind the merger effectively (with the 2010 election cycle about to begin), we concluded that we needed to be closely involved in developing the case.

I did not rush to this work. I had just begun my sabbatical, the deaths of my father and father-in-law (within weeks of one another) had just occurred after long illnesses, and my research plans were set. But I had the right combination of knowledge about relevant law and the voting systems vendors, plus significant knowledge of the voting systems market and vendors' market conduct. As a law clerk, I had drafted a First Circuit opinion on a major divestiture that had departed decisively from national precedent; it had received major legal and business press attention when it first issued. The Supreme Court had relied upon and cited this opinion in issuing other antitrust divestiture orders. After no one else had stepped up to manage the situation, I agreed to do so. We needed a lawyer with relevant legal antitrust and voting systems knowledge, plus the trusted relationships with election officials that could bring forward the evidence we needed to mount a successful challenge to the merger.

Thus, in late fall 2009, I temporarily shelved my planned academic work on Internet voting in order to lead this national effort. We needed to protect the budgets of state and local governments nationwide from confiscatory discriminatory pricing that a monopoly or duopoly could achieve. But we also wanted the Justice Department to force these vendors to modify other problematic conduct, given the public's need for trustworthy voting systems.

We ultimately won this battle. With Senate leadership publicly pressing for DOJ investigation into the merger, the AD began its preliminary inquiry. Our effort was initially designed to show the AD
that the national import of the merger could not be summed in the
total sales price of the acquired company, and that that metric should
be discarded. Once the AD had agreed to a fuller investigation, I led the
effort to pull together the evidence of price discrimination, extortion,
and any other censurable conduct that the companies had engage in
prior to this merger (whether an antitrust injury or not). Many counties
did not want their names attached, so the evidence-gathering was
impeded by fear. Nevertheless, through a variety of intermediaries and
my promise of confidentiality, we were able to gather concrete
evidence and pass it forward to the AD, which then further investigated
and confirmed many claims.

I also drafted a long memorandum that detailed for the public record
the legally problematic conduct of the voting system vendors. It
detailed the antitrust claims we believed arose from their
anticompetitive conduct. Most importantly, I delineated a series of
creative remedies that were designed to penalize the merged Company
and also require far better conduct toward all stakeholders that
depended on the Company’s work. We released this to the press, which
provided wide coverage to the claims and desired remedies.

As part of this work, I went to DC twice to meet with the Antitrust
Division legal team assigned to the case. Present for the discussions
were the Assistant Attorney General for the Civil Division, plus all the
officials throughout the hierarchy over the case, down to the attorneys
with primary charge of the case development. (The Assistant Attorney
General for the Antitrust Division had recused herself because ES&S had
strategically retained her former law firm as its merger attorneys.)
Prominent national nonprofits and two brave election officials were also
present. My second presentation at the DOJ was partially addressed to
the DoJ misunderstanding about the relation between various
components of the voting system. The vendors had misrepresented
some technical facts about absentee voting and its tabulation in a
plausible manner, resulting in justification for only limited divestiture.
In advance of the meeting, I had graphed the voting systems
components in a color diagram that we distributed at the meeting. The
terms of the settlement significantly changed thereafter, apparently
attributable to our presentation.

Our activity led to achievement of the most important of our
remedial goals. The federal District Court approved the Government’s
antitrust suit against ES&S and the settlement documents that the AD
attorneys submitted for judicial approval. Further, the Court ordered
substantial divestiture. County governments now have a more
competitive marketplace and alternatives to ES&S products and
services. Importantly, ES&S will also remain under Federal AD antitrust scrutiny for a decade, which will assist in protecting county budgets and personnel from illegal threats and provide an umbrella for investigation of other problematic market conduct.

2. **2011-12: Halting the Defense Department’s Pressures on States to Adopt Internet Voting**

The U.S. Department of Defense is charged with the task of promoting and facilitating voting participation of all enlisted personnel and their families, plus all overseas American voters. For over a decade, the small agency charged with these duties, the Federal Voting Assistance Program (FVAP), has been relentlessly pursuing Internet voting as “the” solution for military voters. My academic work over the past four years convinced me that the FVAP has been violating the internal Directives of the DOD and violating governing Federal statutory law. It was also clear that FVAP’s programmatic goals had not been vetted by cyber security experts in DOD, and that the supervision by the DoD HR division (Personnel and Readiness) where FVAP was lodged had not been very effective. This was not a partisan critique; the record has largely been the same under both Administrations since 2000.

When my efforts to discuss the legal problems generated by this agency’s conduct failed (the FVAP Director disparaged lawyers as “causing problems”), I worked with Washington, D.C.-area associates to bring forward the critique and the dangers FVAP was generating for the nation. I discovered that the FVAP through the years had developed a strategy of flying underneath the radar of its DOD supervisors and lawyers, basically acting as a rogue agency beyond the law in its pursuit of Internet voting.

I wrote several legal memoranda that detailed the results of my research and recommended particular remedial steps, directed to the DoD’s General Counsel. Virtually immediately, public indicators suggested the FVAP’s supervision had been tightened. The agency’s web-posted Strategic Plan was amended, and other documents were modified to withdraw the endorsement of all-electronic elections over the Internet. The Director started stating publicly that the agency “did not favor or endorse Internet voting.” But he also privately continued to push this dangerous form of voting in discussions with State and local election officials, information that I documented and delivered to the General Counsel’s office. This conduct was consistent with the intensive lobbying of State governments that he had engaged in over three years and that the agency had undertaken for at least six.
In late November 2011, I took Dr. David Jefferson and Dr. Barbara Simons with me to the Pentagon for a high-level presentation and meeting with the top Pentagon attorneys. Both scientists had previously worked with DoD on voting systems for military voters, and are widely recognized for their expertise. In our 90-minute meeting, the scientists presented the technical and cyber security dangers of Internet voting in terms understandable by average lawyers. I explained the facts' legal import, and drew the attorneys' attention to the various legal provisions arguably violated by the FVAP's conduct. The meeting included the Principal Deputy General Counsel, the Air Force General Counsel, the Chief of Staff of the DoD's Chief Information Office (CIO), the top Division attorneys in three of the Secretary of Defense's divisions (including those having ultimate supervision of FVAP's conduct). We left the lawyers with a variety of materials supporting the presentation.

By April 2012, the FVAP Director had announced his resignation, effective the next month. The FVAP Deputy Director transferred to another part of the Pentagon. While the Agency still has much work to revise and re-educate State governments about the importance of not moving to Internet voting, the DoD lawyers appear to have interceded and helped to ensure that the agency's path would not continue toward an illegal endpoint. I believe that the meeting I organized and the legal memoranda I submitted (drawn from the book chapter that the ABA would publish several months later) helped to bring to the General Counsel's attention the need for remedial action.

**Candidate's Service as a Media Contact**

Due to her work in electronic voting technology, Professor Hoke has had numerous contacts with the media. She describes these contacts as follows:

Over the past six years, I have been interviewed and quoted in major newspapers across the U.S. and in at least 8 foreign nations, with my affiliation to CSU noted. These include the *New York Times*, *The Wall Street Journal*, *Los Angeles Times*, *Washington Post*, *Boston Globe*, *Cleveland Plain Dealer*, *Columbus Dispatch*, and major newspapers in Baltimore, Cincinnati, San Jose, San Francisco, Chicago, Detroit, Trenton, NJ, and Knoxville, plus McClatchy News, Reuters, and the AP. Radio and television broadcasts of interviews with me include: CNN, CBS News, FOX News, National Public Radio, and local affiliates of these news organizations. This media contact began because Cuyahoga and Ohio were receiving outsized attention for their election failures. The
amount of press coverage has waned as our elections have improved. I have continued to respond to reporters' inquiries as my other work permits.
CLEVELAND-MARSHALL COLLEGE OF LAW

ADDENDUM TO

REPORT TO THE COLLEGE OF LAW FULL PROFESSOR PERSONNEL ACTION COMMITTEE

EVALUATING THE APPLICATION FOR PROMOTION OF ASSOCIATE PROFESSOR S. CANDICE HOKE

APRIL L. CHERRY (CHAIR)

MICHAEL H. DAVIS

SHELDON GELMAN

NOVEMBER 5, 2012
Candidate's Record of Service to C-M and Cleveland State University

Evaluations:

Thomas Buckley, Building Committee (Chair) reports that Professor Hoke was an exemplary member of the building committee:

Candice Hoke was a member of the Law College Building Committee for several years when I was the Chair of that Committee. Candice was an exemplary committee member. She took an active role. Candice was an early proponent of "green" construction and architecture, insisting on environmentally friendly materials and designs. She was also a continuing voice in favor of a lactation room for female students, staff and faculty, and we now have such a room. She was also a busy and active member when the committee was assigned the task of "auditing" the building to come up with a punch list of needed repairs. This entailed walking through the entire premises, making notes, on such matters as loose carpeting, broken lockers, displaced baseboards, etc, etc. etc. ad infinitum. Candice participated in this thankless task cheerfully and very helpfully. She was always a reasonable and responsible voice when bigger issues were confronted such as the projects that led to the new 18th street entrance and the revamping of the basement lounge. It was always a pleasure to work with her.

Ken Kowalski commented on Professor Hoke's dedicated work with the Employment and Labor Law faculty as part of her service to the College of Law. He noted:

This is not technically committee work, but Candice has been a stalwart member of the Employment & Labor faculty. Even when her research interests pulled her in a different direction, she still remained very active in our Concentration activities. She has helped plan our speaker series and been responsible for inviting and then serving as contact and squire for a number of speakers in our speaker series; helped to provide input to the administration in shaping the E&L curriculum and scheduling E&L courses; and has led our efforts to get input into our program from the advisory board of local E&L practitioners.
Candidate's Record of Public Service

In response to the committee's queries regarding Professor Hoke's public service regarding election law, the committee received several responses.

Benjamin E. Griffith, Chair ABA Standing Committee on Election Law, has been acquainted with Professor Hoke for more than six years. Their primary connection is through their work on the American Bar Association’s Standing Committee on Election Law and its Advisory Commission. Mr. Griffith’s letter speaks to Professor Hoke’s work with the ABA, including the book chapters reviewed in connection with this application. Mr. Griffith writes:

I have known Candice principally in her capacity as a professor of election law at Cleveland State University, as a fellow ABA member with a demonstrated proficiency and expertise in voting technology and issues relating to election technical and administrative systems, and as a fellow member of an ABA entity created in 1973 for the purpose of developing and examining ways to improve the federal electoral process. She and I are what you would call election wonks.

My assessment of her ability, specialized knowledge and skill in the field of election technology policy and legal issues is very favorable and positive. Candice is a nationally recognized expert in scientific, legal and policy circles. She has substantial experience that has equipped her to address the causes and potential remedies for election failures attributable to flawed software-based election technologies.

On a personal and professional level, I have always found Candice to be a cheerful, outgoing, and devoted scholar, teacher, advocate and friend. During our time together on the ABA Standing Committee and Advisory Commission, she worked very well in a collaborative setting, contributed in a meaningful and helpful way to the many election-related projects, CLE program development and initiatives that were undertaken. Her academic and professional work with which I am familiar includes service as Project Director of the Public Monitor of Cuyahoga Election Reform from 2006 to 2008, through which she led the State of Ohio in its first post-election audit of cast ballots. Considering the pivotal role of Ohio in this year’s Presidential Election, this places Candice Hoke at the epicenter of the most relevant, timely and helpful analysis of election-related data, information that, in short, will likely be a significant factor in helping us understand and evaluate the electoral results of November 6, 2012.

Susan Dzieduszycha-Suinat, President and CEO of U.S. Vote Foundation and Overseas Vote Foundation, also responded the committee’s request for information. Ms. Dzieduszycha-Suinat’s letter speaks to
Professor Hoke’s willingness to be of assistance to her organization and to others public service organizations of which they both are members. She writes:

It is my greatest pleasure to recommend Professor Hoke as not only a marvelous scholar, writer, communicator, collaborator, but as a person who brings a profound level of integrity forward in all activities she undertakes.

As President and CEO of Overseas Vote Foundation (OVF), I have interacted and collaborated on many occasions with Professor Hoke regarding voting and elections, in particular overseas and military voting procedures, policies, legislation, and programs. We are also mutual members of the Election Verification Network within which Professor Hoke is a very active and generous contributor of vital information regarding a vast array of election policy, administrative and legal topics ranging from Internet Voting and our National Security to Common Data Format and beyond.

Professor Hoke has a certain spirit and enthusiasm that infuses her work while inspiring those around her. Perhaps this is something that a "real teacher" can do, and therefore, she must be one. But also, I know her as a team maker and player. Without her, I honestly do not think that OVF's annual Summit conference would have developed properly – Professor Hoke volunteers her insights on speakers and content every year. In 2010, Professor Hoke coordinated and moderated a landmark panel on Internet Voting risks and alternatives, which served to reset the topic within the election community that serves overseas and military voters.

Not the least of her accomplishments, but crucial to OVF, Professor Hoke was the only election expert to make time in her overbooked schedule to team with our attorneys at Winston & Strawn LLC, Washington D.C. She was instrumental in providing a much-needed, election-specialist review of a legal brief regarding the Pentagon’s action to change the 2012 voter registration form imposed by the Federal Voting Assistance Program on overseas and military voters. The result of this action was an overturning of the policy and a glorious decision by the Pentagon to reverse their earlier decision. This is a perfect example of the high-impact, high-value contributions and that Professor Hoke has gone out of her way to make in the cause of helping voters. Without her timely encouragement and coaching, OVF would have not realized this important accomplishment.

Additionally, Matthew Damschroder, the former Director of Franklin County Board of Elections responded to our request for information. In his correspondence, Mr. Damschroder recounts that he found Professor Hoke to be “more than collegial... she demonstrated herself to be, in all ways, a professional: knowledgeable, pragmatic, guileless, and respectful.” Furthermore, Damschroder notes that even when they “disagreed on matter of policy or politics — I know Professor Hoke to have acted from a foundation of unwavering, high academic and personal integrity. To the extent she has ever been characterized differently was inaccurate and unjustified.”
Professor Matt Bishop, a Professor of Computer Science at the University of California, Davis, also responded to our requests. He writes favorable of Professor Hoke based on his experiences working with her on electronic voting issues. Professor Bishop writes:

I met Candice Hoke during the Top-to-Bottom Review. She was the leader of one of the teams analyzing the documentation that the vendors provided with the systems; the question was whether the documents complied with the requirements of various federal and state laws. . . . We discovered many problems, and as a result the Secretary of State decertified two systems, forbidding their use until the problems were fixed, and allowed the third system to continue to be used provided certain stringent conditions were met. The report Prof. Hoke and her colleagues wrote played a key part in the Secretary of State's actions.

I have also worked with Prof. Hoke and some other colleagues (all of whom are technical experts, with little to no knowledge of the law) to develop a paper describing steps that election officials can take to prepare for a forensic audit of electronic voting systems should they deem one necessary. This paper, done under the aegis of the Center for Election Excellence, resulted from some questions she asked. The paper covers both technical and legal precautions, and draws on the experience of people who have participated in such reviews. It has been downloaded over 400 times, including many times recently, and several ABA web pages link to it. Both the Democratic and Republican parties' senior counsels asked for copies just before the 2010 election (I don't know about this election, but many others have). This paper therefore is having a great impact on educating people about how to conduct forensic audits. The legal part of the paper was Prof Hoke's work, and her work also helped inform us of what technically needed to be done to gather and preserve data in such a way that it could be used in court, if needed.

Prof. Hoke's impact in the election community is great, as you can see. She is the person we go to for legal questions about elections. She has improved our understanding of them, and in her role as a member of the ABA's Standing Committee on Election Law, has injected technical knowledge into the legal process.

In another context, her work is also having an impact. Software currently is very badly written, as the resulting security (and non-security) problems are well known. Given Prof. Hoke's interest in public policy and her expertise in regulatory law, I invited her to participate in an NSF-funded workshop that I was cochairing, the Summit on Education in Secure Software (SESS). The participants in the Summit discussed licensure and certification. Prof. Hoke provided much basic legal information that none of us knew. She also became quite excited about the technical ramifications of the discussion, and how licensing professionals, or certifying either people or software, could affect the quality of code development, and the resources given to software engineers to do the development. . . . What she said swayed many of the participants away from a "certification is either junk, useless, or good only for making money" stance. She is continuing to advise people in the Department of Homeland
Security and other government agencies, and this too will have a great impact nationally.

To sum up, Prof. Hoke's work is having an impact at the state and national levels. She has been a key member of several efforts that have changed the way the nation thinks about electronic voting systems, and in efforts to improve the processes and technologies used in running elections. She also is providing similar leadership in the very nascent area of software security and certification/licensure.
Mickey:
Candice Hoke was a member of the Law College Building Committee for several years when I was the Chair of that Committee. Candice was an exemplary committee member. She took an active role. Candice was an early proponent of "green" construction and architecture, insisting on environmentally friendly materials and designs. She was also a continuing voice in favor of a lactation room for female students, staff and faculty, and we now have such a room. She was also a busy and active member when the committee was assigned the task of "auditing" the building to come up with a punch list of needed repairs. This entailed walking through the entire premises, making notes, on such matters as loose carpeting, broken lockers, displaced baseboards, etc., etc., etc. ad infinitum. Candice participated in this thankless task cheerfully and very helpfully. She was always a reasonable and responsible voice when bigger issues were confronted such as the projects that led to the new 18th street entrance and the revamping of the basement lounge. It was always a pleasure to work with her.
I hope this is helpful to the Personnel Action Committee.
Tom Buckley

--
Thomas D. Buckley
Professor of Law
Cleveland-Marshall College of Law
Cleveland State University
(216) 687 2309
(216) 687 6881 (FAX)
email: thomas.buckley@law.csuohio.edu

MAILING ADDRESS
Cleveland State University
2121 Euclid Avenue; LB 211
Cleveland, OH 44115
Subject: Fwd: Re: Prof. Hoke Committee Service

Sender: Prof. Michael H. Davis <michael.davis@law.csuohio.edu>

Recipient: April Cherry <april.cherry@law.csuohio.edu>

Reply-To: <michael.davis@law.csuohio.edu>

Date: Nov 03 2012 14:47

Michael H. Davis
Professor of Law
College of Law
Cleveland, Ohio 44115
216-687-2228
917-771-0235

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Patent Attorney Admitted to Practice Before the US Patent and Trademark Office
Reg. No. 45,863

-----Original Message-----
From: "Kenneth J. Kowalski" <Kenneth.Kowalski@law.csuohio.edu>
To: "Michael H. Davis" <michael.davis@law.csuohio.edu>
Sent: Tue, 16 Oct 2012 13:38
Subject: Re: Prof. Hoke Committee Service

Mickey:
This is not technically committee work, but Candice has been a stalwart member of the Employment & Labor faculty. Even when her research interests pulled her in a different direction, she still remained very active in our Concentration activities. She has helped plan our speaker series and been responsible for inviting and then serving as contact and squire for a number of speakers in our speaker series; helped to provide input to the administration in shaping the E&L curriculum and scheduling E&L courses; and has led our efforts to get input into our program from the advisory board of local E&L practitioners.

Ken
On 10/16/2012 12:35 PM, Michael H. Davis wrote:
> I am assembling the materials relevant to Prof. Hoke's service. The
> external comments are being assembled but I have no comments on her
> service on law school or university committees.
> >
> > Please send me your comments if you have served with, over, or under,
> > Prof. Hoke.
> >
> > Thanks.
> >
> > Mickey
> >
Dear Professor Davis,

Thank you for your letter requesting information about Professor Candice Hoke's service at the state, local and national level. I am glad to provide the following based on my personal firsthand knowledge of Candice's professional work, service and scholarship since I first met over six years ago through our work on the American Bar Association's Standing Committee on Election Law and its Advisory Commission.

I have known Candice principally in her capacity as a professor of election law at Cleveland State University, as a fellow ABA member with a demonstrated proficiency and expertise in voting technology and issues relating to election technical and administrative systems, and as a fellow member of an ABA entity created in 1973 for the purpose of developing and examining ways to improve the federal electoral process. She and I are what you would call election wonks.

My assessment of her ability, specialized knowledge and skill in the field of election technology policy and legal issues is very favorable and positive. Candice is a nationally recognized expert in scientific, legal and policy circles. She has substantial experience that has equipped her to address the causes and potential remedies for election failures attributable to flawed software-based election technologies.

Specifically, Candice co-authored a chapter entitled "Voting and Registration Technology Issues: Lessons from 2008" contained in the 2009 supplement to the first edition of America Votes! A Guide to Modern Election Law and Voting Rights (ABA 2009, Benjamin E. Griffith, Editor), a peer-reviewed publication, which was followed by the second edition of America Votes! published in June 2012, in which Candice authored a chapter entitled "Voting Technology and the Quest for Trustworthy Elections." Her chapter in the second edition was a thoroughly researched and informative analysis of e-voting equipment deficiencies, litigation of voting technology deficiencies, and problematic internet voting promoted at the federal level. This most recent chapter authored by Candice reflected a substantial amount of core research in the assessment and explanation of risks and alternatives to internet voting within the framework of voting rights and systemic election integrity. Of the seventeen chapters in the book, it was the best in my opinion.

On a personal and professional level, I have always found Candice to be a cheerful, outgoing, and devoted scholar, teacher, advocate and friend. During our time together on the ABA Standing Committee and Advisory Commission, she worked very well in a collaborative setting, contributed in a meaningful and helpful way to the many election-related projects, CLE program development and initiatives that were undertaken. Her academic and professional work with which I am familiar includes service as Project Director of the Public Monitor of Cuyahoga Election Reform from 2006 to 2008, through which she led the State of Ohio in its first post-election audit of cast ballots. Considering the pivotal role of Ohio in this year's Presidential Election, this places Candice Hoke at the epicenter of the most relevant, timely and helpful analysis of election-related data, information that, in short, will likely be a significant factor in helping us understand and evaluate the electoral results of November 6, 2012.

I would be more than happy to provide you with any additional information or clarification, if necessary, regarding my evaluation and opinion about Professor Candice Hoke, and I do trust that this communication will assist in the process of determining her suitability for promotion at CSC College of Law.
With best regards,
Ben
Benjamin E. Griffith, Chair, ABA Standing Committee on Election Law

Griffith & Griffith, Attorneys
P.O. Drawer 1880
123 South Court Street
Cleveland, MS 38732
O: 662.843.6100
M: 662.402.3133
F: 662.843.8153
Business E-Mail: bgri@griffithlaw.net
<table>
<thead>
<tr>
<th>Subject</th>
<th>Fwd: Regarding Professor Candice Hoke</th>
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<tr>
<td>Sender</td>
<td>Prof. Mickey Davis <a href="mailto:mdavis@law.csuohio.edu">mdavis@law.csuohio.edu</a></td>
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<tr>
<td>Recipient</td>
<td>April Cherry <a href="mailto:april.cherry@law.csuohio.edu">april.cherry@law.csuohio.edu</a></td>
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<tr>
<td>Reply-To</td>
<td><a href="mailto:michael.davis@law.csuohio.edu">michael.davis@law.csuohio.edu</a></td>
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<tr>
<td>Date</td>
<td>Nov 03 2012 14:49</td>
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Prof. Mickey Davis  
Cleveland State University  
College of Law  
Cleveland, OH 44115  
216-687-2228  
50 Ave A  
Suite 3A  
NYC, NY 10009  
917-771-0235  
---  

Patent Attorney Admitted to Practice Before the US Patent and Trademark Office  
Reg. No. 45,863  

-----Original Message-----  
From: Susan Dzieduszycka-Suinat <susan@overseasvotefoundation.org>  
To: mdavis@law.csuohio.edu  
Sent: Mon, 15 Oct 2012 8:16  
Subject: Regarding Professor Candice Hoke  

---

OVERSEAS VOTE FOUNDATION  

October 15, 2012  

Dear Professor Davis,  

Thank you so much for contacting me regarding Professor Candice Hoke's potential promotion at the Cleveland State College of Law.  

It is my greatest pleasure to recommend Professor Hoke as not only a marvelous scholar, writer, communicator, collaborator, but as a person who brings a profound level of integrity forward in all activities she undertakes.  

As President and CEO of Overseas Vote Foundation (OVF), I have interacted and collaborated on many occasions with Professor Hoke regarding voting and elections, in particular overseas and military voting procedures, policies, legislation, and programs. We are also mutual members of the Election Verification Network within which Professor Hoke is a very active and generous contributor of vital information regarding a vast array of election policy, administrative and legal topics ranging from Internet Voting and our National Security to Common Data Format and beyond.  

Professor Hoke has a certain spirit and enthusiasm that infuses her work while inspiring those around her. Perhaps this is something that a "real teacher" can do, and therefore, she must be one. But also, I know her as a team maker and player. Without her, I honestly do not think that OVF's annual Summit conference would have developed properly – Professor Hoke volunteers her insights on speakers and content every year. In 2010, Professor Hoke coordinated and moderated a landmark panel on Internet Voting risks and alternatives, which served to reset the topic within the election community that serves overseas and military voters.
The recent ABA book chapter on Voting Technology and the Quest for Trustworthy Elections that Professor Hoke has authored, will certainly give you a strong indication of Professor Hoke's diligence and commitment to election integrity and excellence in execution. Her investigative abilities are tremendous - there is a real curiosity that one can only admire. Her talents in writing and expression, I believe they are self-evident!

Not the least of her accomplishments, but crucial to OVF, Professor Hoke was the only election expert to make time in her overbooked schedule to team with our attorneys at Winston & Strawn LLC, Washington D.C. She was instrumental in providing a much-needed, election-specialist review of a legal brief regarding the Pentagon's action to change the 2012 voter registration form imposed by the Federal Voting Assistance Program on overseas and military voters. The result of this action was an overturning of the policy and a glorious decision by the Pentagon to reverse their earlier decision. This is a perfect example of the high-impact, high-value contributions and that Professor Hoke has gone out of her way to make in the cause of helping voters. Without her timely encouragement and coaching, OVF would have not realized this important accomplishment.

Please let me know if I can be of any further assistance to support a positive decision. I would be pleased to call you anytime.

Sincerely,

Susan

----------------------------------------------------------

Susan Dzieduszycka-Suinat, President and CEO
U.S. Vote Foundation and Overseas Vote Foundation
www.usvotefoundation.org and www.overseasvotefoundation.org
Email: susan@overseasvotefoundation.org
Overseas Tel: +49 (0)89 649 391 133
Overseas Cell: +49 (0)151 431 20075
US Office: +1 202 470 2480
Matthew M. Damschroder  
1125 East Cooke Road  
Columbus, Ohio 43224  

October 23, 2012  

Professor Michael H. Davis  
Cleveland-Marshall College of Law  
2121 Euclid Avenue, LB 138  
Cleveland, Ohio 44115  

Dear Professor Davis:  

Thank you for your letter of October 4, 2012 and for giving me the opportunity to share some thoughts about Professor Candice Hoke.  

I have known Professor Hoke since approximately 2005 when I was the Director of the Franklin County Board of Elections. Candidly, I entered our initial conversations with some hesitation because not all of my previous interactions with other individuals from the elections “advocacy” community had been collegial. Very quickly, I found Professor Hoke to be more than collegial. Through those interactions, she demonstrated herself to be, in all ways, a professional: knowledgeable, pragmatic, guileless, and respectful.  

Since that time, I have enjoyed our opportunities to continue building our professional relationship. She has frequently opened doors for me to engage others outside of my normal network. I have done the same for her. In every instance, whether through her work with the Cuyahoga Board of Elections, consulting with the EVEREST project, participating at conferences together, or serving as sounding boards for each other’s research or ideas – even when we disagreed on matters of policy or politics – I know Professor Hoke to have acted from a foundation of unwavering, high academic and personal integrity. To the extent she has ever been characterized differently was inaccurate and unjustified. In my experience, Professor Hoke has proven herself to have, always and at her core, a deep commitment to educating her students and improving the system of elections administration.  

I have had the privilege to be a guest in Professor Hoke’s classroom. I found her students to be well-informed in election law subject matter – from historic background to current, open litigation – such that my presentation and question/answer time were instructive both for her students and me.  

In sum, I believe that Professor Hoke is a respected member of the elite class of academic experts in the field of elections administration and an asset to this state, and, specifically, the Cleveland-Marshall College of Law.  

Sincerely,  

Matthew M. Damschroder
October 18, 2012

Professor Michael H. Davis
Cleveland-Marshall College of Law
7121 Euclid Avenue, LB 138
Cleveland, OH 44105-2214

Dear Prof. Davis,

This letter is in response to your note asking for information about Prof. Hoke's service, and especially its impact. The short answer is: it has been very high.

Some background will help explain why I say this. I am a professor of computer science, and my specialty is computer security. I have been active in working with electronic voting (“e-voting”) systems since 2003, when our county Clerk/Recorder (the head election official) asked me to look at them and recommend whether she should use them. I shortly thereafter participated in a technical analysis of Maryland’s systems, in which during a test we compromised them in under 30 minutes. I have been on the California State Voting Systems Technology Assessment Advisory Board, which advised the California Secretary of State on e-voting systems. I co-led a technical assessment of all e-voting systems certified for use in California (the “Top-to-Bottom Review” by the Secretary of State) in 2007, and am currently doing research into the process by which elections are run.

I met Candice Hoke during the Top-to-Bottom Review. She was the leader of one of the teams analyzing the documentation that the vendors provided with the systems; the question was whether the documents complied with the requirements of various federal and state laws. Because the systems were in a secured room in the Secretary of State’s office, the document review teams visited us there one week so they could examine the systems to understand the quality of the documentation better, and to have us test the procedures in the documents. We discovered many problems, and as a result the Secretary of State decertified two systems, forbidding their use until the problems were fixed, and allowed the third system to continue to be used provided certain stringent conditions were met. The report Prof. Hoke and her colleagues wrote played a key part in the Secretary of State’s actions.

I have also worked with Prof. Hoke and some other colleagues (all of whom are technical experts, with little to no knowledge of the law) to develop a paper describing steps that election officials can take to prepare for a forensic audit of electronic voting systems should they deem one necessary. This paper, done under the aegis of the Center for Election Excellence, resulted from some questions she asked. The paper covers both technical and legal precautions, and draws on the experience of people who have participated in such reviews. It has been downloaded over 400 times, including many times recently, and several ABA web pages link to it. Both the Democratic and Republican parties’ senior counsels asked for copies just before the 2010 election (I don’t know about this election, but many others have). This paper therefore is having a great impact on educating people about how to conduct forensic audits. The legal part of the paper was Prof. Hoke’s work, and her work also helped inform us of what technically needed to be done to gather and preserve data in such a way that it could be used in court, if needed.

Prof. Hoke’s impact in the election community is great, as you can see. She is the person we go to for legal
questions about elections. She has improved our understanding of them, and in her role as a member of the ABA's Standing Committee on Election Law, has injected technical knowledge into the legal process.

In another context, her work is also having an impact. Software currently is very badly written, as the resulting security (and non-security) problems are well known. Given Prof. Hoke's interest in public policy and her expertise in regulatory law, I invited her to participate in an NSF-funded workshop that I was co-chairing, the Summit on Education in Secure Software (SESS). The participants in the Summit discussed licensure and certification. Prof. Hoke provided much basic legal information that none of us knew. She also became quite excited about the technical ramifications of the discussion, and how licensing professionals, or certifying either people or software, could affect the quality of code development, and the resources given to software engineers to do the development. Prof. Hoke added her thoughts to several discussions about how such controls would complicate security policies—both in the way software would have to be developed, and in the way in which vendors would describe the policies that their software could implement, and under what conditions. What she said swayed many of the participants away from a "certification is either junk, useless, or good only for making money" stance. She is continuing to advise people in the Department of Homeland Security and other government agencies, and this too will have a great impact nationally.

To sum up, Prof. Hoke's work is having an impact at the state and national levels. She has been a key member of several efforts that have changed the way the nation thinks about electronic voting systems, and in efforts to improve the processes and technologies used in running elections. She also is providing similar leadership in the very nascent area of software security and certification/licensure.

I hope this provides the information you need. Please do not hesitate to contact me if you need more details.

Sincerely,

Matt Bishop
CLEVELAND STATE UNIVERSITY
CLEVELAND-MARSHALL
COLLEGE OF LAW

CRITERIA, STANDARDS, AND PROCEDURES FOR THE APPOINTMENT OF NON-TENURE-TRACK CLINICAL AND LEGAL WRITING PROFESSORS

Effective July 1, 2003
Amendments Effective March 2009

I. Introduction

(A) Purpose
These policies and procedures govern initial appointments and renewals for Clinical and Legal Writing faculty at Cleveland-Marshall College of Law, Cleveland State University beginning in the 2002-2003 academic year. They do not apply to persons teaching or otherwise participating in any of the clinical or legal writing programs who hold tenured or tenure-track appointments, nor do they apply to attorneys who may be hired to work in the clinical programs for temporary periods of time. The subsequent standards, criteria and procedures will be used to evaluate candidates for initial appointment as Clinical or Legal Writing Professors, Clinical or Legal Writing Faculty members applying for five-year appointments, as well as Clinical or Legal Writing Faculty members applying for renewal of either one-year or five-year appointments.

(B) Role of the Director of Legal Writing
The Director of Legal Writing has the responsibility for the program and supervision of the Legal Writing faculty teaching within it. Supervisory evaluations and annual written reviews of the Legal Writing faculty are the responsibility of the Director.

II. Appointments

A. Initial Appointments

1. Clinical Professor
Persons applying for initial appointment to a position as a member of the College of Law’s non-tenured Clinical Faculty will be evaluated based upon the demonstrated potential for excellence as a teacher in the College’s clinical program as shown by educational achievement, prior practice of law, prior teaching, or other relevant achievement and skills.
2. **Legal Writing Professor**

Persons applying for initial appointment to a position as a member of the College of Law’s non-tenure Legal Writing Faculty will be evaluated based upon the demonstrated potential for excellence as a teacher of legal writing and research as shown by educational achievement, prior practice of law, prior teaching, and/or other relevant achievement and skills.

B. **Subsequent Appointments**

1. **Clinical Professor**

For all subsequent appointments, a Clinical Professor must demonstrate excellence in teaching, outstanding lawyering skills, commitment and contributions to the improvement of the law, the legal system, legal education, and the profession, and academic and community service. A Clinical Professor applying for a five-year appointment, in addition to the above, must demonstrate the likelihood of continued growth as a Clinical Professor pursuant to the criteria contained in Part III below.

2. **Legal Writing Professor**

For all subsequent appointments, a Legal Writing Professor must demonstrate excellence in the teaching of legal research and writing, effectiveness in relating collegially with peers, and an overall proficiency and professionalism. A Legal Writing Professor applying for a five-year appointment, in addition to the above, must demonstrate the likelihood of continued growth as a Legal Writing Professor pursuant to the criteria contained in Part III below.

III. **Five-Year Appointment Criteria**

A. **Clinical Professor**

The following criteria will be used to determine if the College of Law will recommend that a Clinical Professor be granted a five-year appointment. Exceptional strengths with respect to certain criteria may, to a limited extent, offset weaknesses with respect to others.

1. **Excellence in Teaching**

The evaluation of clinical teaching should take into consideration the primary educational goals of clinical courses, i.e., the teaching of lawyering skills. In clinical courses, the experience is the primary teaching tool. Excellence in teaching is demonstrated by effective supervision and mentoring of students in the clinical setting and successful classroom performance in clinical and other courses. Student evaluations and classroom visits by faculty will be used to evaluate teaching performance. Supervision of independent study and research and
individual counseling of students are considered part of teaching responsibilities.

2. **Lawyering Skills**
Clinical professors must demonstrate outstanding ability in the performance of lawyering skills. These skills include client interviewing, client counseling, fact development, case planning, negotiations, hearing advocacy, legal writing, and practice management. In addition, clinical professors must exhibit a high degree of ethical behavior and professionalism as both teachers and attorneys.

3. **Professionalism Contributions**
Clinical professors are expected to contribute to the improvement of the law, the legal system, legal education and the profession. Membership in professional associations and active participation in committees are examples of ways in which to make these contributions. Clinical professors should also actively participate in efforts to improve the law and the administration of justice in their areas of expertise, including significant litigation, scholarship, work with public interest organizations, legislative advocacy, and/or pro bono activities. For purposes of this requirement, “scholarship” should be defined to include substantial briefs and position papers that reflect a significant exertion of research and analytical skills.

4. **Academic and Community Service**
Clinical professors are expected to engage in activities that serve students, the University and the community. They should (as compatible with the demands of their clinic responsibilities) accept such assignments as moot court judge, student counselor, student organization advisor, and member of University and College of Law committees. They should be regularly available for individual consultation with students and other members of the University community. They should engage in community service.

5. **Information and Factors to be Used in Evaluating Five-Year Appointment Criteria**
   (a) A description of the clinical and other courses taught at the law school;
   (b) Recent syllabi or clinical equivalent;
   (c) Student course evaluations;
   (d) Prior written evaluations and recommendations of the Clinical Professor’s supervisor(s).
   (e) A list of committee assignments and comments from committee chairs;
   (f) A description of service activities in or outside the law school;
(g) Observation of one or more of the Clinical Professor’s classes by members of the special faculty committee reviewing the candidate;
(h) Review of materials the Clinical Professor has prepared in conjunction with his or her teaching;
(i) A meeting with the candidate;
(j) Scholarship, presentations, publications, briefs or other court or administrative filings, or other work enhancing the school’s reputation;
(k) Any evaluations, recommendations or other materials commenting on the work of the Clinical Professor from clients, judges, co-counsel, opposing counsel, professional colleagues or others in the community in a position to observe the Clinical Professor’s work and its impact that may be submitted by the candidate; and
(l) Other materials submitted by the candidate.

B. Legal Writing Professor
The following criteria will be used to determine if the College of Law will recommend that a Legal Writing Professor be granted a five-year appointment. Exceptional strengths with respect to certain criteria may, to a limited extent, offset weaknesses with respect to others.

1. Classroom Teaching
The Legal Writing Professor exhibits a command of legal analysis, legal writing, legal research, and advocacy. The candidate is focused and well prepared for class, organized and effective; defines the goals to be accomplished; incorporates effective methods of conveying those goals to the students relying on techniques appropriate for teaching writing, analysis and research; and, offers insights to the students that they would not get from reading the text alone.

2. Designing Writing Assignments
The Legal Writing Professor’s assignments and teaching materials should intellectually challenge students. Assignments are appropriate to the students’ realistic analytical ability. Problems are factually realistic and, if persuasive writing is required, are well balanced. There are sufficient research exercises during the year to challenge students, expose them to a variety of research methods, and lead them to competence in research performance. The research is organized with a clear focus and continuum throughout the year.

3. Evaluating Student Work
The Legal Writing Professor should be able to provide insightful, detailed critiques of student papers with written comments that do the following:
(a) Recognize the difference between effective and ineffective writing and analysis;
(b) Conceptualize that difference between effective and ineffective writing by explaining why one thing works and another does not;
(c) Diagnose writing and analysis problems by identifying the habit or misuse that causes the student to write effectively;
(d) Prescribe solutions that identify what steps the student can take to improve;
(e) Make informative comments on student papers while achieving a tone that motives students to improve;
(f) Grade student papers in a way that accurately reflects a paper’s quality when compared with that of other student papers;
(g) Prepare, select, and highlight the problems to discuss with students; and
(h) Evaluate papers in terms of practical effectiveness, rather than in terms of the teacher’s personal preferences.

4. Student Conferences
The following criteria will be used to evaluate a candidate’s student conferencing techniques:
(a) Demonstrated interest in student’s development as legal writers, researchers, and professionals and consistent availability to students for one-on-one and/or small group consultation regarding writing projects;
(b) Ability to convey important information to students in a manner that they can understand and accept; and
(c) Ability to ask questions designed to provoke thought, and delivered in a sequence that builds on the answers to preceding questions and leads to the teacher’s goal.

5. Relating to Students
The candidate relates constructively with students inside and outside the classroom.

6. Course Administration
The candidate handles administrative tasks efficiently as exhibited by the following criteria:
(a) Coordinates and works well with other legal writing teachers, faculty, and other members of the law school community;
(b) Provides students with fair notice of office hours, conferences, and scheduling that affects them; and
(c) Completes preparation of assignments well in advance.
7. **Judgment**
The candidate exercises sound judgment in all aspects of work, solves problems reasonably and decisively, and seeks assistance from experienced colleagues when appropriate.

8. **Team Work**
The candidate exhibits collegiality by the following:
(a) Coordinates and works well with other legal writing teachers, faculty, and other members of the law school community;
(b) Shares ideas with others in the field, both internally and externally;
(c) Focuses on compliance with school and Legal Writing program policies rather than individual preferences;
(d) Participates in departmental meetings, and responds to Director’s requests in a timely fashion;
(e) Timely files grades, follows Department and school polices; and
(f) Balances appropriately between individual initiative and acceptance of direction.

9. **Scholarship**
A Legal Writing Professor is not expected to engage in published legal scholarship as a part of teaching and Program responsibilities. However, the Dean, Director, and faculty encourage and support Legal Writing Professors who wish to engage in scholarship regarding legal writing, including publications, research and conference presentations. Also, Legal Writing Professors may choose to engage in scholarship in subjects beyond the scope of legal research and writing. Nothing prevents Legal Writing Professors from submitting that scholarship for favorable consideration in connection with reappointment or promotion.

10. **Information and Factors to be Used in Evaluating Five-Year Appointment Criteria**
Consideration of the above criteria shall be based on at least the following:
(a) A list of courses taught at the law school;
(b) Recent syllabi;
(c) Student teaching evaluations from at least the previous three years’ first year or Third Semester course[s];
(d) Prior written evaluations and recommendations of the director or supervisor;
(e) Observation of one or more of the Legal Writing Professor’s classes;
(f) Review of materials the candidate deems relevant such as individual projects, grading guidelines, teaching exercises, worksheets, research and lesson plans;
(g) Meeting with the candidate;
(h) Scholarship, presentations, publications, editing, pro bono
or other work or activities that serve to enhance the law
school’s local or national reputation; and
(i) Other materials submitted by the candidate.

IV. Procedures for Appointment

A. Initial Appointments and Renewal of Yearly Appointments

1. Prior to making any recommendations of an initial appointment
pursuant to these procedures the Dean shall receive the
recommendations of the Special Committee for Appointments.
The Dean shall take into account the Special Committee’s
recommendations and the needs of the institution in acting on the
appointment.

2. The member of the law school administration (the Director of
Legal Writing, the clinical faculty supervisor, or the associate
dean) who directly supervises the performance review of each
candidate on a yearly basis shall recommend renewal or non-
renewal to the Dean of the College of Law. The Dean shall then
determine whether to grant a renewal of the yearly appointment.

3. The Special Committee for Initial Appointments for Clinical and
Legal Writing Faculty shall include two tenured or tenure-track
faculty members, two members of the clinical or legal writing
faculty (dependent on the position to be filled) and the Chair of the
College of Law Faculty Committee on Clinical Legal Education
and Externships or Legal Writing and Research, depending on the
position to be filled. If the position to be filled is a legal writing
position, the Director of the Legal Writing Program shall constitute
one of the two legal writing faculty members of the Committee and
the other legal writing position on the Committee shall be filled,
where possible, by a member of the legal writing faculty who has
more years of service than the applicant. If the position to be filled
is a clinical faculty position the immediate supervisor of the
clinical program shall constitute one of the clinical faculty
members of the committee, unless that person is a tenured faculty
member and that person shall constitute one of the tenured faculty
members of the committee.

B. Five-Year Appointment and Renewals

1. A Clinical Professor or Legal Writing Professor is eligible to apply
for an initial five-year appointment after five one-year
appointments and shall, as a condition of employment beyond the current appointment, apply for a five-year appointment during the fifth yearly appointment, subject to the phase-in provisions of Section IVB(2) below. Renewals of five-year appointments shall be considered during the year the term expires.

2. Years taught previously in the Clinical or Legal Writing Program, when this section is adopted, count toward the eligibility requirement. The granting of initial five-year appointments shall be phased-in over a five year period starting in the academic year immediately following the adoption of these provisions.

3. Applications of several candidates during the same year may be considered based upon each candidate’s years of prior service. Preference will be given to those with the greatest number of years of service in order of hiring date. While several candidates may be considered during one year, the Dean, in consultation with the director of the applicable program and the chairs of the Clinic and Extern and the Legal Writing Committee will determine how many candidates’ applications will be considered based upon the available personnel, the resources, and the timing of the applications. A Clinical or Legal Writing Professor who has applied for a five-year appointment but who has been deferred under this paragraph shall be eligible for a yearly appointment subject to the yearly appointment procedures.

4. The Dean, prior to making a recommendation to the Provost on a five-year appointment, shall appoint a special committee, after consultation with the PAC Chair and the applicant, to prepare a report to the faculty based on the criteria contained in Section III above. The faculty will then make a recommendation to the Dean.

5. For purposes of this section the faculty shall consist of all tenured and tenure-track faculty, all clinical and legal writing faculty who hold five-year appointments. Clinical or legal writing professors who are being considered for renewal of a five-year appointment shall not be considered members of the faculty for purposes of this section during the year that they are seeking the renewal.

6. For purposes of this section the special committee shall consist of two tenured or tenure-track faculty members and one clinical or legal writing faculty member who holds a five-year appointment (depending on whether the applicant for the five-year appointment or renewal thereof is a clinical or legal writing faculty member). If there is not a clinical or legal writing faculty member who holds a five-year appointment then the special committee shall consist of
three tenured or tenure-track faculty members one of whom is a member of either the faculty Legal Writing and Research Committee or the Clinic and Extern Committee (depending on whether the applicant for the five-year appointment or renewal thereof is a clinical or legal writing faculty member).

7. Renewals of Five-Year Appointments

(a) The award of a five-year appointment to a Clinical or Legal Writing faculty member carries the presumption of successive five-year appointments. Faculty members awarded five-year appointments shall be denied successive five-year appointments only for just cause, or the material modification of the program in which the faculty member teaches, or a declaration of financial exigency.

(b) The application and review process for renewals of five-year appointments shall be as follows:

(i) A faculty member seeking renewal of a five-year appointment shall notify the Dean in a letter no longer than two pages in length delivered to the Dean by September 1 of the final academic year of the existing appointment.

(ii) The Dean shall, in consultation with the PAC Chair and the applicant, appoint a special committee to review the application for renewal. The special committee will be constituted pursuant to Sections IV B 5 and 6 above.

(iii) The special committee shall review the letter, the applicant’s annual reports for the first four years of the appointment, the applicant’s student teaching evaluations for the first four years of the appointment, and any other relevant written information related to whether just cause exists for nonrenewal.

(iv) The special committee will apply the “presumption of renewal” standard to its review of this information. The special committee shall determine that nonrenewal is appropriate only upon a finding that “just cause” exists as defined in CSU Professional Staff Policies 8.5.8.5.1; “just cause” includes but is not limited to “unsatisfactory performance.” The term “unsatisfactory performance” in CSU Professional Staff Policies 8.5.8.5.1 shall be interpreted to mean:
- professional incompetency, or
- substantial, willful, and persistent neglect, without justification or excuse, of an essential institutional duty, validly prescribed by the University.

(v) The special committee shall formulate a recommendation as to the renewal and communicate the recommendation to the applicant and the Dean in writing by November 1 of the final academic year of the existing appointment.

(vi) If the special committee recommends renewal, the committee shall recommend to the Dean that the applicant receive an additional five-year appointment. No further action is required by the special committee.

(vii) If the special committee recommends nonrenewal, the special committee shall identify the reason(s) for the recommendation in the written communication to the applicant and the Dean described in IV B 7 (b) (v) above. The written communication shall also identify the information and materials on which the special committee relied in making the recommendation for nonrenewal. The special committee will make those materials and information available to the applicant upon the applicant’s request.

(viii) The Dean shall review the material listed in Section IV B 7 (b) (iii) above, the materials provided by the special committee, and any additional materials submitted by the applicant. The Dean will formulate a recommendation regarding the renewal of the applicant’s appointment. The Dean shall communicate his or her recommendation to the special committee and to the applicant in writing no later than December 1 of the final academic year of the existing appointment.

(ix) Both the Dean’s recommendation and the special committee’s recommendation shall be provided to the Provost no later than December 15 of the final academic year of the existing appointment.

(x) Nothing in these procedures affects the applicant’s rights related to termination of employment as set forth in Greenbook Section 8.3.8(B)(3) or Professional Staff Policies expressly incorporated in that Greenbook Section,
specifically Professional Staff Policy Section 8.5.8 Termination of Employment and 8.5.9 Grievance Procedures.

C. University Personnel Policies
Nothing in these Criteria, Standards, or Procedures shall be construed to circumvent or otherwise contradict University personnel policies for non-tenure track teaching faculty.

V. Termination
A Clinical or Legal Writing Professor may be terminated at any time during the term of a five-year appointment or any renewal period for good cause, or due to the termination or material modification of the entire clinical or legal writing program. Termination proceedings shall be done in accordance with University policy governing non-bargaining faculty.
8.1.8 Leaves of Absence (Non-Bargaining Unit Members Only)

Leaves of absence under this section are only those leaves taken by faculty members for professional purposes requiring that the faculty member miss assigned classes. Such leaves of absence fall into three categories: absences, short leaves, and extended leaves. Absences last no more than one week and entail no cancellation or rescheduling of classes. Absences require no more than prior notification to the Departmental Chairperson or, in non-departmentalized colleges, the College Dean, and are limited to a maximum of three absences per quarter or four absences per semester. Short leaves either (1) last more than one week but no more than five weeks or (2) require cancellation or rescheduling of classes. All short leaves require written permission of the Departmental Chairperson or, in non-departmentalized colleges, the College Dean. Extended leaves last more than five weeks and must be approved in accordance with Section 8.1.8(C). Extended leaves include the following leaves with pay and leaves without pay.

A) Leaves with Pay

1) Military Leave. (All Members) As a general rule, faculty members who participate in military reserve programs should take their training during the summer months. Leave with pay will be granted, however, to members of the National Guard and other armed forces for 31 days each year.

2) Judicial Leave. (All Members) Leave with pay is granted when a faculty member is called for jury duty or is subpoenaed to testify as a witness before any court or governmental hearing body. Service as an expert witness shall be considered to be in the same category as consulting and shall be subject to the limitations thereon specified in Section 8.1.10.

3) Professional Leave. (Non-Bargaining Unit Members Only) A full-time faculty member with at least six academic years of teaching service at the University may be granted professional leave with pay for a period not to exceed one full academic year to engage in further education, research, or other programs of professional improvement that can contribute directly to the improvement and development of the faculty member and the University.

3.a) Eligibility.

1.) Completion of six years of full-time academic service at Cleveland State University at the time of the initiation of the leave.

2.) Tenure effective as of the date the professional leave becomes effective.

3.b) Definitions for Eligibility.
1.) "Full-time faculty" defined as persons holding full-time faculty appointments in one or more academic departments or colleges, as specified in the Faculty Personnel Policies.

2.) "Academic years of teaching service" defined as two semesters of academic responsibilities (teaching, research, etc.) in a given calendar year. Years of partial service may accumulate to equal the equivalent of a year of full-time service. Summer teaching for faculty on nine-month contract does not count toward the accumulation of years of service.

3.) Leaves of absence from faculty assignments without pay that occur during the six-year period do not count toward eligibility for professional leave. On the other hand, such leaves of absence will not be considered to have substituted for faculty professional leave with pay as defined in these guidelines.

3.c) Period of Leave and Compensation.

Except in the College of Law the period of professional leave for the non-bargaining unit faculty member who has completed at least six full years of academic service may consist of one of the following:

1.) One quarter: 100% of 9-month salary.
2.) Two quarters: 83.3% of 9-month salary.
3.) Three quarters: 66.67% of 9-month salary.

Summer term will not normally be considered as available for a professional leave.

For eligible faculty in the College of Law, the period of professional leave may consist of one of the following:

1.) One semester at 11/12 of 9-month salary.
2.) Two semesters at 66.67% of 9-month salary.

3.d) Other Considerations.

1.) Fringe Benefits. For professional leaves of only one quarter, regular fringe benefits including retirement and insurance benefits will continue at the normal level. For leaves of two or three quarters, all fringe benefits will continue at the
normal level with the exception of retirement benefits, the payment of which is based on actual dollars earned.

2.) Salary Increments. Faculty members on professional leave will be eligible for salary improvement for the following year in the same way as faculty members currently teaching on campus.

3.) Additional Compensation During the Period of Leave. A faculty member on professional leave under this policy will not hold a paid position unless that position can be shown to assist him/her professionally. Should he/she hold such a paid position, however, the sum of the professional leave salary and additional funds in the form of grants, stipends, gifts, or pay shall not exceed the amount of the normally contracted salary, with the exception of such funds as are allocated in a grant for special expenses such as equipment, books, professional travel, etc.

4.) Continuing Institutional Responsibility. To assure that the University shares in the benefits of the professional leave, faculty members taking professional leave agree to return to Cleveland State University for at least three quarters or, if appropriate, for two semesters (excluding summer) after completing their professional leave.

5.) Accrual of Time Toward Subsequent Leaves. Upon completion of professional leave, a faculty member starts accruing time toward eligibility for the award of his/her next professional leave as of the date of his/her resumption of normal academic duties.

6.) Released Time or Assigned Duty. Professional leave taken as part of a faculty improvement program established under this rule shall not be deemed to be in lieu of released time or assigned duty in connection with a specific research, scholarly, or creative program.

B) Leaves Without Pay

1) Military Service Leave.

2) Special Leave. Special Leave without pay may be granted for study, research, professional employment, election or appointment to public office, or other personal reasons such as travel or rest. During a Special Leave the faculty member may accept an appointment at another educational institution
provided such an appointment is not in a regular tenure-track position. The University discourages requests for leaves to enter private business or practice unless such request is considered by appropriate University Personnel to be an opportunity to enhance and strengthen the professional development of the faculty member.

Special Leaves are normally granted for a period of up to one year. An extension of up to one year may be granted only if it is shown that this would clearly benefit either the University or the professional career of the faculty member. Further extensions beyond a second year will be granted only in rare instances such as an opportunity to engage in projects of unusual value to the faculty member and the University.

Periods of leave without pay may be credited as professional service in consideration of promotion, tenure, and increments according to the provisions of Section 8.1.1(F). University benefits may continue during a period of special leave, as permitted by law and with approval of the President, provided that the faculty member on special leave makes proper arrangements to pay any premiums on the continuing benefit programs.*

3) **Family and Medical Leave Act of 1993 (FMLA):**

University benefits shall continue provided that a faculty member on leave makes proper arrangements for payment on premiums in all contributory benefit programs.

Complete information on the FMLA can be obtained from the Department of Human Resources Development and Labor Relations

C) **Application for Extended Leaves (Non-Bargaining unit Members Only)**

All extended leaves of absence, with or without pay, are granted by the Board of Trustees upon recommendation of the President. Applications for professional leaves with pay and special leave without pay must be submitted at a sufficiently advanced date that they will reach the Board of Trustees for its consideration at least one full academic quarter before the beginning of leave. Applications for other extended leaves shall be submitted at the earliest practicable date.

1) **Professional Leave With Pay.** Procedures to be followed in granting professional leave with pay are:

Procedure for Application and Review

The following steps will be followed:

* Faculty members who do not carry their benefits while on leave need to make new application upon their return to resume benefit coverage.
1.a) Applications from faculty members seeking professional leave for the following academic year should be submitted to the department office, or, in colleges that do not have departments, to the office of the Dean, by the announced deadline. The proposals should follow the required format, should define carefully and as completely as possible the purpose of the leave, and should specify clearly what outcomes can be expected. A current curriculum vitae should accompany the proposal.

1.b) The Department Chairperson or the Dean of a college without departments will initiate a review by a faculty committee of the proposal submitted. The primary criterion shall be the merits of the proposal, bearing in mind that the purpose of professional leave is to enable faculty members to engage in further education, research, or other program of professional improvement that can contribute directly to the improvement and development of the faculty member and the University. The faculty committee should also keep in mind the maintenance of departmental standards and responsibilities for all ongoing programs.

1.c) The Department Chairperson or the Dean of a college without departments is responsible for making advance arrangements to provide adequate coverage for a faculty member on professional leave on a "break even" or "no-cost" basis. (In some cases, a "no-cost" program may be arranged on a college-wide basis.) Duties of persons on professional leave normally will be assumed by the remaining faculty. If a faculty member is on leave with less than full salary, the remaining part of his/her budgeted salary may be used for (partial) replacement. No professional leave shall be granted that requires a compensating addition to the permanent faculty or staff.

1.d) In colleges having departments, applications supported by the department with a statement from the Chairperson indicating how adequate coverage will be provided for the faculty member in his/her absence shall be forwarded by an appropriate departmental committee to the appropriate Dean.

1.e) The Dean will initiate a review of all applications by a faculty committee. In this review, the quality of the proposal shall be the primary criterion. The committee should also bear in mind the necessity of providing adequate coverage for the faculty member in his/her absence and the necessity for maintenance of departmental and college standards and responsibilities of all ongoing programs. The maximum number of proposals that may be recommended by the college may be announced in advance by the President. In that
case, the committee should prioritize proposals, if necessary. In any event, the Dean shall issue a statement indicating how adequate coverage will be provided for the faculty member in his/her absence.

1.f) Applications shall be forwarded to the University Professional Leave Committee by the college committee. Law School applications must include the recommendation of the applicant's Dean and the recommendation of the college committee.

1.g) The Professional Leave Committee shall consist of one faculty representative from each of the academic colleges, appointed by the Academic Steering Committee, and two Deans appointed by the Provost. The role of this committee as advisory to the Provost is to review proposals submitted, to evaluate the merits of the proposals, to make suggestions as to the entire process, and to recommend proposals to the Provost for favorable action.

1.h) The Provost shall, in turn, make recommendations on faculty professional leaves to the President. The President shall make his/her recommendations to the Board of Trustees for final approval at its March meeting.

1.i) Upon returning to University duties, a faculty member shall submit a written report of activities during the period of professional leave. The report should be submitted to the Department Chairperson or the Dean of a college without departments, who shall comment upon the report in writing. The report and comments shall be forwarded simultaneously to the Dean and/or the Provost and should be made available to the Professional Leave Committee.

2) Other Extended Leaves. Application procedures for other extended leaves shall be as above for professional leave with pay, except that the extent of information required may vary and the President may seek the advice of the appropriate committee of the faculty at his/her discretion.
MEMORANDUM

TO: C-M Faculty

FROM: Legal Writing Ad Hoc Committee:
Jason Carter
Deborah Geier
Brian Glassman
Lolita Buckner Inniss
Jennifer Isaacs
Sandra Kerber
Jamie Cole Kerlee
Brian Ray
Heidi Gorovitz Robertson (Chair)
Michael Slinger

RE: Proposed Actions in Response to the Legal Writing Consultants’ Report, Part I

Background

In response to a recommendation by the ABA site visit team in 2006, Dean Geoffrey Mearns arranged for a group of three nationally known legal writing professors to perform an independent evaluation of our Legal Writing Program. In a report dated April 17, 2007 (and made available to the faculty shortly thereafter), the team made numerous recommendations for improvement of our program. In response to that report, the legal writing faculty submitted a responsive report dated May 8, 2007. This was also made available to the faculty last spring.

On June 1, 2007, Dean Mearns formed this ad hoc Legal Writing Committee and charged that it “determine which of the team’s suggested changes, if any, the law school should implement.” He added: “To the extent that our legal writing faculty have proposed alternative or additional suggestions, this committee may consider these suggestions as well, if this committee determines that those suggestions will enhance the quality of the legal writing instruction that we provide to our students.” Finally, he asked that the committee “submit its recommendations to the entire law school faculty by November 2007.” We submit this report in partial fulfillment of this charge.

From the outset, the Committee worked hard to view this endeavor as a positive, unique opportunity to enhance our legal writing program for the benefit of our students. The Chair specifically and repeatedly asked Committee members to approach our task with an open mind, rather than as advocates for any predetermined positions. The Committee’s
guiding principle was to examine the issues presented from the point of view of our students. Our primary hope was to adopt suggestions likely to make the first-year writing program as strong as possible so that each student finishes the first year with a solid and reliable grounding in legal writing. In this regard, the student members of the Committee, who were not shy in sharing their views, were particularly valuable. While unanimity with respect to the Committee's recommendations was neither expected nor achieved, these recommendations represent the strong consensus view of the clear majority of the Committee after long, open, and honest discussions.

The consultants' report included three major sections. The first described what a solid, effective legal writing program might look like. The second evaluated and sharply criticized the program at Cleveland-Marshall. The third purported to make suggestions to improve the circumstances set forth in section two. The Committee found some fault with the consultants' report. In particular, its specific recommendations, in some instances, did not seem to address directly the problems raised. One Committee member thought the report was "mean." That said, the report raised enough serious concerns about the quality and consistency of our program that the Committee felt that it would be missed opportunity to disregard it, despite its flaws. The Committee will not rehash here the numerous problems identified in the consultants' report as that report is and has been available to the faculty.

The consultants' report included numerous recommendations, ranging from hiring a new legal writing director from outside Cleveland-Marshall (to provide leadership, fresh ideas, and accountability), to improving the use of computer technology by the legal writing faculty. Some of the suggestions we felt were important, others were perhaps not even relevant to the problems raised. Many of the suggestions, the Committee believes, would be best evaluated by the legal writing faculty themselves, perhaps in conjunction with a fresh leader. For example, the consultants' report criticized the choice of materials used in the first-year course by some legal writing professors, as well as the significant variation among the legal writing professors regarding the number of writing assignments and the extent and quality of the student conferences, comments on papers, and opportunities for re-writes.

The Committee decided that many of the problems raised fell under the general category of leadership—that is, they are problems that could be improved with thoughtful, creative leadership of the program. The Committee therefore chose to focus first on the question of what leadership model would best serve the program and our students. We felt that for the Committee to address many of the substantive curricular issues would amount to micromanaging the program. Yet, many of the problems raised in the report seemed to indicate the need for effective leadership in their resolution. Further, if the faculty chooses to bring in a director, that director should have the opportunity to work with the current legal writing faculty on handling the remaining consultants' suggestions, especially those with substantive curricular and programmatic impact. We therefore concluded that many of the suggestions would fall under, or would follow, the recommendation we made with respect to the question of hiring a Legal Writing Director. A new director, should the faculty support our recommendation to hire one, would work
with the legal writing faculty to evaluate and implement many of the remaining suggestions in the report.

The Committee determined that two other issues raised by the consultants’ report should also be addressed by the Committee (in addition to the many others that would need to be addressed if the choice of leadership structure required it). The first was a resources issue, specifically, whether the current graduation requirement of a third semester of legal writing should be reconsidered at this time, as recommended by the outside report, so the faculty can focus energy and resources on the first-year program. The second was how we could provide a more focused program of professional development for our current legal writing faculty. The committee will submit proposals regarding these last issues at a later date.

**Leadership Structure**

In the recent past, an appointed person held the position of Director of the Legal Writing Program indefinitely. The position has not been tenure-track, and the recent directors have not perceived their role as supervisory, but rather more as an advocate for the program and for the status and pay of the program faculty.

The outside report recommended that we hire a tenure-track Director of Legal Writing after conducting a national search. It said:

> Cleveland-Marshall would do well to consider devoting the next available tenure-track line to the position of legal writing program director and having that director report directly to the dean, not through an associate dean.

In its responsive report to the faculty, the legal writing faculty favored either a “directorless” model or a model where the Director position is only an administrative chair, rotated among the existing Legal Writing Professors so that someone is responsible for the administrative duties inherent in the program. The legal writing faculty does not favor a Director with supervisory duties. The responsive report said:

> In contrast to the team’s view, an increasing number of legal writing programs are moving toward a cooperative “directorless” model, in which legal writing professors work cooperatively, either without a formal leader or with a rotating department coordinator or chair. *This is the model that we as a department unanimously advocate adopting at Cleveland-Marshall.*” [Emphasis in original.]

The Committee did not confine our discussion and consideration to the two models proposed in the two reports (tenure-track director v. directorless.) Instead, the Committee evaluated a comprehensive list of leadership options, largely derived from the ABA’s Legal Writing Source Book (Source Book) and the Association of Legal Writing Director’s 2007 Annual Survey (2007 ALWD Survey). The Chair asked Committee
members to think about the pros and cons of each leadership model as they pertain to our school and our students at this time and to come to the meetings with an open mind. In wide-ranging conversations over the course of several meetings, the Committee discussed the perceived strengths and weaknesses of many different leadership models. The Chair listed the pros and cons on a whiteboard under each possibility as it was mentioned, and Committee members came up with a long list, which helped ground our discussion of the relative values of the available options.

Although we remained focused on what would be the best model for our school at this time, we did obtain data from the 2007 ALWD Survey regarding leadership models currently used at other law schools:

Does the program have a director? (direct responsibility for design, implementation/supervision of the program) 156 Yes, 25 No

A tenured faculty member whose primary responsibility is directing the LW program: 33
An untenured faculty member, on tenure track, whose primary responsibility is directing LW: 17
A faculty member, not on tenure track, who primary responsibility is directing LW: 66
A faculty member or administrator whose primary responsibility is not the 1L LW program: 6
An administrator whose primary responsibility is directing with LW program: 5
A faculty member with clinical tenure/clinical tenure track: 12
Other: 19

In addition, we consulted the latest ALWD survey for information on the employment status of legal writing directors:

1. LW Director is tenure/tenure track / “clinical” tenure, 62/180
2. LW Director is not tenure track but primary responsibility is Legal Writing, 66/180

While not unanimous, the broad consensus of the Committee was that—at this particular point in time—we need to bring in a new Director with substantive responsibility for the program, preferably with substantial experience that would justify an immediate long-term contract or tenure (see below), and who could bring an outside perspective and enthusiasm to leading and improving our legal writing program. In particular, all of the students on the committee thought it critical that the new Director have supervisory responsibilities so that there would be real accountability to both the students and the Dean regarding the substance and consistency of the program and the experiences of all first-year students. The primary rationales behind this recommendation included the need for consistency throughout the program in terms of the substance conveyed to students and the quality and quantity of student feedback, and the need for accountability with respect to program quality. The Committee agreed that the program, and therefore our students, would benefit from a director from outside the law school, who could bring
energy, fresh ideas, and leadership to the program, while also guiding the program to consistency in substance and quality. The Committee also felt that this action would show our seriousness of purpose to the ABA visitors who suggested the outside review, as well as to the Legal Writing consultants who evaluated our program.

One member of the committee preferred the “directorless” program model to the model the Committee ultimately recommended. We consulted the ALWD information on programs that function with no director and learned that currently 14% of legal research and writing programs operate according to a “directorless” model. This can mean several things in terms of administrative responsibility; sometimes there is a rotating administrative chair, sometimes a permanent administrative chair, neither with supervisory responsibility.

The ABA Sourcebook suggests that the appropriate leadership model for any particular program should be determined, in part, according to the employment status and experience of the legal writing teachers, as well as other factors concerning the functioning of the program. Currently, our legal writing department is staffed by persons on, or eligible for, long-term contracts. For a legal writing department of this type, the Sourcebook says:

In general, a director under this model has greater responsibility than a director of a program with tenure-track writing professors. The potential additional turnover increases the director’s responsibilities for recruiting, hiring, training, and supervising new legal writing professors. As they gain experience, writing professors with renewable long-term contracts or two-year contracts that are indefinitely renewable will need commensurately less training and supervision. The director will become more of a general coordinator, continually “taking the pulse” of the program and its faculty, striving to develop an intellectual community that fosters creativity in teaching and curriculum development, and finding opportunities for individual faculty members to engage in service activities and scholarly publication.

We acknowledge that experienced teachers on long-term contracts staff our legal writing program. However, the Committee was sufficiently concerned about the need for change in the current structure that we found it premature to adopt a “directorless” model at this time, regardless the experience of the teachers.

With respect to the issue of whether the recommended Legal Writing Director should have a tenure-track position or a long-term contract, the Committee was split. Approximately one-half of the Committee felt that tenure was either not appropriate or not the best form of employment for this position. Approximately the other half of the committee felt that the most important issue was to find the best leader for the program and were open to virtually any form of employment status for the right person. One member felt that tenure was critical for the person to do their job effectively. Because this issue will certainly be debated at the faculty level, we set forth our rationales below.
The initial inclination of the Committee was that the new Director should be hired on some sort of clinical tenure or legal writing tenure track, \textit{i.e.}, a new kind of tenure track that we do not currently have (assuming that we could get the University to agree to it). The consultants’ report had recommended that the position be tenured or tenurable. The rationale was that tenure would provide security and status to the new Legal Writing Director to help that person work with the Dean and tenured faculty on the needs of the program. The Committee members supporting this idea also thought that providing tenured/tenurable status to the position would make it more attractive to the best prospective candidates and would give real clout to his or her work with and advocacy for the program.

The rest of the committee voiced serious concerns about creating an additional form of employment status for this position. Their first concern was that a Director who was working on the publication demands necessary for obtaining tenure might give short shrift to the work of reviewing the current program and coordinating its improvement. Second was a concern that a Director with an employment status different from the rest of the Legal Writing Professors would introduce an additional distancing layer between the legal writing faculty and the tenured faculty. Third, many committee members did not agree that providing “legal writing tenure” to the Director would provide an opportunity to move the rest of the legal writing faculty into that same status (as opposed to long-term contracts). They also indicated that many legal writing programs with tenured directors tend to be those that rely primarily on adjuncts to teach in the first-year program, so such a model would not be appropriate here. For these programs the director usually creates, writes and supplies all the program assignments, syllabus and leadership to the program.

An ancillary benefit of using a long-term contract rather than a tenured or tenure-track approach is that it introduces flexibility for future changes in leadership structure for the program. While the vast majority of the Committee believes that a Legal Writing Director with supervisory responsibilities makes sense today for Cleveland-Marshall, the Committee also recognizes that it might be appropriate in future to move to a different leadership model. In other words, even though the great majority of the Committee did not believe that a “directorless” model is appropriate for our program at this time, a future committee, dealing with a different set of circumstances, might well decide that a change in model is warranted.

So, although the Committee almost unanimously decided to recommend hiring a Legal Writing Director from outside the law school, through a national search, the Committee did not reach consensus with regard to whether the law school should offer a long-term contract or some form of tenure for the new Director.

\textbf{Motion:} Cleveland-Marshall College of Law should conduct a national search to hire a new Director of the Legal Writing Program. While it was the consensus of the Committee that an effective leader would recognize
that good leadership does not entail “micro-managing” the legal writing program, the Director—working closely with the rest of the legal writing faculty—should have primary responsibility for leadership of the program, including the authority to implement changes, as necessary, under the guiding principle that it be structured so that it is the most effective program for our first-year students. The Director would report directly to the Dean.

Should this motion pass, the Committee will ask the Dean to initiate an appropriate hiring process as soon as possible. The Committee recognizes that a full search for this position may well extend to the next semester and also may function outside the AALS process.

If the faculty rejects our recommendation to hire a Legal Writing Director, the Committee would then, in satisfaction of our charge, have to address the remaining substantive and curricular issues set forth in the consultants’ report and make recommendations with respect to each of them. The Committee feels that a Legal Writing Director, in conjunction with the existing legal writing faculty, would be better suited to evaluate the individual substantive and curricular suggestions.
Sample Materials for Adjunct Workshops

An annual Adjunct Appreciation Luncheon is held in the spring during which one or more full-time faculty members lead a discussion of selected pedagogical topics to assist our adjunct faculty in improving their performance in the classroom. This discussion is opened up to all in attendance to encourage a rich exchange of best practices on the topic. These are generally well-attended and have been well-received by the adjunct faculty. The topics in recent years have included the following:

- **Drafting Exams and Evaluating Student Progress**: A panel of full-time faculty members explained the variety of ways in which exams can be structured (including essays, short answers, and multiple choice questions) and discussed the strengths and weaknesses of the different approaches. The panel also discussed methods for evaluating student progress in the course of a semester in order to identify and address problem areas.
- **The Use of Online Course Materials**: Professor Jonathan Witmer-Rich presented his innovative web-based course materials that garnered him a 2010 University System of Ohio's "Faculty Innovator Award".
- **Incorporating Skills Training into a Course**: Two full-time faculty members led a roundtable discussion of how best to incorporate skills into the classroom curriculum. A variety of approaches to skills training were shared such as drafting exercises, negotiation simulations, and problem solving.
- **Engaging Students in the Classroom**: Three full-time faculty members described the ways in which they actively engage their students in the learning process. The methods discussed included having students work with each other in small groups, identifying an animating point and core concept for the course (and each class), and giving substantial feedback to students to ensure a dynamic learning experience.
- **The Use of Computer Learning Aids**: The Director of our Law Library made a presentation on CALI exercises and explained how they can be used to improve student learning.

In 2012, Prof. Broering-Jacobs, the Director of Legal Writing also organized a luncheon workshop for all adjunct faculty on the topic of how to provide useful comments on student writing assignments. Some of the materials provided in this workshop are appended hereto.
COMMENTING ON STUDENT WORK

September 2012

Writing Effective Comments

Remember your role.

- teacher or coach, not editor and proofreader

- our goal should be to teach our students to become effective self-editors

Explain your methods up front.

- let students know that you’re not marking everything

- it sometimes helps to clarify that you’re responding as a reader

Prioritize.

- tailor comments to course goals and learning objectives

- be clear about what you are trying to teach and stay focused on those objectives in your commenting

Don’t comment on everything.

- higher-order concerns first
  - law and analysis,
  - then organization (if the law is wrong, organization likely to be off, too),
  - finally, things like grammar, punctuation, and sentence structure

- mark the first one or two instances of a mistake, explain how to correct the error, and encourage student to look for similar errors throughout

- too much can overwhelm and create false impression of you as their editor
Be specific.

explain
- comments like “awkward” or “vague” or “???” don’t help much
- provide some explanation or direction, at least the first time you see the error

Examples of comments with explanation and direction.

Weak thesis. This sentence just restates the element of attractive nuisance under discussion. The sentence should instead say something about the first factor in your test.

As written, this agreement suggests that there is only one statement of work. Look at the language in the precedent for an idea about how you might rephrase.

This agreement doesn’t follow the guidelines for use of shall. Use shall for covenants. Remember the Adams article and his simple test: use shall when imposing an obligation on the subject of the sentence.

provide examples
- you can use student work (even in the same document)
- refer student to examples in the text or other course materials, page numbers can help

if you identify a problem and you’re unsure of the solution, try a reader-centered comment

Examples of reader-centered comments that don’t suggest specific solutions:

I’m having trouble understanding your argument in section II.
Unclear what this means. Perhaps if you explain it to me, I can help you to revise.

**Connect comments to other aspects of your teaching.**

text and other course materials

class discussion

individual conferences

**Include positive comments.**

students need to know what to keep and what to emulate in the future

make sure positive comments are specific, too

*Examples of specific and positive comments:*

Very nice comparison. You were specific and the conclusion you draw from the comparison is clear.

Good. You’ve included counter analysis and you’ve come up with a reason that the defendant probably won’t succeed on this argument.

**Focus on the writing, not the writer.**

avoid “you” in your comments; refer to the writing instead

**Consider tone.**

avoid sarcasm

generally avoid humor because it can be misinterpreted
students react negatively to comments like “No!” “Yikes!” and “Are you kidding?”

Add a cover sheet or an end comment.

This gives a student an overview of his or her writing and helps students understand your overall impression of their work, see patterns, and prioritize tasks for revision.

An example of an end comment on an A paper:

This is an excellent working draft. Your writing is clear and easy to follow; it also is free from excessive grammar and punctuation problems. When we meet, please make sure we talk about exploring counterarguments. Some factors in your test could go either way. In a memo, it’s important to explore both sides.

An example of an end comment on a paper with mechanical problems but few analytic problems:

Good work on the draft. Your analysis is sound and thorough. I note a number of problems on your memo that we can discuss during your conference. I’d also like to discuss the struggle you seem to be having with verb tense. I think we might want to enlist the help of the folks over at the University’s writing center on this.

An example of an end comment on a paper with major analytic problems:

You have a good start here. I’m especially pleased with your ability to draw specific comparisons between relevant facts and then draw conclusions based on those similarities or differences.

One big problem that I’d like to see you work on is your expression of the relationship between factors. The factors don’t operate in isolation, so your writing needs to consider each in relation to the others.

Additionally, foreseeability is just one element of attractive nuisance. You shouldn’t be writing about liability in this memo; liability is several steps beyond the foreseeability question.
Finally, you exceeded the page limit. This would be a significant problem for you on a graded assignment and an even bigger problem on a document filed with a court. Be sure to review instructions carefully.

**Dealing with the paper that is truly awful.**

talk to the student, offer some additional instruction or interim steps, and ultimately get a redraft

- could ask for an outline

- could have student go back to the beginning and outline the rule

*This example gives the student a small task before a conference:*

When you come in to meet about the draft, please bring a one paragraph summary of your analysis of each issue. No cites or conforming to CREAC required. Just bring me your analysis in your own words. I think your analysis is getting lost in your efforts to conform to the memo requirements.

*This example gives an opportunity for a complete rewrite:*

If you have time after class, I think it would be a good idea for us to meet to discuss your working draft. I’m concerned that you may have misunderstood the assignment because some of the major (and most important) components of the working draft are missing. Additionally, you focused on elements of attractive nuisance that aren’t relevant to the issue.

If you’re interested, you may rewrite the working draft early in the week, and I’ll give you additional feedback before the conference.

Let’s talk to come up with a plan to get this memo back on track.

**Commenting Efficiently**

On certain assignments, there are ways to avoid commenting individually on every paper and still give students useful feedback.

review selected examples in class
- project using the document camera
- create a handout that students can mark up

Offer written feedback on select student work

- no need to provide an entire document
- pull excerpts that demonstrate common errors

Provide global comments to entire class

- there are times when the entire class makes a similar mistake
- no need to comment on identical error repeatedly
- instead, provide written or verbal feedback applicable to the whole class

Get the students involved.

Self-evaluation

- helps students develop self-editing skills in an explicit way
- requires direction
- consider leading the self-evaluation in class
- alternatively, you could require that students perform certain self-evaluation as part of the document that they turn in to you for a grade

Peer feedback

- also helps students develop editing skills
- also requires direction
- gives students experience as a reader
- students seem to get more from giving the feedback than they do from receiving it

Consider using commenting cover sheets or grading rubrics.

Useful for teaching, not just for grading

- clarify your expectations
- a rubric provided in advance helps students take responsibility for their own learning

keeps your grading and comments focused

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ADJUNCT FACULTY MANUAL
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I. INTRODUCTION

This manual provides information to assist you in your professional endeavors at Cleveland-Marshall. Please review this material carefully. Feel free to ask Dean's Office personnel or other persons mentioned in the manual for more information on any item. If you have questions about matters we do not cover, please ask. Every Fall you also will receive a copy of the STUDENT HANDBOOK that we provide every student. The STUDENT HANDBOOK is also online at www.law.csuohio.edu/currentstudent/ (click on “Student Resources” and then “STUDENT HANDBOOK”). If you need additional copies, please ask Layla Davis (687-2396) for the STUDENT HANDBOOK and Rosa M. DelVecchio (687-2300) for the ADJUNCT FACULTY MANUAL.

II. A BRIEF HISTORY OF CLEVELAND-MARSHALL

Cleveland-Marshall College of Law, founded in 1897 as the Cleveland Law School, was the first law school in Ohio to admit women and one of the first to admit minorities. In 1946, the Cleveland Law School merged with the John Marshall School of Law, founded in 1916, to become the Cleveland-Marshall Law School. In 1969, the Law School joined Cleveland’s new public university as its sixth college and was renamed the Cleveland-Marshall College of Law of Cleveland State University.

Because egalitarianism was a motivating principle of the law school’s founders, the early school’s student population was remarkable for its diversity. Many of the men and women who studied in the new law college were immigrants or the sons and daughters of immigrants; many were older students and minorities, and most worked during the day while studying law at night.

A number of the law school’s earliest alumni and alumnae had notable careers, including the Honorable Genevieve Cline ’21, the first woman in America appointed to a federal court; the Honorable Mary Grossman ’12, the first woman in America elected to a municipal court bench; former Cleveland Mayor, the Honorable Carl B. Stokes ’56, the first African American mayor of a major American city; the Honorable Louis Stokes ’53, Ohio’s first African American Congressman; and former Cleveland Mayor,
five-time Ohio Governor and two-term U.S. Senator, the Honorable Frank Lausche ’21, son of Slovenian immigrants. Other graduates left their imprint in large and small ways in the local history books as influential attorneys, judges, public servants and leaders in commerce and industry. Cleveland-Marshall graduates laid the foundation for the legal profession in Northeast Ohio and shaped the future of our region as surely as the early explorers who mapped the outlines of the Western Reserve. Today’s alumni and alumnae remain the foundation of the legal profession in Northeast Ohio, serving the judiciary at every level, heading law firms, chairing corporations and contributing to the region’s and nation’s economic and social wellbeing.

Accredited by the American Bar Association in 1957 and accepted into the Association of American Law Schools in 1969, the law school offers the J.D., the LL.M., and five dual degrees—J.D./M.B.A. (Master of Business Administration), J.D./M.P.A. (Master of Public Administration), J.D./M.U.P.D.D. (Master of Urban Planning, Design and Development), J.D./M.A.E.S. (Master of Arts in Environmental Studies), J.D./M.S.E.S. (Master of Science in Environmental Science). Under the supervision of the clinical faculty, C|M|LAW students receive experiential training in six legal clinics: Community Health Law Advocacy Clinic, Employment Law Clinic, Housing Law Clinic, Urban Development Law Clinic, Environmental Law Clinic, and Law and Public Policy Clinic. Students receive onsite legal training through externships in a multitude of settings including federal district and appellate and state appellate courts, federal immigration and medicare appeals courts, the U.S. Attorney’s Office, county prosecutor and public defender offices, general counsels’ offices (Cleveland State University, John Carroll University and Cleveland Metropolitan School Board), and the National Labor Relations Board; they edit three journals—Cleveland State Law Review, Journal of Law and Health, and Global Business Law Review—and participate successfully in moot court competitions throughout the country. Cleveland-Marshall students may choose a subject-specific curriculum through the law school’s concentrations in Employment and Labor Law, Business Law, Criminal Law, Civil Litigation and Dispute Resolution, International and Comparative Law, and Tax Law (suspended for new students as of 2007-08). Moreover, C|M|LAW students are learning the lawyer’s responsibility to the community through countless volunteer opportunities in the law school’s Pro Bono Program. Finally, C|M|LAW students, graduates and members of the bench and bar study and research in one of the country’s
The finest law libraries, which houses the state’s second largest legal collection and all major online resources.

### III. ADJUNCT OFFICE AND MAIL

**A. Office Space.** The office for adjuncts is located in the Law Library, second floor, LL 215. To enter you need the code to the electronic lock. Layla Davis (523-2396), Secretary to Assistant Dean Lifter, or Israel Payton (687-2344), Law School Receptionist, will tell you the code.

The office has several desks for your use, a Microsoft Windows-based computer, and a printer. The office also has a separate small office that you should feel free to use to meet with students. You may also prepare for class in the faculty lounge (LB 132) if it is not being used for a law school event.

**B. Mailboxes.** Your mailboxes are located in the Adjunct Office. Please check your mailbox regularly although, in order to stay current on law school events, deadlines, and other pertinent information, please check e-mail regularly.

**C. Receiving Mail at the Law School.** Mail related to law school business can be sent to you at our mailing address: Cleveland-Marshall College of Law, Cleveland State University, 2121 Euclid Avenue, LB 138, Cleveland, Ohio 44115-2214. Mail addressed to faculty as well as memos and other items distributed by C|M|LAW personnel will be placed in your mailbox.

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### IV. WEBSITE

The C|M|LAW website address is [www.law.csuohio.edu](http://www.law.csuohio.edu). This site contains useful information such as course descriptions, schedules, first class assignments, course book assignments, and faculty profiles. The Student Handbook, containing the law school academic regulations and the Honor Code, may be found at [https://www.law.csuohio.edu/currentstudents/resources/studenthandbook](https://www.law.csuohio.edu/currentstudents/resources/studenthandbook). The website also contains a calendar of events and other important law school dates, as well as information about admissions, career planning,
financial aid, and the law alumni association. This calendar is updated regularly and contains information such as lectures, conferences, important student dates, holidays, and faculty meetings. The Calendar can be found at https://www.law.csuohio.edu/newsevents/calendar. The site links to the law library website, a very useful research tool.

Many of the documents that are helpful to faculty members are also available online on the Faculty Resources page, found under the Faculty/Staff tab. Although the content of the Faculty Resources page is always changing, currently posted documents and forms include: Class Rosters and Photos, Document Templates, Exam Grade Report Form, Faculty Manual, First Assignments Posting, Grade Distribution Form, Grade Due Dates, Lunchtime Lecture Series, Materials at the Reception Desk, Take Home Exams Policy, and ULWR Seminars Instruction Sheet.

V. E-MAIL AND NETWORK ADDRESSES

Law School e-mail addresses are formatted as follows: firstname.lastname @law.csuohio.edu. This format is used for all currently enrolled students, faculty (including adjuncts and lecturers), and staff.

Law school network accounts are available to all adjunct faculty. This account is required to check law school e-mail, access course web pages, and past exams online.

You may communicate with students via individual e-mail or class listservs. To obtain a class listserv, contact automation@law.csuohio.edu or 523-7555.

We will provide you with a copy of your account username and password by letter prior to the beginning of each semester. You can have your law school e-mail account forwarded to your work account upon request by e-mailing automation@law.csuohio.edu. It is, however, important to keep your account login information handy to access course webpages and past exams.
VI. ADMINISTRATIVE OFFICES

A. OFFICE OF THE DEAN
(Law Building, Room 106)

Dean Craig M. Boise (LB 108; 687-2300) is the chief academic and administrative officer of the law school. His duties include oversight of the hiring of full-time and adjunct faculty, fundraising and development, appointment of committees and special task forces, and alumni and community relations.

- Administrative Secretary Holli Goodman (LB 107; 687-2300).
- Assistant Dean for Admissions and Financial Aid Christopher Lucak (LB 137A; 687-4692)
- Career Planning Director Jennifer Blaga (LB 137B; 687-2540)

Associate Dean for Administration Mark J. Sundahl (LB 111; 687-2300) is responsible for the administration of many functions of the law school including course scheduling, curriculum planning, recruiting and working with adjunct and visiting faculty, student advising, clinics, and oversight of the Student Services Center offices of Academic Affairs, Student Life, and Student Records.

- Administrative Secretary Rosa M. DelVecchio (LB 106; 687-2300) schedules appointments for Associate Dean Sundahl. She handles submission of CLE forms for teaching credit to the Ohio Supreme Court.
- Assistant Dean for Academic Affairs Jean Lifter (LB 143; 687-4557)
- Director of Student Life
- Student Records Officer Marcie Rechner (LB 142; 687-2289)

Associate Dean for Academic Enrichment Heidi Gorovitz Robertson (LB 130; 687-9264) is responsible for cultivating faculty intellectual enrichment and student achievement. Her duties include coordinating workshops and other faculty-focused teaching and scholarship presentations, advising on internal and external communication strategies that promote faculty development, providing guidance to junior faculty in helping them develop their scholarly agendas, and working with faculty committees to enhance the quality of teaching and scholarship. Associate Dean Robertson also has...
administrative responsibility for academic excellence programs for students, as well as the implementation of our plan to improve our bar passage rate.

- Administrative Secretary **Rosa M. DelVecchio (LB 106; 687-2300)** schedules appointments for Associate Dean Robertson.
- Director of Academic Support **Kelly Curtis (LB 54; 687-2359)**
- Director of Bar Examination Preparation **Mary Jane McGinty (LB 147; 687-2297)**

Law Library Director **Kristina Niedringhaus (LL 110; 687-3547)** is in charge of the library and is responsible for the oversight, development, and coordination of technology.

Director of Budget and Administration **Jeane H. White (LB 112; 687-2306)** is in charge of law school financial matters and is the law school liaison for telecommunications, physical plant and equipment needs. She is responsible for general oversight of the areas managed by Sandra Natran (see below) and Laverne Carter (see section on Faculty and Administrative Services).

- Administrative Secretary **Donna Helfrich** is Ms. White’s assistant.
- Administrative Coordinator **Sandra Natran (LB 145; 687-2354)** coordinates and facilitates special events. She schedules law building rooms for meetings, conferences and lectures, and serves as the law school’s liaison to Conference Services, Food Services, Instructional Media Services, Physical Plant, and campus police. Ms. Natran prepares and submits Supreme Court of Ohio CLE applications for upcoming lectures and conferences.

Director of Advancement **Jennifer N. Nye (LB 113; 687-2491)** is in charge of fundraising.

- Administrative Secretary **Rita Pawlik (LB 115; 687-4617)** is Ms. Nye’s assistant.
B. CLERICAL SERVICES

Manager Laverne Carter (LB 118; 687-2349) oversees the Word Processing Unit, the Student Services Information Center, and Photocopying. To request secretarial assistance relating to your courses, see Ms. Carter, whose staff consists of:

- Secretaries Diane Adams (LB 115; 687-6884), Karen Isobe (LB 115; 687-4626), and Yolanda Salviejo (LB 120; 523-7234), and Administrative Secretaries Donna Helfrich (LB 115; 687-4594) and Rita Pawlik (LB 115; 687-4617) provide support to assigned faculty and administrative staff.

- Word Processing Specialist Mary McGee (LB 55; 687-2307) provides support to the Legal Writing faculty and to the offices of Law Review, Journal of Law and Health, and Moot Court.

- Word Processing Specialist Harold Jackson (LB 116; 687-4888) expedites your course-related photocopying requests. Check with him for proper procedures, deadlines, and costs, especially in regard to reproduction of class materials and exams. Also see him for supplies such as paper, pens, staples, exam blue books, and the like.

- Clerical Specialist Israel Payton (LB 138; 687-2344) manages the Student Services Center Information desk. (See Student Services Center section.)

C. LAW ALUMNI ASSOCIATION

Executive Director Mary McKenna (LB 121; 687-2368) is in charge of alumni activities and special events. If you are trying to locate any of our alumni, Ms. McKenna can assist you.

- Assistant Director Jill McDonnell (LB 120; 523-7357)
VII. STUDENT SERVICES CENTER (SSC)  
(Law Building, Room 138)

A. HOURS

When classes are in session in the fall and spring semesters, the SSC hours are M & T 8:00 a.m. to 8:00 p.m., W & TH 8:00 a.m. to 6:00 p.m., and F 8:00 a.m. to 5:00 p.m. Summer hours are M & T 8:00 a.m. to 6:30 p.m., W & TH 8:00 a.m. to 6:00 p.m., and Friday 8:00 a.m. to 5:00 p.m. For hours at other times, contact the receptionist. For the hours of a specific office within the SSC, contact that office.

B. RECEPTION

Israel Payton (687-2344) is the law school's Student Services Center first point of contact. He is responsible for incoming mail, faxes, phone calls, walk-in traffic and sales of student materials.

C. ACADEMIC AFFAIRS

Assistant Dean Jean Lifter (LB 143; 687-4557) is responsible for course scheduling and classroom assignments, student advising, course registration, academic affairs, and supervising ADA accommodations for classes and exams.

- Secretary Layla Davis (2396) finalizes teaching contracts for adjuncts. She is the person to notify of any room changes and class cancellations. Call Ms. Davis if you need to cancel a class, whether or not the cancellation has been previously announced in class—preferably at least several hours before class time—and she will make sure that the appropriate notices are posted. She can provide you with classroom seating charts and class rosters. Textbook orders are now placed directly through the CSU Bookstore. Ms. Davis will notify you when orders must be placed, which is generally two months before the semester begins.
D. ACADEMIC SUPPORT

Mary Jane McGinty (LB 147; 687-2297) is Director of the Bar Examination Preparation Program. She teaches our Bar Preparation course, coordinates programs related to the bar exam, and oversees our Academic Excellence Program.

Kelly Curtis (LB 54; 687-2359) is the Director of Academic Support Program, which provides academic support to our students.

- Secretary Layla Davis (LB 144; 687-2396)

E. ADMISSIONS AND FINANCIAL AID

Assistant Dean Christopher Lucak (LB 137A; 687-4692) directs the student admissions process and oversees financial aid. His staff consists of:

- Assistant Director Gina Huffman (LB 135; 687-5317)
- Administrative Secretary Steve Antol (LB 138; 687-2304)
- Secretary Jacqueline Carner (LB136; 687-2287)

F. CAREER PLANNING

Director Jennifer A. Blaga (LB 137B; 687-2540) coordinates on-campus interviewing and develops programs to assist students in planning their careers during and after law school. Ms. Blaga's staff consists of:

- Assistant Director Francie Fields (LB 137C; 687-2260)
- Assistant Director Kristen Rutter (LB 137C; 687-2260)
- Coordinator Jessica Mathewson (LB 137A; 687-6871)

G. STUDENT LIFE

The Director of Student Life maintains a vibrant, supportive, and healthy environment for students at C|M|LAW and serves as the students’ point of first contact for the law school administration. She provides academic and financial aid counseling to students and oversees programs to enhance the student experience at C|M|LAW. She oversees our Peer Advisor program, is our student organizations liaison, and oversees the law school’s initiatives to promote diversity.
**H. STUDENT RECORDS**

Student Records Officer *Marcie Rechner (LB 142; 687-2289)* maintains student records, including those relating to grades and graduation requirements. See her if you need grade report forms or other information relevant to the law school's processing of grades. She also collects and maintains faculty evaluations.

- Student Assistant *Jessica Hodge (LB 142; 687-2289)*

**I. LEAVING MATERIALS FOR STUDENTS**

Faculty may leave materials for student pick up at the Student Services Reception Desk under the following conditions:

Please identify the course and/or professor on the materials and/or envelope containing the materials. If you want a student to receive the material in an individual envelope, please provide the material to the receptionist in that form with the student identification marked on the outside. If you need a secretary to prepare the envelopes, please see Laverne Carter.

Also, please tell the receptionist:

a. whether students will identify themselves by name or exam number,

b. how long the material will be available for students (You may leave the material for a specific length of time or for the entire semester), and

c. the conditions under which students may review the material. For example, you should specify whether students may take the material with them or if students should only view the material in the Student Services Center.

A Quiz/Paper/Exam Viewing Form is attached as Appendix 8. You should provide this form to the receptionist when delivering materials for student review. This form will allow you to provide the instructions for the receptionist to follow. If you are simply dropping off an envelope for a student to pick up, it is not necessary to complete the form.
At the beginning of each semester, we will return to the professor any material that students did not pick up from the prior semester.

**VIII. LAW SCHOOL COURSE INFORMATION**

**A. Teaching Schedules**

Many adjunct professors teach the same course at the same time each year; others teach the same course at the same time every other year. Each spring as we are working on the next year's schedule, we will contact you about your availability to teach the following year. We greatly appreciate prompt responses to our inquiry so that we may finalize the schedule. Copies of the course schedules and accompanying exam schedules are available at [https://www.law.csuohio.edu/academics/schedules/current](https://www.law.csuohio.edu/academics/schedules/current).

Contracts are not prepared until shortly before the semester during which you are scheduled to teach. If your circumstances change such that you are unable to teach, please contact Associate Dean Sundahl or Assistant Dean Lifter as soon as possible.

**B. Course Planning and Preparation**

1. **Selecting and Ordering Course Materials.** You are responsible for selecting your own course materials. Upon request, legal publishers will furnish you with complimentary copies of the casebooks and related materials they publish on the subject you are teaching. You may also want to consult with colleagues who teach the same course. Please ask Associate Dean Sundahl for assistance in identifying appropriate faculty to contact.

The phone numbers and C|M|LAW 's account representatives for the major legal publishers are:
Aspen Publishing
George Serafin
800-950-5259 ext. 411
george.serafin@aspenpublishers.com or george.serafin@wolterskluwer.com

Carolina Academic Press
Zoë Oakes
919-489-7486 ext. 13
zoakes@cap-press.com

Foundation Press (West)
Kevin Schroder
877-888-1330
kevin.schroder@thomsonreuters.com

LexisNexis
Sean M. Caldwell
513-721-2506 (office)
513-378-9472 (cell)
sean.m.caldwell@lexisnexis.com

Thomson West
Paul Hellickson
651-848-3659
800-313-9378
paul.hellickson@thomsonreuters.com

Warren Gorham & Lamont
800-950-1216 (Education sales)
734-302-3540 (fax)
ria.education@thomson.com

West Publishing
Paul Hellickson
651-848-3659
800-313-9378
paul.hellickson@thomsonreuters.com

Ms. Davis (523-2396) coordinates the ordering of casebooks and other course materials with the university bookstore; she will provide you with request forms the semester prior to the one in which you are scheduled to teach. You may also choose to use materials you have compiled as a supplement to (or even in lieu of) a commercially available casebook or other course materials. See the section below on photocopying for more information on this option.
2. Preparation of Course Syllabi. University Academic Regulations require that you provide students with a written syllabus at the beginning of your course, outlining the topics you will cover and the assignments related to each as well as your contact information. The written syllabus must also contain information regarding your expectations of the class, the factors you will take into consideration in determining final course grades, attendance policies, and your availability to students outside of the classroom—including telephone number and e-mail address. If you need to modify the syllabus as the semester progresses, that is fine.

Two examples of course syllabi are attached as Appendices 1A and 1B). Consulting with colleagues is helpful. Upon your request, Associate Dean Sundahl will also provide you relevant course syllabi.

You are required to provide a copy of your syllabus for your course to Associate Dean Sundahl by the end of the first week of the semester. Course syllabi from recently past years are available at Library Circulation and earlier years are kept in the Rare Books room.

3. Posting of First Class Assignments. First class assignments are posted in two ways: on the law school website or through Layla Davis.

First class student assignments can be viewed at:

http://devel-drupal.law.csuohio.edu/first_assignments/view_firstassignment.php3

4. Photocopying. Harold Jackson (687-4888; LB 116) is in charge of photocopying. You should submit your course syllabus and any other materials you want duplicated for your classes as far in advance as possible to avoid being caught in the last-minute rush. Assistant Dean Lifter (687-4557) or her secretary, Ms. Davis (687-2396), can give you a rough head count of students registered for your classes. The logistics of the system are greatly simplified by having a set of handouts prepared prior to the first class, but it is not always possible to anticipate all the materials you will use throughout a course.

For smaller photocopying jobs that you might want to do on your own, photocopiers are available for your use in the Office of the Dean and behind the Student Services Center Information counter.
Each class is allowed fifty (50) pages of free photocopies per student per semester to provide students with a syllabus and initial handouts. After the fifty-page limit, students will be charged .05 cents per page.

If you anticipate having a substantial amount of material reproduced as class handouts, talk to Harold Jackson about having the materials copied as a set and packaged for sale to students by the copy center. These materials are sold at .05 cents per page to students, plus the cost of covers and binding.

5. Course Web Pages. Library staff will assist you in setting up, maintaining, and adding items to Course Materials web pages for any classes you teach. Course Materials webpages are password-protected resource pages for individual classes, which remain available throughout the semester that the course is taught. Any items a faculty member places on Course Reserve, whether print or electronic, will be placed on a Course Reserve page. Electronic Course Reserve items will be linked from the page; print Course Reserve items will be represented by a link to their Scholar records. All Course Reserve items that appear on Course Materials webpages will be listed under the heading “Library Materials.” (CONTACT: Circulation ext. 2250). Course Materials webpages can be used for much more than just gathering your Course Reserve materials into one place. Course Materials webpages can be used as a complete online resource for your class. You can add items such as syllabi, assignments, readings, relevant web links, CALI lessons, PowerPoint presentations, podcasts, videos, and more. For more ideas on creating a customized online resource page for your class, see Course Webpage Options on the library webpage under Faculty Services. (CONTACT: Sue Altmeyer ext. 4894).

6. Technology in Classroom. All of the classrooms in the law school, with the exception of room 205, are equipped with presentation technology. These classrooms feature LCD projectors, document cameras, computers, DVD/VCR units, as well as inputs for external USB drives and laptop computers. All classroom presentation computers have standard office software, including PowerPoint, and are connected to the Internet. If you would like an overview of the new technology control systems, please contact a member of the Automation staff for assistance. New podium keys will be issued to replace the keys to the older podium models at the beginning of the Fall semester. You may obtain a key at the library reference desk. Smart Podium Instructions are also available online on the Faculty Resources page.
The seminar rooms (LB 64, 65, and 66 - located across the hallway from the law clinics) are equipped with LCD monitors and wall ports for the connection of laptop computers. If you would like to use the technology in these rooms, but do not own a laptop, please contact the automation department for assistance.

7. **Placing Course Materials on Reserve.** If there are resources such as specific treatises or articles that will provide helpful optional reading for your students, contact Circulation (687-2250) to arrange to have the materials put on reserve in the law library for easy access by your students.

8. **Posting Notices for Students.** You can communicate with students via e-mail, class listservs, or transmission to an individual student. To obtain a class listserv, contact a Network Administrator at extension 523-7555 or automation@law.csuohio.edu. If you need to get a document to an individual student, please give it to Israel Payton (Student Services Reception) and notify the student to pick it up there.

9. **Student Pictures.** Shortly after the start of the term, the Automation Department distributes picture rosters of students enrolled in each class. You can also see photos of students in your class on Campus Net. See Class Roster, infra at XI.C.1. You may also view photos of all currently enrolled students at https://intra.law.csuohio.edu/roster/roster.php. If you have questions, contact Automation at automation@law.csuohio.edu or 523-7555.

10. **CALI, LexisNexis, and Westlaw.** Access to CALI Lessons (Computer-Assisted Legal Instruction tutorials), as well as the LexisNexis and Westlaw databases, is available to adjunct instructors for work limited to your teaching during the semester(s) in which you teach. For information on how to access CALI Lessons, as well as to obtain a LexisNexis activation code or Westlaw password, contact Laura Ray, Educational Programming Library, at 216-687-6880.
C. COURSE PROCEDURAL MATTERS

1. Class Roster. You can download your class roster on Campus Net. (See Campus Net, infra at XII.F for how to access this site). It will be under the Instructor tab. You can also access contact information for every student in your class: Once you have the class roster on the screen, click on the word “details” next to the student’s name. You can download the pictures of students in your class by clicking on Roster with Pictures, which is on the left-hand side directly above the light brown bar that identifies the semester and course number of your class.

2. E-mail Class Lists. You can communicate with students via individual e-mail or class listservs. To obtain a class listserv, contact the Network Administrator at automation@law.csuohio.edu or 523-7555.

3. Student Mail. Student mailboxes no longer exist. If you need to get a document to an individual student, please give it to Mr. Payton and notify the student to pick it up at the Student Services Information counter.

4. Monitoring Class Attendance. According to the ABA, our accrediting agency, "A law school shall require regular and punctual class attendance." ABA Standard 304(d). Our Academic Regulation 1 states that “[s]tudents are required to attend class with substantial regularity.” Unsatisfactory attendance "unless otherwise defined by the course instructor with reasonable notice to students enrolled, shall be absence from more than two weeks of classes in a single semester (or, in the case of Summer term, absence from more than one week of classes) and shall be cause for lowering the final grade entered, involuntarily withdrawing a student from the course or withholding credit and entering the grade of F, in the sole discretion of the course instructor." See Student Handbook, Academic Regulation 1. Some professors meet this requirement by taking attendance at the beginning of each class or by circulating a copy of the class roster during each class so students can document their attendance by initialing the roster next to their names. You should state the class attendance requirement in your course syllabus. Students may be administratively withdrawn from a course due to excessive absenteeism. See Assistant Dean Lifter for details on this process.

5. Excused Absences for Election Work. In order to foster student engagement and participation in the civic sphere, Cleveland State University has encouraged students to serve as poll workers and in polling
support positions for the last several national and statewide elections. In Spring 2008 the Faculty Senate of Cleveland State University adopted a policy pertaining to student absences arising because of such service in these elections. See Appendix 3, CSU Poll Worker Excused Absence Policy.

6. **Class Time.** Our hour is 50 minutes. We expect you to teach that length of time for each hour whether you teach a course worth 2, 3, or 4 credit hours. If you take a break in a class, we expect you to make up that time. For example, if you teach a 4-credit-hour course in two 1-hour and 40-minute sessions, and you take a 10 minute break, you need to make up that 10 minutes.

7. **Class Cancellations.** Class cancellations should be avoided, and missed classes must be made up before reading week begins. **If you must cancel a class for any reason, even if you have given your students prior notice, please inform Assistant Dean Lifter at 687-4557 or her assistant, Ms. Davis, at 687-2396. If neither answers, then call Mr. Payton (687-2344).** They will post a notice of the cancellation and e-mail your class (with copy to Associate Dean Sundahl). Please provide as much advance notice as possible. For evening classes, please call by 4:00 p.m. If you are cancelling a class, please make sure you speak with a live person. Do not rely on voice mail or e-mail unless receipt of the message is confirmed.

8. **Makeup Classes.** ABA Standard 304 requires that classes meet for a specific total number of minutes per academic credit hour during the semester, and our courses are scheduled to meet those requirements. Accordingly, makeup classes should be scheduled if you cancel a class. Depending on your students' schedules, you may also be able to make up lost time by starting classes earlier or extending classes. Check with Ms. Natran and Ms. Davis to determine classroom availability if you are planning extended or makeup sessions.

Other options for making up classes include bringing in a guest speaker (so you don’t have to cancel the class in the first place), having an online discussion if you use TWEN (or some other comparable website for your class), or videotaping a lecture. To videotape a class lecture, contact Automation at automation@law.csuohio.edu or 523-7555 at least one week in advance of when you intend students to watch the video.
Makeup classes cannot be scheduled during the designated reading period or during the exam period because that time is reserved for students to prepare for exams.

9. **Form of Address.** Lecturers and adjunct professors often ask how their students should address them. As with full-time faculty, this decision is a personal one well within the instructor's discretion. It is appropriate, however, for a lecturer or an adjunct professor to have her/his students address her as "Professor" both inside and outside of the classroom. You also may choose how you address students. Some professors use the formal Mr./Ms., while others use students’ first names.

10. **Student Evaluations.** Student evaluations are required for all courses. Near the end of the semester, you will receive a packet of student evaluations. Most professors set aside 10-15 minutes of class time to have students complete the evaluations. You must not be in the room while students fill out the evaluations. Please ask a student to collect the completed forms and return them to the Records Officer. Evaluation forms for evening students can be returned to the Legal Writing mail slot. You will not receive copies of your evaluations until you have submitted final grades for the course. The evaluations for all courses are bound by year and available to students at the Reserve Desk in the law library. A set is also kept in the Records Office for use by faculty and staff.

D. **EXAMINATIONS AND GRADING**

1. **Introduction.** This section provides information regarding midterm and final exams. Over the past few years, we have changed many of our procedures regarding exams: Most exams are now taken on computer, we have new grading guidelines and proctoring procedures, and we require advanced notice for both take-home exams and midterms. If you have a question about exams or grading that is not answered here, or the information here is not clear, please ask Associate Dean Sundahl, Assistant Dean Lifter, or Records Officer Rechner.

2. **Scheduling Exams.** The exam schedule is posted on the law school website. See [https://www.law.csuohio.edu/academics/schedules/current](https://www.law.csuohio.edu/academics/schedules/current).

3. **Preparing Exams.** You are responsible for writing your own final exam. That can seem like a formidable task, but we can provide some guidance. First, the length of the final exam is typically determined by the
course credit hours: e.g., a 3-hour exam for a 3-credit-hour course. If you decide to give graded quizzes during the semester, you may consider giving a shorter exam that counts for less than 100% of the final grade.

Second, we have a website that contains many prior exams which you may consult. Many professors now post their prior exams on the website so that students can use them as practice questions and have a sense of the type of exam the professor gives. You may want to look at some of these exams for guidance on types of questions, length of exams, etc. Many faculty use a variety of questions including multiple choice, true/false with explanation, short essay, as well as the traditional issue spotting question. The exams are available only to C|M|LAW students and faculty. You may access the site from the computer in the Adjunct Faculty room, LL 215. Go to https://www.law.csuohio.edu/lawlibrary/services/pastexams, then enter your user name and password. You will then be allowed to look at prior exams by topic and/or professor. As this is a restricted site, you will need to use the username and password assigned to you with your law school e-mail account. Alternatively, you may contact Associate Dean Sundahl to obtain copies of these exams.

4. Midterm Exams. Midterm Exams are an increasingly popular option used in many classes, both first-year and upper-level.

a. **Scheduling.** Students may take midterm exams on computer, as they do final in-class exams. You must give Automation two weeks advance notice so that the exam software can be made available to your class. You must also give Assistant Dean Lifter two weeks advance notice. See Proctoring infra.

b. **Anonymity.** If you give a midterm that is worth 10% or more of the final grade in the course, students must obtain exam numbers so that your grading is anonymous. See Academic Regulation 3.9.

c. **Proctoring.** If your midterm is worth 10% or more of the final grade in the course, you cannot proctor your own midterm. This is consistent with our new proctoring policy for final in-class exams. Please contact Assistant Dean Lifter two weeks before your midterm so that she may arrange for a staff member to proctor your exam. As with the final exam protocol, you will need to fill out the Exam Instruction sheet so that the proctor knows the procedural details for administering the exam. See Appendix 5.
If your midterm is not worth 10% or more of the final grade, you may proctor your own exam.

d. **Materials for your Exam.** If you proctor your exam, you are responsible for bringing bluebooks, scantron sheets, and pencils to the exam. Bluebooks and scantron sheets are available from Harold Jackson in the Copy Room. Pencils are available from Marcie Rechner in the Records Office.

e. **Provisions for Students with Disabilities.** If a student has received accommodations for taking exams pursuant to Academic Regulation 3.7, they will take the midterm exam under those same conditions. Assistant Dean Lifter will notify you of any such students in your class.

f. **Rescheduling Individual Student’s Exam.** If a student is unable to take the midterm at the scheduled time, s/he must make arrangements with Assistant Dean Lifter to reschedule the exam. No student may take the exam prior to the scheduled time: All rescheduled times will be after the regular exam time. This is consistent with our policy regarding final exams. See Academic Regulation 3.6.

g. **Word Counts on In-Class Exams.** Please see Word Counts under Final Examinations, infra.

h. **Take-Home Exams.** Please see Take-Home Exams under Final Examinations, infra. Unlike in the case of a Final Exam, no notice need be provided to Dean Lifter.

5. **Final Exams.**

a. **Reading Period.** Students are afforded a relatively short reading period between the last day of classes and first day of final exams. Therefore, this period cannot be used to make up classes or to give in-class or take-home exams. The reading period for each term is indicated on the master Course Schedule available in the Student Services Center and on our website at [https://www.law.csuohio.edu/academics/calendar/current](https://www.law.csuohio.edu/academics/calendar/current).
b. **Scheduling of Final Exams.** Assistant Dean Lifter circulates a tentative schedule of Fall term exams along with the tentative course schedules in the Spring of the prior year. She circulates a tentative schedule for the Spring term exams during the Fall semester. Please review these immediately and let her know if you identify any problems or conflicts with the exam schedules.

If you plan to give a take-home exam, you must notify Assistant Dean Lifter by the ninth week of the term with the information identified under Take-Home Exams, infra.

c. **Preparation of Final Exams.** If you need help typing your exam, please allow at least five working days for typing and duplication, which will be taken care of by the word processing department through Laverne Carter, Office Manager. On the first page of the exam, please indicate the course name, number, and section, instructor name and semester and leave a blank for the student exam number—all of this will facilitate collecting exams at the end of the exam (see Proctoring Responsibilities below). Please number the pages of your exam so that it will be certain each student has all of the pages of the exam.

You must complete the Exam Instruction Form for each exam you are administering. The Form is attached as Appendix 5. Please make sure that your instructions are complete. This is the document on which the proctor will rely when proctoring your exam. If your exam is administered in parts, please explain exactly how the exam is to be administered. If your exam has Multiple Choice Questions, you must specify whether students will use the Blue (up to 5 choices for the answers) or Green (up to 10 choices) scantron sheets. Also, please indicate whether copies of your exam should be given to the library (after the exam period) for inclusion in the Past Exams online (see infra at XI.E.6). If we have any questions about your instructions, we will contact you before your exam.

So that we can be sure that we have all exams and complete instructions for the proctor before the start of the exam, we will need to have copies of your exam with instructions for the proctor at least 48 hours before the scheduled beginning time of the exam. This means that you cannot bring the exam in with you on the day of the exam. You must have the exam and instruction form copied in time
for it to be delivered to Jean Lifter 48 hours before the scheduled start time. So, for example, if your exam is scheduled for Monday at 9 a.m. Jean Lifter must have the exam by Friday at 9 a.m. (As you can tell, we are not counting weekends in the time frame.) You will need to give the exam to Laverne Carter sufficiently prior to that for her to have the exam copied. The exams are copied and secured so that no students have access to them prior to the exam.

d. **Exams Taken on Computer.** So many students prefer to take exams on computer that we will now assume that you will allow this option, unless we hear otherwise from you. Each semester Dan Thomas sends out an e-mail explaining this policy and asking those who do not want to allow students to take exams on computer to tell him.

As a faculty member, preparing for a computerized exam is exactly the same as preparing for one written by hand. Both groups will receive printed copies of your exam questions. After the exam is completed, the computerized exams are printed by the law school’s technology department and are then delivered to Dean Lifter for distribution. If you want your exams printed in large font or printed every other line, please tell the Automation Department prior to your exam date.

Students who can provide their own laptop computers are strongly encouraged to do so. However, students who do not have their own laptop computers may request the use of one of the law school owned laptops, subject to availability. If demand exceeds supply, the available laptops will be assigned via a lottery. This lottery will be held before the examination period so that students who wish to use a law school owned laptop will know whether or not one will be available to them. Thus far we have had enough computers for student use and have not had to use the lottery system.

e. **Word Counts on In-Class Exams.** Now that most of us allow students to take in-class exams on computer, many have thought about how to convert blue books pages to word counts on the computer. In the 2008-09 academic year, the Teaching Committee researched this issue and made the following recommendation:
Among other approaches that might be taken, faculty at C|M|LAW and other law schools have found success with simple page-to-words ratios for converting blue-book page limits to word limits for PC test takers. Based on our study, a fair estimate for the conversion would be to assume that each side of a single-spaced bluebook page contains between 250 and 300 words.

f. **Proctoring In-Class Final Exams.** Please see the Exam Procedures Memo attached as Appendix 4, which sets out the specifics of our proctoring system. Proctors will be assigned to proctor your exam by Laverne Carter. During the proctoring of your exam, you must be available to answer any questions that may arise during or immediately after your exam is administered. Please inform Assistant Dean Lifter how to reach you during the exam.

You will be notified once your exams are ready for pickup from Assistant Dean Lifter. See Appendix 4 Exam Procedures Memo, Section D. Picking Up Your Exams.

g. **Rescheduling Exams.** The exam schedule is available to students before they register for classes each term and can be obtained online at [www.law.csuohio.edu/currentstudents/course_and_examschedule/current_year_schedule](http://www.law.csuohio.edu/currentstudents/course_and_examschedule/current_year_schedule). Students with two exams in close proximity may be able to reschedule one of the exams to a later date. See Academic Regulation 3.6(b). In such cases, Assistant Dean Lifter will request copies of exams to administer. Full instructions as to timing, permitted resources, etc. must accompany all such exams. Occasionally, students experience exceptional situations (personal illness, death in the family, and the like) preventing them from taking the exam at the scheduled time. If this occurs, Assistant Dean Lifter should be informed immediately; thereafter, the student will work directly with her to schedule a makeup date. In addition, a few of your students may take the exam separately from the rest of the class due to accommodations we make for students with documented disabilities. Students seeking special arrangements must formally submit documentation to Assistant Dean Lifter at least one month before the last day of classes to schedule their exams. Assistant Dean Lifter will notify you if we need exams for rescheduling purposes.
h. **Take-Home Exams.** Professors may utilize take-home exams to measure the students' comprehension of the course materials. Certain caveats accompany this type of exam. You must tell Dean Lifter by week nine of the semester (1) that you will give a take-home exam and (2) who will distribute and collect the exams. You must give students very specific directions as to when the exams will be available, what resources they can consult in preparing their answers, and the date (including a specific time) their answers are due. Take-home exams may not be distributed or administered during the reading period. The reading period is set aside for students to study; giving exams during this time defeats this purpose. Take-home exams may be given only during the exam period. Israel Payton, the law school’s receptionist, who is located in Student Services, may distribute and collect take-home exams. You must contact him well in advance to make appropriate arrangements and must provide him with any exam materials and a completed Take-Home Exam Form (provided in Appendix 6 and available online on the Faculty Resources page). The library will not assist in the administration of take-home exams.

6. Grades

a. **Grading Guidelines.** You will receive memoranda each term covering the grading procedures at C|M|LAW. We have an anonymous grading system and an academic policy that states all courses "shall be graded in a responsible and professional manner.” Faculty meeting minutes, April 28, 1988. The policy also states:

[I]t is expected that all first-year core courses, all Perspective courses with twenty or more students, and all upper-class courses which are either required for graduation or recommended for the bar examination, shall be graded on the basis of a reasonable distribution of grades across the various grade categories. The advisory guidelines currently in effect shall serve as prima facie evidence of what constitutes a reasonable distribution, respectively, in the first year and at the upper levels; the upper-level advisory guidelines shall apply to Perspective courses. As heretofore, the Dean will have discretion to disallow any course grades which do not reflect a responsible and professional system of grading.
The grading guidelines (new in Summer 2008) are as follows:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Required Core Curriculum Guidelines for Contracts, Civil Procedure, Criminal Law, Property, Torts &amp; Legislation and the Reg. State</th>
<th>General Grading Guidelines for Other Law Courses</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Standard %</td>
<td>Range Permitted %</td>
</tr>
<tr>
<td>A</td>
<td>10</td>
<td>8-12</td>
</tr>
<tr>
<td>A-</td>
<td>10</td>
<td>8-12</td>
</tr>
<tr>
<td>B+</td>
<td>11</td>
<td>9-13</td>
</tr>
<tr>
<td>B</td>
<td>16</td>
<td>14-18</td>
</tr>
<tr>
<td>B-</td>
<td>10</td>
<td>8-12</td>
</tr>
<tr>
<td>C+</td>
<td>13</td>
<td>11-15</td>
</tr>
<tr>
<td>C</td>
<td>12</td>
<td>10-14</td>
</tr>
<tr>
<td>C-</td>
<td>5</td>
<td>3-7</td>
</tr>
<tr>
<td>D+</td>
<td>5</td>
<td>2-10</td>
</tr>
<tr>
<td>D</td>
<td>5</td>
<td>2-8</td>
</tr>
<tr>
<td>F</td>
<td>3</td>
<td>0-6</td>
</tr>
</tbody>
</table>

The Advisory Grade Distribution guidelines set forth the range—in terms of percentages—of As, B+s, Bs, etc. for each course. Grades fitting within the ranges are prima facie evidence of the reasonable grade distribution required by our academic grading policy. See *Id.* The ranges provide a certain amount of flexibility to the professor while also establishing uniform standards that prevent one professor from routinely awarding no grade lower than a B and another professor teaching the same course from refusing to give any grade higher than a C+. The Grade Distribution Form is available online on the Faculty Resources page.

After you have completed your grading, you must fill out and turn in to Marcie Rechner, our Records Officer, for every course, the Advisory Grade Distribution form on which you calculate the number and percentage of grades in each grade category. A copy of the Advisory Grade Distribution Form is attached as Appendix 7. (This form is provided to you with the grading memo at the end of each term.) The completed form must be reviewed and approved by Associate Dean Sundahl before the grades can be accepted by the school. Please indicate the high “A” in each class when you submit
your grades as many honors and awards are based on these designations.

b. **Anonymity.** Student exams are graded anonymously. All precautions should be taken to protect anonymity. Students should be warned not to place their names or any other identifying marks on their exams. The anonymity of the grading process is facilitated through the use of exam numbers. Students fill out exam number cards at Student Records (in the Student Services Center) and deposit them in a box. The cards are compiled into a list matching students with exam numbers. Students use the same number for each exam they take at the end of a particular term. Students must, however, use a different number for midterm and final exams.

c. **Upper Level Writing Requirement and Courses Requiring Papers.** Obviously, no anonymity exists in courses where students write a paper rather than take an exam, since you work closely with individual students as they select their topics, prepare outlines, and submit various drafts to you for approval throughout the course. C|M|LAW has specific criteria for student papers that satisfy the Upper Level Writing Requirement. See Appendix 2.

d. **Other Factors Affecting Final Grades.** Many professors base course grades solely on student performance on the midterm and/or final exam. Although an accepted practice, this should not be viewed as a limitation on the methods used to assess a student's performance in a class. For example, you have the option to give more frequent exams or quizzes, require formal class presentations on particular subjects, assign writing and research projects, or base part of the grade on general class participation. Three caveats are warranted. First, as previously noted, ABA accreditation standards require class attendance, so a student's grade cannot be raised merely for meeting the class attendance requirement. The grade can be lowered for poor attendance, and you have the right to withdraw a student administratively from class if absenteeism becomes extreme. Second, you must state in your written syllabus provided to students at the start of the course the factors that will affect their final grades. Finally, you are highly encouraged to provide written feedback to students on their exams and other assignments explaining the reasons for the grade you assign.
e. **Turning in Grades.** Your grades are due approximately 21 days from the Friday of the week your exam is given. We will notify you of the exact date well in advance.

It is imperative that you turn your grades in on time. Late grades have a number of serious consequences apart from student anxiety about their grades. We cannot determine which students maintain or lose their scholarships; we cannot determine who will be academically dismissed; we cannot determine who has satisfied their graduation requirements; we cannot provide the Ohio Supreme Court with the final law school certification of completion required for students to take the Bar; we cannot determine the Dean’s List or class rankings, the latter of which affects the Law Review and Journal—knowing who has qualified for membership and who is eligible to participate in the write-on competition.

After grading your exams, give your list of exam numbers and corresponding grades to the Records Officer, Marcie Rechner; she will supply the students’ names and return the list to you. You can then make adjustments in the final grade for each student based on other criteria (e.g., class participation and attendance) that you made known to your class in your syllabus. Return your list of exam numbers, names and final course grades to the Records Officer for processing. She will enter grades for each course into CampusNet. Due to security concerns, the Records Officer is able to post grades only at certain limited times. This means that they may not be posted for several days.

f. **Grade Changes.** After you have finalized your grades, you cannot change a student's grade unless you made a computational error in the test score or final grade. In accordance with the Academic Regulations, you must submit a request to change a grade to the Academic Standards Committee, and you must provide in writing an explanation of the computational error. See Academic Regulation 2.4(c). A student may also petition the Academic Standards Committee for a grade change. See Id at 2.4(d). Assistant Dean Lifter supervises the petitioning process and will provide additional information to students or professors upon request.
Once grades are posted, students may elect to change up to two certain elective course grades to a Pass, if they received a grade higher than a C-. See Academic Regulation 4.6.

g. **Incomplete.** A faculty member may give a student an Incomplete as a grade if the student’s work has been satisfactory but the student, through no fault of her own, has not been able to complete the course work. See Academic Regulation 2.2. The course work must be completed, and a grade submitted, no later than the last day of classes of the subsequent semester. This includes the summer term; so, if you give an I in the Spring term, you must submit a letter grade by the last day of classes in the Summer term. *Id.* If the course work is not completed, a grade of F will be recorded. *Id.* A student may seek an extension by petitioning the Academic Standards Committee.

h. **The Honor Code.** CM|LAW has an Honor Code governing student conduct during examinations, while researching and writing papers, and in performing other school-related assignments. The Honor Code and the procedures for adjudicating possible violations are provided in the Student Handbook. It is advisable to direct your students' attention to parts of the Code that are relevant to any assignment or exam you give. It is also important that you become familiar with the procedures for handling potential violations of the Code. The Student Handbook, containing the Honor Code, may be found through the following link:

> https://www.law.csuohio.edu/currentstudents/resources/studenthandbook

7. **Maintaining and Reviewing Student Exams and Papers.** Ms. Carter manages the law school system that provides students an opportunity to review their exams in the Student Services Center during specific dates and times each semester.

After your grades are finalized, please submit your exams and papers to Israel Payton at the Student Services Center Information counter. If you prefer that students contact you directly to review their exams, please inform Mr. Payton in case he receives inquiries from your students. Obviously, exam reviews are much more valuable to students if you have provided written feedback on the exams themselves.
If you wish to review an exam personally with a student, please provide your course name and the student’s exam number to Mr. Payton or Ms. Carter, and they will pull the student’s exam for you. Please promptly return the exam to Mr. Payton or Ms. Carter.

Ms. Carter also oversees the long-term storage of exams and papers. Exams and papers are retained for two years. If you elect to retain your own exams for exam review purposes, you must retain the exams for two years or give them to Ms. Carter for storage.

8. Past Exams Online. The library maintains a secure webpage for posting past exams, which can be found through the following link:

https://www.law.csuohio.edu/lawlibrary/services/pastexams

Please consider placing your past exams online. When you submit your exam for copying, Ms. Carter will ask if you want your exam given to the library for this purpose. In addition, please consider posting online the top A answer or answer grid.

IX. APPOINTMENT TO THE LAW FACULTY

The initial appointment to the law faculty is at the level of Lecturer of Law. After a lecturer has successfully taught a course several times, s/he is eligible to receive a Letter of Appointment as an Adjunct Professor of Law. The success of a particular instructor is determined by an exercise of discretion by the Dean based on significant input from the Associate Dean for Administration. Unlike tenure-track faculty, adjuncts are not ranked as assistant, associate or full adjunct professors. The appointment as an adjunct professor is made upon the approval of the Dean and faculty. A lecturer promoted to an adjunct professor receives a letter indicating a three-year appointment as an adjunct professor to the College of Law. This letter does not obligate the adjunct to teach a specific number of times during the three-year period, and it does not obligate the law school to include an adjunct so appointed in the course schedule during any or all of the three-year period. Rather, separate teaching contracts are executed for any term during which an adjunct professor or lecturer is hired to teach. The letter of appointment authorizes the individual to represent her/his status as an adjunct professor at C|M|LAW throughout the three-year period. At the
conclusion of the three-year period, the adjunct professor is eligible for another three-year appointment, with the appointment again being based on the approval of the Dean and faculty at the recommendation of the Associate Dean for Administration.

X. LAW SCHOOL COMPUTING

A. Computers. The adjunct faculty office is equipped with a Microsoft Windows-based computer and printer. All faculty computers have the following supported software packages: Microsoft Office (Word, PowerPoint, Excel, and Access), Corel WordPerfect, Mozilla Firefox and Thunderbird, Westlaw, and Lexis.

The law school uses Mozilla Thunderbird as its e-mail program. Microsoft Outlook is currently not supported due to numerous security concerns.

B. Classroom Technology. All of the classrooms in the law school feature projectors, document cameras, workstations, DVD/VCR units, as well as inputs for external USB drives and laptops. All classroom presentation workstations have standard Office software, including PowerPoint. If you would like an overview of the classroom technology control systems, please contact a member of the Information Technology staff for assistance.

The seminar rooms (LB 64, 65, and 66 - located across the hallway from the law clinics) are equipped with monitors and wall ports for laptop connection. If you would like to use the technology in these rooms, but do not own a laptop, please contact the Information Technology department for assistance.

C. Information Technology Support. When IT support is needed, users are encouraged to use one of the following three methods:

1. Open a Ticket
For your convenience, filling out the Technology Help Request Form located here will open a new ticket: https://www.law.csuohio.edu/techhelp. Once the ticket is successfully created, you will hear back from a tech within 30 minutes during business hours.
2. **Send an E-mail**

Users who prefer e-mail can send a request to newticket@law.csuohio.edu. Please remember to include your name, a descriptive subject, problem details, your phone number/office extension, and your office room number/location. A support ticket will automatically be created and you will hear back from a tech within 30 minutes during business hours. Please understand that incomplete requests may be delayed.

3. **Call the 7555 “Tech Help” Line**

If you have an emergency or need immediate assistance, please call the 7555 Tech Help line. While we strive to have this line covered at all times, leaving a message may be necessary. Any messages left will be returned as soon as possible. Alternatively, if you have an emergency and there is no answer, please visit the reference/circulation desk at the law library and ask for a tech.

If you need assistance with any of these methods, or have any other questions, please feel free to contact a Technology Operations staff member:

- Assistant Director, **Dan Thomas** (*LL 120A; 523-7372*) is responsible for the College’s IT functions, including faculty, staff and student computing, the College's website, and training and support for classroom technology. He also supervises the work and services provided by the C|M|LAW IT Staff.

- Systems/Data Manager **Eric Domanski** (*LL 112, 523-7391*) provides workstation support for faculty and law school staff. He has specific responsibility for supporting student PCs, the workstation lab, and related technology needs.

- Systems/Web Manager **Rick Zhang** (*LL 115; 687-4574*) provides primary support for web site development. He installs and upgrades hardware and software on law school workstations.

- Desktop/Server Specialist **Greg Golembiski** (*LL 120; 523-7235*) assists faculty and staff with desktop computing issues. He also provides assistance with classroom technology.
XI. LAW LIBRARY

For a comprehensive index of Law Library services to faculty, see https://www.law.csuohio.edu/lawlibrary/faculty/.

A. PERSONNEL

Associate Professor Kristina L. Niedringhaus (LL 110; 687-3547) is Director of the Law Library. Her staff includes:

Administrative Secretary Sylvia Dunham (LL 214A; 523-7392) provides administrative support for the Law Library Director and staff. Ms. Dunham also schedules use of the Law Library’s conference room and instruction room LL A059.

Assistant Director of Technology Operations Dan Thomas (LL 120A; 523-7372) is responsible for the College’s IT functions, including faculty, staff and student computing, the College's website, and training and support for classroom technology. He also supervises the work and services provided by the C|M|LAW IT Staff Rick Zhang (LL 115; 687-4574), Eric Domanski (LL 112; 523-7391), and Desktop/Server Specialist Greg Golembiski (LL 120; 523-7325).

Associate Director Jan Babbit (LL 122; 687-6913) is responsible for the Law Library’s budget, and supervises the work and services provided by the Collection Development, Technical Services, Access and/Faculty Services, and Research Services staff, including the personnel listed below.

- Collection Development /Acquisitions Librarian Rebecca Mattson (LL117; 523-7388) selects library materials and databases and manages the faculty allowance program, in addition to her research, reference, and instructional services.

- Head of Access and Faculty Services Amy Burchfield (LL 113; 687-6885), in addition to her role as a research and reference librarian with a specialty in international resources, manages the library’s faculty services and circulation functions. She supervises the work of Circulation Supervisor Jon Elias
Evening/Weekend Supervisor Tom Hurray (LL 119B; 523-7396), Library Media Technical Assistant Meredith Hale (LL109; 687-2250) and Library Assistant Andres Garcia (LL109; 687-2250). This staff will facilitate your document delivery, circulation, OhioLink and ILL requests. Ms. Burchfield also supervises the Law Library’s Research Assistants.

- Electronic Services Librarian Karen Schneiderman (LL 114; 523-7364) coordinates the development of library webpage and blog content, manages electronic resources, and assists in the development of faculty course pages, in addition to her research, reference and instructional services.

- Instructional Services Librarian Laura Ray (LL118; 687-6880) coordinates Law Library instructional services to students and faculty and manages the Law Library’s participation in the Federal Depository Library Program. Please contact her if you would like to arrange research training for yourself, your research assistant, or your class.

- Digital Content Services and Reference Services Librarian Sue Altmeyer (LL116; 687-4894) is responsible for developing, managing, and organizing Law Library digital content as well as providing research, reference, and instructional services.

- Technical Services Librarian Beth Farrell (LL214C; 523-7395) manages the Library’s purchasing, receipt, cataloging, and materials processing functions. Beth supervises Library Associate Cassandra Baker (LL214; 523-7397), Library Media Technical Assistant Sean Kennedy (LL 214; 523-7306), and Acquisition/Purchasing Agent Karen Zima (LL214D; 523-7394).

B. CURRENT AWARENESS SERVICES

1. C|M|LAW Library Blog. The C|M|Law Library Blog seeks to inform the law school community about key legal education, research, practice, and law library news, with a particular focus on Cuyahoga County and Ohio as
well as faculty research interests.  (CONTACT: Karen Schneiderman, ext. 7364).

2. **SmartCILP.**  *SmartCILP* is a customized e-mail service for Current Index to Legal Periodicals, with direct links to articles in LexisNexis and Westlaw.  Customizing your *SmartCILP* e-mail allows you to focus on only those areas of law that are of interest to you for your research and teaching.  To sign up for *SmartCILP*, you will need an institution authorization code.  (CONTACT: Amy Burchfield, ext. 6885).

3. **Publications Routing.**  The Law Library provides a publications routing service to meet the current awareness needs of law faculty.  Online newsletters such as Tax Notes Today or BNA’s Daily Labor Report are available to law faculty through the PCs in their offices or through library staff.  (CONTACT: Beth Farrell, ext. 7395; or Sean Kennedy, ext. 7306).

4. **Other Services.**  Other Current Awareness services the Law Library can assist you with include:
   
   - **RSS Feeds** - Obtain current content from the blogs (such as Law Professor Blogs), news articles and journals in a one stop organized RSS Reader such as Google Reader.
   
   - **Bloomberg Law, Westlaw, LexisNexis and Google Alerts** - Have new search results e-mailed to you.  *CCH* current awareness services on many topics are purchased by the library for use by students and faculty.
   
   - **BNA** current awareness services on many topics are purchased by the library for student and faculty use, including U.S. Law Week and Supreme Court Today.  The library can also sign up your entire class to receive e-mails from a particular BNA current awareness newsletter.  Sign up for BNA Current Awareness Services.
   
   - **SSRN Author Alerts**

5. **Faculty Research Interests**

You are invited to participate in our faculty research interests inventory if you wish to be informed of new developments and publications in your research interest areas.  We assign a Research Librarian liaison to monitor your designated subject areas as well as work with you or your research assistant to develop a current awareness plan.  (CONTACT: Amy Burchfield, ext. 6885).
C. RESEARCH SERVICES

1. Faculty Liaison Services. Upon request, we can designate a member of our Research/Instructional Team to assist you as your Law Library contact. This Faculty Liaison will provide current awareness services customized to your subject-specific areas of interest, serve as a referral contact for your students, assist you in developing research resources, work with your Research Assistant, and otherwise help you to take maximum advantage of our services. (CONTACT: Jan Babbit, ext. 6913).

2. Bloomberg Law, LexisNexis & Westlaw: Research Librarians can assist you with Bloomberg Law, LexisNexis or Westlaw searches, arrange training and refresher courses, and help resolve equipment problems. LexisNexis and Westlaw printers for C|M|LAW faculty are located behind the Law Library Information Services Desk. If you choose the stand-alone printer option on Westlaw, or the Law Library faculty printer on LexisNexis, your print requests will be sent to these printers. Law Library Information Services staff will then deliver your prints to your C|M|LAW faculty mailbox. (Regarding Bloomberg Law, LexisNexis and Westlaw services, CONTACT: Karen Schneiderman, ext. 7364; regarding delivery of prints by Access Services personnel, CONTACT: Jon Elias, ext. 2483).

D. INSTRUCTIONAL SUPPORT SERVICES

1. Course Materials Webpages. Library staff will assist you in setting up, maintaining, and adding items to Course Materials webpages for any classes you teach. Course Materials webpages are password-protected resource pages for individual classes that remain available throughout the semester in which the course is taught. Any items a faculty member places on Course Reserve, whether print or electronic, will be placed on a Course Reserve page. Electronic Course Reserve items will be linked from the page; print Course Reserve items will be represented by a link to their Scholar records. You can also add items such as syllabi, assignments, readings, relevant web links, CALI lessons, PowerPoint presentations, podcasts, videos, and more to your Course Materials page. (CONTACT: Sue Altmeyer, ext. 4894; or Amy Burchfield, ext. 6885).

2. Course Reserves. You may place course-related items on reserve in the Library. Print items will be held on reserve for students at the Library’s Information Services Desk. Electronic items will be linked from your
Course Materials webpage. The Law Library complies with the Copyright Law. Jon Elias will contact each law professor before the semester begins to request a list of items to be put on course reserve. Print course reserve materials are taken off reserve at the end of the semester and returned to the library shelves and/or to the law faculty member’s mailbox. (CONTACT: Jon Elias, ext. 2483).

3. Research Lectures, Guides and Exercises. Our Research Librarians can present research lectures for your class. We discuss general and subject-specific legal research strategies and resources, highlighting both print and electronic resources, effective and efficient use of Bloomberg Law, LexisNexis, Westlaw, and OhioLINK research databases, and searching the Web. We can tailor a course-specific research guide for you to use on your own course page or as a handout for your class. We can also work with you to develop research assignments. CONTACT: Jan Babbit, ext. 6913. To arrange a lecture by a LexisNexis or Westlaw representative, contact the representative directly or contact Karen Schneiderman. ext. 7364.

4. Educational Technology. Reference Librarians can help you with PowerPoint, Prezi, Web 2.0 and other educational technologies. We also provide student group instructional sessions in the use of PowerPoint, Refworks, Zotero and other educational software. (CONTACT: Laura Ray, ext. 6880; or Karen Schneiderman, ext. 7364)

5. Past Exams. The College of Law's Administrative Office sends law exams to the Law Library at the end of each semester. With the faculty member’s permission, we place these exams online, accessible only to C|M|LAW faculty, staff, and students. We also bind the exams and put them on reserve for 10 years for law student review. Older exams are shelved in the library's stacks. If you do not wish to have your exams placed on reserve, you must let the College of Law's Administrative Office know. (CONTACT: Amy Burchfield, ext. 6885).

6. Course Evaluations. The College of Law's Administrative Office sends course evaluations to the Law Library at the end of each semester. We bind these evaluations and keep them on reserve for 5 years for law student review. Older evaluations are shelved in the library's stacks. (CONTACT: Amy Burchfield, ext. 6885).

7. Recording Lectures. We can offer assistance with in-house and CSU Instructional Media Services recording of course materials, as well as
posting of media files to course pages. Options include podcast, screencast, vodcast (video), and MediaSite. (CONTACT: Greg Golembiski, ext. 7235).

8. **Training Labs.** Adjacent to the main Library PC Lab, we have two Training Labs to facilitate your class electronic instructional needs. Each Lab is equipped with 15 workstations and a data projector. Please note that Training Labs cannot be reserved during Reading and Exam Weeks. (CONTACT: Laura Ray, ext. 6880)

9. **Other** instructional support services include:

- **CALI:**
  Obtain a CALI password. Offers (1) Interactive electronic lessons. Professors set up a Lessonlink to see students' results, (2) Lawdibles – 10-minute audio recordings, explaining difficult concepts, (3) Classcaster - podcasting and blogging platform, (4) ELangdell and Legal Education Commons - sites for sharing teaching materials, and more.

- **CSU Center for Teaching Excellence:**
  Promotes and encourages "a culture of excellence in teaching and learning at Cleveland State University" by providing workshops, consultation services, classroom equipment, and specialized software and equipment (e.g., for scanning and digitizing). Also provides links to CSU's Center for eLearning, teaching tips, and copyright resources.

10. **AV Viewing Room:** The Law Library's AV viewing room may be used by your students to view class-related materials. Groups or individuals are welcome to use the room depending on availability. The room is equipped with DVD players and VCRs. (CONTACT: Amy Burchfield, ext. 6885).
XII. LAW SCHOOL OPERATIONS

A. Law School Functions. We encourage you to attend law school functions such as lectures, faculty luncheon seminars, receptions, and all other law school events.

B. Campus Net. Campus Net is the CSU online site where you can access information about yourself and your students. An easy way to access the site is from the law school home page: click on Campus Net located at the bottom of the page. Follow the instructions on Campus Net for how to log on. For information about students in your class, look under the Instructor tab. See Class Roster supra at VIII.C.1. for details.

Campus Net also contains your personal contact information that CSU uses to send you information (address, phone numbers, emergency contact numbers). You have the option to revise that information online once you have accessed your Campus Net account.

C. Security. You should always be alert to possible security problems. Keep your valuable belongings out of sight in the adjunct office. Use caution in walking around campus in the evenings, and try to do so in groups whenever possible. You can request an escort to walk you to your car by calling 687-2020.

D. Parking. Parking passes are for the semester or the year. The rates can be found at: http://www.csuohio.edu/services/parking/rates. Daily parking hangtags (scratch-off tags) can also be purchased for $8 per piece (or for $6 for outlying lots). A batch of these hangtags can be purchased and then used when needed. All hangtags must now be purchased online through your CampusNet account, which can be accessed at https://campusnet.csuohio.edu/index.jsp. Your account will become active once your contract for the semester has been processed. Another option is to park in the three garages that charge by the hour or half-hour. These include the South Garage and Prospect garages ($2 for the first hour: $1 each hour thereafter) and Lot 22 under the Student Center ($1 for 30 minutes). Another option is to park in a metered space on 18th Street or on Chester Ave. between 18th Street and 22nd Street. A final alternative is to park in a private parking lot in the neighborhood.
E. Use of Campus Facilities. As the holder of a CSU faculty identification card, adjuncts may take advantage of university services, including a guest pass for athletic facilities (687-4800 for more information), a 10% discount on merchandise at the CSU Bookstore (except textbooks, special orders, rings, computer software, periodicals and discounted items), and check cashing privileges at the Cashier's Office in Main Classroom.

F. CSU Wireless Network. While you are teaching at C|M|LAW, you will have access to the university’s wireless network. We can provide assistance in configuring your laptop computer to work with this network if your laptop has a wireless card. To make an appointment to bring your laptop in, please contact us at automation@law.csuohio.edu.
APPENDIX 1A

Sample Syllabus: Conflict of Laws (Assistant Professor Brian Ray)

CONFLICT OF LAWS SYLLABUS I

Professor Brian Ray
L 632, sec. 1
MW 2:45-4:10
LB 66

Required course materials
Currie, Kay, Kramer, Roosevelt Conflict of Laws 7th ed. 2007)
Occasional supplements

My availability
My office is located on the first floor: Room 153. My phone number is: 687-2528 and my e-mail is: brian.ray@law.csuohio.edu. My office hours are MW 4:15-5:15. These hours are not exclusive. You should feel free to make an appointment at any time or just stop in whenever my light is on.

Course Overview
Conflict of laws deals principally with three questions: Which state's courts have jurisdiction over a dispute? Which state's laws apply to a dispute? Can judgments by the courts of one state be enforced in another state? These questions can arise between states of the United States, between federal and state courts and between foreign states.

This course will focus on the development of choice-of-law rules in the United States and cover, to a lesser extent, other areas of conflict of laws, including jurisdiction and recognition/enforcement of judgments. We will deal with choice of law both in interstate and international settings and include some comparisons with European legal systems.

Class attendance and preparation
Attendance at and preparation for class are required. I understand that there are times when because of illness or personal matters you may be unable to attend class or you may not be prepared for class. To account for these times, each student can miss class or "pass" when called on four times over the course of each semester. If you miss class and/or "pass" more than four times, I reserve the right to lower your grade or withdraw you from the course. If you cannot prepare for class on a particular day, please e-mail me before class. I will not call on you, but that will count as one of the four absence/pass days.
Absences to observe religious holidays do not count as missed classes if you inform me in advance that you will be absent.

Grades

An 8-hour, open-book, take-home exam will constitute 80% of your final grade. Participation in class will make up the remaining 20% of your grade.

I may also distribute practice exercises at certain points in the semester. I will provide feedback on these exercises, but they will not be part of your grade.

Assignments

The assignments listed here are somewhat tentative and may change depending on how quickly we move through the material for each day. To account for that, I have only listed specific assignments through February 15. I will distribute the second installment of the syllabus later in the semester.

January 12-21: The Traditional Model
Jurisdiction Selecting Rules
CB: 1-39

February 2-4: The Traditional Model
Escape Devices — Characterization & Substance/Procedure
CB: 39-61

February 9-11: The Traditional Model
Escape Devices — Renvoi, Public Policy, Penal Laws & Tax
CB: 61-84

February 16: Modern Approaches
Statutory Solutions & Party Autonomy
CB: 891-118

February 18-23: Modern Approaches
Interest Analysis — Introduction & False Conflicts
CB: 118-67

February 25: Modern Approaches
Interest Analysis — Unprovided-For Case & True Conflicts
CB: 167-204

March 9: European Conflicts
Guest Lecture by Professor Milena Sterio
Assignment TBA
Sample Syllabus: Evidence (Adjunct Professor David Neel)

SYLLABUS
Spring 2009 Evidence — LB 207
David W. Neel, Esq., Lecturer
dwneel.lawgmail.com
216-522-0011

Tuesdays & Thursdays 7:30 - 9:10 p.m.

Course Materials:

The required book for this course is:

Waltz, Park & Friedman's Evidence, Cases and Materials (Foundation, 11th ed., 2008) ("WP")

The following book is recommended but not required:

Graham C. Lilly, Principles of Evidence - This book will give you sensible and fairly straightforward information about black letter rules of evidence and some useful information about the policies underlying those rules. (Other excellent hornbooks are available. Use the hornbook that suits you best.)

Office Hours:

Please call me directly at 216-522-0011 to schedule an appointment.

Course Goals:

When you complete this class, you should possess a fairly sophisticated understanding of the Rules of Evidence. More than any other course (in my humble opinion), the study of evidence law trains you to think more like a lawyer. If you study, participate, practice, interact with your peers and reflect throughout the term, then by the end of the course you will be thinking more like a lawyer. That, primarily, is the goal I set before you, in addition, of course, to learning the rules of evidence.

Class Attendance Policy:

Class attendance is mandatory; however, if you have another important commitment that a reasonable person would say should take precedence over this class, then you may miss a class. You do not have to advise me beforehand or tell me the reason. You are allowed four such absences. Passing when called upon counts as an absence. (See also following section.) If you miss more than four classes for any reason, I reserve the right to administratively withdraw you from the course or to impose lesser sanctions.
including, but not limited to, lowering your final grade in this class, in my sole discretion.

**Class Participation:**

I expect you to be prepared for each class. Unsatisfactory preparation, as determined in my sole discretion, counts as an absence. Each of you will be called upon at least once to present an assigned case to the class and to discuss assigned problems from the casebook.

- Your case presentations should be no more than 5 minutes in length. A guideline for your presentation is as follows:
  - Basic facts leading to litigation - E.g., In *Old Chief v. United States*, the defendant was arrested after a fight involving a gun. He had a prior conviction.
  - Proceedings below — E.g., The government charged Old Chief with, among other things, a violation of 18 U.S.C. §922(g)(1), which makes it unlawful for anyone to . . . . Old Chief objected to admission of evidence that . . . . The government responded that . . . . On appeal, the U.S. Court of Appeals for the Ninth Circuit held that the district court did not abuse its discretion by . . . . The U.S. Supreme Court granted certiorari.
  - Specific issue(s) before the court ruling on the case — E.g., At issue was evidence pertaining to one element required to prove a violation of 18 U.S.C. §922(g)(1)
  - The court's ruling on each issue — E.g., The S. Ct. reversed the court of appeals' decision.
  - The court's reasoning for its decision.
  - Doctrine, black letter law or analysis that the case establishes, stands for or approves.

**Grading:**

A total of 200 points is possible in this class based upon the following distribution:

- 80% (160 possible points) of your grade is based on the final exam.
- 20% (40 possible points) is based on your class participation.

**Assignments:**

For every assignment, read the applicable Federal Rule(s) of Evidence ("FRE") in Appendix A of WP and the corresponding Advisory Committee Note(s) in Appendix B.
The Hearsay Rule and Its Exceptions

7. 2/5 WP 100-03, 106-12; FRE 801(a)-(c). Skim FRE 803(3)

8. 2/10 WP 112-25; FRE 801(a)-(c)

9. 2/12 WP 125-32, 137-45; FRE 801(a)-(c), 602, 104(a); Questions 1-2, p. 145; FRE 804(b)(2), 104; Skim FRE 803(3) and 807

10. 2/17 WP 146-60; FRE 803(1), 803(2), 803(3), 805; Questions p. 159

11. 2/19 WP 160-72; FRE 801(d)(2), 805

12. 2/24 WP 173-88; FRE 801(d)(2), 104 (Note: The final sentence of the present FRE 801(d)(2) was added in 1997, after the Bourjaily decision

13. 2/26 WP 188-201; 98-100, 202-10; FRE 804(a), 804(b)(1), 804(b)(3)

14. 3/3 WP 210-22; FRE 803(3), 105. Prepare the answer hypotheticals on pp. 221-22 before class

15. 3/5 WP 222-37; FRE 803(4). Questions, pp. 227-28

16. 3/10 WP 237-53; FRE 801(d)(1), 803(5)-(6), 611, 612

17. 3/12 WP 254-67; Questions, pp.260-61; FRE 106, 803(5)-(7), 805, 806

18. 3/17 Spring Recess —No class

19. 3/19 Spring Recess —No class
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<td>WP 267-92; FRE 803(6)-(10); Hypothetical, p.289; Questions 1-3, 7, pp. 290-92</td>
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<td>3/26</td>
<td>WP 304-15, Questions 1-3, p. 315; FRE 804(b)(6), 807; WP 97-98, 315-20; 359-66; Handouts, Crawford case and state case(s)</td>
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**Witnesses — Competency, Impeachment and Expert Witnesses**

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<td>WP 486-506; FRE 607, 611, 615; WP 506-19; FRE 608 Questions 1-5, pp. 515-16</td>
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<td>WP 519-41; Hypos, pp. 536-37; FRE 608-09, 806</td>
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<td>24.</td>
<td>4/7</td>
<td>WP 541-65; FRE 608-609, 610, 613, 801(c) WP 566-71; Review pp. 62-70 (trial objections); preview 795-812;</td>
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<td>25.</td>
<td>4/9</td>
<td>WP 795-827; FRE 701-06</td>
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<td>26.</td>
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<td>WP 827-61</td>
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<td>27.</td>
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<td>WP 862-86</td>
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**Documents — Authentication and Best Evidence Rule**

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<td>31.</td>
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<td>5/3</td>
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<td>33.</td>
<td>TBD</td>
<td>Exam</td>
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APPENDIX 2

Upper Level Writing Requirement and Independent Legal Research Standards

The Upper Level Writing Requirement and Independent Legal Research (L860) Standards, as approved by the faculty in November 1997 and amended in May 1999 and supplemented in November 2006 are as follows:

A. Upper Level Writing Requirement

The purpose of the Upper Level Writing Requirement is to have each student undertake at least one rigorous writing experience prior to graduation, in addition to Legal Writing, Research and Advocacy (L504) and the third semester of legal writing. Although the focus of this requirement is writing skills, effective legal writing requires application of the broad spectrum of skills essential to effective lawyering generally. Thus, research, analysis, and organization are important components in the preparation of any quality product of legal writing. For this reason, the goal of the Upper Level Writing Requirement is to require each student to demonstrate his or her ability to apply each of these skills in producing one substantial, cohesive piece of legal writing prior to graduating from law school.

1. Students may satisfy this requirement by completion of any one of the following:

   a. A seminar for which a paper is required;
   b. A specially designated upper level course for which a paper is required or offered for writing credit; or
   c. An appropriate two or three semester-hour Independent Legal Research (L860) project.

2. The Upper Level Writing Requirement is satisfied by the completion of a paper, brief, casenote, or other piece of legal writing that combines writing, research, analytical and organizational skills into one substantial written product under the direction of a faculty supervisor. As a general rule, “faculty supervisor” means full-time tenured or tenure-track faculty member, full-time legal writing professor, or full-time clinical professor.

3. If the written product consists of an Independent Legal Research (L860) project, it must satisfy the page requirements for L860, as listed in Section B below. What constitutes a “substantial” written product in other courses shall be left to the discretion of the instructor, subject to review by the Curriculum Committee at the time the course is submitted for approval, as stipulated in paragraph 5.

4. To complete the Upper Level Writing Requirement, it is assumed that the student will undertake exhaustive library or other approved investigation under the supervision of a faculty member. In order to insure a meaningful one-on-one
consultation and critique between the student and instructor, it is strongly urged that the instructor:

a. Require the student to meet regularly with the faculty sponsor during the course of the project;
b. Require the student doing an Independent Legal Research (L860) project to obtain the faculty sponsor’s written approval of a proposal prior to signing up for credit;
c. Require the student to submit and discuss an outline of the writing project prior to commencing the first draft;
d. Provide written comments concerning submitted drafts and discuss those comments in a meeting with the student;
e. Require the student to submit a detailed research path of one or two pages with the rough draft, indicating the full extent of the student’s research and sources used and showing unproductive investigation as well as that which produces materials bearing on the problem;
f. Require the student to familiarize himself or herself with the concept of plagiarism;
g. Make clear to the student that the Upper Level Writing Requirement is unrelated to, and independent of, any non-curricular requirements, such as those needed for acceptance of the paper by a student journal.

5. Any instructor wishing to designate a course as satisfying the Upper Level Writing Requirement must first obtain authorization from the Curriculum Committee.

6. Faculty have discretion, while awarding a passing grade to a student enrolled in a course or in Independent Legal Research (L860), to determine that nonetheless the student has not satisfied the Upper Level Writing Requirement. Students should be advised of this faculty option.

7. Copies of papers submitted in satisfaction of the Upper Level Writing Requirement shall be retained by the administration in the same manner as final examinations.

B. Independent Legal Research (L860) Standards

1. The minimum number of credit hours of Independent Legal Research (L860) that will satisfy the Upper Level Writing Requirement is two credit hours.

2. The text page minimum for Independent Legal Research (L860) projects completed to satisfy the Upper Level Writing Requirement should ordinarily be 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, per credit hour, but in no case less than 10 pages, exclusive of footnotes or endnotes, per credit hour. Faculty may, in their discretion, define a “page” in terms of font size, margins, approximate number of words, etc.
3. Independent Legal Research (L860) may also be taken for one hour of credit, usually requiring a minimum of 12 to 15 double-spaced pages, exclusive of footnotes or endnotes, as described above, but such projects will not satisfy the Upper Level Writing Requirement.

4. A maximum of three semester hours of Independent Legal Research (L860) credit may be elected to count toward the J.D. or LL.M. degree.

5. No faculty member may sponsor more than six (6) students per academic year, exclusive of the summer term, in Independent Legal Research (L860) without the approval of the Dean or his or her designate.

C. Supplementary Guidelines Regarding Law Review and Journal Notes

In November 2006 the faculty adopted additional guidelines for faculty supervision of Law Review and Journal Notes:

1) supervisory faculty of notes for L860 credit should attempt to coordinate their schedule of topic, outline, bibliography and draft submissions with that of the journal for which the note is being written;

2) the law review and the journal should make available to every faculty member each fall a written schedule detailing the stages in which the writing of the note becomes due;

3) each faculty member is requested to be available to supervise up to three notes for L860 credit;

4) a summary of each faculty member’s research interests should be made available to the law review and journals staffs each year.

D. 3-Credit-Hour ULWR Seminars with Reduced Class Time

Faculty members may teach a seminar or upper level course (in which students write a paper to satisfy the ULWR) worth three credit hours but in the time block of a two-credit-hour course. This is allowed under the ABA Standards and Interpretations that permit “regularly scheduled class sessions” to include “in a seminar or other upper level course other than an independent research course, the minutes allocated for preparation of a substantial paper or project if the time and effort required and anticipated educational benefit are commensurate with the credit awarded.” ABA Interpretation 304-3(d). In light of the ABA Standard and Interpretation, faculty have the option, in a seminar or upper level course other than L860 (Independent Legal Research) in which students write a paper to satisfy the ULWR, of holding class meetings for the hours required for a two-credit-hour course while offering the course for three credit hours. This recognizes the substantial amount of time and effort that students and faculty are expected to spend on papers that satisfy the upper level writing requirement. Faculty may also offer the option to students of taking the seminar or upper level course for two credit hours if a student
elects not to write a paper to satisfy the ULWR or for three credit hours if a student elects to write a paper to satisfy the ULWR. This policy is also available online on the Faculty Resources page.
APPENDIX 3

CSU Poll Worker Excused Absence Policy

In order to foster student engagement and participation in the civic sphere, Cleveland State University has encouraged students to serve as poll workers and in polling support positions for the last several national and statewide elections. In Spring 2008 the Faculty Senate of Cleveland State University adopted a policy pertaining to student absences arising because of such service in these elections.

I. CSU faculty members are required to

a. excuse all students from class attendance and from any assignments, quizzes, and other coursework otherwise due during the period beginning at 6:00 p.m. on the evening before any statewide election and ending at 12:00 midnight on election day who (i) serve in any of the official poll worker and polling support positions, including the Center for Election Integrity official observer or monitor positions (which can include, for example, polling place translators and technical support workers with respect to the voting machines), and (ii) satisfy their notification obligations described in paragraph II, below; and

b. allow such students to make up any assignments, quizzes, and other coursework otherwise due during this period, as described in paragraph II, below.

II. Any CSU student who desires to exercise the excused poll worker service option must

a. have officially applied and been selected to serve;

b. be scheduled for training that will be completed at least two days prior to the election;

c. inform the faculty members whose classes are affected in writing (electronically or in whatever manner the particular faculty member requests) no later than the second Friday before the election;

d. arrange with each affected faculty member to make up any coursework or quizzes that were missed due to the absence; and

e. provide official documentation to each affected faculty member at a later appropriate point that confirms the student’s service as a poll worker or in a polling support position.

At all times, the responsibility for making up coursework rests with the student.

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1 Then Dean Mearns decided, in Fall 2008, based on available C.S.U. policies and information received from the C.S.U. administration, that this policy applies to students who work as B.O.E. poll workers and to those who volunteer as election observers or monitors for a bona fide organization such as the Democratic or Republican Party, or the Lawyers Committee for Civil Rights Under the Law.
APPENDIX 4

EXAM PROCEDURES MEMORANDUM

TO: Faculty

FROM: Mark J. Sundahl, Associate Dean for Academic Affairs
       Jean Lifter, Assistant Dean for Academic Affairs
       Marcie Rechner, Records Officer

RE: Exam Procedures

DATE: April 20, 2011

ADMINISTRATION OF EXAMINATIONS

Each faculty member will proctor an in-class exam of a colleague at the same time as their in-class exam is being proctored by another faculty member. For this system to work smoothly, it is extremely important that exams be administered in accordance with the following procedures. Note: If you will not be in the building while your exam is being proctored you must be available by telephone in the event that any questions regarding your exam arise. In advance of your exam, please give Jean Lifter the telephone number at which you may be reached.

A. Submitting Exams and Exam Instructions

If you need help typing your exam, please allow at least five working days for typing and duplication, which will be taken care of by the word processing department through Laverne Carter, Office Manager.

On the first page of the exam, please put the course name, number, and section, instructor name and semester and leave a blank for the student exam number—all of this will facilitate collecting exams at the end of the exam (see Proctoring Responsibilities below). Please number the pages of your exam so that it will be certain each student has all of the pages of the exam.

You must complete the Exam Instruction Form for each of your exams. Please make sure that your instructions are complete. This is the document on which the proctor will rely when proctoring your exam. If your exam is administered in parts, please explain exactly how the exam is to be administered. If your exam has Multiple Choice Questions, you must specify whether students will use the Blue (up to 5 choices for the answers) or Green (up to 10 choices) scantron sheets. Also, please indicate whether copies of your

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2 Amended in accordance with memorandum presented to faculty in November 10, 2011 faculty meeting.
exam should be given to the library (after the exam period) for inclusion in the Past Exams online (explained in the Faculty Manual). If we have any questions about your instructions, we will contact you before your exam.

So that we can be sure that we have all exams and complete instructions for the proctor before the start of the exam, we will need to have copies of your exam with instructions for the proctor at least 24 hours before the scheduled beginning time of the exam. This means that you cannot bring the exam in with you on the day of the exam. You must have the exam and instruction form copied in time for it to be delivered to Jean Lifter 24 hours before the scheduled start time of the exam. So, for example, if your exam is scheduled for Monday at 9 a.m. Jean Lifter must have the exam by Friday at 9 a.m. (As you can tell, we are not counting weekends in the time frame.) You will need to give the exam to Laverne Carter sufficiently prior to that for her to have the exam copied. The exams are copied and secured so that no students have access to them prior to the exam.

B. Proctoring Schedule

Proctoring assignments and exam rooms are noted on the exam schedule. Please keep a copy of the exam schedule with you when you proctor in case you need to ask the professor whose exam you are proctoring a question about the exam. Every exam will be given in one room—those handwriting and those taking on computer will take the exam in the same room. We will not provide a separate room for hand writers—we have not needed one in the past. If it becomes apparent to you that a student needs a separate room to hand write the exam, please send the student to Jean Lifter’s office during the day and to the Student Services reception desk in the evening. We will have a space for students to take the exam.

C. Electronic Devices and Other Personal Effects

Students are not permitted to bring any electronic devices other than their personal computer to an exam (e.g., cell phones, Personal Digital Devices (PDAs), mp3 players, cameras, or digital or tape recorders). Students may not keep book bags, purses, or briefcases at their table during the exam. If a student brings a bag, purse or briefcase to the exam, they must be left at the front of the exam room and may not be accessed during the exam. If a student has an emergency that requires the student to make or receive a call during an exam, the student should inform Dean Lifter and arrange to have the call made or received from the Student Services Center. Neither the law school nor the proctor shall be responsible for items left in the front of the room.

D. Proctoring Responsibilities

1. On the day of the exam, please pick up the exams, exam instructions, and class roster from Jean Lifter’s office.

2. Please bring blue books/blank paper (and scantron sheets and pencils if required) to the exam. The blue books/blank paper will be for all students—blue books for students who are handwriting the exam and blank paper for outlining
for computer exams. Bluebooks, blank paper, and scantron sheets are available in the Copy Room. Pencils may be obtained from the Records Office.

3. Please plan to stay in the exam room for the entire exam.

4. Remind the students that electronic devices (as described above in Section C) are not permitted in the exam room. Tell the students that if they have any bags, purses, or briefcases, they must place the items in their locker or place them in the front of the room before taking the exam.

5. Before the exam begins, please ask that students not sit next to each other, but at least one seat apart if possible. Also, please make sure that students have turned off their cell phones.

6. Please make sure that each student initials the class roster and indicates on it whether s/he is handwriting or taking the exam on computer. Please do this before the exam begins or when students are turning in their exams at the end, but not during the exam itself. Please assure the students that this form will not be submitted to the course instructor but is for administrative use only to make sure that all exams are properly submitted.

7. At the beginning of the exam session, once you have distributed the exam please:

   a. ask students to make sure that they have all the pages of the exam – if there is a problem with the copies, please immediately see Dean Lifter or the staff person at the Student Services Center reception desk;

   b. ask students to put their exam numbers on the front of the exam questions;

   c. ask any student writing the exam to write their exam number and the name of the class on their bluebooks;

   d. if scantron sheets are being used, ask the students (i) to write their exam number on the sheet and bubble in the appropriate numbers and (ii) to write the name of their professor in the NAME box on the sheet – they should not fill in the bubbles for the professor’s name.

   e. inform the students that during the last five minutes of class students must remain in their seats and may not leave even if they have finished the exam (although they are free to leave prior to the five-minute warning);

   f. instruct students to turn in their exam materials by (i) tucking all materials inside the exam materials “jacket” and (ii) placing the materials in a single pile as they leave;
g. inform the students that the exam will be timed according to the classroom clock; and

h. write the time that the exam will end on the blackboard or whiteboard.

8. If a student has a question about the exam that requires information from the course professor, you, and not the student, may find the professor and ask for clarification. The student may not leave the exam room for this purpose.

9. Students who leave the exam room to use the restroom must leave all exam materials and their cell phones in the exam room.

10. If a student has computer problems during the exam, please make note of any significant period during which s/he was unable to work on the exam and extend, for that student, the time allowed on the exam. After a maximum of 20 minutes, a student with computer problems should be advised to switch to answering in a blue book and will be allowed to continue working on the exam for no more than the time lost, up to 20 minutes, after the regular exam ends. Tech staff can be reached during exams by dialing 216/523-7555 or x7555 from a University phone line; if not assisting students in another exam room, they will be in the law library – LL 112 (Eric or Dan); LL 114 (Greg); or LL 115 (Rick).

11. Five minutes before the end of the exam, announce to the students that five minutes remain and that they are to stay in their seats until the end of the exam.

12. At the end of the exam, announce that time is up and instruct all students to stop working on the exam. Except as indicated in paragraph 9, above, do not extend the time for any student.

13. At the end of the exam, have the students turn in their exam materials one at a time. For large classes, call students to line up and hand in their materials row by row in order to ensure an orderly process. When the students hand you their exam materials, make sure that:

   a. each student turns in the exam questions (with their exam numbers on them);

   b. if students have filled out a scantron sheet, they put the name of their professor in the NAME boxes on the sheet (they should not fill in the bubbles on this section of the sheet);

   c. each student’s exam materials are tucked into his/her exam “jacket”; and

   d. this package of materials is placed on a single pile (which pile will then be delivered to Dean Lifter or the Student Services Center per
paragraph 13 below).

14. For daytime exams, please return the exam materials to Dean Lifter’s office. For evening exams, please return the exam materials to the staff person at the Student Services Center reception desk. Please return the exams promptly after the end of the exam.

E. Picking Up Your Exams

Once any computer exams have been printed, the Records Office will confirm that all exams are accounted for by comparing the exam numbers for all students on your roster with the blue book and/or printed exams. The Records Office will take into account exams yet to be taken due to rescheduling or exams taken under accommodations. Thereafter you will be notified that your exams are ready for pick up and grading. We anticipate that your exams will be available the day after you give the exam—allowing time for the exams to be printed and cross-checked. (Rescheduled and/or accommodated exams may, of course, come thereafter.)
## EXAM INSTRUCTION FORM

**EXAM INSTRUCTIONS**

You must submit this form, with your exam, at least 24 hours before the time scheduled for your exam to Jean Lifter.

<table>
<thead>
<tr>
<th><strong>COURSE NAME</strong></th>
<th></th>
<th><strong>SEMESTER &amp; YEAR</strong></th>
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<table>
<thead>
<tr>
<th><strong>DATE &amp; TIME OF EXAM</strong></th>
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<th><strong>INSTRUCTOR</strong></th>
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**TIME ALLOWED FOR EXAM** (including any optional extra time you allow students)

<table>
<thead>
<tr>
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</thead>
<tbody>
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**Materials Students May Have During the Exam**

- **Closed Book**
  
- **Open Book**—Specify books or material allowed
  
- **Special Instructions for Administering Your Exam**
  
  (E.g., do you require students to spend a certain amount of time reading the exam and outlining before they may begin writing or do you require that they answer as certain part of the exam, turn it in and then answer another part of the exam?) If you give multiple choice questions, specify whether students will use blue (up to 5 choices for the answers) or green (up to 10 choices for the answers) Scantron sheet.

<table>
<thead>
<tr>
<th><strong>Date &amp; Time of Exam</strong></th>
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</table>

**Library Review Copies:**

Please withhold two copies of this exam for library filing purposes. **Yes** [ ] **No** [ ]

I grant permission for my exam(s) to be placed on the Law School web site. Access to the exams will only be given to the faculty, staff and law students of Cleveland-Marshall Law School. **Yes** [ ] **No** [ ]

**Faculty Signature**

<table>
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APPENDIX 6

TAKE-HOME EXAM FORM

TAKE-HOME EXAMS

Date_______________________

Professor___________________________________________

Course__________________________________________________________________

1) When may students begin to pick up exams?

2) Do you prefer the sign-in/sign-out sheet by name or exam number?

3) How much time do students have to complete the exam?

4) Deadline to submit all exams:

5) Are students allowed to keep their copy of the actual exam, or do they have to return it with their completed examination?

6) Please explain any additional requirements:

7) Contact number for professor: ___________________________________________________________________

Please note: Instructor will be notified when exams are ready to be picked up.
APPENDIX 7

GRADE DISTRIBUTION FORM

*College of Law* – ADVISORY GRADE DISTRIBUTION FORM

<table>
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<tr>
<th>COURSE NUMBER</th>
<th>SECTION NUMBER</th>
<th>COURSE TITLE</th>
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<th>SEMESTER &amp; YEAR</th>
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**INSTRUCTIONS:** Complete this summary for each course, whether subject to the guidelines or exempt. Do not include “W” or “I” grades in the totals or percentage calculations, but indicate the number of each in the spaces provided. Make no entries in the final column on the right under the heading “Verified.” Submit this summary form together with your final grade lists. No grades will be submitted to the University Registrar for official recording until this summary has been completed and verified.

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<th>GENERAL GRADING GUIDELINES FOR OTHER LAW COURSES</th>
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<td>8 – 12</td>
<td>14</td>
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<td>A-</td>
<td>10</td>
<td>8 – 12</td>
<td>12</td>
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<tr>
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<td>11</td>
<td>9 – 13</td>
<td>18</td>
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<td>12</td>
<td>10 – 14</td>
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<td>C-</td>
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Number of “W” (WITHDRAW) grades submitted __________

Number of “I” (INCOMPLETE) grades submitted __________

Number of “P” (PASS) grades submitted __________

**SIGNATURE OF INSTRUCTOR ___________________________**

**APPROVED FOR**

**REGISTRAR SUBMISSION ___________________________**

**DATE ___________________________**

**DATE ___________________________**
APPENDIX 8

QUIZ/PAPER/EXAM VIEWING FORM

QUIZ / PAPER / EXAM VIEWING

Date_______________________

Professor________________________________________________________________

Course__________________________________________________________________

1) Student will identify by: Name__________ -or- Exam Number__________

2) How long will materials be available to students?__________________________

3) Students must review materials in the Student Services Center? Yes___ / No ___

- or -

Students may keep materials? Yes___ / No ___

- or -

Students may check out materials under these conditions:

4) Please explain any additional requirements:

Please note: Materials will be returned to instructor at the end of requested viewing period or at the beginning of the next semester.
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*Includes one student who was factored into the 2011 final report
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### Applicants by Ethnicity

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### Legal Career Opportunities Program

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* No Authorization: Students electing to suppress this information from their LSDAS report

** Offers/Applications

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Scholarships Awarded By Ethnicity 2003 to 2012

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*Academic = Dean; Collegiate = City; Full = Deans; Barristers is new*
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*Academic = Dean; Collegiate = City; Full = Deans*

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## Fall 2012 Entering Class Profiles
### Ohio Law Schools

Source: Ohio Law School Admissions Offices

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<th>School</th>
<th>Applications</th>
<th>Admit Offers</th>
<th>Enrollment</th>
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### Enrollment by Ethnicity

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</table>
LEARN LAW. LIVE JUSTICE.
Cleveland-Marshall College of Law
Empowering students to improve their lives by serving others.

For more than a century, Cleveland-Marshall College of Law has empowered our students to improve their own lives by serving others. Toward that end, the Law School is renowned for its commitment to excellence in teaching, service, and scholarship. A Cleveland-Marshall legal education makes possible the future you envision. Whether your voice is heard in the courtroom, in the board room, in the halls of government, or wherever your goals, interests, and ambitions take you, you will be an advocate for justice.

Cleveland-Marshall College of Law is recognized for the capacity of its graduates to effectively counsel and represent their clients. We are also highly regarded for the ability of our students, graduates, and faculty to think critically about our society’s strengths and weaknesses and to have the theoretical, doctrinal, and practical legal expertise to promote social justice, individual freedom, and economic growth.

In Cleveland, law is a major industry. It is a city of small practice-specific firms and a city of large firms with national and international practices. We belong to this city. One of the most important lessons our students learn, inside and outside the classroom, is how much this public law school means to the community around us—from the poorest citizens for whom we are a legal resource to members of the bench and bar for whom we have been a source of exceptional legal talent for more than a century.

We belong to the nation as well. Our graduates are everywhere in America. They distinguish themselves in private and corporate practices, head law firms, serve on every level of the judiciary, hold high offices in state and federal government, create and develop businesses and corporations, chair non-profit organizations, teach in public schools and universities, serve in the military and, on behalf of the public good, donate countless hours to individuals, charities, and community organizations. As a group profile, they are a remarkable portrait of a singular law school.

All of them began as you did: with a signature on a law school application. Like you, they sought a career in law to make a living, to make a life, to make a better world. They have done so, as you will.
The mission of Cleveland-Marshall College of Law is to foster a more just society through legal education, service, and scholarship. The Law School provides a rigorous legal education, enabling a diverse population of students to become accomplished, ethical citizen-lawyers who will make significant contributions to the region, the nation, and the world.

The practice of law is ever expanding to meet the region’s and the country’s economic, societal, and cultural challenges and students at Cleveland-Marshall have a unique advantage. They learn law in a major center of legal commerce, in a law school within walking distance of city, state, and federal courts, and some of the most prestigious law firms in America—firms whose practices span the country and the globe.

As a law school of excellence, Cleveland-Marshall values the importance of diversity as integral to enriching the classroom experience and the legal profession. From an historic position of strength as a leader in providing educational access to women and African-Americans, Cleveland-Marshall continues to value diversity. A diversity of race, gender, ethnicity, sexual orientation, geographic location, socio-economic status, and the wide range of life experiences of our students encourages a lively and thoughtful exchange of ideas in order to develop a deeper understanding of the law and its effect on societal values.
A city in the city.

Cleveland State University is the largest graduate school in the region with over 50% of its annual degrees given to graduate and professional students—the greatest proportion of any university in Ohio. The University offers a variety of degrees in specific academic disciplines within nine independent colleges pursuing excellence in their fields. The University is known for pushing the boundaries of 21st century student engagement by implementing cutting edge research, advanced academic resources, and developing state-of-the-art campus facilities to be a powerful transformational force.

Cleveland State University concentrates on applied research, economic disciplines, and coupling transformative technology with transnational talent. A University-wide initiative to maintain a strong connection to the regions’ growing health care and biomedical economy builds and strengthens resources across all disciplines; the results can be seen from the genetic research in the College of Science, to the creation of super-strength hybrid composite fibers at the Fenn College of Engineering, to studies on the economic implications of health care on multinational corporations at the Monte Ahuja College of Business. At C|M|LAW, we contribute to the initiative through our innovative Center for Health Law and Policy, our Community Health Advocacy Clinic, and our Journal of Law and Health.

As a public university in a major metropolitan area, CSU emphasizes inclusiveness and values diverse experiences and backgrounds. It shapes our belief in offering students hands-on education, real world experiences and a personal approach to fostering success in the pursuit of excellence. Advanced academic resources and rigorous intellectual inquiry are at the heart of CSU’s commitment to transforming America’s “labor pool” to a “talent pool.”

A $500-million-plus plan for the growth and development of Cleveland State University’s physical space, continues to change the face of campus and downtown Cleveland.

Our 85-acre campus in downtown Cleveland features multiple classroom, research and living facilities. Building blocks for the Future, a $500-million-plus plan for the growth and development of Cleveland State University’s physical space, continues to change the face of campus and downtown Cleveland with architecturally stunning buildings and an inviting neighborhood atmosphere. From a historically restored art deco residence hall to modern glass structures
like the Student Center and College of Education and Human Services, Cleveland State University is at the forefront of Cleveland’s continued revitalization.

With a bustling campus in the heart of the city, students study and play in a vibrant, welcoming community that offers the best in academic pursuits.

As members of both the Cleveland State University and the Cleveland-Marshall College of Law communities, students have access to a number of world-class amenities, including free membership at the state-of-the-art recreation center, and access to the best in health care at the campus Wellness Center and Counseling Centers. CSU also offers on-campus graduate housing in contemporary spaces tailored for the needs of law students. From libraries and study spaces to multiple dining options across campus, law students find a thriving neighborhood at Cleveland State University.

With a bustling campus in the heart of the city, students study and play in a vibrant, welcoming community that offers the best in academic pursuits.
A Cleveland network includes friends and colleagues from renowned educational and cultural institutions, Fortune 500 companies, world-class research medical facilities, and global law firms. Cleveland is also one of the most affordable housing markets in the country and offers a wide variety of living options and neighborhood personalities. Choices range from downtown lake-view lofts to homes on tree-lined suburban streets; from contemporary chic cityscapes to old world neighborhoods.

For the law school years or a whole career, Cleveland is a great place to call home.

Vibrant, dynamic, in touch.

What makes people want to call Cleveland home? The answers to that question are as diverse as those who answer it.

It starts with youthfulness and energy. A Cleveland network includes friends and colleagues from renowned educational and cultural institutions, Fortune 500 companies, world-class medical research facilities, and global law firms. They come from all over the country and the world, shaping a community both vital and welcoming.

What about after hours? Cleveland comes to life with major-metro entertainment and nightlife. Venues like the Warehouse District and East 4th Street pedestrian district are alive with unique restaurants and nightclubs. Major league sports offer year-round action. Add the richness of great museums and the outdoor fun of lakefront and Metropark activities. There’s always something to do, see, and experience.
An incredible theatre district
A world-renowned orchestra
Eclectic restaurants & coffee houses
Independent films
Four professional sports teams
The Rock and Roll Hall of Fame
Dance and opera
Hundreds of live music venues
The Cleveland lakefront
A newly-renovated art museum
A vibrant nightlife
The historic West Side Food Market
Put-In-Bay and Kelley’s Island
Cedar Point Amusement Park
OLMSTEAD VS. UNITED STATES: “THE DOOR OF A CONFINED PLAINTECH HAS COME AS A CRIMINAL IS AS MUCH AS A MOST VIRTUOUS FELLOW IS DENIED IN ORDER TO MAINTAIN THE LAW IN ORDER TO PROMOTE CONFINCENT OF JUSTICE; IN ORDER TO MAINTAIN
At Cleveland-Marshall, our academic program is rigorous and grounded in traditional legal theory. At the same time, our experiential learning opportunities, skills-based courses, and award-winning Pro Bono program prepare you to tackle contemporary legal issues.

Whether you’re coming to C|M|LAW directly from your undergraduate studies, looking for an opportunity to advance your career, or ready to embark on a new career path with unlimited potential, we meet you where you are and provide you with a relevant legal education that fits your individual goals and expectations.

Our academic program is flexible. Full-time enrollment at C|M|LAW provides a full immersion experience into the study of law. Our part-time day and part-time evening options allow you to juggle family and work responsibilities or the opportunity to ease into your legal studies at a slower pace. Whichever option works best, you are assured of an educational experience that meets the standards of excellence you expect and deserve. After the completion of the first year, C|M|LAW students can move between the full-time and part-time programs as needed.

Part-time students must commit to the course load outlined here. Part-time students cannot take fewer credits during their first two years of legal study.

After the successful completion of the first year curriculum, students may elect an optional concentration program of study or may elect an individualized course of study by selecting from courses representing the breadth and depth of legal inquiry.
In Support of Excellence.

C|M|LAW’s Academic Support Programs complement the law school curriculum by focusing on the process involved in developing the skills that are necessary to succeed. We recognize that students have different learning styles and experiences that can affect their learning process and performance in law school. For these reasons, Academic Support uses diverse teaching methods including small group discussions, large group sessions, and one-on-one assistance.

An Evolving Curriculum Infused with Professionalism.

C|M|LAW’s close relationship with the legal community helps keep our curriculum relevant and our students well-prepared to meet the professional expectations outside our walls. “The Problem of the Semester” is designed to increase student exposure to issues of ethics and professionalism. Each semester, the entire law school is presented with the same professionalism problem, which is incorporated into classes and lectures across the curriculum. Students see the same issue approached in different ways and from multiple perspectives, and come to understand the broader implications of the problem. These are tools needed every day in the real world of law—and skills that will make C|M|LAW students stand out.

### Full-Time Day, First Year

<table>
<thead>
<tr>
<th>FALL SEMESTER</th>
<th>HOURS</th>
<th>SPRING SEMESTER</th>
<th>HOURS</th>
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<tr>
<td>CONTRACTS</td>
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<tr>
<td>TORTS</td>
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<td>CRIMINAL LAW</td>
<td>3</td>
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<tr>
<td>LEGISLATION/REGULATION</td>
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<td>CIVIL PROCEDURE</td>
<td>4</td>
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<tr>
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<td><strong>TOTAL HOURS</strong></td>
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### Part-Time Day and Evening, First Year

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<td><strong>TOTAL HOURS</strong></td>
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### Part-Time Day and Evening, Second Year

<table>
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<th>SPRING SEMESTER</th>
<th>HOURS</th>
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</thead>
<tbody>
<tr>
<td>CIVIL PROCEDURE</td>
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<td>PROPERTY</td>
<td>4</td>
</tr>
<tr>
<td>REQUIRED CORE ELECTIVE (CONSTITUTIONAL LAW, EVIDENCE, LEGAL PROFESSION)</td>
<td>2-4</td>
<td>REQUIRED CORE ELECTIVE (CONSTITUTIONAL LAW, EVIDENCE, LEGAL PROFESSION)</td>
<td>2-4</td>
</tr>
<tr>
<td><strong>TOTAL HOURS</strong></td>
<td><strong>6-8</strong></td>
<td><strong>TOTAL HOURS</strong></td>
<td><strong>6-8</strong></td>
</tr>
</tbody>
</table>
Civil Litigation and Dispute Resolution

Core Courses:
- Civil Procedure
- Evidence
- Legal Profession

Electives Include:
- Advanced Brief Writing
- Alternate Dispute Resolution
- Conflicts of Law
- Trial Advocacy

C|M|LAW Concentrations.

There are no majors in law school. At C|M|LAW, students discover the subjects, experiences, and opportunities that best meet their individual goals and expectations.

Students may elect to undertake an intensive course of study through an academic concentration. Participation in a concentrated course of study enables future attorneys to develop their practice skills and to enter the legal profession with specialized knowledge in a specific area of practice.

In addition to our concentrations, there are a variety of other practice areas you can successfully study at C|M|LAW.

They Include:
- Environmental Law
- Family Law
- Health Law
- Intellectual Property Law
- Law and Public Policy
- Tax Law

Civil Litigation and Dispute Resolution

Core Courses:
- Civil Procedure
- Evidence
- Legal Profession

Electives Include:
- Advanced Brief Writing
- Alternate Dispute Resolution
- Conflicts of Law
- Trial Advocacy
Criminal Law

**Core Courses:**
- Criminal Law
- Criminal Procedure I
- Criminal Procedure II

**Electives Include:**
- Capital Punishment & the Law
- Computers & Law: Criminal
- International War Crimes Tribunal Seminar
- Juvenile Law Seminar
- Legal Responses to Terrorism
- White Collar Crime

Employment and Labor Law

**Core Courses:**
- Employment Law
- Employment Discrimination Law
- Labor Law

**Electives Include:**
- Arbitration
- Employee Pension & Benefits Law
- Public Sector Labor & Employment Law
- Mediation
- Workers’ Compensation Law

Business Law

**Core Courses:**
- Agency & Partnership
- Commercial Law
- Corporations
- Secured Transactions
- Tax I
- Tax II

**Electives Include:**
- Antitrust
- Bankruptcy
- Cyber Law
- Entertainment Law
- Mergers & Acquisitions
- Real Estate Law

International and Comparative Law

**Core Course:**
- International Law

**Electives Include:**
- Immigration & Nationality Law
- International Aspects of Intellectual Property
- International Business Transactions
- International Criminal Law
- Race, Racism & Law

**Study International and Comparative Law in St.Petersburg, Russia**

Our month-long St.Petersburg Summer Law Institute, taught by English-speaking faculty, prepares you for the greater world of legal practice in a setting rich in history, art, and culture.
Center for Health Law & Policy.

Cleveland-Marshall’s location in Cleveland, a city with a vibrant health care industry, makes us uniquely suited to train future health care attorneys. The Center for Health Law and Policy offers certification in health law, awarded with the JD. The innovative program is designed to give students practical skills acquisition and a high-level of exposure to the region’s health care and legal networks. Students may specialize in one of three areas, or take courses from all three groups.

Health Law Regulation

Students pursuing a Health Law Regulation focus are preparing to work in private practice or at government agencies to represent hospitals, physician groups, HMOs, or individual doctors to ensure that they are complying with government regulations. In addition, students will learn to lobby on behalf of their clients, investigate fraud, deal with Medicare/Medicaid/Stark Law policy and compliance, and to oversee the development of public health regulations.

Health Law Policy & Ethics

Health Law Policy and Ethics students will be trained to work in private, government or academic settings. Students will learn how to represent universities and other academic research centers, oversee clinical trials at universities and health care facilities, or work for the government to reform and create health care policy. Students who choose to work in the private sector will affect healthcare policy through lobbying and other activities. Graduates may work at think tanks and other organizations that focus on biomedical and research ethics issues.

Health Law Business & Litigation

Students who take courses in Health Law Business and Litigation will learn the business of health care in the public and private sector. Students will learn how to handle mergers and acquisitions, tax law, employee benefits, and risk management issues for hospitals, HMOs, long term care facilities, and insurance companies. In response to the impact of technology on health care, students will also learn how to guide their clients through intellectual property, biomedicine, and telemedicine issues. Graduates may choose to handle medical malpractice cases or to engage in other types of healthcare-related litigation.

Health Law and Policy students can supplement their theoretical training with practical, real-world experiences through externships, the Journal of Law and Health, and the Community Health Advocacy Law Clinic.
Dual degrees expand the scope of expertise.

Maxine Goodman Levin College of Urban Affairs
• J.D./Master of Public Administration
• J.D./Master of Urban Planning, Design, and Development
• J.D./Master of Arts in Environmental Studies

The Maxine Goodman Levin College of Urban Affairs, Ohio’s only College of Urban Affairs, is consistently ranked among the top urban affairs, city management, and urban policy schools in the country. Its metropolitan location provides an ideal setting for studying today’s issues in public policy, environmental policy, city planning, economic development, and nonprofit administration.

Through a partnership between Levin College and C|M|LAW, students have the opportunity to earn a dual degree of Juris Doctor and one of three urban affairs Masters’ degrees that are listed above.

Monte Ahuja College of Business
• J.D./Master of Business Administration

The Monte Ahuja College of Business provides students with a practical, applied, and effective education. It allows students to combine classroom theory and activities with opportunities to learn and experience real-world business practices via its strong partnerships with successful businesses in Cleveland and beyond. Students are also offered opportunities to experience global e-commerce first-hand while studying abroad at partner universities in countries such as Germany or Chile.

“The joint program in law and business grounds students in the law and context of business management today, and prepares them to serve business as managers, counselors, advisors, and advocates.”

Christopher L. Sagers
ASSOCIATE PROFESSOR OF LAW

The C|M|LAW and Monte Ahuja College partnership allow students the opportunity to earn a degree of Juris Doctor and Master of Business Administration (MBA) in four years instead of the five years that would normally be required to complete the two degrees separately. Students who enroll in this Dual Degree Program must complete their first year of study at C|M|LAW. The second year of study will consist of the first year’s curriculum at the Monte Ahuja College MBA program. Students will then have the following two years to take courses at both colleges.
College of Science

J.D./Master of Science in Environmental Science

Cleveland State University’s College of Science offers students interested in studying environmental science the opportunity to participate in an array of real-world, hands-on, engaged learning opportunities. The College’s Department of Biological, Geological, and Environmental Science operates the Woodlake Environmental Field Station. The station facilitates long-term, on-site research and is an excellent educational resource for field exercises in ecology, geology, and environmental biology for the Cuyahoga River Watershed Project, a multi-institutional collaboration that investigates the ecology of the Cuyahoga River Watershed.

The College of Science is also home to the Center for Gene Regulation in Health and Disease. The Center focuses on improving the understanding of biomedical research and how intervention at the genetic level can prevent or cure disease. Students and faculty work closely with the Cleveland Clinic’s Lerner Research Institute staff on research with international scientific impact.

The C|M|LAW and College of Science partnership allows students the opportunity to earn a Juris Doctor and Master of Science in Environmental Science. The program requires a total of four academic years of full-time study. Students spend their first year taking courses exclusively at C|M|LAW and their second year taking Environmental Science courses. In the third and fourth years, students take courses in both degree programs.

“The JD/MSES dual degree option is a great one for students who already have a strong background in science. Dual degree science students have shown that they’re not afraid to integrate scientific research processes into their legal training. They’ve carried out field studies and become experts in an area of environmental science.”

Heidi Gorovitz Robertson
PROFESSOR OF LAW
ASSOCIATE DEAN FOR FACULTY DEVELOPMENT & STUDENT ACHIEVEMENT
Advanced Technology.

In Cleveland-Marshall’s state-of-the-art trial courtroom—the most technologically advanced courtroom in any of Ohio’s law schools—students are able to apply their solid foundation of classroom knowledge as they immerse themselves in the world of trial attorneys and learn hands-on the latest technologies being used in litigation.

Technology has changed the way modern trials take place, and C|M|LAW responded with an enhanced simulated-learning environment in which students not only learn to argue a case, they also gain practical experience using the same technologies being used in real-world trials.

Modeled after modern courtrooms, the space includes on-screen annotation of evidence, video displays located at the judge’s bench and between each pair of jurors, high-definition recording devices for remote viewing and live streaming of both the courtroom and the jury deliberation room, real-time transcription of the hearing, and a jury deliberation room with a large plasma screen for viewing evidence. In addition, videotaping capabilities offer the opportunity for students to improve their performance by observing themselves in action.

"The rules of evidence come to life in our new trial courtroom, where students learn how to question a witness and introduce exhibits in a real-world environment."

Kevin F. O’Neill, ASSOCIATE PROFESSOR
Every law school has its own culture. But the foundation of every law school is its faculty. At C|M|LAW, our faculty is diverse in backgrounds, interests, and passions. All of our faculty members are committed to educating and inspiring the next generation of principled lawyers. All of our faculty members are creative scholars, who share their ideas and insights in the pursuit of justice. They are teachers, scholars, and citizen-lawyers. They are the heart and soul of this institution.

“When I first came to Cleveland-Marshall, I was struck by our students’ sense of purpose. Whether they come to Cleveland-Marshall to change their own lives or the lives of others, I feel privileged to play a small part in the professional development of the promising students who join us every year.”

Carolyn Broering-Jacobs
LEGAL WRITING PROFESSOR OF LAW
DIRECTOR OF THE LEGAL WRITING, RESEARCH, AND ADVOCACY PROGRAM

“We sometimes say that law school is the place for people who haven’t decided what they want to do in life. I tell my students that it’s quite the contrary: law school is the place for people who have decided that they want do something that matters in life. Cleveland-Marshall College of Law offers the opportunity to make a difference: in law, in business, in the community, or in the world.”

Lolita Buckner Inniss
PROFESSOR OF LAW
JOSEPH C. HOSTETLER-BAKER - HOSTETLER CHAIR IN LAW

“I entered the academy to make a positive difference in the lives of students and take part in training the lawyers of tomorrow. Cleveland-Marshall College of Law affords me that opportunity. The students are bright, engaged and inquisitive. I am very impressed by their eagerness to learn and desire to practice law in Cleveland and beyond. It is my absolute pleasure to be a part of their legal education.”

Matthew W. Green, Jr
ASSISTANT PROFESSOR OF LAW

“Laughter, discovery, joy. This is law school? Yes, this is why I have stayed at Cleveland-Marshall for over three decades. An undiminished passion for learning is contagious... My students work hard, and then reap the satisfaction of becoming an expert in the law of the Constitution. They have changed, and they like the change in themselves.”

David F. Forte
PROFESSOR OF LAW
From the start, you learn to make a difference.

Clinics. Learning and contributing, from intake to resolution.

Students participating in C|M|LAW Clinics put what they learn in the classroom to work in the service of actual clients with real world legal problems. Under the close supervision of experienced attorneys, students serve the community while learning practical lawyering skills and tactics, professionalism, and ethics. This is an opportunity to participate in a case from intake to resolution, with full mentoring by clinic professors.

Each of our six clinics specialize in particular areas of the law: Community Health Advocacy Law, Employment Law, Environmental Law, Fair Housing Law, Law and Public Policy, and Urban Development Law. Some are litigation-oriented, others provide advice to clients by researching the law and counseling them, and still others combine counseling, transactional work, and litigation.
Urban Development Law Clinic

“I have the most rewarding career possible – I contribute to making northeast Ohio a better place. I do so by teaching law students to be ethical and committed members of their community and by providing legal advice to my clients in the Urban Development Law Clinic. The students in the clinic learn that the practice of law can transcend being just a job and, instead, be a vocation that has profound and lasting impacts on their community. The students learn that, as well as practice skills, by assisting our clinic clients with real estate and economic development projects as well as providing advice on important public policy issues. The most gratifying part is watching students gain confidence in their legal skills as they provide legal advice to our clients; their advice not only helps our clients to succeed it also helps our community.”

Carole Heyward
CLINICAL PROFESSOR OF LAW

Law and Public Policy Clinic

“During my year in the Law and Public Policy Clinic I conducted three, real-world research and writing exercises. In the fall semester I studied the effects of the foreclosure crisis on the City of Cleveland, then helped write the first draft of a legal complaint which was filed against national banks for acting as absentee landlords. In the spring semester I followed a United States Supreme Court case involving state regulation of national banks, then wrote a briefing memorandum on the case and its potential effects on cities like Cleveland. In the spring and summer semesters I researched innovations in regional governance across the United States. Once this research was complete, I conducted an extensive series of telephone and in-person interviews with governmental leaders across Ohio in preparation for a Brookings Institution study conducted by the Law and Public Policy Center. In my close workings with the Clinic professors I came to understand how attorneys approach public policy questions.”

Edward Herman
FORDHAM UNIVERSITY, B.A., 1996

Fair Housing Law Clinic

“My involvement with the Fair Housing Law Clinic is by and large one of the most memorable experiences during my law school career. The Fair Housing Law Clinic allowed me the opportunity to work one-on-one with real clients facing issues such as housing discrimination and foreclosure. I was able to test my legal acumen beyond the classroom and provide legal services to underprivileged residents in Ohio.

My biggest accomplishment during my clinical experience was writing an amicus brief to the Ohio Supreme Court. The amicus brief supported the recognition of a hostile housing environment as a cause of action under Ohio’s civil right statutes when a tenant harasses another tenant on the basis of race. Once the brief was submitted, I traveled with my supervisor to Columbus to hear the oral arguments before the Ohio Supreme Court. I gained valuable writing and oral advocacy skills through this experience and had an opportunity to see the legal process in action.”

Teirra Ndegwa
OHIO UNIVERSITY, B.A., 2004
Environmental Law Clinic

“Working in the Environmental Law Clinic was a great way to interact with and help the community while meeting and learning from business people with interests similar to my own. I chose to work with the Trust for Public Land on an investigation into utilizing Burke Lakefront Airport for alternative public use. Among the topics we explored, I researched land control issues, including land leases, and the current economics of Burke. I contacted people at the Port of Cleveland, Cleveland-Hopkins International Airport, Burke operations, and the Ohio Department of Natural Resources. Our research was made all the more interesting because we were dealing with real issues that are still in the forefront of Cleveland’s waterfront development plans today.”

Donna Anderson

Employment Law Clinic

“I very much enjoy teaching in the Clinic, as I get to work closely with our students and watch them grow as advocates. It is so rewarding to see a student do a great job in, for instance, an unemployment hearing - especially a student who came into the Clinic lacking confidence in his or her ability to make a presentation to the rest of the seminar class, let alone be an effective litigator. Perhaps the greatest moments in the Clinic for both the students and myself occur when clients express their gratitude for the hard work the students have done on their behalf. For many of our students, such moments reinforce the reasons they came to law school.”

Kenneth J. Kowalski
CLINICAL PROFESSOR OF LAW / DIRECTOR, EMPLOYMENT LAW CLINIC

Community Health Advocacy Law Clinic

“I am very pleased to be directing the law school’s Community Health Advocacy Law Clinic. It is a partnership between three public institutions with strong commitments to serving the poor: the Legal Aid Society of Cleveland, the MetroHealth Hospital System, and Cleveland-Marshall College of Law. Our law students will be addressing the unmet legal needs of poor patients seeking medical attention at one of MetroHealth’s neighborhood clinics. The clinic’s mission is to help the city’s most vulnerable citizens resolve legal problems that may place their health and healthcare at risk.”

Pamela A. Daiker-Middaugh
CLINICAL PROFESSOR OF LAW / DIRECTOR, PRO BONO PROGRAM
Externships. Active participation, close mentoring.

Externships provide students the opportunity to learn the law outside of the classroom by participating in and observing the legal system in action while earning course credits. A key aspect of every externship is close supervision by an attorney or judge who reviews and comments on the student’s work throughout the externship.

Students have the chance to learn the law by being active participants in the legal process. Externs also get to observe legal proceedings—depositions, settlement conferences, trials—so they receive broad exposure to the legal system. Students hone professional skills and expand their understanding of professional responsibilities to the court, a client, and fellow attorneys.

C|M|LAW offers externship placements with judicial, governmental and other organizations that serve the public interest.

Examples of externships include:

• U.S. Attorney’s Office
• U.S. Federal Trade Commission
• Immigration Court, U.S. Dept. of Justice
• Matrix Pointe Software
• National Labor Relations Board
• Internal Revenue Service
• Legal Aid Society of Cleveland
• Office of the Federal Public Defender
• Cuyahoga County Prosecutor’s Office
• Cleveland State University, Office of General Counsel
• Cleveland Clinic, Office of General Counsel

Pro Bono Opportunities. Public service, professional growth.

Our Pro Bono Program focuses on providing legal assistance to the Cleveland community in cooperation with local attorneys and community agencies serving under-represented groups, including the poor, elderly, and disabled. The program introduces students to the difficulties of the under-represented and the rewards of public service, and continually reminds students of the lawyer’s professional responsibility to render public interest service.

Recent programs include:

The 3Rs (Rights, Responsibilities and Realities) Program
Volunteer lawyers, law students and law faculty work with tenth grade government classes in Cleveland and East Cleveland high schools. Volunteers teach the American Constitution, provide practical career counseling, and encourage students to seek careers in law.

The Legal Aid Society of Cleveland Volunteer Program
Cleveland-Marshall law students volunteer at the Legal Aid Society of Cleveland to help provide pro bono legal services to low-income people in Northeast Ohio. Volunteers participate in the Saturday Free Advice and Referral Clinics in city neighborhoods and develop community legal education workshops.

The Homeless Legal Assistance Program
Our students work with volunteer lawyers through the Homeless Legal Assistance Program and staff at the Northeast Ohio Coalition for the Homeless to provide pro bono legal assistance to homeless men and women in our
community. Volunteers conduct intake during weekly legal advice workshops at homeless shelters and assist with legal research for volunteer lawyers providing direct representation in pro bono legal cases.

Students have the chance to learn the law by being active participants in the legal process. Externs also get to observe legal proceedings—depositions, settlement conferences, trials—so they receive broad exposure to the legal system. Students hone professional skills and expand their understanding of professional responsibilities to the court, a client, and fellow attorneys.

The Driver License Reinstatement Project
Over 350,000 residents of Cuyahoga County are driving under suspended licenses. Working with a cadre of volunteer lawyers and judges, law students interview clients in North-east Ohio to determine why their licenses were suspended. Then students assist volunteer lawyers in researching their clients’ cases, and, when necessary, accompany their clients to court as they work toward license reinstatement.

The IRS-Certified Volunteer Tax Preparer Project
C|M|LAW students work with the Cuyahoga Earned Income Tax Coalition at area tax sites – including Cleveland-Marshall College of Law – to provide free tax preparation for low-wage taxpayers. In one year, 50 law students, together with other volunteers, helped over 3,200 citizens across Northeast Ohio receive $4.6 million in refunds.

The Pro Bono Program also offers regular community service opportunities, such as building homes with Habitat for Humanity, Alternative Spring Break in New Orleans, serving lunch at a local soup kitchen, collecting and organizing donations at the Cleveland Food Bank, and planting a garden in the inner city of Cleveland.

Public Interest Law Fellowships. Investing in people who invest their talents.

We put our money where our mouth is! Not only do we encourage students to engage in public interest work, we provide funding for summer experiences as diverse as:

- Legal Aid Society of Cleveland
- Kilimanjaro Women Information Exchange, Tanzania, East Africa
- AIDS Task Force, Cleveland
- Equal Rights Advocates, San Francisco
- Shoshone-Bannock Indian Tribe Commission, Idaho
- Cuyahoga County Public Defender’s Juvenile Division
- US Department of Education, Civil Rights Division
- US Environmental Protection Agency, Washington D.C.
During your first year at Cleveland-Marshall College of Law, your studies focus on the jurisprudence and theory of American law—truly the most comprehensive foundation for every successful lawyer. Once you have mastered the material, Cleveland-Marshall offers an array of opportunities to apply your new-found knowledge to the practice of law. The pursuit of academic disciplines outside the classroom, including advocacy opportunities and scholarly journals, provide our students with a wonderful way to incorporate their legal studies with practical courtroom skills, written and oral advocacy, and working as a legal team.

Our scholarly journals are a source of academic study of the law by Cleveland-Marshall students, faculty and outside authors. These journals publish cutting-edge, thoughtful, and innovative articles about modern questions of law.

The Cleveland State Law Review is a journal with a proud tradition. The Law Review is dedicated to publishing a high quality legal journal containing articles from legal scholars throughout the country. These articles are of local and national significance, and each issue includes articles written by Cleveland-Marshall students. The editorial board of the Law Review selects submissions from judges, professors, and other legal scholars for publication, and works with the authors to revise and refine the articles in preparation for publication. Law Review develops a student’s legal writing and citation skills.

The Journal of Law and Health is a traditional, yet innovative online journal. Articles are drawn from all disciplines that offer a perspective on the legal aspects of medicine and health sciences. This interdisciplinary format allows flexibility in both the type and length of articles published. While retaining a scholarly format, the Journal encourages publication of the innovative idea, the bold statement, and the unique point of view. Students solicit articles, judge article quality, and select manuscripts for publication. Selected manuscripts are edited by students. Most importantly, students accept responsibility for the originality, accuracy, and quality of the published articles.

The Global Business Law Review (GBLR) provides an innovative, online platform for scholars and practitioners to explore novel and transformational issues in the field of international business law. The GBLR publishes volumes in the fall and spring of each year and sponsors a symposium every spring to address the most significant legal issues in international business. The GBLR is committed to fostering a transnational dialogue among scholars, practitioners and law students interested in issues in international and business law. The student-led staff of the GBLR is responsible for the editing and publication of the GBLR.
One of the most important attributes for a successful attorney is written and oral advocacy skills, and the Cleveland-Marshall Moot Court program provides students the opportunity to develop, refine, and showcase brief writing and appellate advocacy skills. Students are eligible to compete for a position on the team at the end of their first year by participating in an intramural competition. Second year students also have an opportunity to compete in an intramural competition to join the team after completion of the Advanced Brief Writing course. Once a member of the team, students compete in interscholastic competitions against teams from across the nation. The award-winning Cleveland-Marshall Moot Court team provides students the opportunity to obtain and develop real-world advocacy skills, both written and oral, while still in law school. Team members benefit from the advice and guidance of experienced alumni, faculty, and practitioners.

Another opportunity to develop trial advocacy skills is through the Trial Advocacy Competition, better known as our Trial Team. The Trial Team helps students develop and hone their trial advocacy skills. Students participate in two trial competitions: a local competition with Ohio and surrounding state law schools; and the National Trial Advocacy Competition. Using federal rules of evidence and civil procedure, teams develop arguments, create their own case theory, and prepare written and oral trial materials.
With prime location, prestigious alumni, and phenomenal academic resources, C|M|LAW has proven to be the best gateway into the exploration of the legal profession. Attending C|M|LAW has allowed me to gain invaluable experience and knowledge in both the private and public sector. In my first year, I was able to obtain a summer associate position at a national firm and now have gained the opportunity to clerk at the Cleveland Municipal Court."

Brandon Cox
GEORGETOWN UNIVERSITY
B.S., 2007

“I decided to attend C|M|LAW because of its outstanding reputation for producing top-notch lawyers. The practical experience I have gained at C|M|LAW has been invaluable toward my passion to pursue a career as a civil defense attorney: moot court, mock depositions, various clinics, externships, and summer associate positions have all prepared me to enter the legal community with unflappable calm and confidence.”

Anna Stowe DeNicola
UNIVERSITY OF MASSACHUSETTS - AMHERST, BACHELOR OF MUSIC, 2001

“I have met numerous alumni through law school activities and have had the opportunity to meet Chief Justice O’Connor of the Ohio Supreme Court and present direct examination exercises before a federal district court judge. C|M|LAW’s rich network of alums provides a unique opportunity for C|M|LAW students to jumpstart their legal careers and gives them an edge in today’s challenging legal market.”
We have a diverse group of student organizations for a diverse population of students. They provide a great way for students to serve the law school and the Cleveland community, to grow personally and professionally, and to network with attorneys and other people who provide legal services.

American Constitution Society for Law and Policy
Asian Pacific Islander Law Student Association
Black Law Student Association
Business Law Association
Canadian Law Students Association
Catholic Lawyers Guild
Christian Legal Society
Cleveland-Marshall Allies
Cleveland-Marshall College of Law Republicans
Cleveland State Law Review
Criminal Law Society
Delta Theta Phi
Democratic Law Organization
Dual Degree Law Students Association
Employment and Labor Law Association
Entertainment & Sports Law Association
Environmental Law Association
Federalist Society
The Gavel
The Global Business Law Review
Health Law Society
Hispanic Law Student Association
International Human Rights Organization
International Law Students Association
Jewish Law Student Association
Journal of Law and Health
Justinian Forum
Moot Court Board of Governors
Student Bar Association
Student Intellectual Property Law Association
Student Public Interest Law Organization
Women's Law Students Association

"I have met numerous alumni through law school activities and have had the opportunity to meet Chief Justice O'Connor of the Ohio Supreme Court and present direct examination exercises before a federal district court judge. C|M|LAW's rich network of alums provides a unique opportunity for C|M|LAW students to jump start their legal careers and gives them an edge in today's challenging legal market."

"After an extensive law school search I choose C|M|LAW and have never looked back. I could not be happier with the education and opportunities C|M|LAW provided me."

"The Career Planning Services at Cleveland-Marshall constantly provide updates on employment opportunities and offering practical tips on resume and interview preparation to ensure I always make a good impression in front of employers."

"The Career Planning Services at Cleveland-Marshall constantly provide updates on employment opportunities and offering practical tips on resume and interview preparation to ensure I always make a good impression in front of employers."
Support for the student, the lawyer, the whole person.

Networking. Friends, colleagues, advisors.

- **Cleveland-Marshall Law Alumni Association (CMLAA) Mentor Program** —
  Only another law student, or a former law student, knows what students are going through. So take advantage of every opportunity to learn from those who have come before—our alumni.

  The CMLAA Mentor Program provides law students with a structured way to meet, observe, and obtain advice from C|M|LAW alumni practicing in Cleveland. The purpose of the Mentor Program is to create the opportunity for contact with an attorney who can provide emotional support and advice. This is truly the beginning of your professional network!

Speakers and Educational Series. Tapping into a world of knowledge.

- **Employment & Labor Law Speakers Series**
  Hear distinguished scholars and practitioners in the field of employment and/or labor law.

- **Cleveland-Marshall Enrichment Fund Visiting Scholar**
  This program brings a scholar to the Law School for two days to participate in the life of the school. The scholar serves as a guest professor in a substantive course, leads a faculty seminar on current research, makes an informal presentation at a faculty lunch, and presents a public lecture.
Criminal Justice Forum
Nationally recognized scholars and practitioners present a public lecture on a current issue in criminal law.

Littler Mendelson Employment & Labor Law Speakers Series
A distinguished scholar or practitioner in the field of employment and/or labor law presents.

The Forrest B. Weinberg Memorial Fund Lectures
This biannual lecture series addresses current issues in commercial law.

Joseph C. Hostetler-Baker & Hostetler Lecture
Each year a distinguished scholar in law or a related field is invited to present a public lecture.

Membership in Professional Associations. Developing the strong lifelong foundation.

American Bar Association-Law Student Division (ABA/LSD) —
The ABA/LSD membership offers a law student the beginning of a professional network. There is an opportunity to participate in one or more of the specialized ABA sections, such as tax, criminal justice, family law or professional diversity to learn more about current trends in that practice area. Students also receive many benefits such as the Student Lawyer magazine and other free or low-cost publications that will help in law school and in planning a legal career.

Ohio State Bar Association, Student Member—
The OSBA provides members with valuable connections and opportunities that will help students throughout law school and their careers. Student members have the opportunity to attend local conferences on various current issues within the legal field. Students also receive the OSBA weekly publication of recent Ohio court decisions, the Ohio Student Lawyer Journal, and the student newsletter.
From Day One we help you build your future.

Employers have confidence in the education students receive at C|M|LAW, and when it’s time for you to begin your job search, our Office of Career Planning (OCP) stands ready to help you connect with employment opportunities. The administrators who head the OCP are members of the bar and have extensive experience in the legal recruiting process; they know the legal market, locally and nationally.

The Office of Career Planning will link you to an extensive network of C|M|LAW graduates who have an influential presence on the bench and in the bar. Across the country, our graduates are well placed to help you become the kind of professional you aspire to be.

Individual counseling is at the core of OCP’s services, but it is only one of the many resources we make available to you. Our primary role as part of your career planning team is to help maximize all the ways you can add dimension and value to your law school experience. At C|M|LAW, numerous opportunities exist for you to enhance your legal talents and participate in programs that give you exposure to potential employers.

Programs:
- Fall and Spring Interview Program
- Judicial Clerkships and Fellowships
- Public Interest Careers and Volunteer Opportunities
- Mock Interviews & Networking
- Solo Practice

Recent Placement of C|M|LAW Graduates:
- Avery Dennison, OH
- Baker & Hostetler, OH
- Benesch LLP, OH
- Calfee Halter, OH
- Communications Workers of America, AFL-CIO, OH
- Ernst & Young, D.C
- International Brotherhood of Electrical Workers, D.C.
- Jones Day, OH
- Key Bank, OH
- Medical Mutual, OH
- National Center on Homelessness Among Veterans, PA
- Ohio State Auditor
- Sisters of Charity Health System, OH
- Squire Sanders, OH
- Thompson Hine, OH
- U.S. District Court - Eastern District of Kentucky
ALUMNI

Where they are.

What they do.

Employment percentages of our recent graduates:

- 48% private practice
- 27% business
- 16% government
- 5% judicial clerkship
- 3% public interest
- 1% academic
“I wish my school had done that.” That’s a phrase Jones Day Associate Ben Beckman hears a lot these days from colleagues who attended other law schools.

While many schools don’t give law students feedback until it’s too late to improve their performance in classes, Ben found the close instruction at C|M|LAW gave him the solid skills he needed to succeed.

“I was surprised by just how accessible my professors were and by their comprehensive approach to improving the aptitude of their students.”

“I was especially heartened by the level of attention my first-year professors paid to teaching the basics of being in law school. That passion for teaching techniques for success, as well as the substantive content of the courses, carried through to my later professors as well. I was surprised by just how accessible my professors were and by their comprehensive approach to improving the aptitude of their students.”

The engaged teaching method was just one way C|M|LAW surpassed Ben’s expectations. After working in real estate redevelopment, Ben decided to study law, and his impressive short list of schools included Harvard, Yale and Stanford.

“I considered the top schools in the country, but my wife and I love Cleveland. I investigated C|M|LAW because of the University’s reputation as a place where teachers placed equal emphasis on teaching, scholarship and practical application of their erudition. C|M|LAW’s engagement with the city was a major attraction. After talking with students, professors, admissions staff and others in the community, I concluded that I could get a great legal education with the engaged approach I was looking for.”

The mentoring program at C|M|LAW also had a significant impact on Ben, who was paired with a seasoned real-estate and banking practitioner. “If not for my mentor’s generous outlay of wisdom, I would not have known of the opportunity at Jones Day, nor would I have been as well prepared to secure the position. My mentor gave me the insight I needed to excel, and he continues to provide helpful advice as my career unfolds.”

“The mentoring program is another aspect of C|M|LAW that other attorneys I speak with wish their law school had provided. While every mentoring experience is unique, I know that this program is hugely beneficial to C|M|LAW students. It certainly made a difference for me.”
The Honorable
Benita Pearson

Class of 1995.

“I never wanted to be anything but a judge.”

Nominated for federal court by President Barack Obama and confirmed by the U.S. Senate, Benita Pearson is the first African-American woman to hold a U.S. District judgeship in Ohio.

Growing up in inner city Cleveland, Pearson wasn’t exactly clear how she would live a life of justice, but she knew it was what she wanted. She studied accounting at George-town so she could get a job that would pay for law school, and enrolled first in the part-time evening program at Cleveland-Marshall, and after a corporate buy out at her day job soon gave her the financial ability, switched to full time status.

“I was impressed with how involved the instructors and administrators were in the lives of students—even prospective students. That continued throughout my studies, and even continues today. I’d be surprised if Cleveland-Marshall’s individual attention is matched at other schools. That involvement lends itself to a culture that speaks of C|M|LAW.”

As an alum, she finds C|M|LAW engages beyond its walls. “Much of the legal community—both alums and non-alums—benefit from the school’s proximity. C|M|LAW is a great source for interns, externs, and associates. It keeps alums and the community involved because it continues to produce excellent practitioners.”

“C|M|LAW is very welcoming to the legal community. I walk in and still feel a part of it.”

Judge Pearson recalls the impact of alumni who came to C|M|LAW during her studies to talk with students, and takes special note of hearing from African-American women attorneys and judges. “Grads have an obligation to return to the school to share their experience—to answer questions about how they got where they are and be examples to future lawyers.”

“Grads have an obligation to return to the school to share their experience—to answer questions about how they got where they are and be examples to future lawyers.”

Her investiture in March 2011—proudly attended by some of the most distinguished members of the legal community and C|M|LAW community—was an experience so immense in thoughts, emotions, and significance that Judge Pearson finds it bigger than herself. “It was more than about me; it was about every accomplishment I’ve ever had, and C|M|LAW was a part of it.”
Thank you for your interest in C|M|LAW.

Admission to C|M|LAW is selective. The admission committee reviews all applications taking into consideration academic performance, LSAT scores, work and life experiences, and readiness for the rigors of legal education. At C|M|LAW, we are committed to enrolling academically talented and diverse students. In doing so, we recognize and embrace that academic talent and diversity can be identified in many interesting and exciting ways.

C|M|LAW promotes equal education opportunity for persons of every race, ethnicity, religion, national origin, gender, age, disability, sexual orientation, and veteran status. Applicants whose academic performance or LSAT results have been affected by life circumstances or other adversities are encouraged to apply to C|M|LAW’s Legal Career Opportunities Program (LCOP).

All applicants to the Cleveland-Marshall College of Law, full-time and part-time, are required to complete the following: (transfer applicants, LCOP applicants, and international applicants: see additional requirements on the next page)

1. Successfully complete a bachelor’s degree from a regionally accredited college or university prior to the start of law school classes.

2. Complete, certify, and submit an electronic application for admission. Applications will be accepted from September 1 through May 1, each year. Please note that the application includes a request for an original personal statement.

3. Register for the Law School Credential Assembly Service (CAS) at www.lsac.org. This service is the clearing house for your LSAT score(s), academic transcripts, and letters of recommendation. Cleveland-Marshall College of Law will request your CAS report from the Law School Admission Council (LSAC) once your application is received.

4. Take the Law School Admission Test (LSAT) no later than February of the year you intend to enroll in law school. When more than one score is reported, C|M|LAW considers the highest score.

5. Secure official academic transcripts from all undergraduate and graduate college and universities attended. These transcripts must be submitted through the Law School Credential Assembly Service (CAS). The law school cannot accept any transcripts directly.

6. Provide a minimum of two letters of recommendation. Letters should be submitted through the Law School Credential Assembly Service (CAS).

Applicants are encouraged to apply early!
Application Deadline: May 1 (preferred deadline is February 1)

Completed applications are reviewed on a rolling basis beginning in late December.

New students are admitted in the Fall semester only.

Any supporting documents may be submitted as electronic attachments or mailed to:

C|M|LAW
Office of Admission
1801 Euclid Avenue, LB 138
Cleveland, Ohio 44115

APPLY ONLINE FOR FREE AT LAW.CSUOHIO.EDU
Transfer Applicants.

Cleveland-Marshall College of Law invites students in good standing from law schools accredited by the American Bar Association (ABA) to apply as transfer students. The primary factor in the admission decision is prior law school performance as determined by grades and class rank. However, undergraduate grades and LSAT scores are considered.

Transfer applicants must complete the same application process as all potential students. In addition, transfer applicants must provide:

1. an official transcript of completed law school work;
2. a letter of good standing from their law school dean; and
3. an official class rank after all law school work is completed.

Letters of recommendation may be submitted, but are not required.

Transfer Application Deadlines
Fall Admission: July 1
Spring Admission: December 1
Summer Admission: April 1

Legal Career Opportunities Program (LCOP) Applicants.

LCOP applicants must complete the same application process as all potential students. In addition to completing the LCOP application for admission, applicants are required to provide three letters of recommendation.

LCOP Application Deadline: March 15

International Applicants.

International applicants seeking a JD must complete the same application process as all potential students, as well as complete the following additional steps to complete their application.

1. If you completed any post-secondary education outside the United States or Canada, you must use the JD Credential Assembly Service (JDCAS) to evaluate your foreign transcripts.
2. If your primary language is not in English, you will need to submit TOEFL and TWE scores.

International Application Deadline: May 1 (preferred deadline is February 1)

APPLY ONLINE FOR FREE AT LAW.CSUOHIO.EDU
Legal Career Opportunities Program (LCOP).

The Legal Career Opportunities Program (LCOP) is a selective admission program for applicants who have encountered some form of adversity or other circumstance that has affected their LSAT score and/or academic performance. As a result, their academic indicators may not accurately reflect their potential to become successful law students. LCOP applicants may demonstrate their readiness for the challenges of law school through a record of career and professional accomplishments, personal statements, letters of recommendation, graduate work, and/or a trend of significantly improved academic performance over a period of time.

Students admitted through LCOP are required to participate in a three-credit-hour, evening course during the summer. This course runs for seven weeks, from late May through mid July. The course integrates substantive areas of the law, legal writing, and skills development to help the student become familiar with the structure of legal education. In addition, LCOP students are introduced to the Academic Excellence Program that is available to all C|M|LAW students.

Students admitted through LCOP are full members of the law school community; many become leaders in law school and in the legal profession.
Financing your C|M|LAW Legal Education.

A C|M|LAW legal education is an excellent investment in your future. In thinking about the cost of your legal education, consider tuition and fees, housing, books, transportation, and other personal expenses. C|M|LAW’s affordable tuition and Cleveland’s relative low cost of living mean that you can begin your legal career from a position of greater financial strength. With that financial strength comes greater flexibility to pursue the fullest array of practice areas and career opportunities.

Most Cleveland-Marshall law students finance a portion of their legal education with Federal Stafford Loans and Federal Grad Plus Loans.

Scholarships are awarded competitively based on the overall strength of each student’s academic record. As students continue through law school, additional scholarship opportunities and awards are available based on need, merit, and community activity.

Non-Ohio residents who are full-time students can become Ohio residents after completing the first year of law school and lower their tuition costs. Part-time non-Ohio resident students may be eligible for provisional residency before they begin law school and may immediately qualify for in-state tuition.
See yourself here.

We are delighted to welcome prospective students to our beautiful law school. The most important reason to visit is to meet our students, faculty, and staff. Our students are diverse, accomplished, and successful. Our faculty are dedicated teachers, researchers, and mentors. Our staff is committed to enriching your experience from the first day until graduation. These men and women are our greatest assets—and one of the best reasons to join the C|M|LAW community.

We encourage you to visit our campus to see all that we offer. And we do offer plenty! See our Smart Classrooms, Moot Court and Trial Courtrooms, dramatic glass entrance, student-friendly atrium, and our state-of-the-art Law Library—top ten in the country for its size, technology, and volumes.

Your visit. Your way.

The Office of Admission welcomes visitors weekdays when school is in session. We offer walking tours of our building. During the fall and spring semesters, the tour is generally followed by the opportunity to attend a first year class. During the spring semester, we also offer an information session with a member of our staff.

In addition, we offer specialized visitation events throughout the year.

- **On-Campus Visitation Events:** These events are scheduled in the fall and spring semesters and are geared for prospective students. Events include an admission presentation, a student panel, and tour of our building. All are welcome.

- **Multicultural Perspectives Events:** These events are geared for ethnically and culturally diverse prospective students. As an introduction to C|M|LAW, students have the opportunity to participate in a mock class, tour the law building, attend an admission presentation and interact with students, alumni, and professors. All are welcome to join us.

- **Admitted Student Day:** In the spring, we reserve an all-day visit event for students admitted to C|M|LAW. The day includes presentations from faculty, alumni, and students, including a luncheon with members of the C|M|LAW community.

- **Off-Campus Visitation Events:** We travel extensively throughout the United States and hope to see you when we are in your hometown or at your school. To see where we’re going visit the “On the Road” Section of our website.

To learn more about visiting and to register for visitation events, please visit our website at www.law.csuohio.edu. You may also contact the Office of Admission directly at admissions@law.csuohio.edu, 866-687-2304, or 216-687-2304. The Admission staff will help make your visit to Cleveland-Marshall College of Law as informative as possible.
DIRECTIONS

The Cleveland Innerbelt bridge project will impact downtown traffic for the next several years. Visitors are strongly encouraged to go to innerbelt.org and click “traffic impacts” to find out if there are any exit closures around CSU on the day of your visit and to help you plan alternate routes.

Directions from the East
Follow I-90 West to the Chester Avenue/CSU exit (#173B). Turn left onto East 24th Street; drive a half block to Chester Avenue and turn right.

Directions from the West (I-90)
Follow I-90 East to the East 22nd Street exit (#172B). Turn left onto East 22nd Street Drive several blocks; turn left onto Euclid Avenue. The law school is at the corner of Euclid Avenue and East 18th Street.

Directions from the West (Route 2)
Follow the Shoreway (Route 2) east to I-77/I-71 South. Exit at the Chester Avenue/CSU exit (#173B). Turn left onto East 24th Street; drive a half block to Chester Avenue and turn right.

Directions from the South (I-77)
Follow I-77 North to the East 22nd/East 14th Street exit (#162B) to East 22nd Street. Turn left onto East 22nd Street. Drive several blocks; turn left onto Euclid Avenue. The law school is at the corner of Euclid Avenue and East 18th Street.

Directions from the South (I-71)
Follow I-71 North to the East 22nd Street exit (#172B). Turn left onto East 22nd Street. Drive several blocks; turn left onto Euclid Avenue. The law school is at the corner of Euclid Avenue and East 18th Street.

Arriving by plane.
Renting a car? Follow the airport signs to I-71 North (take I-480 East to I-71 North) and follow the driving directions.

Want a cab? Follow the signs in the airport to ground transportation, near Baggage Claim 1, to take a cab to downtown Cleveland. The fare is about $40. Every airport cab must accept major credit cards.

Like public transportation? Take the Rapid Transit Red Line straight to downtown Cleveland. Follow the signs in the airport to the Rapid Transit (RTA). The fare is a few dollars and will drop you off at Tower City. You can use the same pass to take the #6 bus down Euclid Avenue or hop on the free trolley to the C|M|LAW stop.

Arriving by train.
Amtrak offers daily service from many major cities. The station is located downtown, along Lake Erie, about a 15 minute walk, a brief ride on the Waterfront Rapid, or a short cab ride to the law school.

Arriving by bus.
The Greyhound station is located at Chester Avenue and East 13th Street. Walk two blocks East (left turn out of the station) to East 18th Street. Make a right onto East 18th Street and one block up is our front entrance.

Mega Bus runs directly from Toledo and Chicago to Cleveland daily and drops passengers off behind Tower City, right downtown. Take the #6 bus down Euclid Avenue or hop on the free trolley to the C|M|LAW stop.
CLOSING THE DEAL.

Before becoming the Dean of C|M|LAW—and before becoming a legal academic—I was a corporate and international tax lawyer in private practice at law firms in New York City and Cleveland. My practice was devoted to providing strategic tax advice on mergers and acquisitions, asset purchases, private equity investments, corporate reorganizations and similar transactions. Regardless of the nature of the specific transaction, the goal was to see the deal through to closing. A deal would not close, however, until the investor was satisfied that the transaction would produce the desired return on investment.

In this publication—our “deal prospectus”—you’ve had the opportunity to see and read about the important features of the legal education that C|M|LAW offers to prospective students. It is my sincere hope that having read these pages you’re ready to “close the deal” and become a member of our law school community. Let me share a couple of final thoughts, though, to help assure you of the value of an investment in a legal education at C|M|LAW.

The last few years have been difficult for new lawyers, as the number of available legal jobs has shrunk significantly across the country. Despite this general contraction, C|M|LAW graduates continue to find employment at a rate competitive with the national average. In part, this is because there is a vast network of C|M|LAW alumni in Cleveland, throughout Ohio and across the nation, who are proud of the legal education they received here and believe it provided them the tools they needed to be successful. These alumni reach back to support our students in many different ways—they teach in our classrooms, they provide financial support in the form of scholarships, they are coaches to our moot court teams, they are mentors, and they are quite frequently employers of our graduates.

But we also believe our graduates continue to find employment because we offer our students a wide variety of experiential learning opportunities that give them the practical skills necessary to be valuable to legal employers as soon as they graduate. This dedication to providing practical engagement experiences was one of the principal reasons I decided to come to C|M|LAW as Dean. When a commitment to experiential learning is coupled with a talented teaching faculty that produces highly regarded, leading-edge scholarship, the result is a truly powerful learning environment.

If you are passionate about the legal profession, then close this deal by joining our community of scholars and students at C|M|LAW. You’ll be challenged and inspired to both “Learn Law” and “Live Justice.”

Craig Boise
DEAN AND PROFESSOR OF LAW
Office of Admission.
Cleveland-Marshall College of Law
1801 Euclid Avenue, LB 138
Cleveland, Ohio 44115

PHONE: 216.687.2304
TOLL-FREE: 866.687.2304
FAX: 216.687.6881

admissions@law.csuohio.edu
law.csuohio.edu

LEARN LAW. LIVE JUSTICE.
December 4, 2012

Dear «prefix_applicant» «last_name_applicant»:

I am delighted to offer you admission to C|M|LAW as a «Time_Long» student. Congratulations! You have worked hard and have demonstrated a desire to Learn Law and Live Justice. These lofty ideals represent a commitment to excellence in teaching, learning, professionalism, ethics, and service. As a student, your individual goals and expectations are integral as you choose from a variety of courses, clinics, externships, pro bono opportunities, and many other experiences that will guide you toward a rewarding legal career. For example, Erica Franz ’12 was awarded a Public Interest Law Fellowship for her work at the Kilimanjaro Women Information Exchange in Tanzania, East Africa while a student here. Or Phil Angelo ’09, who, as a C|M|LAW student, was awarded the competitive Presidential Management Fellowship to work with the Drug Enforcement Agency that has led to a successful United States government career.

You will network and develop professional relationships with our accomplished alumni and other members of Cleveland’s sophisticated legal community who are using their legal education in diverse and interesting ways. Take, for example, Arthur A. Elkins Jr. ’93, the Inspector General of the United States Environmental Protection Agency; or Betty Burley ’10 who manages a successful, growing solo practice in Northeast Ohio; or Randall F. Kender ’85, Senior Vice President of Fox Entertainment Group in Beverly Hills; or the Honorable Maureen O’Connor ’80, Chief Justice of the Supreme Court of Ohio. Be it the courtroom, boardroom, the halls of government and beyond, how and where you use your C|M|LAW education is up to you.

Enclosed with this letter is the Procedures and Requirements document that outlines upcoming deadlines and deposit information. Please review the entire document carefully to meet all admission requirements. In addition, if you have not yet visited the law school, I invite you to come see what makes C|M|LAW so distinctive among your law school options.

At C|M|LAW, you will be challenged, supported, and encouraged in your educational and professional endeavors. We look forward to welcoming you to our law school in August and anticipate your many successes as a student and your contributions to the legal community.

Again, congratulations on this well deserved accomplishment.

Sincerely,

Christopher Lucak
Assistant Dean for Admission and Financial Aid

CL:jc
Enclosures
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OCP STRATEGIC PLAN – Y/E 2012 UPDATE
Jennifer Blaga, Director

The Office of Career Planning provides career counseling to students and recent graduates, and makes available to them every possible resource to facilitate their job search process. Our students receive an excellent education at C|M|Law and are ready to assume the trust and responsibilities of being attorneys in law firms, businesses, government offices, and nonprofit organizations. It is important, particularly in these challenging economic times, that we refine and broaden our efforts in order to identify more opportunities for our students and graduates here in Ohio and across the country. This draft of our strategic plan conveys how we intend to develop our program to best serve our students and graduates. We look forward to your advice on how to strengthen this plan.

STRATEGIC GOALS AND TACTICS

Goal #1: Increase employment percentage of our students at graduation

Strategy #1: Strengthen our Fall and Spring Interview Programs

Tactic #1: Increase number of employers invited through geographic diversity initiatives

Tactic #2: Create an effective follow-up plan with all invited employers to maximize attendance

Tactic #3: Enhance the existing relationships with our alumni board, Visiting Committee, and National Advisory Counsel members in order to encourage their law firms and organizations to participate in our programs

Y/E 2012 UPDATE: In the first two years following the implementation of our strategic plan, we were actively engaged in talking with members of our advisory groups, employers currently participating in our recruiting programs, and new employers in Columbus, Pittsburgh, DC, and Florida in order to encourage them to recruit our students. Through these measures, we have been successful in increasing the number of employers who participate in our interview programs, and we continue to nurture these relationships and grow the pool of employers for the benefit of our students.
Strategy #2: Increase and enhance practice area-specific information available to students

Tactic #1: Create practice area peer groups composed of faculty and students as a place for the exchange of information and job leads
Tactic #2: Provide practical, specific information on OCP website regarding areas of the law and related career paths
Tactic #3: Work with CMLAA and mentors to create a potential career development network to counsel students on practice area interests

Y/E 2012 UPDATE: We have made minimal progress with these specific tactics, however we continue to work collaboratively with the faculty, the C|M|LAA, and individual alumni to connect students with practitioners in fields of interest.

Strategy #3: Increase the number of externship and internship opportunities available in corporate and non-profit legal departments

Tactic #1: Meet with in-house counsel to introduce our externship program and tailor a mutually beneficial externship opportunity
Tactic #2: Coordinate with the Association of Corporate Counsel (ACC) to facilitate mentoring or informational interview opportunities for our students
Tactic #3: Meet with staff of Business Volunteers Unlimited (BVU) to discuss the concept of students as board members of non-profits in order to open doors to additional job opportunities

Y/E 2012 UPDATE: We continue to expand the number of volunteer and for-credit opportunities for our students, and have added a significant number of in-house and non-profit externships during the first 3 years of our plan. In 2011, the OCP assumed the administration of the externship program and related counseling for students. This was a natural addition to the OCP function, as externships have traditionally been an integral part of the career planning process. Additionally, the Development team has a strong program in place to work with the ACC, providing us with an ongoing collaborative effort that will allow us to connect our students with in-house counsel. Finally, after an initial presentation by BVU in the first year of our plan, we were able to establish an ongoing working relationship with BVU, giving us updates on opportunities for our students to get involved with their member organizations.
Goal #2: Increase the geographic diversity of employment opportunities for our graduates

Strategy #1: Develop collaborative relationships with law firms in other major cities

Tactic #1: Encourage visits to C|M|Law

Tactic #2: Coordinate with the U.S. Law Firm Group to invite member firms to our Fall and Spring Interview Programs

Tactic #3: Coordinate with the National Advisory Committee members regarding employers in their geographic region

Y/E 2012 UPDATE: Because over 90% of our students stay in Northeast Ohio, we have not focused heavily on this particular goal. The group of students who do not intend to stay in Ohio upon graduation is a small enough group each year that we are able to employ a more targeted approach to their job search. For the benefit of these students, we continue to proactively work with the Development team, the C|M|LAA, and individual alumni across the country to ensure that we have the connections and resources necessary to maintain awareness of employment opportunities outside of Ohio.

Strategy #2: Create a career development network across the country

Tactic #1: Consult with the CMLAA alumni board regarding outreach strategies with alumni across the country to connect them with students for summer and post-graduation employment

Tactic #2: Coordinate with and participate in the Dean’s and Development team’s meetings with employers to generate networking and mentoring opportunities for our students

Y/E 2012 UPDATE: Although we have not created a formal career development network, we have an ongoing commitment to working with senior level administrators, the Development team and the C|M|LAA in order to have hand at all times a short list of contacts in other cities who willing to serve as informational resources for our students.

Strategy #3: Develop plan to get Cleveland-based national firms to hire for other offices
Tactic #1: Meet with law firm leaders to discuss creating opportunities for our students in offices outside of Cleveland

Y/E 2012 UPDATE: In 2009, we met with law firm leaders and found the consistent message was that individual offices of national law firms hire independent of their “home offices.”

Strategy #4: Allocate resources for our students to attend job fairs across the country

Tactic #1: Maintain current information regarding job fairs hosted in other cities on our website and distribute relevant information to our students

Tactic #2: Target students through student organizations and faculty members for attendance at public interest and practice-area specific conferences

Y/E 2012 UPDATE: We have made significant strides through our website, our job board, and specialized calendars for public interest and diversity events, in widely publicizing job fairs across the country. We also work hard to make sure that relevant student organizations distribute job fair information to their membership.

Goal #3: Increase the number of judicial clerkships among our recent graduates

Strategy #1: Revise and enhance the quality and accuracy of our clerkship information

Tactic #1: Create a judicial clerkship committee composed of faculty who were judicial clerks

Tactic #2: Consistently update on an annual basis contact lists of state and federal Ohio judges

Tactic #3: Contact judges regarding hiring process and availability of positions

Tactic #4: Compile and maintain a list of graduates who secure judicial clerkships

Y/E 2012 UPDATE: The faculty approved re-establishing the judicial clerkship committee in 2010 that provides annual programming and counseling for students interested in judicial clerkships. Because such a good number of the local federal judges participate in our externship program, we are able capitalize upon those site visits to learn of clerkship opportunities in the federal courts. We also attempt to
continually update our state court information for students so that they have the necessary information in order to apply for state clerkships. We have begun to rebuild our list of graduates who interview for and secure clerkships, however we anticipate that project will be a work in progress over the next couple of years.

Strategy #2: Increase awareness of clerkship opportunities among our students and faculty

Tactic #1: Correspond with faculty regarding available clerkships to leverage their relationships with judges for our students and to encourage students to apply

Tactic #2: Increase counseling of students on the advantages of clerkships

Tactic #3: Publicize in law school and alumni communications and materials the judicial clerkships obtained by our graduates

Y/E 2012 UPDATE: In 2009/2010 we corresponded on a regular basis with the faculty as a whole about their relationships with judges who had openings; however that correspondence has become more targeted over time. The faculty, though, particularly the committee members, has been an integral part of the clerkship counseling that we now do as a law school community. We have yet to establish a formal, consistent way for publicizing when our students and graduates secure a clerkship.
Office of Career Planning

2012-1013 Handbook
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I. INTRODUCTION TO THE OFFICE OF CAREER PLANNING (OCP)

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Planning Services. The OCP staff will provide you with assistance and resources in order to facilitate your job search. We offer one on one counseling, resume review, cover letter review, valuable programming throughout the year and a monthly career planning newsletter among other services and resources. We will be helping you build your resume throughout your law school career. Some of the opportunities that you should seriously consider include externships, clinic courses, course concentrations, creative employment opportunities for summers, and networking every chance you can. Whether you are a full-time day student, a part-time evening student, a dual-degree student, and/or a student who wants to conduct an out of state job search- no matter what your interests are- our office can help. Schedule a one on one appointment today.

Print and Online Resources. The OCP has various resources to help you with your job search. This handbook should serve as a great starting point. You can also stop by our reference room to look at other printed materials and books. Our website (www.law.csuohio.edu/careerplanning) provides more information and links to career related websites for your reference. Aside from our website some other links you might find useful, that you should familiarize yourself with, include www.martindale.com, www.nalpdirectory.com, www.equaljusticeworks.org and www.pslawnet.org. As a member of the C|M|LAW student body, you also have access to Symplicity (see the following section) which serves as our office’s online interface.

Symplicity Web Site (https://law-csuohio-csm.symplicity.com/students). Symplicity is a web-based service which manages our resume approval process, job postings, and interview programs. In your first year at C|M|LAW, you will be emailed log on information along with direction for use - DO NOT DELETE THIS EMAIL. Even though you may not use Symplicity immediately, you will want to have access to the database throughout your time in law school and even after you graduate. All of the job postings we receive are placed in this database. During the Fall and Spring Interview Programs, almost all of the bidding, and scheduling of interviews is done on Symplicity. Symplicity also has a document library under the resources section where we place valuable employer information, various handbooks and guides, and links to other job posting boards among other important tools that can help you in your job search.

A Note on Out-of-State Job Searches and Reciprocity. No matter where in the country your job search takes you, the OCP is here to assist you, be it through networking opportunities, alumni connections, or various job search resources. The OCP has reciprocity with the career
planning offices in other law schools around the country. If you are interested in searching for a job out of state, we will write a letter for you and you will be permitted (in most cases) to use another law school’s career office in your selected geographic location. The OCP also receives electronic newsletters and job postings from other schools for positions out of state which are available on our website here.

Programs
Take advantage of the career-boosting programs that the OCP provides for you. Each year we provide valuable career focused programs covering topics such as the Fall and Spring Interview Programs (as well as related informational programs), interviewing/etiquette tips, networking, specialty areas of the law (health care, labor/employment, IP), among others. Our monthly e-newsletter, Coffee Talk, will highlight programs on and off campus.

CAREER PLANNING BY YEAR

First-Year Law Students (1Ls)

Use your first few months to get adjusted to the pace and demands of law school before worrying about getting a law-related job. The National Association for Law Placement (NALP) employment guidelines prohibits first-year full-time students from talking with the career planning staff about specific legal employment prior to Nov. 1, and prohibits first-year students from having contact with employers prior to Dec. 1. Part-time students, however, may seek assistance with job searches during the school term. We are happy to discuss general employment questions until you’ve settled in.

Part-time Employment. The American Bar Association (the accreditation body for all law schools) does not allow students who are enrolled for more than 12 credit hours in any given semester to work more than 20 hours/week during that semester. Full-time students may work part-time (that means not more than 20 hours per week). The Cleveland-Marshall Academic Regulations provide that to work more than 20 hours per week you may not register for more than 12 credit hours without the Dean’s permission. These limitations are intended to ensure you have sufficient time to devote to your coursework.

Summer Full-Time Employment. Legal employers are often willing to employ first-year students at the end of their first year for the summer. Postings begin appearing in late February and March as firms and other employers begin to assess the summer caseload.

Minority students should plan to apply to the Minority Clerkship Program sponsored by the Cleveland Metropolitan Bar Association. This program has been specifically designed to enable minority students at C|M|LAW and CWRU to work in law firms and other law-related organizations during the first year summer. Part-time students should plan to apply after their second part-time year.

Additional ways to find employment include:
Networking with attorneys (including your CMLAA mentor) and others you know in the area to let them know you are interested in a position for the summer.

- Searching www.martindale.com for firms and attorneys (including alumni) that practice in the areas in which you are interested.
- Researching firms on their websites.
- If you are interested in a career in public interest, set up a job seeker account at www.pslawnet.org. You should also look at the programs available for law students on www.equaljusticeworks.org.
- Participating in Externships and Clinics, which are great ways to gain real life experience while also earning credits. See the Externship and Clinic portions of the website for a description of the various places students can work in the area while being supervised at work by an attorney and, in the case of clinics, by clinical faculty at school. These experiences can provide client contact and exposure to real life problems.

Second-Year Law Students (2Ls)

Part-time law clerk positions are not uncommon during the second year. Remember, the limit is 20 hours per week for students carrying more than 12 credit hours during the semester. (Although some employers may not be aware of this rule, we suggest you remind them in a very diplomatic fashion. If you are having a problem, contact us!) Clerks are hired by small and medium firms, corporations, and government and non-profit organizations for part-time employment during the school year and during the summer. The job postings received in the OCP are posted in job binders and are also on the Symplicity web site.

Summer employment after the second year. The Fall Interview Program is one program designed to aid both students and employers in their search for summer employment. Cleveland-Marshall hosts employers each fall to interview students on-campus. Most of these firms are the large ones that can plan ahead a year or so, but other employers like the Cuyahoga County Public Defender’s Office and the U.S. Army and Navy JAG Corps also participate. Most of the large firms will look at grades and the fall program tends to be geared towards the top 30% of the class. However, there are several employers who will also recruit at the same time so if you are not in the top 30%, you should still make sure to review the participating employers.

Many employers are anxious to have us collect resumes and send them to their offices. Still others encourage students to mail cover letters and resumes directly to them. More information can be found on our website. The Fall Interview Program packet is also available from the OCP beginning in late July. Most organizations are interested in second-year students although some are also interviewing third year students. Some of the summer associate positions obtained through this program will lead to permanent offers of employment that will be proffered at the beginning of the third year. Smaller firms come to the campus to interview for the Spring Interview Program, because they make their hiring decisions later in the academic year.

Department of Justice. Each year the U.S. Department of Justice (DOJ) accepts applications for its Summer Law Intern Program. The Summer Law Intern Program is the Department's competitive recruitment program for compensated summer internships in Washington, D.C. and in cities across the country. Information about this program and the application generally appear
on the web in July (www.usdoj.gov/oarm). The application process and all related communication are completed online and via e-mail. The deadline for applications to be received in Washington is early September. Get yours completed early to avoid technical snafus. This program is very selective. For more detailed information, consult the DOJ materials on their web site.

**Additional ways** to achieve employment include:

- Networking with attorneys (including your CMLAA mentor) and others you know in the area to let them know you are interested in a position for the summer.
- Searching www.martindale.com for firms and attorneys (including alumni) that practice in the areas in which you are interested.
- Researching firms on their websites to determine if you’re interested in them.
- If you are interested in a career in public interest, set up a job seeker account at www.pslawnet.org. You should also look at the programs available for law students on www.equaljusticeworks.org.
- Participating in **Externships** and **Clinics**, which are great ways to gain real life experience while also earning credits. See the Externship and Clinic portions of the website for a description of the various places students can work in the area while being supervised at work by an attorney and, in the case of clinics, by a clinic member at school. These experiences can provide client contact and exposure to real life problems.

**Third-Year Students (3Ls)**

You are very close to becoming an attorney and it is time to get serious about your post graduate employment search. Employers are seeking candidates with practical legal experience. If you have yet to participate in an externship or clinic, now is the time. This is also the time to build your networks, attend professional events around town to meet people, request informational interviews with alumni, attorneys in town and friends who can provide insight into your job search. Apply to employers broadly and make sure to properly research every employer before sending a cover letter of contacting them directly. It is also time to reformat and have your resume reviewed.

- Take advantage of on-campus interviews. Some employers will be looking for third year students during the Fall and Spring Interview Programs.
- Do not overlook those firms that are interested in resume collect and resume direct collections rather than coming on campus to interview.
- Use your network to the fullest in locating jobs and gaining interviews.
- Continue to search through the job postings on Symplicity.
- Be flexible. Consider jobs in areas of law you might not have previously explored, including alternative geographical locations.
- Consider a Judicial Clerkship in all levels of the courts.
- Research positions with the government and the military.
- If you are interested in a career in public interest, set up a job seeker account at www.pslawnet.org. You should also look at the post graduate programs available on www.equaljusticeworks.org.
Explore alternative employment where a JD is a big plus (HR, hospitals, etc.).

**Department of Justice.** Each year the U.S. Department of Justice (DOJ) accepts applications for its Honors Program. The Honors Program is the Department's recruitment program for entry-level attorneys and is the only way the Department hires graduating law students. Information about this program and the application generally appear on the web in July ([www.usdoj.gov/oarm](http://www.usdoj.gov/oarm)). The application process and all related communication are completed totally online and via e-mail. The deadline for applications to be received in Washington is early September. Get yours completed early to avoid technical snafus. This program is very selective but is the only way to be hired into the Department of Justice’s various practice groups as a new attorney. Honors Program interviews are primarily held in Washington, and are paid for by the DOJ. For more detailed information, consult the DOJ materials on their web site.

**Judicial Clerkships.** A judicial clerkship is an excellent first step in a legal career. This is an incomparable opportunity to learn from a skilled judge and to observe the inner workings of the judicial system. A judge’s clerk will develop and refine his or her research and writing skills, learn the intricacies of trial or appellate procedure, and gain exposure to the bar that practices before that court. Clerkships are very prestigious and valued, and clerks have an edge in competing for subsequent jobs with both private and public sector employers.

Clerkship positions are offered to law school graduates and are usually for terms of one to two years. Appellate courts tend to stress research and writing, while trial courts offer greater exposure to trial practice and procedure. The nature of a law clerk’s duties varies from judge to judge and from court to court, from assisting in the legal research and writing associated with the judge’s case load and facilitating conferences between the judge and attorneys representing litigants to drafting bench memoranda outlining the issues in any given case to prepare the judge for oral argument.

Federal judicial clerkships may be applied for in two ways: on-line and through the mail. Most federal judges use an electronic system (OSCAR). Go to [https://oscar.uscourts.gov](https://oscar.uscourts.gov) for more information. Applications must be uploaded before Labor Day. There are still some judges who want paper in hand, although all judges are listed on the OSCAR system. You may therefore need to use both forms of application. Judges may view your application online the day after Labor Day. The day after Labor Day is the mailing date for hard copy materials.

Ohio State Court Clerkships: **Ohio Supreme Court** clerkship applicants should apply directly to the seven individual justices. Application materials should include a cover letter, resume, two letters of recommendation, an unofficial law school transcript, and two writing samples. **Application timeframes vary by judge,** and clerkships run for one to three years, commencing the summer following graduation. **Eighth District Court of Appeals** clerkship applicants should apply directly to the individual judge and to the District Court Administrator. **Applicants must have passed the Ohio Bar or be awaiting Bar results.** Application materials should include a cover letter, resume indicating GPA and class rank, short writing sample, and contact information for three professional and/or academic references. Each judge sets their term length individually.
The importance of deadlines in applying for these positions cannot be stressed enough. Most federal and state appellate judges interview students during the fall of their third year for the positions that are available for the August after graduation. If you are interested in pursuing a judicial clerkship, connect with the OCP immediately.

**Part-time Students (1LEs, 2LEs, 3LEs, 4LEs)**

It can be challenging for part-time students to gain legal experience while in law school but it is still important that you seek out opportunities to do so. The more substantive legal experience you have on your resume by the time you graduate, the better. At some point, you if you want to practice law, will need to fully make the transition into the legal field. Each part-time student’s circumstances are different and you may find that you are able to make the transition while you are still in school. Some of you may need to stay at your current full-time positions until you graduate. No matter what your circumstances, we can help you map out a plan. It is important that you schedule an appointment with your counselor as we can help you navigate your job search as you begin a new career path.

*Some flexible ways that part-time students can gain legal experience include:*

- Working as a research assistant for a professor
- Enrolling (for academic credit) in a clinical program
- Volunteering at LegalAid for one of their Brief Advice Clinics, Immigration Clinics and Pro Se Divorce Clinics
- Working more closely with the legal department in your current company

**Dual-degree Students**

You should make sure to meet with the Office of Career Planning at C|M|LAW and also with the school you are enrolled in for your dual degree. You also might need to create two versions of your resume depending on the jobs you are applying for. One might be more targeted to legal positions and the other more targeted for positions that would require/find your other degree more attractive.

You should also try to meet with alumni who received dual degrees to learn how they have utilized both degrees in the professional world.

**II. RESUMES**

Your resume is your first opportunity to make a first impression to prospective employers about your skills and abilities. It is very important that you take the time to organize your resume.

Think about how you would dress for an interview. You would want to put your best foot forward and show up in a business suit. The same applies for your resume. You want to make sure your resume is properly polished, grammatically correct and demonstrates your abilities in a clear and concise way.
To start, we recommend that you review the samples in the appendix of this handbook to get an idea of a legal format and how your resume should change each school year as you continue to gain practical experience and become closer to being an attorney. Your legal resume will look very different than the resume you provided to admissions and it will continue to change throughout law school.

Once you have reviewed the sample resumes, we recommend that you make an appointment with your career counselor to talk about your documents and to prepare a job search strategy.

You can also upload your resume into Symplicity for a resume review or email a copy of your resume to OCP staff members. In order to apply for positions listed in the Symplicity system, you will need an approved version of your resume on file. You should always have your most updated version uploaded into Symplicity!

**RESUME FORMAT**

A few helpful guidelines for resume writing:

**Be consistent:** For instance, if you abbreviate the name of any state, then abbreviate the names of all states throughout. The only exception to this rule is if you are presently employed, use the present tense to describe this employment. Use past tense for the jobs held previously.

**Easy to read:** Use a format that is easy to read. Avoid flashy or eye-catching backgrounds, as you are entering a conservative profession. Use the same stationery for the cover letter accompanying the resume.
- No misspellings and your resume must be grammatically correct
- Font should be at least 10 in size and no more than 12 (except for your header)
- When you are preparing your resume, think about what you as a reader would want to see
- Be cautious of spacing and repetitive action verbs (see list of verbs in appendix)
- Use standard Times New Roman font, or one close to it
- **ONE PAGE:** Consider 1 page for every 10 years of employment
- Allow for 1" margins or more on top, bottom and sides (leaving space for the interviewer to make positive remarks about you!)

**RESUME CONTENT**

Your resume must have at least the following three sections:

1. **Header**

**Name:** Consider type 2-3 points larger than resume; all letters may be capitalized; may be bold

**Address:** Use your current address. Avoid P.O. Box numbers. Also include a permanent address for employers in your home area if you plan to return. A sample of a long distance search resume can be found in the appendix.
Phone number: Provide a phone number where you are most accessible. Make sure your voice message is professional.

Email address: Use a professional email address and the address you are most accessible.

2. Education

Start with law school (formal name- not abbreviated, city and state*)

*Do not fail to include Cleveland State University after Cleveland-Marshall College of Law. This is legally correct, educationally sound, and furthermore, it enhances your law degree to have an entire university behind the law school. For example:

Cleveland-Marshall College of Law, Cleveland State University, Cleveland, OH

In addition, do not fail to include:
  o Graduation date
    o ie. Juris Doctor Candidate, May 2015
  o GPA if appropriate (see Grades Section below for more detail)
  o Class rank if appropriate. Impressive if you are in the top of your class
  o Selected class performance if appropriate- if your grades are not great but you have done extremely well in classes related to the position
  o Honors and Awards
  o Activities
  o Additional Legal Education – if you have sat in on Continuing Legal Education (CLE’s) classes through the bar or at school in a specific area that interests you. You may want to include it on your resume

Undergraduate Institution: Should follow a similar format to law school.

High School: Should only be included to show a geographic tie or prestige of school.

3. Experience (Professional Experience/Legal Experience)

  o Listed chronologically with your most recent experience first
  o Make sure to include your position, employer, city and state and dates of employment. For example:

    Cleveland State University, Cleveland, OH
    Law Clerk, Summer 2012

Be Specific!!! Under your basic information, you will provide a description of what you did during this experience. This is the time to sell yourself and the skills you have accumulated while working/interning.
When you list research projects, explain what types of issues you researched. If you include law school activities, be sure to include offices held, duties performed (those that show leadership skills, organizational skills, management skills). Likewise, any volunteer experience should include those skills you developed through your service.

Activities are not listed to show how much time you spent on them. What they add is weight to a resume, where they indicate endeavors that make good lawyers: organizational skills, written and oral communication skills, networking, and precise attention to detail.

Experience and Lack Thereof: It is very important to have legal experience to put on your resume. Your experiences can be full time or part time employment, or volunteer service. The more legal experience it shows, the better. Experience may include pro bono projects that might include interviewing skills or handling hot line calls. Externships, internships and clinics show hands-on experience. Consider these courses as ways to get experience while also earning credit hours.

Demonstrate Proven Capabilities and Lawyering Skills. Include any supervisory titles you may have held in employment as well as important responsibilities. Specifically link these responsibilities to a legal career, and emphasize the skills you relied upon, not the duties you performed. Part time students: be sure to include your past and/or current careers and link the skills to the legal profession.

Obvious Gaps Should be Filled: Be sure to cover all bases. Do not leave large chronological holes in your resumes. Employers will eye years unaccounted for with suspicion and may fill in the time gaps with imaginative thoughts that may work against you. Account for all dates. If you were a waitress for three years, you can turn this transitional period into a “positive” by relating it to public contact, your positive attitude, and so on.

Additional optional sections to include on your resume:

- **Hobbies/interests:** Do you have hobbies that will spark instant interest or generate conversation? If not, leave them off the resume or they may be interpreted as filler. Be aware that some hobbies and interests carry baggage. Political affiliations are probably not beneficial if a hiring partner believes that you will create a politicized workplace. Other activities may create a similar effect. You should limit your interests to 1-3 hobbies.

- **Skills and Licenses:** Do you have any particular skills that are worth mentioning, aside from traditional Microsoft programs like Office? Mention them here. Also, are you a CPA, or have your real estate license? Mention any additional qualifications you have here.

- **Language skills:** State your level of proficiency ie. "Spanish, proficient” or “French, conversational” If you place that you have language skills on your resume, be prepared to share those skills in an interview so do not exaggerate your level of expertise.

**SENDING RESUMES**
Send your resume and cover letter as pdf attachments in an email. You can place a short paragraph in the body of the email to indicate the position for which you are applying, and directing the reader to the attachments. The subject line of your email resume should either contain the job title that advertised the position or your name. If you are e-mailing an unsolicited resume, use the subject line to grab the recipient’s attention, i.e., “Top 25% of class; strong in business courses and litigation…..” Before emailing your materials to an employer, send them to yourself or a friend to check for formatting problems.

If you are mailing or delivering your resume have it printed on either white or cream colored heavy bond paper with black ink.

**RESUME ETHICS**

**Grades:** There are a few thoughts regarding grades on your resume. Overall, it is your resume and the decision is up to you. However, remember that your resume is your marketing piece and should reflect your best skills. General rule of thumb: 3.0 and above should be included on your resume.

If you choose to leave your GPA off the resume, you must make sure to play on your strengths and construct the rest of your resume to show good work-related experience, leadership skills, self-motivation, and practical experiences to show your marketability. Grades are only one component but if they are not your strength, you need to make sure you have something else to rely on. Think about getting involved in the community and work experiences to build on the skills that you have.

If you have a 3.0 or above, you should include your class rank along with your GPA, which should also indicate the GPA within the 4.00 scale, e.g., 3.41/4.00; top 25%. These records are available from the Director of Records, Marcie Rechner at Marcie.rechner@law.csuohio.edu or 216.687.2289. In addition, it is impermissible to round up the final digit in your GPA. The consequences can be severe and you may be brought before the C|M|LAW Honor Code Committee.

**Honesty is the ONLY Policy:** Be ethical and practical. Every piece of information that you put on a resume or other application form will be verified. Students are expected to exhibit high standards of professional responsibility in all of their job seeking-activities. Students are cautioned to avoid even the appearance of impropriety in the preparation of their job resumes, letters and application forms. Misleading, inaccurate or false information on these materials will be viewed as a violation of the Law School Code of Conduct. In dealing with such violations, law schools across the country have begun to impose increasingly more stringent sanctions on individuals who yield to this temptation. Suspension, expulsion and state bar notification are among the actions that have been taken.

**BEWARE:** ALL credentials you list will be checked. Perhaps they will not be verified prior to your receiving a law clerk or summer associate position, but prior to full-time employment, someone will check you out. Verification of grades, prior employment, and credit is frequent.
III. COVER LETTERS and OTHER LETTERS

**COVER LETTERS.** Here is where you explain what you can do for the employer, show your special expertise, and explain what makes you “the person” to be hired for the job. Do not “repeat” your resume, but herald the experiences it contains. Cover letters are **ONE PAGE** in length and are printed on the same high quality paper as the resume. This letter presents what you want the recipient to remember about you. It is your selling piece. DO NOT use this letter to give lengthy explanations of issues. Trying to explain a low GPA, why you switched to law, your responsibilities to support your family while in law school, etc. are best addressed in an interview.

**Format.** There is a traditional and professional legal format that you should follow when writing cover letters. You should include your return address in the upper right hand corner or in letterhead format at the top center of the page. Unless using the letterhead format in the top center, the return address should exclude your name. You should then include the date you are writing. Lastly, include the contact block for the person you are addressing along the left margin. Be sure to use the proper title and name of the contact (including “Esq.” if the contact is an attorney). Then you can begin your letter and use a colon (not a comma) in your salutation. Type your name at the bottom while also including space for a hand-written signature. Please reference the cover letter examples in the appendix to ensure you are using proper format. You don’t want to give an employer the opportunity to dismiss your application because your cover letter is not organized well or formatted properly.

**Address your letter to the appropriate individual.** If you have obtained the job referral from the OCP, this office will provide you with the proper contact information. Avoid using “Dear Sir or Madam:” which makes you appear outdated and uninformed. A vague introduction (“To Whom It May Concern:”) also suggests that your letter may be one of many you are sending out and one not crafted for this particular job. If your research does not reveal the title or name of the person you need, try doing some more research. Call the office and ask for the proper name (spelling) and title of the hiring partner or head of the department you are applying to.

**Organization and content.** Here is a simple outline of what should be included in the body of your cover letter:

a) **The first paragraph** should provide an introduction. Tell the employer what year you are, where you go to school and what you are applying for. How did you hear of this position? If you were referred, mention the individual’s name. Why are you interested in the position and employer?

b) **The second paragraph** should describe your specific skills and expertise and how they match the recipient's needs. You will need to do some research on what the employer is looking for. Reread the position description and make sure you are detailing qualities and skills that would be attractive to the employer. This is where you sell yourself. You need to answer the employer’s questions, “Why should I hire you?” and “What can you do for me?”

c) **The third paragraph** can be used to explain anything unusual in your resume (gaps in your career, excessive number of moves in a short time period) or anything else that
isn't readily apparent from your resume (unique experience or background, e.g., you are from the area where the job is located). If you are applying to positions outside of Ohio, be sure to mention all the contacts/ties you have in that area to assure the employer that you are serious about making a move.

d). The final paragraph closes the conversation. Thank the employer and express your appreciation. Depending on the situation, this might be a place to express that you will follow up with a phone call at an appropriate time—in a week or ten days—unless you have heard something prior to that time. Provide your contact information with any instructions on how you prefer to be reached. Regarding phone numbers, make sure you have a professional greeting waiting in case an employer leaves you a message, and plan to check for messages frequently.

1Ls. Even though it is likely that you don’t have any experience in the legal field, detail what experience you do have and how that translates well to the position for which you are applying. Show that you are a hard worker, responsible, and showcase any of your other skills and attributes.

2Ls. Be sure to detail what you did your first summer. Employers will want to know if you gained any legal experience or took classes, etc.

3Ls. If you are applying for a post-grad position, be sure to indicate your graduation date and when you are registered to take the bar. This will help the employer see if your timeline works with their hiring timeline.

APPROACH LETTERS. These are designed to get informational interviews with people who may be able to give you leads and names of contacts or information on employment possibilities. Much of the information given on cover letters applies to approach letters as well. Normally you do not include your resume with this letter, but take it with you to any meetings for discussion purposes. You may use your resume as a tool to get the individual to look at you or to enable the contact to refer to it in case other employers might be looking for someone with your skills and qualifications.

- First paragraph shows your connection to the contact/employer (“so-and-so suggested I contact you. . .”)
- Carefully craft a paragraph that requests advice and suggestions on how to find a position suited to your abilities. Emphasize the purpose of the meeting: seeking advice on plans, occupational information or employment opportunities. Giving a brief description of your present situation may also be useful. Make it clear that you are seeking information to alleviate any pressure the contact may have regarding offering you a job. That is not the purpose of an informational interview.
- Request a meeting. State that you will call in a few days to establish a mutually agreeable time.

THANK YOU LETTERS. You should always send a thank you letter to interviewers or contacts who you have met for an informational interview.

Handwritten Letters. Your grammar, spelling, and penmanship are key here. Spelling and grammatical errors will only detract from your employability. Thank you notes may be written
on plain, professional looking note cards, and mailed within 24-48 hours of your interview or meeting. If you know you have messy handwriting, you should type out a letter and then sign it before sending it.

**Typewritten Letters.** Typewritten notes are appropriate for business purposes. The notes should be short, correct, and pleasant.

**E-Mail Thank Yous.** These should be reserved exclusively for when you are made aware that the hiring decision will be made in less than 2-3 days. Unless that is the case, send a thank you note in the mail.

**Content.** If you had an extremely good interview, you may want to thank the interviewer for his/her time, stating that you enjoyed yourself. Be sure that you express something specific to that interview, so that the interviewer will recall you (i.e., a topic discussed, an interest in common, etc.). Even if you had the worst time of your life, be courteous in the note. Firms keep track of communications with you. A recruiter or partner will probably notice if you send the same communication to everyone. Use your imagination and vary the message. A typical letter should include a) thank you, b) pertinent information to the interview, and 3) reiteration of interest.

**IV. TRANSCRIPTS**

Most beginning interviews do not ask for a transcript. However, for those employers who want them, they are usually content with UNOFFICIAL transcripts. Unofficial transcripts are obtainable from the Director of Records, Marcie Rechner. You must fill out a transcript form, which is available for download on the law school’s website. Just click on Current Students and then Student Records. She will print one out for you to pick up from her office or can email you an electronic copy in 24-48 hours.

You can learn more about ordering an OFFICIAL transcript by visiting Cleveland State University's Office of the Registrar’s website at:

**V. WRITING SAMPLES**

A writing sample of 5-10 pages is more than sufficient. The employer wants to know IF you can write, not what you write. This sample should be your own work. If you plan to use something that you wrote for beginning Legal Writing, think through this process: How many months ago was that? Are you a better writer now than you were then? If so, why not rewrite the piece so that your work really reflects your current writing ability? You may want to consult with a professor, colleague, or employer over whether the work you plan to submit will adequately portray your present skills. A sample showing your legal analysis is preferable.

Be certain that you have permission from an employer if you are using something you wrote for work. You must redact all identifying references to parties unless the document was filed in court and is a public record. Some suggestions of writing sample items include a memorandum, brief in support of a motion, or a short research paper.
Unless your *Journal of Law and Health* or *Cleveland State Law Review* Note or Moot Court Brief specifically relates to something in which this employer is/was involved, it is too long to submit as a writing sample. But take it with you to an interview and offer it for reading. Your Note should definitely be on your resume and be sure to mention it in an interview.

### VI. REFERENCES

**Select References Carefully.** PRIOR to listing a reference, BE SURE to discuss the potential referral with the individual you plan to use, and give them a copy of your resume. Usually three references are sufficient. Try to use people who know you well from varying perspectives: a law professor, an employer, a pro bono project coordinator, or a community member with whom you have worked closely. Think of some of the people for whom you may have worked or clerked who are highly regarded in the legal field. The judge from a judicial externship, a partner from the firm you worked for, a well-known professor in his field are examples of people you should definitely list. Unless there was a grave problem at your last place of employment, you should list a superior from there. If you do not, the prospective employer will assume that there was a problem. Friends and relatives should NOT be references. The individuals you choose as references should be able to emphasize your key attributes such as your maturity, your work ethic and thoroughness.

**Formatting Details.** References should not be included as part of the resume. They should appear on a separate page so that you can revise any references used, depending on the position for which you are applying. You should also refrain from including the language “References Available Upon Request” at the bottom of your resume. All parties assume that references are available. References do not necessarily need to write letters; often the employer will call them. Take a “reference sheet” with you to the interview. Be sure to title it with your name included ("References for Tom Jones") so that the paper will not be misplaced as a stray paper containing three meaningless names. For each reference you provide, be sure to include their name and title; business address, phone, and e-mail; and how you know them.

**Letters of Recommendation.** If an employer asks for a written letter of recommendation, ask your reference to please send a letter recommending you to the person at the address on the envelope you provide (with stamp). This is more professional than having them write one for you and handing it to you to deliver.

**Judicial Clerkship References.** When applying for a judicial clerkship you should include among your references someone who knows your research and writing skills: your legal writing instructor, the judge for whom you externed, a professor for whom you were a research assistant, or a professor for whom you wrote a paper. These recommendations are crucial to the success of your application.

Judges are looking for skills that may be a bit different from those a law firm wants. Certainly, you will want your legal experiences emphasized with particular attention given to research, writing and analytical skills. Ask your references to please emphasize these. You will probably
be interviewed by the judges’ office staff and getting along with them is crucial, but your social skills with clients will take a back seat.

Federal judges usually use the electronic OSCAR system for posting their positions. Applications are also done electronically through this system. The OSCAR system can be accessed at [http://oscar.dcd.uscourts.gov/resources.html](http://oscar.dcd.uscourts.gov/resources.html). The resources page tells the whys and hows of the system. The password will be sent to the reference through email. Be sure to tell your reference that this is the system used and to watch his/her email for a notice giving a password. Only one email will be sent so the reference must check periodically at his/her account to see if more reference letters are needed. You should be sure to remind individuals that you still need a letter if you look at your own account and there is not a letter there.

**VII. INTERVIEWS**

**TYPES OF INTERVIEWS**

**Initial interviews**

*Screening interview.* The first interview is often a screening interview. The purpose is to screen out those individuals who would not be acceptable for the position the firm seeks to fill. The “screen” used may be grades, personality, practice area, experience, or any number of other factors the interviewer chooses to employ.

*Selection interview.* Sometimes the initial interview is a selection interview. The emphasis, however, is to pick candidates from the class who would best fit the needs of the firm. The emphasis here is on positive attributes. In either case, there may be many factors at work, many of which the interviewee is totally unaware, that determine the list of candidates selected to continue down a particular firm’s interviewing path.

**Decision or Second Interviews**

Second or “call-back” interviews often involve more than one interviewer. You may meet with several partners, one at a time, or in a group.

Employers are establishing the answers to three concerns during the second interview:

- Will you be able to handle the position?
- Do you have the essential motivation for the job?
- Does the right chemistry exist between you and the firm (do you fit in the firm culture)?

**Phone Interviews**

More and more businesses are conducting initial interviews over the phone, both to save money and the time it takes to conduct personal interviews. Although these are usually screening interviews, many of the factors that go into a person-to-person interview will affect the outcome.

A phone interview may be only 5-10 minutes long, giving you even less time to make a positive impression. Consider what will make you “appear” more professional over the phone. Your **tone of voice** will be important. Hesitancies, lack of warmth to the person on the other end,
sluggishness—all send negative messages. Since no visual cues exist, the voice message becomes even more important. Make your enthusiasm, smiling face, projection, and confident voice work for you.

**Video Interviews**

In a video conference, the viewer can only see a small part of the surroundings. The focus is on you—there are no detractors—no looking out the window, at the clock, glancing at the desk. The focus is on the speaker the entire time. Therefore, all of your mannerisms will be exaggerated. Your appearance will also become more important, especially from the waist up. Especially crucial is your eye contact with the camera (interviewer).

**BEFORE THE INTERVIEW**

**Research and Preparation**

You need to prepare for your interview well before your interview date and time. You should not go in and “wing it.” You should research the employer as much as possible so that you can form educated answers and ask educated questions during the interview. Google the employer, check out their website, talk with the OCP as well as anyone you know who has or currently works there.

Find out who you are interviewing with in advance of the interview and try to conduct research on the interviewer(s). You should Google them and look them up on LinkedIn as well as the employer’s website.

Review the job description for the position you are interviewing for and think about how to relate your discussion to the responsibilities and qualifications listed in the posting.

Review your resume and your cover letter and be prepared to discuss any part of it, no matter how insignificant that part may be to you. It is hard to tell what employers might ask about after looking at your application so you should be prepared to discuss anything you have presented to them.

Verify the date, time, and location of the interview. Mapquest the address and/or drive to the location a few days before the interview to ensure you will not get lost if you are unfamiliar with the location.

**What to Wear and What to Bring**

Remember that the legal field is still quite traditional and conservative and you should dress accordingly. You do not want the employer remembering the hot pink shirt or the goofy tie you wore over your ability to do the job.

You should always wear a nice, tailored suit to an interview.

**Gentlemen**

- Wear a nice tailored suit. The most accepted colors are black, navy blue, and dark grey.
- Wear a simple tie. No wild patterns, colors, or prints.
• Wear a conservatively colored shirt. Popular options are white, light blue, etc. No bright colors.
• Make sure your shoes are polished and not scuffed up. You want to take pride in the way that you are presenting yourself.
• Be aware of your hair and any facial hair. Try to keep it conservative, neat and trimmed.

Ladies
• Keep your jewelry simple.
• Wear a simple shell or button down shirt with your suit. No frills or ruffles or very bright colors. Remember, you don’t want your outfit to be distracting.
• If you wear a skirt suit, wear pantyhose.
• Wear simple, classic heels. Don’t wear your stiletto platforms to an interview.
• If you wear your hair down, make sure it is out of your face.

Make sure to bring extra copies of all of your application documents. The interviewers may not need it but you will look organized and prepared by having extra copies with you. Bring an extra set of copies for each person you are interviewing with plus one extra (to reference yourself, or in case you meet a partner in the hallway, etc.). You should also bring a notepad and pen so that you can jot down questions or notes during the interview. Prepare questions to ask in advance and take them with you (there is more about questions to ask the employer below). You can place all of this in a nice, professional looking pad folio, folder, or binder that you take with you to the interview.

If you have a specific question, ask someone in the OCP. We promise to give you honest feedback! It is better to ask if you are unsure about something before you walk into the interview.

DURING THE INTERVIEW

Be polite and courteous to all you meet. Remember that the office staff is interviewing you the second you step foot into the building, and their opinions are very highly regarded.

Make eye contact and have a firm handshake! Pay attention and be engaging. Let the interviewer set the tone of the interview. Some interviewers will get right to business and start asking questions right away while others will engage in casual conversation first. Err on the side of being too formal versus too casual.

Remember to ask questions if you are given the opportunity. Thank them for their time and consideration at the end and express your interest in the position and employer one more time before you leave.

AFTER THE INTERVIEW

Follow up with hand written thank you cards to every interviewer. If you know your handwriting is very messy, it is okay to send a typed (but hand signed) thank you letter. You should only send a thank you via email if you know the hiring decision is going to be made within a couple of days. In your correspondence, you should mention something specific that
was discussed or brought up with that particular interviewer so that the letter is more personal and you aren’t sending the same letter to multiple people. Chances are, they will compare them.

**SAMPLE QUESTIONS THE INTERVIEWER(S) MAY ASK**

- **What are your perceived strengths and weaknesses?** *(The interviewer is hoping you will reveal a weakness. Make the weakness into a positive. You might suggest that you enjoy researching almost to a fault and find yourself reading on and on in various ways as you come upon interesting points. Now, however, you are training yourself to be more pointed in your research and sometimes you create “research maps” to help you become more focused, but also to have notes on areas that you may want to go back to later for interest.)*
- **Where do you want to be five years from now? or What are your long term career objectives?** *(The interviewer wants to hear that your goals and the firm’s are compatible. Base your answer in terms of wanting more responsibility, looking for challenges. Be specific in listing positive goals with some backup.)*
- **What starting salary would you expect?** *(Try not to give a specific number that you absolutely have to make. It is better to give a range and say something like, “I am hoping to make between $50,000 to $65,000 to start.”)*
- **What are your hobbies and interests?**
- **What qualifications that you possess will make you successful in the law?**
- **Why did you decide to go to C-M?**
- **Explain an accomplishment that has given you great satisfaction and explain why.** *(Your answer might include a project showing teamwork or individual work. Pick something about which you are enthusiastic. Describe only one situation but include aspects of leadership, scholarship, etc.)*
- **Give an example of your creativity.** *(This is a great opportunity to refer to your accomplishments.)*
- **If you were not to become a lawyer what would you do and why?**
- **Evaluate your law school career as preparation for the future.**
- **How would you describe your personality?**
- **What was the last 1) book you read? 2) movie you saw? 3) event you attended?**
- **Give an example of your leadership skills.**
- **Do your grades accurately indicate your academic abilities?**
- **Explain your school’s grading system.** *(Be prepared to explain the ranking system that creates ranks by class i.e., first year full time, first year part time, etc. If you do not understand this, come to the OCP and ask!)*
- **What was your most rewarding law school experience?**
- **Why are you interested in this firm?** *(Your answer might focus on one of the firm’s strengths or litigation areas, (i.e., “I would like to be part of a firm that does....”))*
- **Why should the firm hire you? What can you contribute to our firm?**
- **What are you looking for in a law firm?**
What do you want from this firm?
Do you have outstanding job offers? Where?
What have you learned from the other attorneys you have spoken with today?

Remember: there are usually no correct responses to these questions, BUT do not answer them in one word. Show some enthusiasm, thought, and interest. Interviews are about you...no one can present yourself better. Be positive about yourself...and be sure to highlight those attributes and accomplishments that set you apart. Employers seek motivated, interested students who have researched and studied both the firm and their own career considerations.

Also, when an interviewer asks if you have any questions, always have at least two or three. If you say you don’t have any questions, this will likely be interpreted as a lack of interest in the firm. If you are interviewing with multiple lawyers at the same firm, you may ask the same question in different interviews. You will probably get different answers! See below for some ideas:

SAMPLE QUESTIONS TO ASK THE INTERVIEWER(S)

- What type of work will I be doing as part of the summer program?
- Will I receive feedback?
- Will I be working with several attorneys? In what areas?
- How many summer associates/law clerks is the firm planning to hire?
- How many associate offers do you typically make?
- Why do you enjoy working for your firm?
- I read in (Martindale-Hubbell) that your client base is....., is that basically correct? Are you looking to expand into other areas (such as e-commerce)?
- Do you foresee any major changes for the firm in the future?
- How would you characterize the firm’s culture?
- What is the hiring philosophy of the firm?
- Do you anticipate more lateral hires or do you still see a value in hiring new graduates?
- What is the firm evaluation/review system?
- How are work assignments handled? Do they come from one person, a partner, a group or from a section?
- Do you have a rotation system for the first several months for associates or do they enter the firm in a specific area of law?
- What type of evaluation is given to determine partnership and when is this done? (this question is more suitable for associate-level interviews)

DO NOT ask about compensation during the first round of interviews. When you do ask about salary, couple the question with the expected hours (for summer associates) or the anticipated number of billable hours (for associates).

PERMITTED SCOPE OF INTERVIEWS
All interviews should be limited to what is relevant to the job. By law, employers are not supposed to ask about certain areas of one's personal life—marital status, health, disabilities, or financial matters such as bankruptcy. You should be prepared, however for the rare instance when an employer may ask, directly or indirectly, about one of these areas. Please use careful judgment in how you answer such a question. Our best advice is for you to attempt to redirect the conversation back to traditional interview questions and answers. Please don't hesitate to contact us for further direction and advice if the case arises.

VIII. NETWORKING

Networking is an important part of any job search. Networking is relationship building. You shouldn’t be seeking instant gratification by engaging in networking opportunities. That is not what it’s about. Networking is a process. You should take the time to cultivate relationships with your contacts (old and new) in the legal field. Touch base with them, talk to them about what they do, ask questions, invite them for coffee periodically. If some of your networking efforts turn into a job for you right away, that is great but you need to be aware that the benefits of networking may not be seen immediately and may pay off in other ways versus just job opportunities.

Here are some useful tips to help you expand your network:

- Make a list of everyone you know who is connected in the legal field. Think of family, friends, professors, alumni, current or past employers, contacts from your undergraduate career.
- Set up informational interviews.
- Join organizations you are interested in, including student groups and bar associations.
- Attend events in the legal community. Look at the C|M|LAW and the CMBA event calendars.
- Create a LinkedIn account and use it in a professional manner.
- Send thank-you notes to people who agree to speak or meet with you, or assist in any way in your job search.

Think of everyone you meet at a potential employer, client, colleague, or referral.
IX. APPENDIX
Betty Boop  
123 Elmwood Avenue  
Lakewood, Ohio 44107  
Betty.Boop@law.csuohio.edu  
216.216.2161

Education

Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio  
Juris Doctor Candidate, May 2015

The Ohio State University, Columbus, Ohio  
Bachelor of Arts, June 2012  
- Major in Communications and Minor in Women’s studies

Experience

The Law Offices of Max Fleisher, Columbus, Ohio  
Intern, Summer 2012  
- Scheduled client appointments  
- Requested evidence for cases from clients related to their immigration cases  
- Prepared form letters to the government and clientele  
- Observed client interviews and court proceedings

The Ohio State University, Columbus, Ohio  
Resident Advisor, September 2011-June 2012  
- Responsible for safety of students living in the dormitory during academic year  
- Coordinated professional development series for students  
- Mediated disputes between residents  
- Attended monthly seminars in residential management

Camp Wise, Chardon, Ohio  
Counselor, Summers 2008-2011  
- Provided live-in caretaking for 10-12 campers aged 11-15 at 4 week sleep away camp  
- Facilitated daily routine, planned activities, and implemented programs for campers  
- Responsible for camper’s social, physical, and emotional status at all times  
- Kept fun and lively atmosphere

Languages

- Fluent in Spanish  
- Elementary in Italian
February 3, 2013

Chief Magistrate Brown
Cuyahoga County Court of Common Pleas, Probate Court
1 Lakeside Avenue
Cleveland, Ohio 44113

RE: Summer Externship Application

Dear Magistrate Brown:

I am a first year law student at Cleveland-Marshall College of Law and I am submitting my application to be considered for an externship this summer with the Probate Court. I believe I would be an excellent addition to the Probate Court based on my enthusiasm and dedication.

I was very pleased to read the amount of legal exposure externs receive with the Court. Last summer, I worked with an attorney who provided me with an excellent opportunity to shadow him and handle meaningful legal research. I was also afforded the opportunity to speak directly with clients and provide case updates. I learned that I am natural when it comes to handling clients and public matters and hope to bring that to the position this summer with the Court.

Enclosed please find my resume and writing sample from my first year legal writing class. If you have any questions or need further information, please feel free to contact me at 216.216.2161 or Betty.Boop@law.csuohio.edu.

Thank you, in advance, for your time. I look forward to the opportunity to interview with you to talk more about how I can be an asset to the Probate Court this summer.

Sincerely,

Betty Boop

Enclosures
John Smith  
123 Right Way Drive  
Cleveland, Ohio 44131  
216-333-1244  
john.smith.49@gmail.com

EDUCATION

Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio  
Juris Doctor Candidate, May 2015  
GPA: 3.02/4.0  
• Activities: Member, International Law Students Association

Baldwin-Wallace College, Berea, Ohio  
Bachelor of Arts in Communications, May 2012  
Minor in Spanish  
GPA: 3.56/4.0  
• Honors and Activities: Recipient, Dean’s Scholarship; Member, Pre-Law Society; Treasurer, Phi Alpha Delta; Captain, Intramural Basketball; Volunteer, BW Student Volunteer Coalition  
• Study Abroad Program, National Autonomous University of Mexico, Mexico City, Mexico, Spring 2011

EXPERIENCE

Baldwin-Wallace College, Berea, Ohio  
Student Assistant to Professor Jane L. Johnson, Communications Department, Spring 2012  
• Assisted professor with class material preparation  
• Conducted research on various social media websites and their impact on the face-to-face interaction between young adults, ages 18 through 28  
• Answered office phone and scheduled student appointments

Starbucks, Berea, Ohio  
Barista and Cashier, Summers 2008-2011  
• Prepared and served food and beverages to order ensuring customer satisfaction  
• Responsible for opening and closing store, and trained new employees

Channel 5 News, Berea, Ohio  
Intern, Fall 2010  
• Presented story ideas for daily morning show  
• Observed studio in action and assisted with various administrative tasks as needed

LANGUAGES

Fluent in Spanish
John Smith
123 Right Way Drive
Cleveland, Ohio 44131
216-333-1244
john.smith.49@gmail.com

REFERENCES

Pamela Daiker-Middaugh
Clinical Professor & Director, Pro Bono Program
Cleveland-Marshall College of Law
2121 Euclid Ave. LB078
Cleveland, OH 44115
216-687-6878
pamela.daiker-middaugh@law.csuohio.edu
*Current professor

Jerry Simpson
Partner
Simpson & Smith Attorneys at Law
584 Prospect Ave.
Cleveland, OH 44115
216-839-8428
js@simpsonsmith.com
*Former employer

Bernadette Schreiber
Attorney
Legal Aid Society of Cleveland
4284 Times Square
Suite 2300
Cleveland, OH 44115
216-463-2748
schreiber@legalaid.com
*Former employer
January 30, 2012

April Hoffman
Rutter & Russin
34456 Rockside Road
Independence, OH
44131

Dear Ms. Hoffman,

Thank you for taking the time to interview me for the law clerk position available with Rutter & Russin. It was a pleasure speaking with you and I enjoyed learning more about the open door policy and culture at the firm.

I remain very interested in this position and strongly feel that, if given the opportunity, I could make a positive impact on the firm’s work load over the summer.

Please don’t hesitate to contact me with further questions at 216-333-124 or at john.smith.49@gmail.com. I look forward to hearing from you soon.

Kind regards,

John Smith
Peter L. Griffin
Peter.Griffin@law.csuohio.edu • 216.216.2161
Permanent Address: 31 Spooner Street, Quahog, Rhode Island 02804
Local Address: 1212 Euclid Avenue, Apt. 4B, Cleveland, Ohio 44115

EDUCATION:
Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio
J.D. expected, May 2014
Activities:
• Rhode Island Bar Association Student Member, January 2012-Present
• Big Brother Big Sisters of Cleveland, December 2011-Present
• Sports Law Association, August 2011-Present

The Ohio State University, Columbus, Ohio
B.A. in Political Science, June 2011
Honors and Activities:
• Men’s swimming and diving team, September 2008-June 2011
• Dean’s List, 2008-2011

EXPERIENCE:
City of Sheffield Lake Law Department, Sheffield Lake, Ohio
Legal Extern, August 2012-December 2012
• Future Extern

The Equal Employment Opportunity Commission, Cleveland, Ohio
Legal Extern in the Hearings Unit, May 2011-July 2011
• Researched employment discrimination allegations related to sexual harassment, disability law, age discrimination and related discrimination claims
• Prepared memoranda, drafted orders and findings of facts and conclusions of law for the administrative judge
• Observed hearings and discussed general legal issues with administrative judge

Panera Bread, Dublin, Ohio
Cashier, June 2010-May 2011
• Assisted customers with taking orders and payment
• Handled customer service complaints

City of Quahog, Quahog, Rhode Island
• Provided safety at pool for patrons
• Managed schedule and provided training for city lifeguards

INTERESTS:
• Competitive swimming
Peter L. Griffin
1212 Euclid Avenue, Apt. 4B, Cleveland, Ohio 44115
Peter.Griffin@law.csuohio.edu
216.216.2161

EDUCATION:
Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio
J.D. expected, May 2014
Activities:
• Cleveland Metropolitan Bar Association, Student Member, January 2012-Present
  • Litigation and Workers’ Compensation Section Member
• Big Brother Big Sisters of Greater Cleveland, December 2011-Present
• Sports Law Association, August 2011-Present
• Westlaw Certification and proficient in office computer systems

The Ohio State University, Columbus, Ohio
B.A. in Political Science, June 2011
Honors and Activities:
• Men’s swimming and diving team, September 2008-June 2011
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EXPERIENCE:
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Panera Bread, Dublin, Ohio
Cashier, June 2010-May 2011
• Assisted customers with taking orders and payment
• Handled customer service complaints

City of Quahog, Quahog, Rhode Island
• Provided safety at pool for patrons
• Managed schedule and provided training for city lifeguards

INTERESTS:
• Competitive swimming
November 1, 2012

Ms. Sally Walters, Supervising Attorney
Ohio Bureau of Workers’ Compensation
615 W. Superior Avenue
Cleveland, OH 44113

Dear Ms. Walters:

I am a second year law student at Cleveland-Marshall College of Law and am seeking a full-time law clerk position in the summer and a part-time work schedule during the academic year with the Ohio Bureau of Workers’ Compensation. I believe I am an excellent candidate for this position.

Last summer, I was a legal extern with the Equal Employment Opportunity Commission. I worked closely with the judges in the Hearings Unit and had the opportunity to observe various court hearings and investigations. I handled research and drafting on a variety of discrimination claims and, on occasion, researched issues related to workers’ compensation. Because of this experience, I believe I would be excellent at assisting in scheduling hearings, reviewing compensation orders, and researching legal questions.

I will also be a legal extern this fall at the City of Sheffield Law Department. I anticipate learning additional skills at the Law Department that will increase my legal skills and make me an asset to the Bureau.

I have attached in my application my resume and writing sample. Please feel free to contact me at 216.216.2161 or Peter.Griffen@law.csuohio.edu. I appreciate you taking the time to review my application and I hope to hear from you soon.

Sincerely,

Peter L. Griffin

*JOB POSTING: The Cleveland Law Division of the Ohio Bureau of Workers’ Compensation has an opening for a Legal Intern to assist this busy state agency in all aspects of legal and procedural work in the area of workers’ compensation law. Duties include: scheduling hearings, reviewing compensation orders, researching legal questions and drafting motions. An interest in labor law and workers’ compensation is desirable as well as familiarity with Westlaw, Lexis, and other office computer functions. This paid position’s hours are 40 per week during the summer and up to 20 per week during the school year.

*Do not include the job posting in your cover letters. This is provided solely so you can see what job announcement the cover letter is responding to.
RE: “C|M|LAW Student Seeks Advice”

Dear Mr. Taubman,

I am a second-year law student at Cleveland-Marshall College of Law. I am very interested in workers’ compensation, employment law and medical malpractice law in the Cleveland area.

I know that you are an experienced practitioner and C|M| LAW alumnus and have recently made the headlines with a case that would potentially allow employees to sue for negligence even after receiving workers’ compensation benefits.

I realize you are very busy, but I would be grateful for an opportunity to meet with you to talk more about your areas of expertise and seek any advice that you might have for me as a law student searching for employment in this area.

Please let me know if you would be willing to meet with me and if so, what your availability is. I look forward to hearing from you soon.

Sincerely,

Peter L. Griffen

J.D. Candidate 2014
1212 Euclid Avenue, Apt. 4B, Cleveland, Ohio 44115
Peter.Griffen@law.csuohio.edu
216.216.2161
JENNIFER HANSEN
216-354-1576 • jenniferkhansen@yahoo.com
1222 High Street
Cleveland, Ohio 44131

EDUCATION

Cleveland-Marshall College of Law, Cleveland State University
Juris Doctor Candidate
Cleveland, Ohio
May 2013

GPA: 3.85/4.0, Rank: 3/155 (Top 5%)

Cleveland State Law Review
Articles Editor, 2012-2013
Associate, 2011-2012

CALI High A Awards
Contracts I & II
Commercial Law
Advanced Brief Writing
Civil Procedure

Recipient of Dean’s Full Scholarship

The Ohio State University
Bachelor of Arts in Political Science, magna cum laude
Minor in Criminal Justice
Columbus, Ohio
May 2010

GPA: 3.76

EXPERIENCE

Kohrman, Jackson & Krantz
Summer Associate
Cleveland, Ohio
May 2012 – August 2012

Performed research and drafted legal memoranda, motions and briefs for the corporate law department. Conducted document review and assisted in answering discovery for various cases involving issues such as piercing the corporate veil.

Cleveland-Marshall College of Law
Teaching/Research Assistant for Professor Christopher L. Sagers
August 2011 - May 2012

Helped prepare material for classes. Organized and presented material at student study sessions. Answered student questions during office hours and outside office hours via email and phone.

Chief Justice Maureen O’Connor, Supreme Court of Ohio
Judicial Extern
Columbus, Ohio
May 2011– August 2011

Conducted extensive legal research and assisted in drafting portions of court opinions.

PUBLICATIONS

The Undead Constitution, CLEV. ST. L. REV. (forthcoming 2012-2013)
April 25, 2013

Andraea D. Carlson
Thompson Hine LLP
3900 Key Center
127 Public Square
Cleveland, Ohio 44114-1291

Dear Ms. Carlson:

I am writing to express my interest in joining the Real Estate team at Thompson Hine as an Associate. Katie Thompson, a partner in the Real Estate group and my long-standing mentor, suggested I apply for this position. I am committed to building a legal career in Cleveland, and I am confident that I would be an excellent addition to the Thompson Hine team because of my success in law school and solid work experience. I am graduating this May and am registered to take the July Ohio Bar Exam. Academically, I rank third out of 155 students, which places me within the top five percent of my class.

My skills and experience will allow me to immediately add value as a member of your Real Estate group. As evidenced by both my Law Review Note being published in the Fall 2012 issue and also by receiving the "High A" awards several courses in law school. I worked last summer at Kohrman Jackson & Krantz which allowed me to familiarize myself with a mid to large size firm and provided an opportunity to see first-hand what it is like to be a junior associate.

I have included my resume, writing sample and transcript for your review. Please don’t hesitate to contact me at 216-354-1576, or at jenniferkhansen@yahoo.com. Thank you for your time.

Best regards,

Jennifer Hansen

(Sample approach email)
RE: “Katie Thompson recommended I contact you”

Dear Ms. Johnson,

Katie Thompson, my mentor at Thompson Hine recommended I reach out you based on my interest in corporate mergers and acquisitions. I am a third year law student at C|M|LAW and ranked number three in my class. This past summer while working Kohrman Jackson & Krantz, I gained practical experience in corporate matters and the experienced only reinforced my interest in corporate law.

I realize you are very busy but I would appreciate a few moments of your time to meet for coffee or talk on the phone to learn any advice you might have for a law student seeking to gain more exposure in the corporate law field.

Hopefully your schedule will permit a brief meeting and I look forward to hearing your availability.

Sincerely,

Jennifer Hansen

216-354-1576 • jenniferkhansen@yahoo.com • 1222 High Street • Cleveland, Ohio 44131
Cleveland D. Brown
2121 Euclid Avenue, Apt 4 ● Cleveland, OH 44115 ● Cleveland.Brown@law.csuohio.edu ● 440.444.4444

Education

Cleveland-Marshall College of Law, Cleveland State University Cleveland, OH
J.D. expected, GPA, 3.35/4.0, Top 25%
Honors and Activities: Journal of Health and Law, Associate, 2011-2013; Student Bar Association Secretary, 2012-2013; Black Law Student Association, 2010-2013; Employment and Labor Law Association, Member 2010-2013; Cleveland Metropolitan Bar Association Student Member, 2011-2013; High A Award for Property, Fall 2011 and Legal Writing, Spring 2011.

John Carroll University, Boler School of Business University Heights, OH
B.A., GPA, 3.6/4.0, Cum Laude May 2010
Major in Business Marketing
Honors and Activities: American Marketing Association, 2007-2010; Beta Theta Pi, President, 2009-2010 and member 2006-2010; Black Greek Council, 2009-2010; Dean’s List every semester; partial scholarship; intramural soccer, 2007-2010.
Experience: Ben & Jerry’s, May 2008-May 2010; Bioenterprise internship, Fall 2009

Work Experience

Cleveland-Marshall College of Law, Cleveland State University Cleveland, OH
Research Assistant for Professor Browne Lewis July 2012-Present
Handle cite checks for professors upcoming publications related to health law.

Towards Employment

Mock Interviewer Cleveland, OH
August 2011-Present
Conduct bi-monthly mock interviews with convicted felons seeking to reenter the work force. Provide advice on interview skills and appropriate business attire.

Javitch Rathbone & Block Cleveland, OH
Law Clerk May 2012-August 2012
Researched and drafted legal documents related to evictions, foreclosures, replevin of personal property, contract disputes and recovery of debts of all kind. Observed court proceedings and participated in client meetings.

US Department of Justice, Office of the United States Trustee Cleveland, OH
Extern January 2012-April 2012
Worked closely with eight trial attorneys handling bankruptcy cases. Exposed to research, writing, drafting pleadings and briefs. Attended pre-trial conferences and meetings and prepared financial analysis of cases.

Benesch Friedlander Coplan & Aronoff LLP Cleveland, OH
Law Clerk May 2011-July 2011
This is a Motion for Summary Judgment I researched and drafted this past summer as a law clerk at Javitch, Rathbone & Block. Our client’s position was that they were in compliance with the Fair Debt Act and therefore the case should be dismissed.

I have removed portions of the motion to keep the sample brief.
July 3, 2012

Judge Patricia A. Gaughan  
Carl B. Stokes United States Court House  
801 West Superior Avenue, Courtroom 19B  
Cleveland, Ohio 44113-1835  

Dear Judge Gaughan:

I am a third-year law student in the top 25% of my class at Cleveland-Marshall College of Law and I am interested in a judicial externship in your chambers for the fall of 2012. I noticed that you have both public and private sector experience in Cleveland and as a native of Cleveland myself, I hope to practice here after I graduate. I look forward to the opportunity to gain insight into the legal system from your perspective as Judge and to improve upon my legal research and writing skills.

I have excellent time management skills and attention to detail, as evidenced by my academic performance during law school. Further, I performed well in my Legal Writing and Research classes, earning the high “A” in the spring of 2011, and a B+ in the spring of 2012. I have also gained professional experience while in law school and have been exposed to many facets of the law. This summer, I am gaining legal experience as a law clerk at Javitch, Rathbone & Block where I have been able to excel in legal writing and research.

I look forward to the opportunity to work in your chambers and have included my resume, writing sample and transcript for your review. Please don’t hesitate to contact me at 440.444.4444, or at Cleveland.Brown@law.csuohio.edu if I can answer any questions or provide you with further information about my qualifications. Thank you for your time and consideration.

Sincerely,

Cleveland D. Brown
Glenn Quagmire  
345 Euclid Avenue, Apt 4C  
Cleveland, OH 44115  
Glenn.Quagmire@law.csuohio.edu  
216.993.9939

Education

Cleveland State University, Cleveland, OH

Cleveland Marshall College of Law
J.D. Candidate, May 2014
GPA 3.1/4.0
  • SBA Senator and Dual Degree Law Students Association

Monte Ahuja College of Business
M.B.A. Candidate, May 2014
GPA 3.9/4.0

Rhode Island College, Providence, RI
B.A. Political Science, May 2008
GPA 3.2/4.0
  • Debate Council, Kappa Delta Phi, Political Science Club, Ultimate Frisbee
    Organization and Emerging Leaders Program
  • Semester abroad in Florence, Italy, Spring 2007

Experience

Ross, Brittain & Schonberg, Cleveland, OH
Law Clerk, May 2012- Present
Research labor and employment law issues and prepared memorandum, internal memos and
briefs on issues. Observe arbitrations, depositions and client meetings.

Rhode Island College Anchor Club, Providence, RI
Intern, January 2008-May 2008
Prepared summaries of the athletic department’s successes for the year. Assisted fundraising efforts by
identifying prospects. Organized the donor database.

Union Station Brewery, Providence, RI
Bar tender, May 2006-August 2008
Handled customers food and drink orders. Assisted in maintenance of facility.
Glenn Quagmire  
345 Euclid Avenue, Apt 4C  
Cleveland, OH 44115  
Glenn.Quagmire@law.csuohio.edu  
216.993.9939

January 15, 2013

Sara C. DePaul, Esq.  
U.S. Federal Trade Commission  
111 Superior Avenue  
Cleveland, Ohio 44114

Dear Ms. DePaul:

I am writing to express my interest for a summer externship with the Federal Trade Commission. I am a joint-degree student at the Cleveland-Marshall College of Law and the Monte Ahuja College of Business at Cleveland State University. I am in the top 30% of my law class, and have earned a 3.9 G.P.A. in the MBA program.

I have ambition to work in consumer protection matters and am particularly excited at the prospect of being in contact with consumer victims and preparing their statements, performing research and drafting documents that will assist them in their cases.

Last summer as a law clerk with Ross, Brittain & Schonenberg, I had the opportunity to work closely with attorneys on a variety of labor and employment law cases and learned a great deal about client interactions, successful memorandum writing and research skills that will enable me to be an asset to your organization this summer.

I think you will find that I am a quick learner and eager to take on anything that comes my way. Please do not hesitate to reach out if you need any additional information to assist you in making a decision. I can be reached at Glenn.Quagmire@law.csuohio.edu and 216.993.9939.

Sincerely yours,

Glenn Quagmire
RE: “Cleveland State Dual Degree Student seeking advice about JD/MBA”

Dear Ms. Henson,

I am currently a dual degree student at Cleveland Marshall College of Law and the Monte Ahuja College of Business at Cleveland State University.

My experiences while in school have focused mostly on my JD degree until this point and I would like to explore other opportunities where the MBA and JD could both be useful. I noticed that you graduated C|M|LAW with a JD and MBA and that you are currently a Compliance Manager at KeyBank.

I am wondering if you could take a few minutes to talk with me about your career path with the dual degree and any career related suggestions you might have for me to proceed.

Thank you for your time.

Sincerely,

Glenn Quagmire

J.D./M.B.A Candidate, May 2014
Cleveland State University
Glenn.Quagmire@law.csuohio.edu
216.993.9939
TOM TUCKER  5678 Whitney Road ● Strongsville, Ohio 44136 ● Tom.Tucker@yahoo.com ● 440.444.0000

EDUCATION
*Cleveland Marshall College of Law*, Cleveland State University, Cleveland, Ohio
J.D. Candidate, May 2014
**GPA 3.69/4.00, Ranked Number 3 as Part-Time Student**
- High Grade in Constitutional Law and Legal Writing
- Dean’s List
- Attended Continuing Legal Education Seminar on Consumer Rights, Fall 2011

*College of Wooster*, Wooster, Ohio
B.A. Business Management, May 1999
GPA 3.1
- Soccer team, 1993-1999

EXPERIENCE
*Legal Aid Society of Cleveland-Brief Advice Clinics*, Cleveland, Ohio
Volunteer, September 2011–Present
Assist attorneys with client intake and advise low income population on civil legal issues about five to six times a year. Receive training on a variety of areas of law including naturalization, tax, family law, child advocacy and medical.

*Cleveland-Marshall College of Law, Urban Development Law Clinic*, Cleveland, Ohio
Student Clinician, August 2011-May 2012
Conducted legal research and executed legal transactions including forming LLC corporations, drafting license agreements, structuring nonprofit mergers, analyzing copyright and trademark issues.

*19 Action News*, Cleveland, Ohio
Investigative Producer, January 2001-Present
Responsible for producing, reporting, interviewing, and writing broadcast reports on legal cases, politics, medicine, consumer issues, and general interest topics. Experience includes conducting major research projects; operating on tight deadlines, cultivating social media and shooting and editing video.

*George Wilber and Associates*, Wooster, Ohio
Insurance Salesman, August 1991-August 2000
Attended meetings, seminars, and programs to learn about new products and services. Cold called prospects to promote insurance programs. Calculated premiums, conferred with clients to obtain information for claims, explained policies to clients and suggested changes, additions or change of beneficiaries. Developed marketing strategies to compete with other companies.

INTERESTS
- Biking – Participated in week long bike tour in Italy, 2006
(Sample Action Verbs)

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CURRENT STUDENTS

Student Organizations

C|M|LAW has a diverse group of student organizations for a diverse population of students. Student organizations are a great way for students to serve the law school and the Cleveland community, grow personally and professionally, and network with attorneys and other persons who provide legal services. Every year our student organizations change depending upon the interest level of our students; some grow, some become inactive, and new organizations develop. The faculty and staff are here to help organizations thrive and achieve their missions.

For more information about our student organizations please review the list of all currently authorized student organizations provided below or contact Associate Dean Mark Sunday.

American Constitution Society for Law and Policy (ACS) [website]

The American Constitution Society for Law and Policy (ACS) is one of the nation’s leading progressive legal organizations. Founded in 2001, ACS is a rapidly growing network of lawyers, law students, scholars, judges, policymakers and other concerned individuals. Our mission is to ensure that fundamental principles of human dignity, individual rights and liberties, genuine equality, and access to justice enjoy their rightful, central place in American law. Cleveland-Marshall’s ACS Student Chapter furthers dialogue on constitutional philosophy and collaborates with the Northeast Ohio Lawyers Chapter, which recently won the ACS Chapter of the Year Award.

For more information contact Christopher Martin (president)

Asian Pacific Islander Law Student Association (APILSA)

The APILSA was formed to address the concerns of Asian students as well as to provide support to its members. APILSA welcomes and encourages all students to participate in the many events sponsored by APILSA through the year. Many of these events are aimed at educating persons to the many issues facing Asian Americans. APILSA also offers a forum for its members to meet Asian American lawyers working in the Cleveland area through its guest speaker series and through its close ties with the Asian American Bar Association of Ohio.

For more information contact Ka Lee or Shao Wang (co-presidents)

Black Law Student Association (BLSA) [website]

BLSA is a national organization with chapters at law schools across the country. The C-M chapter of BLSA sponsors and co-sponsors various educational and social events throughout the year. Our biggest event is the BLSA Scholarship Banquet, which is held every year in April. Although BLSA’s primary purpose is to provide assistance in preparation and retention of African-American law students, BLSA membership is open to all students.

For more information contact Brandon Cox (president)

Business Law Association

The Business Law Association is dedicated to providing students with an understanding of the intimate relationship between business practices and legal application. For students intending to practice corporate law or join a corporate institution, or for students who possess an entrepreneurial spirit, the Business Law Association is devoted to exposing students to this interdisciplinary relationship. Please join us as we seek to prepare students to be future leaders in the business and legal community.

For more information contact Zachariah Germaniuk (president)

Canadian Law Student Association (CLSA)

CLSA represents the interests of prospective and current Canadian students at the law school. Canadians applying for admission to the law school are encouraged to contact the CLSA for answers to various questions they are encountering. CLSA seeks to be an information source for Canadian students and provide assistance with respect to course selections, housing, visa issues, health insurance, employment, and getting licensed to practice law in the United States and various Canadian provinces. Additionally, CLSA serves as a liaison between the law school and Canadian students. During the school year, CLSA hopes to organize information forums, and invite speakers to talk about important aspects of US-Canada law practice.

The Catholic Lawyers Guild

The Catholic Lawyers Guild fosters spiritual growth and fellowship within the legal community, encourages observance of high ethical standards, and calls attention to legal and societal issues that affect morality, justice, and faith. The Guild is affiliated with the Lawyer’s Guild of the Catholic Diocese of Cleveland and sponsors speaker events as well as social and volunteer opportunities.

For more information contact Heather Cigoit (president)

Christian Legal Society (CLS)

The Christian Legal Society provides law students with an opportunity for fellowship and spiritual growth through prayer, Bible study, mutual support, get-togethers, speaker events, and volunteer work. Our purpose is to integrate our faith with our life as law students, and ultimately, our faith with our future profession. "Don’t lose Christ in the footnotes" is our motto.
For more information contact Ryan Tackett (president)

Cleveland-Marshall ALLIES [website]

CM ALLIES is a social and political student organization dedicated to serving the lesbian, gay, bisexual, and transgender (LGBT) community at the Cleveland-Marshall School of Law. ALLIES sponsors speakers, events, and panel discussions on legal issues that affect the LGBT communities. Additionally, ALLIES provides a forum for social and professional interaction by hosting social events for CM students. Reformed in Fall of 2008, the ALLIES mission is to provide a welcoming environment for LGBT law students and faculty, and a voice for issues that are specific to the LGBT community both within the law school and the greater legal community. We welcome all LGBT students and straight allies to join our email list, and to become a part of CM ALLIES.

For more information contact Danielle Doza (president)

Cleveland-Marshall Republicans

For more information contact Ed Woodworth (president)

Cleveland State Law Review [website] ([academic/curriculum/studentpublications/lawreview])

The Cleveland State Law Review is a journal with a proud tradition. Four times each year, the Law Review publishes articles of both local and national significance. Students may be invited to join the Law Review as an Associate member at the end of their first year by either class ranking in the top ten percent or by successfully competing in a writing contest during the summer following their first year. Students in the evening division may choose to wait until the summer following their second year to enter the writing competition.

During the first year of Law Review participation, Associate members take part in the editorial work of the Law Review and produce a comprehensive Note on a topic of their choice. A select number of Notes are published in the Law Review the following year. Successful completion of the Note may also satisfy the upper level writing requirement.

For more information contact Andrew Renacci (Editor-in-Chief)

Criminal Law Society

The purpose of the Criminal Law Society shall be to facilitate student association with practicing criminal defense lawyers, prosecutors, and other facets of the criminal justice system. Last year the Criminal Law Society hosted speakers and organized a police ride-along program. This year the Society plans to again engage in the police ride-along program and host guest speakers or panel discussions; the Society also may be involved in a program aiding those with criminal records obtain jobs.

For more information please contact Alexis Bourrieri (president)

Delta Theta Phi

The Delta Theta Phi Law Fraternity is an international professional law fraternity with over 100,000 members. Delta Theta Phi bridges the gap between law school and the successful practice of law. Through networking at fraternity functions, mutual benefits are derived for both students and alumni. Many attorneys that utilize law clerks look to the Fraternity first when hiring. In general, the Fraternity provides a framework for its student members to substantially further their range of personal contacts and professional opportunities.

For more information contact Benjamin Pruett (Dean)

Democratic Law Organization (DLO)

For more information contact Adam Rosen (president)

Dual Degree Law Students Association

DDSA is an organization for those students that are enrolled in a dual degree program (JD/MPA, JD/MBA, JD/MAES, JD/MSES, and JD/MUPDD) or are interested in doing so. The purpose of DDSA is to advocate for the interests of dual degree students and assist with knowledge and information regarding the dual degree programs whenever it can.

Employment and Labor Law Association (ELLA)

Employment and Labor Law Association (ELLA) is a student organization formed to meet the strong interest in employment and labor issues at Cleveland-Marshall. Founded in 2004, this group is supplementary to the ongoing success of the faculty's Employment and Labor Law Group, which hosts a stimulating lecture series each year. ELLA sponsors employment and labor law themed "movie nights," wherein a movie or documentary is viewed followed by a discussion of the issues presented. ELLA annually contributes to Multiple Sclerosis, and other such degenerative diseases that bring rise to ADA related claims. ELLA also offers specialized networking opportunities through its participation with the labor and employment section of the Cleveland Bar Association. ELLA is a non-partisan organization and respects both the labor and management perspective.

For more information contact Amanda Hoffman (president)

Entertainment & Sports Law Association [website]

Our mission shall be to help promote the concept of entertainment & sports law for student’s desirable of a concentration and better understanding of these areas of study.

Our goal is to promote these ideals through guest-speaker lectures, fundraising events, community service, volunteer opportunities, and the institution of sports & entertainment internships and networking opportunities.

For more information contact Thomas Miller (co-president) or Michael Kluchin (co-president)

Environmental Law Association

The Association for Environmental Law Association at Cleveland-Marshall College of Law is a center of information and education for students, faculty, alumni and the community. Members are dedicated to being fully informed of the issues of a school in an urban environment and the challenges not only of co-existing with nature but of improving the world in which they live.

For more information contact Andrew Crouch (president)
The Federalist Society

The Federalist Society for Law and Public Policy Studies is a group of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The Society seeks both to promote an awareness of these principles and to further their application through its activities.

For more information contact Matt Hebebrand (president)

The Gavel [website (/academics/curriculum/studentpublications/gavel)]

The Gavel is the student publication of the College of Law. Its purpose is to inform, entertain, and comment on the law school, the legal community, and related topics of interest. Students become staff members after having two articles or equivalent contributions printed in the publications. Staff members participate in editorial elections at the end of the year. Three editorial positions provide a full tuition stipend.

Global Business Law Review [website (http://www.globalbusinesslawreview.org)]

The Global Business Law Review provides an innovative platform for scholars and practitioners to explore novel and transformational issues in the field of international business law. At the end of their first year, students may be invited to join the GBLR by either ranking in the top fifteen percent of their class or by successfully competing in the annual Summer Writing Competition.

The GBLR publishes volumes in the Fall and the Spring, and each year, the GBLR sponsors a Symposium that addresses the most significant legal issues in international business.

For more information contact Scott Sively (Editor-in-Chief)

Health Law Society [website]

The Health Law Society (HLS) has been in existence since 2010. The organization seeks to expose students to different legal career options within the health care industry and to provide a community service and social outlet for its membership. HLS is affiliated with the American Health Lawyers’ Association (AHLA). Annually, HLS recognizes a local attorney with its Pioneer of Excellence in Health Care Law Award.

For more information contact Clare Law (president)

Hispanic Law Student Association

The Hispanic Law Student Association is dedicated to the advancement of Hispanics within the legal profession. The organization provides a support network for all Hispanic law students. It seeks to establish and maintain mutual cooperation with the larger Hispanic legal community.

For more information contact Francesca Sequiera (president)

International Law Students Association (ILSA)

If you buy gas, wear clothes, or have ever eaten a banana, International Law affects YOU! ILSA is for anyone interested in pursuing an international law career or just has an interest in exploring the ideas and cultures that drive our interconnected world. Among other activities, ILSA raises international law awareness by sponsoring an annual lecture series, awarding an annual scholarship to a deserving member who attends the St. Petersburg Institute, and contributing articles to Global Action newsletter of the Cleveland Bar Association’s International Law section.

For more information contact Lindsay Raskin (president)

Jewish Law Student Association (JLSA)

JLSA is dedicated to furthering the religious, social, and educational needs of law students who identify with any branch of Judaism. It is affiliated with the Cleveland Hillel Foundation, the Jewish Joint Graduate Student Board and many other organizations. It also is committed to promoting equality, diversity, and religious tolerance for all members of the law school community. It sponsors speakers, social events, and religious functions. JLSA also helps students to become connected to the Cleveland Jewish Community and beyond through alumni events, coordination with the Young Leadership Division of Cleveland Federation and distribution of information from local synagogues and Jewish newspapers. All law students are invited to attend.

For more information contact Michael Kuchin (president)

Journal of Law and Health [website (https://www.law.csuohio.edu/academics/curriculum/studentpublications/jlh)]

The Journal is a law review devoted to publishing timely and informative articles in the area of health and the law. Two issues of the Journal are published each year. Students are not eligible to become members of the Journal until they complete their first year. Students ranking in the top twenty percent of their class in terms of grade point averages are automatically extended invitations to join the Journal as Associate Members. Students not scoring in the top twenty percent are invited to join the staff upon successfully competing in the annual Summer Writing Competition.

Students who satisfactorily complete their Associate year attain the rank of Editor, assuming supervisory duties over the Associates and becoming more involved in both the editorial and policy-making functions.

For more information, click here (https://www.law.csuohio.edu/academics/curriculum/studentpublications/jlh/membership).

The Justianic Forum

The Justianic Forum is a bar association representing 259 attorneys and 14 judges of Italian American descent in Cuyahoga County. The organization, here at Cleveland-Marshall was developed in conjunction with the bar association to promote and foster understanding of the roles of Italian Americans in the legal system and to encourage advocacy of Italian Americans in matters involving social justice issues. As an auxiliary chapter to the bar association we are invited to attend and be involved in all functions of the bar association. The auxiliary chapter works to elevate and maintain the standards of integrity and honor among the student body of the law school, while promoting legal, cultural and social activities.

For more information contact Kim Balboni (president)

Kriyayoga Club for Leadership and Non-Violence
For more information contact Scott Lynch (president)

Moot Court

The Cleveland-Marshall Moot Court program is an organization designed to provide students the opportunity to develop, refine, and showcase brief-writing and appellate advocacy skills. All students are eligible to compete for a position on the team at the end of their first year by submitting their final Legal Writing course paper. Submissions are reviewed anonymously by the Moot Court Board of Governors, and selected students then participate in an intramural competition. Second year students also have an opportunity to compete in an intramural competition to join the team after completion of the Advanced Brief Writing course. Once a member of the team, students compete in intercollegiate competitions against other teams from across the nation. The award-winning Cleveland-Marshall Moot Court team provides students the unique opportunity to obtain and develop real-world advocacy skills, both written and oral, while still in law school. Team members benefit from the advice and guidance of experienced alumni, faculty, and practitioners.

For more information contact Ryan Winkler (chairperson)

For additional information visit: http://www.cmilmootcourt.org

Student Bar Association (SBA) [website]

The SBA is the student governing body of the college. Four officers are elected each spring and each class of students has its own senators. First year elections for both day and evening students will be held soon after classes start. The SBA’s primary responsibilities are to be the voice of the student body, oversee student organizations, and maintain programs and opportunities.

For more information contact Kim Ballado (president)

Student Intellectual Property Law Association (SIPLA)

The Student Intellectual Property Law Association (SIPLA) is an organization dedicated to representing the interests of students wishing to practice Intellectual Property Law. Intellectual Properties are products of the mind manifested as ideas, inventions, work of art, collection of words, and trade secrets. One of the many benefits of practicing intellectual property law is its ubiquitous nature. It encompasses the obvious fields such as the hard sciences but also fine arts, literature, and even baseball! Nearly every field in which you may have an interest probably has a need for intellectual property protection. Due to its wide-spread demand, Intellectual Property law is one of the fastest growing, highest paid segments of law. Even if you are just thinking about intellectual property as possible field, join us at our meetings. You’ll hear from the area’s leading practitioners about the protection of products any where from Kleenex to the cure for cancer.

For more information contact Robert Knecht Schmidt, Nicholas Kopcho, Joel Sonnenberg, or Andrew Jenkins (executive board)

Student Public Interest Law Organization (SPILO)

SPILO is an organization of students, faculty, and staff which recognizes the inequities that exist in our legal system and is dedicated to developing a more just society. SPILO serves as a resource center for students seeking employment or volunteer opportunities which focus on public service. The groups sponsors summer interns in public interest law, guest speakers, fund-raisers, workshops, and social functions.

For more information contact Sara Taskett (president)

Women’s Law Students Association (WLSA) [website]

The Women’s Law Students Association provides a forum for discussion and debate to promote an awareness of women’s and societal issues. WLSA sponsors a Silent Auction, which is held in the fall. The group is a member of the National Association of Women Law Students and is open to all students.

For more information contact Carolyn Soeder (president)
Cleveland State University

Cleveland-Marchall College of Law

CURRENT STUDENTS

C|M|LAW Policy on Student Complaints Implicating ABA Compliance

A. Reporting a Complaint

Cleveland-Marshall College of Law wishes to hear any student concerns about significant problems that directly implicate the law school's program of legal education and its compliance with the Accreditation Standards of the American Bar Association (ABA). The ABA Accreditation Standards can be accessed here (http://www.americanbar.org/groups/legal_education/resources/standards.html). Any student having such a concern should submit a complaint in writing to the Ombudsman of the Student Bar Association (SBA). The complaint should state the facts that form the basis for the complaint and how the matter implicates the law school's program of legal education and its compliance with the ABA standards. The SBA shall submit the complaint to the Associate Dean of Administration no later than 10 business days after its date of submission by the complainant and shall notify the complainant of the submission. If the complainant has not received notification after 10 business days following submission of the complaint, the complainant may submit the complaint directly to the Associate Dean for Administration. Please see the SBA Complaint Policy which can be accessed here: https://www.law.csuohio.edu/printmail/currentstudents/sba_complaint_policy.pdf.

B. Resolving the Complaint

When a written complaint has been submitted to the Associate Dean of Administration in accordance with Section A, the Associate Dean for Administration shall investigate as soon as possible, but in no event later than 20 business days after the submission of the written complaint to the Associate Dean for Administration. The Associate Dean for Administration shall attempt to resolve the complaint, if possible, within the 20 business day period. If resolution is not possible, the Associate Dean for Administration may refer the matter to the appropriate administrator, administrative body, or an administrative official designated by the Dean (the "Dean's designee"). If referral of the complaint is made as referenced above, the administrator, administrative body or Dean's designate shall attempt to resolve the complaint as soon as possible, but in no event later than 20 business days after referral by the Associate Dean for Administration. Upon completing the investigation of the complaint, the law school shall communicate its findings and, if appropriate, its intended actions to the complainant and the SBA.

C. Appeal Process

If the complainant is dissatisfied with the outcome or resolution, the complainant has the right to appeal the decision to the Dean of the law school. The complainant should submit his/her appeal in writing in a timely manner to the Dean of the law school, but in no case more than 10 business days after communication to the complainant of the findings of the investigation. The Dean's decision shall be communicated to the complainant and the SBA within 20 business days of the submission of the appeal and the Dean's decision shall be final.

D. Maintaining a Written Record of the Complaint

The law school shall maintain a complete written record of each complaint submitted to the Associate Dean for Administration which shall contain a statement of the facts and an explanation of how the complaint was investigated and resolved. This record shall be maintained by the law school in a confidential manner for five years from the date of final resolution of the complaint.

E. Protection against Retaliation

The law school prohibits retaliation by a faculty member, administrator, staff employee, or student against any student who makes a complaint under this Policy.

Last edited by Webmaster (User?) on Tue, 05/08/2012 - 11:00am

Cleveland-Marshall College of Law, 2121 Euclid Avenue, LB 138, Cleveland, Ohio 44115
<table>
<thead>
<tr>
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<th>February Bar Results</th>
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</thead>
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</table>
To: Ronald M. Berkman  
   President  

Geoffrey S. Mearns  
   Interim Provost  

From: Phyllis L. Crocker  
   Interim Dean, Cleveland-Marshall College of Law  

Heidi Gorovitz Robertson  
   Associate Dean and Professor, Cleveland-Marshall College of Law  

Professor Susan J. Becker  
   Chair, Bar Exam Committee*  

Patricia J. Falk  
   Professor, Cleveland-Marshall College of Law  

Re: Annual Report on Improving Cleveland-Marshall’s Bar Passage Rates  

Date: September 3, 2010  

Our Annual Report on Improving Cleveland-Marshall’s Bar Passage Rates is attached for your consideration. We thank you for the support you have provided the College of Law on this important initiative. We also look forward to continuing to work with you to make the law school and the university even stronger institutions of higher learning than they are today.

Enclosure  
   * Committee Members  
      Susan J. Becker, Professor and Chair  
      Daniel Dropko, Academic Excellence Program Manager  
      Patricia J. Falk, Professor  
      Kristina Niedringhaus, Associate Professor and Law Library Director  
      Matthew Green, Assistant Professor  
      Jonathan Witmer-Rich, Assistant Professor  
      Gary R. Williams, Director, Bar Exam Preparation  
      Brandi Weekley, Student Member  
      Heidi Gorovitz Robertson, Associate Dean and Professor, Ex Officio
I. Introduction

A. The Call to Action

Cleveland-Marshall College of Law developed its Action Plan for Improving CSU Bar Passage Rates (the “Action Plan”) in the summer and fall of 2003. The law school faculty approved the Action Plan at its November 20, 2003 faculty meeting. President Schwartz and Provost Kuo approved the plan at a meeting on December 9, 2003. The Action Plan was presented to the CSU Board of Trustees at the February 25, 2004 meeting. Implementation began immediately and continues today. C|M’s continued commitment to the Action Plan is reflected in its Strategic Plan unanimously approved in 2007.1

Although C|M had implemented various strategies to help improve our graduates’ bar passage performance in the years preceding adoption of the Action Plan, the Action Plan represented a much more ambitious and comprehensive approach. It was inspired by the Board of Trustee’s resolution (see Attachment 1) directing the President and Provost to work with law faculty to develop admissions standards and implement other aggressive strategies “which would place the College of Law in the top one-third” of Ohio’s nine law schools in bar passage rates.

B. Primary Components of 2004 Action Plan

The Action Plan required commitment and contribution from every member of the law school community including the dean, faculty, staff, and students. The primary components are as follows:

1. A reduction in entering class size by at least 10 students per year over five years, beginning with an entering class of not more than 250 students in 2004 with an ultimate target of 200 students in 2009;

2. An increase in the number of full-tuition scholarships for entering students by 10 per year over five years beginning with 10 full-tuition scholarships in 2004;

3. Fair and rigorous application of the full spectrum of grades by faculty in an effort to obtain appropriate attrition levels;

1 See April 30, 2007, Memo to Faculty and Staff from Dean Geoffrey S. Mearns titled “Strategic Goals and Tactics” (containing full text of 2007 Strategic Plan with introductory material that explains the collaborative process that culminated in the faculty’s unanimous approval of the Strategic Plan on April 26, 2007).
4. Preservation of our long-held commitment to diversity, our LCOP program, and the part-time night program;

5. The hiring of a bar support coordinator to develop and implement a comprehensive program;

6. The addition of a full-time admissions professional to help recruit a diverse and well-qualified student body;

7. Establishment of a permanent Bar Committee; and

8. Preparation of an annual review of our progress in raising our bar passage rate and a comprehensive status review of all aspects of the Action Plan three years after implementation (during the 07-08 academic year).

II. 2010 Updates to 2008 Implementation Review Findings

As required by the 2004 Action Plan, Cleveland-Marshall’s Bar Pass Committee provided annual reports to the university in 2004, 2005, 2006, and 2007 detailing our progress. In 2008, as also mandated by the original Plan, we conducted a comprehensive review of the Plan’s effectiveness. In work done throughout the 2007-2008 academic year, every component of the Plan was scrutinized. Extensive qualitative and quantitative data were gathered and analyzed. This exercise allowed the law school to assess the overall strengths and weaknesses of the Plan and to identify areas in need of additional support or fine-tuning.

C|M presented its 2008 Implementation Review to the President, Provost, and Board of Trustees in August, 2008. That report documented how, with the aid and support of the university, Cleveland-Marshall had made major advancements in every area outlined in the original Action Plan. The Review also identified areas of continuing concern. The key findings of the 2008 Implementation Review are briefly recapped in each section, followed by information from 2009 and 2010.

A. Bar Passage Rates Increased

The 2008 Review demonstrated that we significantly increased our graduates’ success on the Ohio bar exam relative to other Ohio law schools and in overall exam scores. More specifically, ninety percent of CSU law graduates taking the exam for the first time passed the July 2007 exam, tying Ohio State for second place out of the nine Ohio law schools. In February 2008, 95 percent of all first-time CSU law graduates passed the bar, ranking C|M fourth in terms of first-time exam takers and first in the state for combined first-time and repeat takers. On average, graduates scored 408 points on the pre-Action Plan (2002-2004) bar exams and 426 points following the Action Plan (2006-2007), for an increase of more than 17 points per graduate.
Update: Results of the July 2008 and February 2009 bar exams show that C|M has solidified its bar performance. On the July 2008 exam, Cleveland-Marshall graduates passed at a rate of 89%, ranking sixth among the nine Ohio law schools. On the February 2009 exam, C|M graduates passed at a rate of 74% and achieved a seventh place ranking. More recently, on the July 2009 exam, C|M graduates passed at a rate of 86% and ranked 6th among the 9 Ohio law schools. On the February 2010 exam, C|M graduates passed at rate of 90%, placing them 3rd in the state.

The bar passage rates for first time CSU graduates since we began implementing the Action Plan in the Spring of 2004 are provided below. July bar results are generally considered more meaningful than the February results, because substantially more applicants take the exam in July than in February. Accordingly, the data are broken down by February and July results.²

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² July 2010 bar results will be released in October 2010.
B. Entering Students Credentials Improved

The enhanced effectiveness of our Admissions Department through the addition of personnel, revamping of operations, and redesigning of the content and distribution of promotional materials were well-documented in the 2008 Review. As a result of the improvements in our Admissions Department from 2003 to 2007, the median Law Student Admission Test (LSAT) score for C|M’s combined full-time (FT) and part-time (PT) entering class increased from 152 to 154, and the median UGPA increased from 3.25 to 3.34. For FT students, the median LSAT increased from 152 to 155 and the UGPA increased from 3.25 to 3.37. To put this improvement in context, a student with an LSAT of 153 in 2003 was in the top half of the entering class. By 2007, a 153 LSAT score would put the student in the bottom quartile. As anticipated when the Action Plan was adopted, other Ohio law schools have employed aggressive measures to maintain or increase the credentials of their entering classes during this same time period.

Update: Cleveland-Marshall continued to improve the quality of each entering class for the classes of 2008 and 2009. For the 2008 entering class, the median FT LSAT increased to 156 and the median UGPA was 3.38. For the PT class, the median LSAT was 152 and the median UGPA was 3.30. For the 2009 entering class, the median FT LSAT remained at 156, and the median UGPA increased to 3.46. For the PT class, the median LSAT increased to 155 and the median UGPA increased to 3.44. Data for the 2010 entering class looks promising, but we will not have final numbers on that class until mid-fall.
C|M entering class credentials 2003-2010

<table>
<thead>
<tr>
<th>Entering Year</th>
<th>Class Size</th>
<th>FT UGPA</th>
<th>FT LSAT 25th/75th</th>
<th>PT UGPA</th>
<th>PT LSAT 25th/75th</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>211</td>
<td>3.08-3.66</td>
<td>153-157</td>
<td>2.97-3.50</td>
<td>150-155</td>
</tr>
<tr>
<td>2006</td>
<td>227</td>
<td>3.00-3.63</td>
<td>152-158</td>
<td>2.92-3.57</td>
<td>151-156</td>
</tr>
<tr>
<td>2004</td>
<td>247</td>
<td>3.13-3.61</td>
<td>152-156</td>
<td>2.88-3.54</td>
<td>149-155</td>
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<tr>
<td>2003</td>
<td>278</td>
<td>3.05-3.51</td>
<td>150-154</td>
<td>2.94-3.37</td>
<td>147-156</td>
</tr>
</tbody>
</table>

Comparative Data: C|M and Other Ohio Law Schools
2009 Entering Credentials FT Students

<table>
<thead>
<tr>
<th>Law School</th>
<th>25th/75th LSAT</th>
<th>UGPA</th>
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</thead>
<tbody>
<tr>
<td>Ohio State</td>
<td>158-164</td>
<td>3.49-3.81</td>
</tr>
<tr>
<td>Case</td>
<td>157-160</td>
<td>3.20-3.63</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>156-161</td>
<td>3.29-3.79</td>
</tr>
<tr>
<td>Akron</td>
<td>152-159</td>
<td>3.15-3.70</td>
</tr>
<tr>
<td>C</td>
<td>M</td>
<td>153-158</td>
</tr>
<tr>
<td>Toledo</td>
<td>152-158</td>
<td>3.07-3.59</td>
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<td>Capital</td>
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<tr>
<td>Ohio Northern</td>
<td>149-157</td>
<td>2.92-3.63</td>
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</table>

In 2009, Cleveland-Marshall admitted more students with higher credentials than it had in the past. From 1998 through 2008, there were more applicants with LSAT scores at or below 139 (on a scale of 120-180) than applicants with LSAT scores at or above 160. In 2009, the number of applicants with LSAT scores at or above 160 exceeded those at or below 139. The number of applicants with LSAT scores between 157 and 159 increased 50% from 2007 to 2008, and another 11% from 2008 to 2009. The number of applicants with LSAT scores at or above 160 increased 43% from 2007 to 2008, and another 42% from 2008 to 2009. Unfortunately, it does not appear that this trend toward growth in the top LSAT score ranges and reductions in the lower LSAT ranges will continue for the entering class 2010 class. At present, we do not
know why this is the case, but our admissions staff will be looking at national data when it is available in the fall.

Continuing to improve our students’ entering credentials in both absolute terms and in comparison to other Ohio schools will be challenging. Other Ohio law schools have implemented aggressive admissions strategies, especially with respect to financial incentives for incoming students. In addition, applications to law schools dropped significantly over the past five years both nationally and regionally. This trend has not continued nationally, but we do not yet know about Ohio and the region.

C. Student Body Downsized

With continued support from the university, C|M reduced the size of each entering class from 2004 to date. In the fall of 2009, Cleveland-Marshall admitted 203 students, closely approximating the Action Plan’s goal of 200. We remain on target for an entering class of 200 this fall (2010). The downsizing strategy has also been employed by other Ohio law schools.

D. Scholarships Increased

Although we were not able to meet the ambitious goal of adding ten full-tuition scholarships every year until 2008, the 2008 Review concluded that we had significantly increased our total scholarship funds through reallocation of C|M resources, aggressive fundraising, and assistance from the university. In 2002-2003, for example, C|M expended just $890,120, which equates with $1,200 per FTE, in scholarship dollars. By 2008-2009, we increased total scholarships to more than $1.6 million, or $2,729 per FTE. While this progress is indeed impressive, it does not represent any ground gained compared to Ohio’s other public law schools. Ohio’s four other public law schools – Ohio State, Cincinnati, Toledo, and Akron - still outspend C|M’s FTE scholarship average by a 2-1 or 3-1 ratio. Moreover, as the charts below indicate, the gap between Ohio’s other public law schools and C|M in terms of scholarship dollars per FTE continues to grow.

<table>
<thead>
<tr>
<th>School</th>
<th>FTE</th>
<th>Scholarships</th>
<th>Scholarships/FTE</th>
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<tbody>
<tr>
<td>Akron</td>
<td>501.2</td>
<td>$1,882,273.00</td>
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<td>Cincinnati</td>
<td>382</td>
<td>$1,877,102.00</td>
<td>$4,914</td>
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<td>C</td>
<td>M</td>
<td>666.3</td>
<td>$1,141,627.00</td>
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<td>Ohio State</td>
<td>747</td>
<td>$3,422,728.00</td>
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<tr>
<td>Toledo</td>
<td>458.2</td>
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<table>
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<td>$2,114,322.00</td>
<td>$4,618</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>397</td>
<td>$1,826,215.00</td>
<td>$4,600</td>
</tr>
</tbody>
</table>

3 The 2008 Implementation Report contains data comparing C|M to other Ohio law schools, and the 08-09 data were the most recent data available for all schools.
<table>
<thead>
<tr>
<th>School</th>
<th>FTE</th>
<th>Scholarships</th>
<th>Scholarships/FTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Akron</td>
<td>463</td>
<td>$2,505,189.00</td>
<td>$5,411</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>356</td>
<td>$2,418,733.00</td>
<td>$6,794</td>
</tr>
<tr>
<td>**C</td>
<td>M**</td>
<td>641</td>
<td><strong>$1,513,357.00</strong></td>
</tr>
<tr>
<td>Ohio State</td>
<td>676</td>
<td>$4,308,757.00</td>
<td>$6,374</td>
</tr>
<tr>
<td>Toledo</td>
<td>477</td>
<td>$2,096,277.00</td>
<td>$4,395</td>
</tr>
</tbody>
</table>

**2007-2008**

Cleveland-Marshall makes every effort to maximize the use of scholarship dollars in attracting highly qualified candidates. Previously, C|M awarded four levels of scholarships: Academic—$2000, Collegiate—$4000, Barristers—$8000, and Dean’s—Full In-state tuition. Last year (2009), C|M gave scholarships in the following amounts: Academic—$9000, Collegiate—$10,000, Barristers—$11,000, and Dean’s—Full In-state tuition. Although the minimum LSAT score for a scholarship was 156 (2008’s median LSAT), limited awards of $5000 were given to students with an LSAT of 155 and an outstanding GPA. This year (2010), C|M used a formula combining undergraduate GPA and LSAT scores to determine scholarship eligibility. The four categories used in 2010 are Academic: $5,000, Collegiate: $8,000, Barrister’s: $10,000, and Dean’s: full in-state tuition. The minimum LSAT score for scholarship consideration is 156, and all categories require a minimum 3.0 undergraduate GPA. In 2009, eligibility for the Dean’s scholarship began at the 159 LSAT score level. This year, 2010, the standard was raised significantly, to 165.

Scholarship dollars have become even more important in recent years because C|M’s substantial law school tuition increases make C|M a less attractive option to prospective students than it once was. In AY02-03, an Ohio resident paid $10,543 a year to attend C|M as a full-time student. By 2008-2009, in-state tuition had increased to $16,764, representing a 63% increase over a six-year period. In-state tuition for 2010 is $17,049.50. The cost of textbooks and living expenses also increased substantially. In fact, housing, food, transportation, and books add about another $16,000 per year to a law student’s annual expenses. As a result, the average C|M student faces close to $100,000 in expenses over the three years of a C|M education.

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4 ABA Report Backs 2009, Table F-2.
Finally, the law school is grateful that the CSU Board of Trustees approved a tuition increase, effective in the fall semester 2010 of 7%. Of that 7% increase, the Board of Trustees has allocated 3.5% to law student scholarships.

E. Bar Preparation Program Enhanced

Then-Assistant Dean Gary Williams was appointed C|M’s Bar Coordinator in the spring of 2004. His title and responsibilities have evolved over the life of the Action Plan. Until July 2010, Mr. Williams remained primarily responsible for the creation and administration of numerous bar-related programs including C|M’s three-credit-hour Ohio Bar Exam Strategies and Tactics (OBEST) Course, workshops for students on the Multi-State Practice Test (MPT), coordinating programs co-sponsored by C|M and a private vendor on the multiple-choice part of the bar exam, individual counseling of students, and many other related tasks. Mr. Williams recently retired and C|M alum Mary Jane McGinty has taken over as Director of Bar Preparation and Academic Support.

Data analysis conducted for the 2008 Review and more recently confirms that students who successfully complete Mr. Williams’s OBEST course and who participate in other bar programs have higher passage rates than their non-participating counterparts. The first chart includes all students, regardless of their LGPA. Looking at the data for the last nine bar exams, the passing rate for those who took OBEST is 89% compared to 79% for those who did not take the class. The difference in passing rates is even more pronounced for students with a LGPA below 3.0—those most likely to benefit from the class: 78% of students with a LGPA less than 3.0 who took OBEST passed while only 49% of students with similar LGPAs who did not take OBEST passed the exam—a difference of almost 30 percentage points.

### Passing Rates for OBEST and Non-OBEST Students

#### All LGPAs

<table>
<thead>
<tr>
<th>Bar</th>
<th>2/06</th>
<th>7/06</th>
<th>2/07</th>
<th>7/07</th>
<th>2/08</th>
<th>7/08</th>
<th>2/09</th>
<th>7/09</th>
<th>2/10</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBEST</td>
<td>54%</td>
<td>84%</td>
<td>88%</td>
<td>96%</td>
<td>100%</td>
<td>88%</td>
<td>83%</td>
<td>85%</td>
<td>94%</td>
<td>88%</td>
</tr>
<tr>
<td>Non-OBEST</td>
<td>75%</td>
<td>83%</td>
<td>62%</td>
<td>79%</td>
<td>66%</td>
<td>91%</td>
<td>50%</td>
<td>89%</td>
<td>85%</td>
<td>80%</td>
</tr>
</tbody>
</table>

#### LGPA < 3.0

<table>
<thead>
<tr>
<th>Bar</th>
<th>2/06</th>
<th>7/06</th>
<th>2/07</th>
<th>7/07</th>
<th>2/08</th>
<th>7/08</th>
<th>2/09</th>
<th>7/09</th>
<th>2/10</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBEST</td>
<td>0%</td>
<td>74%</td>
<td>82%</td>
<td>92%</td>
<td>100%</td>
<td>75%</td>
<td>69%</td>
<td>73%</td>
<td>83%</td>
<td>76%</td>
</tr>
<tr>
<td>Non-OBEST</td>
<td>50%</td>
<td>54%</td>
<td>38%</td>
<td>50%</td>
<td>0%</td>
<td>57%</td>
<td>40%</td>
<td>60%</td>
<td>50%</td>
<td>49%</td>
</tr>
</tbody>
</table>

1. **Making OBEST Mandatory?**

ABA Accreditation Standard 302 governs law school curriculum. In the Spring of 2004, the American Bar Association (ABA) lifted Standard 302’s ban on law schools offering a bar
preparation course, but prohibited law schools from giving academic credit for the class. C|M faculty immediately approved a non-credit OBEST course as part of our curriculum. The following year, the ABA changed its Standard 302 regulations to permit law schools to offer a bar preparation course for academic credit. However, Interpretation 302-7 made clear that law schools “may not require successful completion of a bar examination preparation course as a condition of graduation.” C|M law faculty approved the for-credit course in the spring of 2005. C|M students may now earn three credit hours for OBEST (of the total 90 needed for graduation). The course is graded on a pass/fail basis and, of course, is not a graduation requirement. In 2008, the ABA repealed Interpretation 302-7, clearing the way for law schools to add a bar preparation course to their graduation requirements. This change sparked an inquiry as to whether C|M should require the course for graduation.

In the spring of 2009, the Bar Exam Committee considered whether to make OBEST mandatory for all students or for students with a LGPA below a certain level (3.0). The Committee conducted a survey of the 41 students graduating in May 2009 who chose to not take the OBEST course prior to graduation. Thirty-five students responded, a response rate of slightly over 85%. Approximately one-third of the respondents who did not take OBEST are not taking the Ohio bar exam. One graduating student reported that he was taking OBEST this fall and sitting for the February 2010 Ohio bar. Only one of the 21 respondents who will be taking the July Ohio bar exam without taking OBEST has a LGPA below 3.0. In fact, 17 of these 21 students have a LGPA of 3.25 or higher. As previously noted, the bar passage rate for students at 3.0 or higher is traditionally 90%. In addition, three of the six students who did not respond to the survey have a LGPA at or above a 3.25. The other three were below 3.0. Even if one assumes that all six students who did not respond to the survey will take the Ohio bar, only four C|M graduates with a LGPA below 3.0 will sit for the Ohio bar without having taken the OBEST course. Given the small number of students affected, the Bar Exam Committee recommended, and the faculty concurred, that C|M should not make the OBEST course mandatory at this time.

F. Academic Support Expanded

Students who struggle academically are likely to do poorly on the bar exam (and be mediocre lawyers). Therefore, C|M has expanded and refined its Academic Excellence Program (AEP) to provide academic support for first-year students. Run by Mr. Daniel Dropko, C|M’s AEP utilizes highly motivated upper-level students as teaching assistants. Each TA leads a small study group drawn from each of the first-year sections (3 day and 1 evening) of Contracts, a required first-year course. In weekly meetings, the teaching assistants review and answer questions about the previous week’s class material and help students develop basic law school skills such as note-taking, outlining, case briefing, and exam writing. During the second semester, the study skills component diminishes, and exam practice is expanded. In addition to the weekly sessions, the TAs maintain office hours for two hours per week, in which they are available to any student or group of the students from the section. Mr. Dropko also offers seminars and workshops to help students increase their comprehension of substantive law and build the analytical skills necessary for law school success.

5 This includes the student who answered “maybe” but probably not.
1. AEP Success in First-Year Contracts

The data suggest that the Academic Excellence Program has assisted students in two ways. First, AEP participants outperform their non-participating counterparts in terms of their grades in Contracts. This year’s results were the strongest to date; students participating in the AEP program did remarkably well compared to their counterparts and reached a B- average. Second, it appears that the AEP is affecting students’ overall performance in law school. Learning skills acquired in the context of studying Contracts are helping students to increase their overall law school grade point average. Again, these data indicate that the AEP program had its most successful results in the last two years. Participants outperformed non-participants by an average of 6/10th of a grade compared to about a 2/10th difference in previous years. The following charts summarize differences between at-risk participants and non-participants in mean Contracts grades and cumulative first-year LGPAs for the past six years.

Mean Contracts Grades for AEP At-Risk Participants and Non-Participants, AY 2004-2010

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants</td>
<td>2.4</td>
<td>2.34</td>
<td>2.63</td>
<td>2.44</td>
<td>2.72</td>
<td>2.8</td>
</tr>
<tr>
<td>Non-Part.</td>
<td>2.09</td>
<td>2.39</td>
<td>2.19</td>
<td>2.07</td>
<td>2.37</td>
<td>2.1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants</td>
<td>2.48</td>
<td>2.25</td>
<td>2.43</td>
<td>2.67</td>
<td>3.0</td>
<td>2.5</td>
</tr>
<tr>
<td>Non-Part.</td>
<td>2.11</td>
<td>2.47</td>
<td>2.41</td>
<td>2.3</td>
<td>2.63</td>
<td>2.2</td>
</tr>
</tbody>
</table>

Mean Cumulative First-Year LGPAs for AEP At-Risk Participants and Non-Participants, AY 2004-2010

<table>
<thead>
<tr>
<th>Academic Year</th>
<th>04-05</th>
<th>05-06</th>
<th>06-07</th>
<th>07-08</th>
<th>08-09</th>
<th>09-10</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants</td>
<td>2.55</td>
<td>2.61</td>
<td>2.58</td>
<td>2.61</td>
<td>3.08</td>
<td>2.80</td>
</tr>
<tr>
<td>Non-Part.</td>
<td>2.35</td>
<td>2.45</td>
<td>2.4</td>
<td>2.39</td>
<td>2.48</td>
<td>2.25</td>
</tr>
</tbody>
</table>

2. Expansion of AEP to Criminal Law

In the spring of 2009, Cleveland-Marshall experimentally expanded the Academic Excellence Program to another required, first-year course—Criminal Law, which is only taught in the spring semester. Mr. Dropko believed that it might be possible to reach a greater number of first-year students by providing an additional point of entry into AEP in the second semester. He recruited four Teaching Assistants to offer small group sessions for students in each section of Criminal Law and to maintain office hours for all members of the class. Although student participation in the program was less robust than in the Contracts sections, the program appeared to demonstrate success. Unlike the Contracts groups, where at-risk students were identified by test scores at admissions, the Criminal Law sections defined at-risk students as those with a first semester GPA below 2.7. Comparing participants and non-participants (all in
the at-risk category), the following charts indicate that in both 2009 and 2010, AEP participants outperformed non-participants in Criminal Law grades overall (in 2010, 2.06 as compared to 1.74).

**Mean Criminal Law Grades for AEP All Participants and Non-Participants, Spring 2009**

<table>
<thead>
<tr>
<th>Section 1</th>
<th>Section 2</th>
<th>Section 3</th>
<th>Section 62</th>
<th>Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants</td>
<td>2.4</td>
<td>2.82</td>
<td>2.7</td>
<td>3.0</td>
</tr>
<tr>
<td>Non-Part.</td>
<td>2.7</td>
<td>2.65</td>
<td>2.8</td>
<td>2.7</td>
</tr>
</tbody>
</table>

**Mean Criminal Law Grades for AEP All Participants and Non-Participants, Spring 2010**

<table>
<thead>
<tr>
<th>Section 1</th>
<th>Section 2</th>
<th>Section 3</th>
<th>Section 62</th>
<th>Overall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants</td>
<td>1.8</td>
<td>2.35</td>
<td>2.12</td>
<td>2.08</td>
</tr>
<tr>
<td>Non-Part.</td>
<td>2.1</td>
<td>1.0</td>
<td>1.74</td>
<td>1.71</td>
</tr>
</tbody>
</table>

### G. Increased Faculty Feedback and Support to Students

The drafters of the Action Plan intentionally refrained from suggesting that law faculty should change their materials or methodologies to “teach to the bar.” However, the Bar Exam Committee has worked closely with the Teaching Committee since the Action Plan’s inception, helping to organize and distribute information to faculty about the bar exam’s content and form, and encouraging faculty to incorporate that information into their classes as appropriate. Surveys described in the 2008 Implementation Plan of faculty indicate that faculty members are providing more feedback to students on exams and other exercises than was common prior to the plan’s adoption.

Beginning in the summer 2006, Bar Coordinator Williams coordinated a program, presented shortly before the July and February bar exams, in which faculty volunteers provided advice to CJM graduates on how to approach the essay portions of the exam. Most faculty members structured their presentations around essay questions given on previous Ohio bar exams, identifying for the students the most common subject areas emphasized on past exams and suggesting various strategies for answering bar essay questions. Participation by faculty members in this program has continued to be robust to date.

### H. Attrition

The law school administration has been vigilant in reminding faculty of the importance of using the full range of grades so that students who do not have the aptitude for the study (or practice) of law are identified early and then provided with appropriate academic support or dismissed from the program. Faculty members are reminded semester of the importance of appropriately using the full range of grades.
Cleveland-Marshall’s first-year attrition rate has ranged from 9% in 2001 to 22% in 2003. The rate was 19% for the 2006 entering class, 15% for the 2007 entering class, and 17% for the 2008 entering class. Preliminary attrition data for the 2009 entering class is as follows: 8 students voluntarily withdrew, 7 were academically dismissed with no possibility of probation, 8 were academically dismissed but are eligible to apply for probation, and 9 students are attempting to transfer to other law schools. If none of the petitions for probation is granted and all students seeking to transfer are successful, the first-year attrition rate would be 32 out of 203 or 15.8%.

I. Traditional CSU and C|M Commitments and Values Maintained

When the Action Plan was proposed in 2004, concerns were raised that downsizing the class and increasing student credentials would inevitably erode our long-standing commitments to (a) minority students, (b) our Legal Careers Opportunity Program (LCOP), and (c) our part-time evening program. The 2004 Action Plan expressly affirmed C|M’s commitment in each area and the data analyzed in the 2008 Review confirmed that we kept true to our word. The 2008 Review also reiterated our promise to continue monitoring the Plan’s impact in these three areas, a promise which we honored throughout subsequent years.

1. Minority Students

C|M has never set quotas for minority enrollment. Nonetheless, maintaining a diverse student body has long been a core value of this law school and university. The hiring of C|M graduate Sandra English in April 2008 to fill the role of Coordinator for Law School Admissions/Multicultural Recruitment is further evidence of that commitment. Ms. English has allowed the Admissions Department to attend significantly more law school admissions fairs throughout the country and engage in other outreach efforts to prospective minority students. Those efforts were nationally recognized on June 5, 2010, when the Law School Admissions Council (LSAC) awarded its first ever “Diversity Matters Award” to C|M, citing the outstanding work C|M has done to encourage minority students to attend law school. C|M was chosen over 200 other US law schools vying for this prestigious award.

In 2008, Cleveland-Marshall admitted 30 students of color or 14.2%. This percentage compares favorably with 31 or 14.4% in 2007 and 33 or 14.5% in 2006. In 2009, 17% of the students were members of a minority group, with 15% in the full time program and 18% in the part time program.

2. Legal Careers Opportunity Program (LCOP)

Cleveland-Marshall enrolled 23 new LCOP students in the 2009 entering class. This is the largest LCOP class since 2004, and represents a proportionally larger percentage of the incoming class based on the reductions in class size mandated by the Action Plan. The median

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6 Goal #2 of C|M’s 2007 Strategic Plan identifies enhancing “the quality and diversity of the student body” as a core objective of the law school.
LSAT was 144 and the median GPA was 3.12. In 2009, eighty-six percent of the LCOP were students of color.

This year, Cleveland-Marshall enrolled 20 new LCOP students in the 2010 entering class. The 2010 LCOP class included 10 African-American students, and 1 Latino student. Eleven of the 20 students, or 55% of the class were students of color. Their median LSAT is 148, and their median UGPA was 3.06. The following chart demonstrates great stability in the LCOP program.

### LCOP Classes, 2004-2010

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enroll</td>
<td>23</td>
<td>21</td>
<td>20</td>
<td>22</td>
<td>18</td>
<td>23</td>
<td>20</td>
</tr>
<tr>
<td>LSAT</td>
<td>145</td>
<td>145</td>
<td>145</td>
<td>145</td>
<td>146</td>
<td>144</td>
<td>148</td>
</tr>
<tr>
<td>UGPA</td>
<td>3.10</td>
<td>3.07</td>
<td>3.18</td>
<td>3.28</td>
<td>2.81</td>
<td>3.12</td>
<td>3.02</td>
</tr>
</tbody>
</table>

**a. The 2008-2009 Evaluation of LCOP**

In the fall of 2008, Dean Mearns appointed a Special Committee to Evaluate the LCOP Program and charged the committee to “evaluate and propose appropriate modifications to the current LCOP summer program.” The Committee gathered information from a number of sources, including a multiple regression analysis of data from traditional and LCOP students over the last decade, a survey of students who had comprised the 2008 entering LCOP class after they had completed one semester of law school, and the students’ teaching evaluations for the class for the last three years. The Committee also consulted with Professor Michael Hunter Schwartz, Co-Director of the Institute for Law Teaching and Learning, and several faculty members who expressed interest in teaching the LCOP course about their ideas for the class. The goal was to identify both the strengths of the existing program and the opportunities for improvement or refinement.

The Committee also considered a number of concrete proposals regarding LCOP: (1) whether we should adopt a conditional admission LCOP program, (2) whether we should expand the LCOP class to include some regular admission students, (3) whether we should change LCOP by altering the credit hours of instruction and/or the content of the course, and (4) whether we should offer a one-credit LCOP course in the fall. Following its investigation, the Special Committee recommended against a conditional admission program, changing the credit hours of instruction, and offering a one-credit LCOP course in the fall. However, the Committee concluded that LCOP should be modified by (1) increasing the substantive content of the course and making it more closely resemble a traditional law school class, (2) giving students in the LCOP course regular feedback on their progress in the substantive portion of the class, through quizzes or other types of feedback mechanisms, (3) supplementing the substantive portion of the course with a strong skills component, revolving around skills necessary to succeed in law school, such as case briefing, outlining, exam writing, and memo writing, and (4) coordinating and integrating the substantive and skills components of the course.
b. Update

These recommendations were implemented for the first time in the summer 2009 by Professor Stephen Lazarus and AEP Manager Daniel Dropko, who team-taught the LCOP class. Professor Lazarus and Mr. Dropko report that they were able to integrate skills exercises with the substantive law, and the students seemed responsive. The instructors indicated that they saw genuine progress on the part of many of the students in the LCOP class. In addition, they believe that the students have a solid foundation in the following areas:

1. Students have acquired a simplified, but fundamental acquaintance with reading case law, including some of the vocabulary of Civil Procedure (i.e., motions to dismiss, summary judgment). They have been introduced to how to read a case, at least at an introductory level.
2. Students are aware of the level of detail they need to absorb in order to do well on a law school exam.
3. Students know the structure of a "typical" essay exam answer.
4. Students have explored one small area of the law in depth (this year, the law of finders and of adverse possession).

Twenty-two students from the 2009 summer LCOP class completed the first year of law school. One student withdrew after the first semester for personal reasons, but has reenrolled for this academic year. Of the 22 who completed the first year, 4 were dismissed for academic reasons (GPS below 1.64) suggesting that these students had serious difficulties acquiring basic law school skills. The average GPA for participating students after the first year of law school was 2.275. If we remove the 4 students who were dismissed, the first year average for the group that remained was 2.44. One LCOP student finished the first year with a 3.57 GPA, and the next two were 3.07 and 3.03.

Two students dramatically improved their grades after the first semester (2.0 in the fall, to 3.0 in the spring, and 1.8 in the fall, to 2.9 in the spring) Our hope is that this improvement will mark a trend for these students.

3. Part-Time Program

Cleveland-Marshall has maintained its commitment to the part-time program since the enactment of the Action Plan. As the chart below indicates, CM has consistently enrolled between 28% and 32% of its class as part-time students over the last six years. Within the part-time category, however, a slight shift has occurred. More students are enrolling as part-time day students than as part-time evening students over this period. Looking at the 2004 and 2008 numbers demonstrates this shift quite clearly. In 2004, 25% of the students were PT evening and 5% were PT day; in 2008, 18.5% were PT evening and 12% were PT day.

<table>
<thead>
<tr>
<th></th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>PT Evening</td>
<td>59 (21%)</td>
<td>61 (25%)</td>
<td>48 (20%)</td>
<td>48 (21%)</td>
<td>43 (20%)</td>
<td>39 (18.5%)</td>
<td>35 (17.5%)</td>
</tr>
<tr>
<td>PT Day</td>
<td>24 (9%)</td>
<td>13 (5%)</td>
<td>18 (8%)</td>
<td>24 (11%)</td>
<td>20 (9%)</td>
<td>25 (12%)</td>
<td>7 (3.5%)</td>
</tr>
<tr>
<td>PT Total</td>
<td>83 (30%)</td>
<td>74 (29%)</td>
<td>66 (28%)</td>
<td>72 (32%)</td>
<td>63 (29%)</td>
<td>64 (30%)</td>
<td>42 (21%)</td>
</tr>
</tbody>
</table>

III. Conclusion

With significant support from the university, the law school community has made important strides in implementing every aspect of our ambitious Action Plan. Although increased bar passage rates served as the original impetus, the many steps taken to improve those numbers have also increased the overall quality of legal education at C|M. While economic and other factors beyond our control will continue to pose challenges, we remain steadfastly committed to the Action Plan at C|M. We appreciate the outstanding support from the university over the years and look forward to our continued collaboration aimed at moving C|M from an excellent law school to an extraordinary one.
BE IT RESOLVED, that the Provost and the President, with all reasonable speed, be directed to work with the faculty to establish admissions standards for the College of Law to include undergraduate academic performance, LSAT scores, and other appropriate criteria designed to achieve a passage rate of the Ohio State Bar Examination, which would place the College of Law in the top one-third of such colleges with regard to the bar passage rate annually; and that they inform the Board of Trustees of said standards, and that the Provost and/or the President report to the Board of Trustees on an annual basis the results of said standards with the goal of achieving the top one-third standard within five years.

BE IT FURTHER RESOLVED, that the Provost and the President are instructed to meet with the Dean of the College of Law and appropriate members of the law faculty to review curriculum and other support mechanisms for achieving the goal of reaching the top one-third standards.
2008 Implementation Review of the Cleveland State University, Cleveland-Marshall College of Law’s 2003 Bar Passage Action Plan

Submitted to Dean Geoffrey Mearns by the Cleveland-Marshall Bar Pass Committee
August, 2008
Index to 2008 Implementation Review of
Cleveland State University, Cleveland-Marshall College of Law’s
2003 Action Plan to Strengthen Students’ Performance on the Ohio Bar Exam

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2007-2008 Bar Pass Committee

Professor Susan Becker, Chair
Associate Dean Patricia Falk
Professor and Law Library Director Michael Slinger
Clinical Professor Pamela Daiker-Middaugh
Assistant Professor Michael Borden
Academic Excellence Program Manager Daniel Dropko
Bar Coordinator Gary Williams
Student Susan Hughes
I. Introduction and Executive Summary of Implementation Review

This review of Cleveland-Marshall’s Action Plan for Improving CSU Bar Passage Rates (hereinafter, the “Action Plan”) is mandated by the Action Plan itself. Created and adopted during the 2003-2004 academic year to increase our graduates’ passage rates on the Ohio bar exam, this multi-faceted plan demanded significant changes in personnel, resource allocation, and operating procedures within a relatively short period of time.

Law faculty and administrators acknowledged that the number and nature of Action Plan components would make it difficult from an empirical perspective to identify the specific elements that most directly correlate with our graduates’ improved bar passage rates. Nonetheless, the urgency of the matter and the ineffectiveness of previous piecemeal strategies led us to conclude that immediate and extensive action was more appropriate than gradual implementation of Action Plan components. To balance the competing concerns of accountability and immediacy, the Action Plan called for annual progress assessments. The law school provided these annual reports to the university in 2004, 2005, 2006, and 2007. The Action Plan also called for a comprehensive analysis in 2008 to more closely scrutinize each element of the Action Plan to identify which components of the Action Plan are effective and those which need further examination and perhaps retooling. The ultimate goal of the 2008 review is to make necessary adjustments to the Action Plan to ensure the continued success of the Bar Pass program at Cleveland-Marshall (CM).

Law school personnel gathered and analyzed voluminous data for this report. The results are explained in detail in the following pages. In brief, the law school, with the aid and support of the university, has achieved the following in the four years since the Action Plan was approved:

• Increased our graduates’ success on the Ohio bar exam (a) relative to other Ohio law schools and (b) in terms of overall exam scores;

• Enhanced the effectiveness of our Admissions Department through the addition of personnel and revamping of operations and promotional materials;

• Reduced the size of each entering class, remaining on target for a class of 200 in the Fall of 2009;

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1 Previous strategies included tutorial sessions for students experiencing academic difficulties and tightening of our Academic Standards related to probation and dismissal. These and other pre-2004 efforts to increase our bar passage rates are reported in Section II, Ongoing Efforts to Improve Cleveland-Marshall’s Bar Passage Rates, in the Memorandum proposing the comprehensive 2004 Plan to President Michael Schwartz and then-Provost Chin Y. Kuo on December 5, 2003.
- Improved the credentials of entering classes as measured in Law School Admission Test (LSAT) scores and undergraduate grade point averages;
- Increased scholarships available to entering students to attract more outstanding students;
- Expanded and refined our Academic Excellence Program to provide academic support for first-year and upper-level students;
- Streamlined the flow of information to law students about the bar exam;
- Supported students preparing for the bar exam by offering a for-credit bar exam strategies course, numerous workshops on bar related skills, and a variety of other programs;
- Revised the curriculum for first-year law students;
- Emphasized utilization by the faculty of the full range of grades to more accurately assess students’ academic progress and to achieve appropriate attrition rates based on substandard academic performance; and
- Continued to honor our long-standing commitments to minority students, to the part-time evening program, and to the Legal Careers Opportunity Program (LCOP).

While these achievements are important and substantial, a number of challenges remain. These are also discussed throughout the report and include the following:

- Applications to law schools have dropped significantly over the past four years both nationally and regionally, reflecting a trend likely to continue in the near future;
- CM’s total scholarship dollars still lag significantly behind the funds available at other Ohio public law schools; and
- Substantial increases in tuition over the past five years may make CM a less attractive option than in previous years.

II. Development and Implementation of the Bar Pass Plan

The Cleveland State University Board of Trustees approved the following resolution at its June 25, 2003 meeting:
RESOLUTION 2003-36
STANDARDS FOR ADMISSION TO THE COLLEGE OF LAW
AND CURRICULUM REVIEW

BE IT RESOLVED, that the Provost and the President, with all reasonable speed, be directed to work with the faculty to establish admissions standards for the College of Law to include undergraduate academic performance, LSAT scores, and other appropriate criteria designed to achieve a passage rate of the Ohio State Bar Examination, which would place the College of Law in the top one-third of such colleges with regard to the bar passage rate annually; and that they inform the Board of Trustees of said standards, and that the Provost and/or the President report to the Board of Trustees on an annual basis the results of said standards with the goal of achieving the top one-third standard within five years.

BE IT FURTHER RESOLVED, that the Provost and the President are instructed to meet with the Dean of the College of Law and appropriate members of the law faculty to review curriculum and other support mechanisms for achieving the goal of reaching the top one-third standard.

In response to this resolution, then-College of Law Dean Steven Steinglass appointed an ad hoc law school Committee to investigate the challenges CM graduates face when taking the Ohio bar exam and to propose mechanisms to alleviate those challenges. The Committee explored myriad issues related to bar passage in the Summer and Fall of 2003. The Bar Pass Committee consulted with numerous constituencies within and outside the law school including faculty, students, alumni, and administrators; gathered significant data and information about Ohio’s other law schools; analyzed past efforts by the law school aimed at increasing bar passage; and reviewed literature and data on bar performance from experts who had studied the issue at other law schools. The law school community recognized the Trustees’s resolution not only as a challenge, but also as an opportunity to enhance the overall quality of legal education offered at CM.

Based on the information gathered from all these sources, the Bar Exam Committee brought forth eight resolutions for faculty consideration. The faculty’s approval of these resolutions in November 2003 created the comprehensive, multi-year “Action Plan for Improving CSU Bar Passage Rates.” Committee members and Dean Steinglass presented the Action Plan to the President and Provost in December 2003 and to the Board of Trustees in February 2004. With university support, the law school began implementing the Action Plan in early 2004.

III. Components of the Bar Pass Action Plan

The Action Plan contained numerous critical components. These included (1) adding bar support, academic support, and admissions personnel; (2) reducing the entering class for the next five years with the goal of 200 entering students in 2009; (3) adding 10 full scholarships every year for five years and re-evaluating the best use of our scholarship dollars; (4) achieving and maintaining an appropriate academic attrition rate; (5) retaining our commitment to a diverse
student body, our LCOP program, and the part-time night program; and (6) establishing a standing Bar Pass Committee to monitor implementation of the Action Plan.

The Action Plan also delegated numerous tasks to various law school committees and administrators who possessed expertise and had jurisdiction over various components of the Action Plan. Committees were instructed to give these assignments highest priority. For example, the Admissions Committee was charged with monitoring the reduction of the size of entering classes, increasing strategic use of scholarship dollars, and making recommendations for strengthening student recruitment efforts. The Curriculum Committee was charged with examining the efficacy of changes the law school had made to the first-year curriculum several years earlier and making recommendations as to whether additional adjustments were needed. The Cleveland-Marshall Fund Committee was asked to re-examine income allocation to make more money available to student scholarships. The Teaching Committee was directed to survey professors about the type of feedback and testing they used to assess student comprehension of the material and provide support for teachers who wanted to incorporate more bar-type testing mechanisms into their classes. The initial deadline for some of these tasks was the end of the 2004 academic year. Many committees and administrators, however, have continued to focus on their respective aspects of the Action Plan.

As more fully explained below, each aspect of the Action Plan has been vigorously advanced by the law school with the aid and cooperation of the university. The law school reiterated its commitment to improving graduates’ bar passage rates in the Strategic Plan unanimously approved by the faculty in April 2007.² Goal #1 of the 2007 Strategic Plan is to “Substantially improve our graduates’ first-time bar passage rate on the Ohio State Bar Exam” and the primary tactic identified to achieve that goal is to “Continue the implementation of the Bar Passage Plan approved by the faculty on November 20, 2003.”³

IV. Status and Effectiveness of Components

A. Overall Improvement of Bar Pass Rates

Implementation of the Action Plan has resulted in significant improvements in our graduates’ performance on the bar, whether measured in relationship to other Ohio law school’s passage rates or the average scores achieved by our graduates on the exam. Both metrics are discussed below.

1. Relative Rankings

Due to the continued support of the President, Provost, and Trustees, and the unrelenting effort of virtually every member of the law school community, CM has stayed on task with the timely implementation of each component of the Action Plan. The effectiveness of these collective efforts is evident in our graduates’ outstanding performance on the two most recent bar

² A copy of the 2007 Strategic Plan is attached to this report.
³ See April 30, 2007, Memo to Faculty and Staff from Dean Geoffrey S. Mearns titled “Strategic Goals and Tactics” (containing full text of 2007 Strategic Plan with introductory material that explains the collaborative process that culminated in the faculty’s unanimous approval of the Strategic Plan on April 26, 2007).
exams administered in July 2007 and February 2008. These data are especially weighty because graduates taking these two bar exams represent the first classes to enroll after the Action Plan was adopted in 2004.

Ninety percent of CSU law graduates taking the exam for the first time passed the July 2007 exam, tying Ohio State for second place out of the nine Ohio law schools. In February 2008, 95 percent of all first-time CSU law graduates passed the bar. That performance ranked CM fourth in terms of first-time exam takers and first in the state for combined first-time and repeat takers.

The bar passage rates for first time CSU graduates and the relative state rank of each performance since we began implementing the Action Plan in the Spring of 2004 are provided below. July bar results are generally considered more meaningful than the February results, because substantially more applicants take the exam in July than in February. Accordingly, the data below is broken down by February and July results.

### February Exam Results

<table>
<thead>
<tr>
<th>Year Of Exam</th>
<th>CM 1st Time Takers Passing the Bar</th>
<th>Rank out of Nine Ohio Law Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 2004</td>
<td>58%</td>
<td>7th</td>
</tr>
<tr>
<td>February 2005</td>
<td>62%</td>
<td>8th</td>
</tr>
<tr>
<td>February 2006</td>
<td>68%</td>
<td>7th</td>
</tr>
<tr>
<td>February 2007</td>
<td>78%</td>
<td>5th</td>
</tr>
<tr>
<td>February 2008</td>
<td>95%</td>
<td>4th</td>
</tr>
</tbody>
</table>

### July Exam Results

<table>
<thead>
<tr>
<th>Year Of Exam</th>
<th>CM 1st Time Takers Passing the Bar</th>
<th>Rank out of Nine Ohio Law Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 2004</td>
<td>75%</td>
<td>7th</td>
</tr>
<tr>
<td>July 2005</td>
<td>72%</td>
<td>9th</td>
</tr>
<tr>
<td>July 2006</td>
<td>84%</td>
<td>5th</td>
</tr>
<tr>
<td>July 2007</td>
<td>90%</td>
<td>2nd</td>
</tr>
</tbody>
</table>

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4 In bar exams administered between July 1997 and July 2003, the percentage of CSU graduates who passed the bar exam on the first try ranged from 53 to 75 percent. Based on these passage rates, CSU ranked between fifth and ninth place among Ohio’s nine law school during this time frame.

5 For example, 494 persons sat for the Ohio bar in February 2007, compared with 1,251 in July 2007. In February 2006, 545 persons took the Ohio exam, compared with 1,290 in July of that year. In addition, the February bar pass numbers are generally lower statewide due to the number of exam takers who have failed the previous July exam and are likely to fail on multiple attempts. For Ohio bar exams given in February 2007 and February 2006, for example, the combined passage rate for first time and repeat takers was 64% and 63% respectively. In contrast, the combined passage rates for bars given in July 2007 and 2006 was 81.3% and 78%.

6 July 2008 bar results will be released in October 2008.
As the above statistics show, success did not immediately follow the enactment of the Action Plan. This delay in improvement was anticipated. Although implementation began in the Spring of 2004, it was clear that the Action Plan’s benefits might take several years to realize. This is because graduates taking the bar exam in 2004 entered law school in 2001 or earlier; our 2005 bar exam takers commenced their legal education in 2002 or earlier.7 As a result, the 2004 and 2005 graduating classes were exposed to just a few components of the Action Plan toward the end of their law school careers. In contrast, the majority of the class taking the July 2007 exam began law school in 2004 and experienced most of the comprehensive program in effect today. (See Chart 1, which is attached, for additional data on CSU’s bar performance in relation to other Ohio law schools from 1997 to the present.)

2. Increased Scores of CM Graduates

Although the Trustees’ mandate required improving our bar pass rate relative to other Ohio law schools, the degree to which our comprehensive Action Plan has improved our graduates’ individual performances on the bar exam is also noteworthy. This is a key consideration because the Supreme Court of Ohio has complete discretion in setting the score necessary to pass the exam. Increased passing scores give the school a margin of safety in the event the passing score is raised.8 And while the relative bar exam performance of CM compared to other schools is important in terms of recruiting new students and faculty, fundraising, and boosting institutional morale, it is a somewhat capricious measure of success. The fickle nature of the relative ranking among Ohio’s nine law schools is demonstrated by the dramatic change in rank based on the performance of a handful of graduates and on the total number of graduates taking the exam from each of the Ohio schools.

The impact of a few graduates’ performance on relative rankings is evidenced by CM’s fourth place finish on the February 2008 bar exam. CM finished fourth out of the nine Ohio law schools despite achieving its highest percentage (95%) of first-time takers in at least the past 22 bar exams.9 Even though 35 of the 37 CM graduates who took the February 2008 bar passed, three schools ranked ahead of CM due to 100% passage rates. Of the three schools that outperformed CM on a percentage basis, Ohio State had just seven graduates taking that bar, Ohio Northern had four, and Cincinnati had three. If, however, just two more CM graduates passed that exam, CM would have been in a four-way tie for first place. Alternatively, if one student from each of those schools had failed, CM’s 95% pass rate would have constituted a first-place finish.

Although many more graduates took the bar exam in July 2007 than February 2008, the same pattern of a very few graduates determining the relative rankings emerged. In that exam, Ohio Northern took first place with a 95% first-time takers pass rate, CM tied Ohio State for second place at 90%, Capital took fourth place with an 89%, Cincinnati, Dayton, and Toledo all tied at 88% for fifth (through seventh) place, Akron was eighth at 85%, and Case ranked ninth at

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7 Full-time law students usually finish law school in three academic years. Part-time students finish in four or more years.
8 In July 1996, the Supreme Court of Ohio raised the number of points required to pass the Ohio Bar Examination from 375 to 385; in July 1997, the Court raised the passing score to 405.
9 See Chart 1 for data on the 22 exams administered from 1997 to February 2008.
83%. But if just four more of CM’s 122 first-time takers had failed (i.e. 106 rather than the 110 who passed), CM’s overall rate would have dropped to 87%, and our relative ranking from second to seventh place.

Similar analyses of Ohio bar exam results from previous years confirm the phenomenon that just a few graduates’ success or failure has major ramifications for the relative rankings of the law schools, with the situation being compounded by the disparate number of exam takers from each school. This pattern suggests that we may want to evaluate the effectiveness of the Action Plan based on additional criteria, and not just relative rankings based on our graduates’ collective performance on each exam.

In sum, the overall increase in our graduates’ bar exam scores is an important indicator of change effectuated through implementation of the Action Plan. The following chart demonstrates the improvement in average scores of our graduates (combined 1st time and repeat takers) on the Ohio bar from 2002 to present.¹⁰


<table>
<thead>
<tr>
<th>Exam</th>
<th>Mean Score of All Takers (Pass = 405)</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 2002</td>
<td>397.89</td>
</tr>
<tr>
<td>July 2002</td>
<td>413.82</td>
</tr>
<tr>
<td>February 2003</td>
<td>400.23</td>
</tr>
<tr>
<td>July 2003</td>
<td>420.47</td>
</tr>
<tr>
<td>February 2004</td>
<td>399.39</td>
</tr>
<tr>
<td>July 2004</td>
<td>421.06</td>
</tr>
<tr>
<td><strong>Mean</strong></td>
<td><strong>408.81</strong></td>
</tr>
<tr>
<td>February 2006</td>
<td>410.67</td>
</tr>
<tr>
<td>July 2006</td>
<td>434.77</td>
</tr>
<tr>
<td>February 2007</td>
<td>421.13</td>
</tr>
<tr>
<td>July 2007</td>
<td>438.89</td>
</tr>
</tbody>
</table>
| **Mean**    | **426.36**                            | *(an increase of 17.55 points)*

¹⁰ The Supreme Court of Ohio has not made the 2005 February and July exam data available.
Divided by July and February Exams

<table>
<thead>
<tr>
<th>February</th>
<th>Mean Score</th>
<th>July</th>
<th>Mean Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>397.89</td>
<td>2002</td>
<td>413.82</td>
</tr>
<tr>
<td>2003</td>
<td>400.23</td>
<td>2003</td>
<td>420.47</td>
</tr>
<tr>
<td>2004</td>
<td>399.39</td>
<td>2004</td>
<td>421.06</td>
</tr>
<tr>
<td>Mean</td>
<td>399.17</td>
<td>Mean</td>
<td>418.45</td>
</tr>
<tr>
<td>2006</td>
<td>410.67</td>
<td>2006</td>
<td>434.77</td>
</tr>
<tr>
<td>2007</td>
<td>421.13</td>
<td>2007</td>
<td>438.89</td>
</tr>
<tr>
<td>Mean</td>
<td>415.9</td>
<td>Mean</td>
<td>436.83</td>
</tr>
</tbody>
</table>

(increase of 16.73 points)  (increase of 18.38 points)

If one compares the mean scores that CM graduates received on the Ohio bar exam in the three years preceding and the two years following implementation of the Action Plan, the difference is striking. On average, graduates scored 408 points on the pre-Action Plan (2002-2004) bar exams and 426 points following the Action Plan (2006-2007), for an increase of more than 17 points per graduate. The differences are greater for the July exams; the mean score for the 2002-2004 exams was 418 points and the mean score for the 2006-2007 exams was 436 points, yielding an increase of more than 18 points. The February bar exams for the same comparison periods showed an increase of more than 16 points.

In addition to meeting our primary goal of improving bar passage scores and relative ranking vis-a-vis other Ohio law schools’ performance on the bar exam, implementation of the Action Plan has strengthened the overall academic support and educational experience of CM students. These advancements are discussed throughout the remainder of this report.

B. Law School Admissions: Changes, Effectiveness, and Impact

The Admissions components of the Action Plan contained three intertwined branches. First, the Action Plan called for the hiring of additional professional staff. The goal was to help level the playing field among CM and competing state law schools’ admissions departments. Second, the Action Plan required reducing the size of the entering class over a five-year period. The reduction was necessary because the number of law school applicants in Ohio and elsewhere waxes and wanes substantially over time, and CM has traditionally had one of the largest entering classes in the state. To increase the overall quality of the student body and to maintain the quality of entering classes in years when the applicant pool declines, the Action Plan reduced our entering class size to not more than 250 students in the Fall of 2004 and by an additional 10 students per year, with the final goal of an entering class of 200 students by 2009. Third, the Action Plan called for increasing the number of full scholarships by 10 each year until 2009.

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11 In 2004, for example, 1,912 applicants sought admission to Cleveland-Marshall. Tracking a significant national downward trend in law school applications, CM applicants dropped to 1,796 in 2005, 1,723 in 2006, and 1,481 in 2007.
This increase was necessary because CM has historically had significantly fewer scholarship dollars available compared to other Ohio law schools, especially the Universities of Toledo and Akron.\textsuperscript{12}

The status, effectiveness and impact of each Action Plan component related to Admissions are discussed below.

\textbf{1. Admissions Personnel Changes}

The Admissions Department has been significantly strengthened since the adoption of the bar pass Action Plan. Christopher Lucak, an admissions professional with 20 years experience including five years as Director of Admissions at Case Western Reserve University (Case) School of Law, was hired as CM Assistant Dean for Admissions and Financial Aid in February 2007.\textsuperscript{13} Amy Miller, J.D., joined the department as Admissions Coordinator in April 2007. Ms. Miller had worked in undergraduate admissions prior to going to law school and was in private law practice when the law school recruited her as Admissions Coordinator. Sandra English, J.D., became the Coordinator for Law School Admissions/Multicultural Recruitment in April 2008. Ms. English was serving as a Cuyahoga County prosecutor when recruited for the law school position and had worked as a seasonal recruiter for CM while attending law school here.

Strengthening of the Admission Department had immediate results. Outreach and recruiting efforts have been intensified through extensive revisions to the CM Bulletin, Viewbook, Website, and other promotional materials. Mr. Lucak and Ms. Miller participated in more than 40 law school admissions fairs in the Fall of 2007 (prime recruiting season for the entering law class of 2008) and continue to participate in similar forums throughout the year. They have expanded the number of private visits to select undergraduate institutions, established and strengthened relationships with pre-law advisors at a number of colleges and universities, and have conducted numerous open houses and individual tours of the law school and university for prospective and admitted students. The Admissions Department is continuing to develop more precisely targeted direct mail campaigns, delivering key information to prospective students in hard copy and/or electronically at critical junctures in the admission process. The department has placed advertisements in Pre-Law and in Cleo Magazine (a publication aimed at minority students). Receptions for admitted students, including those who have not yet committed to CM, have been moved from the law school to prestigious law firms including Jones Day, Squire, Sanders & Dempsey, and Hahn Loeser & Parks, an arrangement that has impressed many prospective students. For the past three years, CM has hosted a Minority Recruitment Month Jump Start Program in which minority students from Tri-C, CSU, Lakeland, and local high schools are invited. The program provides information on law school preparation and the admissions process.

\textsuperscript{12} Additional specific steps for strengthening our admissions efforts are reflected in the tactics section accompanying Goal #2 of our 2007 Strategic Plan in which the law school affirmed its commitment to enhance “the quality and diversity of the student body.”

\textsuperscript{13} Mr. Lucak replaced Director Melody Stewart, who resigned the position after being elected to the Ohio Eighth District Court of Appeals.
Assistant Dean Lucak and his staff have ambitious plans to continue strengthening the admissions program. They are exploring more aggressive marketing of the part-time evening program and ways to increase the diversity of the student body in terms of race, ethnicity, age, and geographic location. They are also striving to create greater regional recognition of CM, initially targeting Pennsylvania, Indiana, Michigan, Kentucky, Illinois, and New York, with the ultimate goal of establishing a national reputation.

The restructuring of the Admissions Department and changes in personnel have had a very positive impact on law school enrollment. One of the most important measurements of any admission department’s effectiveness is its yield of desirable applicants, i.e., the number of students who accept the school’s offer of admission. For the classes entering in 2004 and 2005, 44% of the students accepted CM’s offer of admission; in 2006, 38% accepted. In 2007, however, yield was increased to 47.6%, CM’s highest in more than a decade. Other objective indicia of the Admission’s Department’s success, including the strengthening of the credentials of entering students, are discussed below.

2. Reduction in Entering Class Size

The law school matriculated 215 students in 2007, remaining on the course set by the Action Plan for a 2009 entering class of 200 students.

The intentional downsizing by CM parallels the state-wide trend. For example, Ohio State decreased its entering law school class from 269 in 2003 (the year before CM started implementing its Action Plan) to 202 in 2007; Cincinnati from 135 to 120; Case from 262 to 225; and Akron from 183 to 175. Among Ohio law schools, only Capital (at 243) and Case (at 225) had larger entering classes than CM in 2007.

As anticipated, the decrease in size has generally raised the LSAT scores and undergraduate grade point averages (UGPA) of CM entering classes. From 2003 to 2007, the median LSAT score for CM’s combined full-time (FT) and part-time (PT) entering class increased from 152 to 154, and the median UGPA increased from 3.25 to 3.34. For FT students, the median LSAT increased from 152 to 155 and the UGPA increased from 3.25 to 3.37.

14 The 2006 drop in yield was in part attributable to extensive turnover in Admissions Department personnel at key periods in the recruiting cycle.
15 Akron had previously decreased its entering class size from 228 in 2001 to 219 in 2002 to 183 in 2003. Toledo significantly downsized earlier than other Ohio law schools, dropping its entering class from 190 in 1999 to 140 in 2000. The reasons given by Toledo Law School Dean Closius for downsizing included increasing the credentials of entering students, creating a lower student-teacher ratio, enhancing graduates’ employment statistics, and raising the school’s bar pass rate. See Dean Phillip J. Closius, The Incredible Shrinking Law School, 31 Toledo L.Rev. 581 (2000).
16 The magnitude of this improvement is significant. An increase in one LSAT point translates into approximately four percentile points in the national pool of applicants who take the LSAT. Therefore, the increase from 152 (2003) to 155 (2007) translates into an increase in the national pool from the 53rd percentile (2003) to the 64th percentile (2007). We presently anticipate that the median LSAT score of the full-time entering class this year (2008) will be 156 – the 68th percentile of the national pool.
Increases in the strength of the entering classes can also be shown by comparison of the 25th and 75th percentiles, the most commonly used measure of a law school’s entering class, as reflected in the chart below.

**CM entering class credentials 2003-2007**

<table>
<thead>
<tr>
<th>Entering Year</th>
<th>Class Size</th>
<th>FT UGPA</th>
<th>FT LSAT 25th/75th</th>
<th>PT UGPA</th>
<th>PT LSAT 25th/75th</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>227</td>
<td>3.00-3.63</td>
<td>152-158</td>
<td>2.92-3.57</td>
<td>151-156</td>
</tr>
<tr>
<td>2004</td>
<td>247</td>
<td>3.13-3.61</td>
<td>152-156</td>
<td>2.88-3.54</td>
<td>149-155</td>
</tr>
<tr>
<td>2003</td>
<td>278</td>
<td>3.05-3.51</td>
<td>150-154</td>
<td>2.94-3.37</td>
<td>147-156</td>
</tr>
</tbody>
</table>

In sum, decreased class size had a positive impact on entering credentials of full-time students measured by UGPA and LSAT standards. To put the degree of improvement in context, a student with an LSAT of 153 in 2003 was in the top half of the entering class; in 2007, a 153 LSAT score would put the student in the bottom quartile. The improvement is important because it indicates a class of entering students with a stronger aptitude for the study of law. This improvement also enhances the law school’s national reputation, because the entering credentials of full-time students are used for the U.S. News & World Report law school rankings.17

**a) Comparisons to Other Ohio Law School’s Entering Classes**

As anticipated when the Action Plan was adopted, other Ohio law schools have also employed aggressive measures to maintain or increase the credentials of their entering classes in this period of decreasing applications. These schools have generally been quite successful in this endeavor. Attached Chart 2 provides extensive data on the entering credentials of the nine Ohio law schools for the past 11 years. The chart provided below offers a snapshot of the relative strengths of full-time students matriculating at Ohio law schools in 2007 based on LSAT scores.

**2007 Entering Credentials FT Students**

<table>
<thead>
<tr>
<th>Law School</th>
<th>25th/75th LSAT</th>
<th>UGPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ohio State</td>
<td>158-164</td>
<td>3.34-3.81</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>157-162</td>
<td>3.39-3.83</td>
</tr>
<tr>
<td>Toledo</td>
<td>156-161</td>
<td>3.10-3.74</td>
</tr>
<tr>
<td>Akron</td>
<td>156-160</td>
<td>3.16-3.76</td>
</tr>
<tr>
<td>Case</td>
<td>156-160</td>
<td>3.17-3.60</td>
</tr>
</tbody>
</table>

17 The U.S. News ranking system is subject to many legitimate criticisms. Nonetheless, this ranking system remains an important factor that prospective law students consult when choosing a law school.
As this chart illustrates, CM was sixth in a relative ranking of Ohio law schools’ 2007 entering class credentials as measured by LSAT scores. In comparison, CM ranked seventh of the nine Ohio law schools based on its 2003 entering class LSAT scores. These data illustrate that competition for strong students remains very high among the Ohio law schools.

b) Impact of Class Reduction on PT Evening Program

The impact of class reduction on the credentials of part-time students is less pronounced. Although UGPA is stronger in 2007 than in 2003 for students entering the part-time program, the LSAT scores have only increased slightly at the 25th percentile marker and have remained the same at the 75th percentile.

Several factors contribute to the lack of improved LSAT scores among PT students. The first is the general decrease in applications to the PT program. An approximate 50% increase in CM tuition over the past five years, paired with employers’ reduction or elimination of tuition-reimbursement programs for employees seeking advanced degrees, has contributed to this decline. Significant reductions in workforces at large employers who previously provided such benefits has also put additional burdens on the remaining employees, making it more difficult to fit law school into their schedules. Another key factor is that CM is, consistent with the nationwide trend, encouraging more students with weaker credentials to start law school with a reduced course load to improve their chances of academic success.

The Admissions Department is increasing its outreach to potential PT students. For example, Assistant Dean Lucak recently attended a forum sponsored by the Cleveland Clinic for employees interested in pursuing advanced degrees. The law school is exploring other ways to target select audiences of potential PT students whose goals and credentials are consistent with obtaining a law degree.

c) Impact of Class Reduction on Minority Enrollment

CM has never set quotas for minority enrollment. Nonetheless, maintaining a diverse student body has long been a core value of this law school and university. Accordingly, monitoring the impact of a reduced class size on minority students is a fundamental element of the Action Plan. It should noted, however, that data on minority applicants is hard to track with precision, as the number of applicants who chose not to disclose their ethnicity on law school applications at CM and other law schools varies from year to year.

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18 Goal #2 of CM’s 2007 Strategic Plan identifies enhancing “the quality and diversity of the student body” as a core objective of the law school.
19 For example, less than one percent of all CM applicants for the entering classes of 2000 through 2003 and 2006 declined to provide ethnicity data, while 4.2% declined in 2004, 3.6% declined in 2005, and 11% declined in 2007.
Examining the four years since the Action Plan’s adoption demonstrates that CM’s commitment to recruit minority students has remained steadfast. Despite a 22.5% decline in total applications from 2004 to 2007, the Admissions Department increased the number of minority applications almost seven percent, from 493 to 526, during that time. The number of admission offers made to minority applicants increased 30 percent, from 117 in 2004 to 152 in 2007.

Measuring the impact of the Action Plan on minority enrollment is perhaps best illustrated by comparing admissions data for the four entering classes immediately preceding the Action Plan’s adoption (2000, 2001, 2002, and 2003) with the classes admitted since the Action Plan implementation commenced. As the data in the chart below confirms, in the four classes immediately preceding the Action Plan, minority students constituted between 11.5% and 18.5% of each entering class, representing enrollment of 148 minority students total. Since the Action Plan’s adoption in 2004, minority enrollment has ranged from 14.4% to 20.5% of each entering class, totaling 156 minority students during that four-year period. Thus, the percentages of minority students in each entering class has stayed in the same general range during the four years before and after the Action Plan and the total number of minority students enrolled has increased. Nonetheless, this data also shows that total minority enrollment has decreased from 20.5% of the entering class in 2004 to 14.4% in 2007, a situation we will continue to closely monitor. As previously noted, this effort will be aided by the recent hiring of Ms. Sandra English as Coordinator for Law School Admissions/Multicultural Recruitment, a job which entails significant outreach to minority applicants.

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Applicants</th>
<th>Minority Apps</th>
<th>Min Offers</th>
<th>Min Enrolled</th>
<th>All Enrolled</th>
<th>% of Class</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>1158</td>
<td>291</td>
<td>104</td>
<td>34</td>
<td>278</td>
<td>12.2</td>
</tr>
<tr>
<td>2001</td>
<td>1205</td>
<td>284</td>
<td>99</td>
<td>33</td>
<td>292</td>
<td>11.3</td>
</tr>
<tr>
<td>2002</td>
<td>1410</td>
<td>363</td>
<td>116</td>
<td>49</td>
<td>264</td>
<td>18.5</td>
</tr>
<tr>
<td>2003</td>
<td>1608</td>
<td>362</td>
<td>98</td>
<td>32</td>
<td>278</td>
<td>11.5</td>
</tr>
<tr>
<td>2004</td>
<td>1912</td>
<td>493</td>
<td>117</td>
<td>51</td>
<td>248</td>
<td>20.5</td>
</tr>
<tr>
<td>2005</td>
<td>1796</td>
<td>442</td>
<td>107</td>
<td>41</td>
<td>236</td>
<td>17.3</td>
</tr>
<tr>
<td>2006</td>
<td>1723</td>
<td>450</td>
<td>121</td>
<td>33</td>
<td>227</td>
<td>14.5</td>
</tr>
<tr>
<td>2007</td>
<td>1481</td>
<td>526</td>
<td>152</td>
<td>31</td>
<td>215</td>
<td>14.4</td>
</tr>
</tbody>
</table>

These data also indicate that enrollment has held steady in terms of enrollment of African-American students. For each class entering in 2000 to 2003, CM enrolled between 15 and 17 African-American students, averaging 16.25 students per year and totaling 65 students in all. From 2004 to 2007, CM enrolled between 12 and 19 African-American students each year, averaging 15.75 students per year and totaling 63 students.

For purposes of the analysis provided here, it is assumed that none of these students are minorities, but some of them may be.

For law school admissions purposes, minority applicants are defined as African-American, Hispanic, Native American, Asian, and others not of Caucasian ethnicity.
d) Impact of Class Reduction on Legal Careers Opportunity Program (LCOP)

The Action Plan embraces the commitment to opportunity that has long been a hallmark of this law school and university. Accordingly, the Action Plan adopted in 2003 and affirmed in the law school’s 2007 Strategic Plan\textsuperscript{21} called for closely monitoring the impact of downsizing on the Legal Career Opportunities Program (LCOP).

LCOP encourages applications from individuals who have encountered circumstances negatively affecting traditional academic indicators such as LSAT scores and/or undergraduate grade point averages (UGPAs). In most cases, applicants to the LCOP program have academic indicators that are a bit lower than those of regularly admitted applicants. The Admissions Committee rigorously reviews LCOP applications to evaluate the degree of adversity or unusual life circumstances that each applicant has faced, the strategies the applicant has used to overcome those challenges, and other evidence that the applicant can successfully manage the rigors of law school. Such evidence may be found in the applicant’s career and professional accomplishments, personal statements, letters of recommendation, graduate work, and/or significantly improved academic performance over a period of time. Admission to LCOP has historically been and remains highly selective. For example, of the 181 LCOP applicants for the 2007 entering class, 34, or 18.7 percent, were admitted.

Comparative data for students entering CM through the LCOP program for the four years preceding and the four years following adoption of the Action Plan is provided in the chart below.

<table>
<thead>
<tr>
<th>Year</th>
<th>LCOP Enrolled</th>
<th>Percent Entering Class</th>
<th>Non-Minority</th>
<th>Minority</th>
<th>Median LSAT</th>
<th>Median UGPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>27</td>
<td>9.7</td>
<td>10</td>
<td>17</td>
<td>143</td>
<td>2.85</td>
</tr>
<tr>
<td>2001</td>
<td>24</td>
<td>8.2</td>
<td>9</td>
<td>15</td>
<td>142</td>
<td>2.97</td>
</tr>
<tr>
<td>2002</td>
<td>18</td>
<td>6.8</td>
<td>11</td>
<td>7</td>
<td>145</td>
<td>3.13</td>
</tr>
<tr>
<td>2003</td>
<td>26</td>
<td>9.3</td>
<td>9</td>
<td>17</td>
<td>144</td>
<td>3.08</td>
</tr>
<tr>
<td><strong>2004</strong></td>
<td><strong>23</strong></td>
<td><strong>9.3</strong></td>
<td><strong>8</strong></td>
<td><strong>15</strong></td>
<td><strong>145</strong></td>
<td><strong>3.1</strong></td>
</tr>
<tr>
<td>2005</td>
<td>21</td>
<td>8.9</td>
<td>8</td>
<td>13</td>
<td>145</td>
<td>3.07</td>
</tr>
<tr>
<td>2006</td>
<td>20</td>
<td>8.8</td>
<td>7</td>
<td>13</td>
<td>145</td>
<td>3.18</td>
</tr>
<tr>
<td>2007</td>
<td>22</td>
<td>10.2</td>
<td>12</td>
<td>10</td>
<td>145</td>
<td>3.28</td>
</tr>
<tr>
<td>2008</td>
<td>18</td>
<td>8.6*</td>
<td>6</td>
<td>12</td>
<td>146</td>
<td>2.81</td>
</tr>
</tbody>
</table>

* Because the 2008 entering class is not yet finalized, this percentage is based on an anticipated entering class of 210 students.

As these data demonstrate, the Action Plan has not negatively affected the LCOP program. The number of students admitted through LCOP as a percentage of each entering class has remained relatively stable throughout implementation of the Action Plan and entering median LSAT credentials of LCOP students have risen slightly.

\textsuperscript{21} See 2007 Strategic Plan, Goal #1, Tactic A(iv).
3. Increased Scholarships

Ohio’s other public law schools have historically devoted significantly more dollars to scholarships than CM. For instance, in 2002-2003, the academic year immediately preceding development of the Action Plan, Akron spent $1.5 million in scholarships, which equated to approximately $2,900 per FTE student; Cincinnati spent $1.1 million, or about $3,000 per FTE; Ohio State spent $1.9 million, or about $2,900 per FTE; and Toledo spent $1.6 million, about $3,900 per FTE. In contrast, CM spent $890,120 in scholarships, which equated to approximately $1,200 per FTE. Succinctly stated, all other Ohio public law schools spent more than twice the amount as CM per FTE in scholarship dollars.

Scholarships are critical because law schools often get into a bidding war over applicants with the best entering credentials, including those whose admission will increase the diversity of the class. The significant discrepancies between the scholarship monies available at CM and other Ohio schools necessitated an aggressive strategy. Accordingly, the Action Plan called for 10 additional full-tuition scholarships for entering students each year for five years, beginning in 2004 and achieving 50 additional full scholarships by 2009. Since the Action Plan’s inception, however, it has become clear that it is not the number of full scholarships per se that is important, but rather the total scholarship dollars that admissions personnel have available, paired with the flexibility to negotiate scholarship amounts with individual applicants. The scholarship data explained throughout this section also support CM’s continued downsizing efforts, as the reduced number of students overall will increase our scholarship dollars per FTE.

With the cooperation of the university, the law school has substantially increased its scholarship funds since 2004, but not at the ambitious level envisioned in the Action Plan. Scholarships have been generated from a number of sources, including increased fundraising from alumni, faculty and staff, students, and other donors, and reallocation of money within the law school to direct more dollars to scholarship funds. Due to these efforts, CM increased its scholarship allocation from $1,200 per FTE student in AY 02-03 to $2,266 per FTE in AY 06-07. (AY 06-07 is the most recent year for which comprehensive comparative data is available.) Total scholarship dollars were increased from $890,120 to $1,430,127 annually during that period.

While this progress is impressive, it does not represent any ground gained compared to Ohio’s other public law schools. Ohio’s other public law schools still outspend CM’s FTE scholarship average by at least a 2-1 ratio. The charts below illustrate the relative and absolute scholarship expenditures based on the most recent comprehensive data available (from the 2006-

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22 Tuition varies slightly among the Ohio law schools but traditionally, CM has been among the most affordable of the state law schools. For students entering law school in the Fall of 2008, for example, tuition and fees for Ohio residents attending CM full time total $16,478 and $22,608 for nonresidents. Resident and nonresident tuition and fees for students entering other Ohio public law schools this Fall are as follows: Akron is $17,212 and $27,284; Cincinnati $19,361 and $33,764; Toledo $18,035 and $27,779; and OSU $19,232 and $34,516. The higher tuition and fees at other Ohio state law schools are, however, more than offset by the additional scholarship monies available at those schools compared to CM. See Chart 3 for comparative scholarship expenditures.

23 This FY2002 data is taken from the law schools’ reports to the American Bar Association (ABA), the accrediting agency for U.S. law schools.

24 06-07 scholarship total as reported in ABA Report Backs 2007, Table J-2.
2007 academic year) and offers comparative 2002-2003 FTE data. Additional comparative financial data is provided in Chart 3, which is attached.

**FTE Scholarships Average AY 06-07**

<table>
<thead>
<tr>
<th>School</th>
<th>FTEs</th>
<th>Scholarship Dollars</th>
<th>Average per FTEs</th>
<th>Average AY 02-03</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toledo</td>
<td>462.8</td>
<td>$2,917,892</td>
<td>$6305</td>
<td>$3,900</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>374</td>
<td>$1,831,522</td>
<td>$4897</td>
<td>$3,000</td>
</tr>
<tr>
<td>OSU</td>
<td>689.3</td>
<td>$3,331,741</td>
<td>$4834</td>
<td>$2,900</td>
</tr>
<tr>
<td>Akron</td>
<td>460.8</td>
<td>$2,223,526</td>
<td>$4825</td>
<td>$2,900</td>
</tr>
<tr>
<td>CSU</td>
<td>631.9</td>
<td>$1,430,127</td>
<td>$2263</td>
<td>$1,200</td>
</tr>
</tbody>
</table>

**Total Enrollment Scholarship Average AY 2006-2007**

<table>
<thead>
<tr>
<th>School</th>
<th>Students Enrolled</th>
<th>Recipients/ Percent</th>
<th>Dollar Amount</th>
<th>Average per Recipient</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toledo</td>
<td>524</td>
<td>229 / 43.7</td>
<td>$2,917,892</td>
<td>$12,741</td>
</tr>
<tr>
<td>Akron</td>
<td>526</td>
<td>207 / 39.3</td>
<td>$2,223,526</td>
<td>$10,741</td>
</tr>
<tr>
<td>Cincinnati</td>
<td>376</td>
<td>252 / 67</td>
<td>$1,831,552</td>
<td>$7,268</td>
</tr>
<tr>
<td>OSU</td>
<td>688</td>
<td>557 / 80.9</td>
<td>$3,331,741</td>
<td>$5,981</td>
</tr>
<tr>
<td>CSU</td>
<td>702</td>
<td>240 / 34.1</td>
<td>$1,430,127</td>
<td>$5,958</td>
</tr>
</tbody>
</table>

Toledo and Akron have been especially aggressive in using financial incentives to recruit strong students. A recent study reported in the National Law Journal identified the top 25 U.S. law schools based on the percentage of students at each institution who were awarded (1) full scholarships and (2) scholarships ranging from half to full tuition.27 Toledo ranked first and Akron ranked fifth *nationally* in terms of the percentage of students awarded full scholarships at each institution. This study also ranked Toledo fifth and Akron seventeenth in the percentage of scholarships awarded in the range of half-to-full tuition. CM was not mentioned in this ranking for reasons that become clear when comparative data are considered.

In AY 06-07 (the most recent data available), 14.5% of Toledo law students were given full-tuition scholarships plus a stipend and 5.3% of Akron law students received a similar financial package. In contrast, less than 1% of CM students were given a stipend in addition to full tuition that year. An additional 14.1% of Toledo law students and 12.2% percent of Akron

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25 Data obtained from ABA Report Backs 2007, Table F-6 (for FTEs) and J-2 (scholarships), both containing 2006-2007 data.
26 Data obtained from ABA Report Backs 2007, Table J-2 Scholarships and Fellowship All Students 2006-2007 (published 3/27/08) and Table C-3 Total enrollment 2006 data (published 3/11/08).
27 William D. Henderson and Andrew P. Morriss, *What Rankings Don’t Say About Costly Choices*, NATIONAL LAW JOURNAL, April 14, 2008, at S2. The study was based on data law schools must submit annual to the American Bar Association as part of the ongoing accreditation process.
law students were awarded full scholarships (but no stipend) in AY 06-07. Only 5.6% of CM students were given full scholarships that year.

Akron has further increased its financial attractiveness by substantially lowering the law school GPA necessary for scholarship recipients to retain their scholarships. Until this year, Akron required scholarship recipients to obtain a 3.3 GPA. Because law school is so academically rigorous, only students in the very top of their law school classes meet or exceed the 3.3 criteria. A low retention rate frees up scholarship dollars so that more money could be offered to incoming students.

Effective with the class entering this Fall, however, Akron law students will only need a 2.5 GPA to keep their scholarships. In contrast, students who receive full scholarships at CM must obtain a 3.2 GPA to keep their scholarship and students with lower-level scholarships must maintain a 3.1 GPA. Akron’s lowering of the GPA necessary for scholarship retention may prove advantageous in recruiting top students. Because lowering the retention standard has a huge impact on the overall dollars that a law school must devote to scholarships, and because CM is already disadvantaged compared to other Ohio law schools in terms of total scholarship dollars, we are not in a position to immediately lower our retention requirements in response to Akron’s decision. We will closely monitor the impact of Akron’s policy change before deciding whether our retention GPA will also need to be adjusted. This issue is just one that we will address as part of our continual assessment of the best strategic uses of our scholarship funds.

Finally, it should be noted that CM’s addition of scholarship dollars pursuant to the Action Plan has been offset by increases in tuition and fees. In AY02-03, Ohio residents paid $10,543 to attend CM as a full-time student. This year, CM students paid $16,478, representing a 56% increase over a five-year period. The cost of textbooks and living expenses has also increased substantially. Housing, food, transportation, and books add about another $16,000 per year to a law student’s annual expenses. As a result, the average CM student accumulates over $66,000 in school loans while attending law school. Prospective students are wary of taking on more debt than necessary to attend law school, and thus the amount of scholarship dollars available is becoming one of the most important factors when prospective students evaluate law schools. The continued tightening of the credit market due to the fallout from the nationwide home foreclosure crisis will undoubtedly increase the importance of cost in prospective students’ decision-making process.

For all of these reasons, it is critical that CM continue to identify and develop revenues devoted to scholarships. To date, the university and law school have worked toward this goal by (1) adjustments to the university’s internal budgeting and allocation process; (2) the law school’s internal reallocation of financial resources; (3) targeted fundraising for scholarships; and (4) freezing law tuition for this academic year (AY09). These collaborative efforts must continue.

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29 ABA Report Backs 2007, Table F-2.
30 ABA Report Backs 2007, Table J-8 (for 07-08 AY).
C. Addition of Bar Coordinator and Academic Support Personnel

The Action Plan called for the immediate hiring of a bar support coordinator charged with developing and implementing a comprehensive program of educating students about the bar exam, aiding students in the development of skills needed to pass the bar exam (with special focus on weaker students), and addressing the unique problems faced by part-time students. As implementation of the Action Plan unfolded, it also became clear that academically challenged students needed support from the very beginning of their law school careers. As a result, the law school significantly strengthened its Academic Excellent Program (AEP). Details of these evolving programs and the data demonstrating their success is provided below.

1. The Bar Coordinator

Pursuant to the Action Plan, then-Dean Steinglass appointed then Assistant Dean Gary Williams as the law school’s Bar Coordinator in the Spring of 2004. As conceived by the Action Plan, the Bar Coordinator would be a focal point for bar-related activities at the law school and a standing member of the Bar Committee. During the period 2004-2007, Mr. Williams functioned as the Bar Coordinator, continued his duties as the Assistant Dean for Student Affairs, and taught the Ohio Bar Exam Strategies and Tactics (OBEST) course each semester. The intense time demands of being both the Bar Coordinator and Assistant Dean proved unworkable on a long-term basis.

In the Summer of 2007, the law school received permission from the university to split Mr. Williams’s duties into two parts and to hire an additional person in the newly created position of Manager of Student Affairs, essentially assuming many of the duties formerly assigned to the Assistant Dean.31 After one failed search, the law school recently hired an outstanding 2005 law graduate, Inga Laurent, to fill the Manager of Student Affairs position. At the same time, Mr. Williams became Director, Bar Exam Preparation.

a) Bar Preparation Course

In the Spring of 2004, the American Bar Association (ABA) lifted its ban on law schools offering a bar preparation course, but did not permit schools to give academic credit for the class. The law faculty immediately approved the non-credit OBEST course as part of our curriculum. The ABA changed its regulations a year later to permit law schools to offer a bar preparation course for academic credit, and in the Spring of 2005 the law faculty approved such a course. CM students may now earn three credit hours for OBEST (of the total 90 needed for graduation); the course is graded on a pass/fail basis. The law school offers OBEST in the Fall and Spring semesters each year. The enrollment is considerably larger in the Spring semester because most students graduate in May and take the bar exam in July.

CM’s OBEST course was designed and implemented by Mr. Williams. He currently enlists the aid of several additional instructors he selected and trained to provide more individualized attention to the students.

31 The Provost approved this restructuring in exchange for the law school’s permanent relinquishment of a tenure-track faculty slot.
Data indicate that the OBEST class has a significant impact on our graduates’ efforts to pass the Ohio State Bar Exam on their first attempt and that, over time, the course has become more effective. For the July 2007 bar exam, 96.3% of CM graduates who had taken the class passed the Ohio bar exam compared to 79.5% who had not taken it, more than a 16-percentage-point difference. For the February 2008 bar exam, graduates who took the OBEST class passed at a rate of 100% and non-OBEST graduates at a rate of 66%, an even greater difference. A similar pattern is seen in previous bar exam administrations.

Moreover, the OBEST class appears most helpful for graduates who have a law school GPA of less than 3.0. For graduates who have cumulative law school GPAs above 3.0, the passage rate of those who took OBEST and those who did not were fairly similar. For instance, on the July 2007 exam, the difference was 98% and 92%, respectfully. For graduates with GPAs below 3.0, the difference in bar pass rates was considerably greater—88% for graduates who took OBEST and 42% for graduates who did not.

A similar pattern emerges with an examination of the data on LSAT scores. Graduates who entered law school with LSAT scores below 150 who took OBEST passed at an 83% rate, while graduates with similar LSAT scores who did not take the class passed at a 45-54% rate. The differences in bar pass rates between OBEST and non-OBEST graduates diminished as the LSAT score increased.

All students are eligible to enroll in the OBEST course, and the law school especially encourages students with lower GPAs to do so. ABA regulations, however, prohibit law schools from requiring students to take a bar pass course.

b) Additional Bar Coordinator Responsibilities

Teaching the OBEST course and supervising the instructors who assist him are just two of Mr. Williams’ many responsibilities. In addition, the Mr. Williams contacts students at key times to alert them to a series of requirements and deadlines occurring throughout the multi-year bar exam application process, sends out other relevant bar information via emails and newsletters, counsels students individually and in groups, coordinates presentations from outside speakers such as Leann Ward, Admissions Manager of the Ohio Supreme Court Office of Bar Admissions, serves on the law school’s Bar Pass Committee, initiates and coordinates one hour course review and exam preparation sessions by faculty members on the 18 subjects tested on the Ohio bar exam, offers an eight-week bar essay writing workshop immediately prior to each bar exam and an eight week Multi-state Performance Test (MPT) workshop. Mr. Williams travels to Columbus in February and July to provide moral support, refreshments, and other needed items to graduates taking the bar exam. He also provides both oversight and makes many hands-on contributions to the Academic Excellence Program.

32 For the MPT, exam takers are given a file containing cases, statutes, memos and other sources that a practicing attorney would use, and are directed to draft a memo for another attorney, a motion or brief for a judge, or similar document based on the issues presented in the file.
2. Academic Excellence Program (AEP)

Bringing in stronger students and providing them with increased direction on how to prepare and take the bar exam are two of the primary tools CM has employed to achieve an outstanding bar pass rate. Providing academic support for students throughout their law schools careers is another key piece of the puzzle.

a) Background

In the Fall of 2002, then Assistant Dean Gary Williams started CM’s Academic Excellence Program (AEP). When Mr. Williams became the law school’s Bar Coordinator in 2004, Daniel Dropko was hired as Manager of the AEP. The structure of the program has remained the same during this time. Four Teaching Assistants, recruited from highly motivated upper-level students, each lead a small study group drawn from each of the first-year Contracts sections (3 day and 1 evening section.) (The Contracts course is one of the five core substantive subjects taught in the first year of law school and is a subject extensively tested on the bar exam.)

Student participants are initially selected based on their Law School Admissions Council (LSAC) Index scores. In general, index scores of 2.7 and below produce a sample of about 60 students, allowing the groups to remain small enough for effective study (usually 12 students or fewer). Each group meets once per week for approximately two hours. The Teaching Assistants review and answer questions about the previous week’s class material and help students develop basic law school study skills such as note-taking, outlining, and case briefing. Part way through the first semester, students are given practice exam questions that are reviewed by the TA. During the second semester, the study skills component diminishes, and the exam practice is expanded. In addition to the weekly sessions, the TAs maintain office hours for two hours per week, in which they are available to any student or group of the students from the section.

In the Fall of 2003, Mr. Williams instituted AEP II, a large-group session open to all students that meets once per week during the academic year. This program was in response to requests by many students not originally invited to participate in the small group program, but who wanted to participate in the skills activities. The emphasis in this session is on basic law school study skills and exam-taking techniques and practice. These sessions are still offered. Finally, Mr. Williams and Mr. Dropko engage in one-on-one counseling with individual students as needed.

b) AEP Success

The data suggest that the Academic Excellence Program has assisted students in two ways. First, AEP participants outperform their non-participating counterparts in terms of their grades in Contracts. (See below for a chart that summarizes the differences in Contracts grades between participants and non-participants for the past four academic years.) Second, it appears that the AEP is affecting students’ overall performance in law school. Learning skills acquired

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AEP Teaching Assistants are funded in part through the university’s Graduate Assistant program.

The index calculation is based on LSAT score, UGPA, and other factors such as the academic reputation of the undergraduate institution. The index attempts to roughly project the student’s first year law school GPA.
in the context of studying Contracts are helping students to increase their overall law school grade point average. The following chart summarizes differences between participants and non-participants in cumulative GPA after the first year of law school for the past four years.

Mean Contracts Grades for AEP Participants and Non-Participants, AY 2004-2008

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants</td>
<td>2.4</td>
<td>2.34</td>
<td>2.63</td>
<td>2.44</td>
<td>2.48</td>
<td>2.25</td>
<td>2.43</td>
<td>2.67</td>
</tr>
<tr>
<td>Non-Participants</td>
<td>2.09</td>
<td>2.39</td>
<td>2.19</td>
<td>2.07</td>
<td>2.11</td>
<td>2.47</td>
<td>2.41</td>
<td>2.3</td>
</tr>
</tbody>
</table>

Mean Cumulative Grade Point Averages for AEP Participants and Non-Participants, AY 2004-2008

<table>
<thead>
<tr>
<th>Academic Year</th>
<th>04-05</th>
<th>05-06</th>
<th>06-07</th>
<th>07-08</th>
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</thead>
<tbody>
<tr>
<td>Participants</td>
<td>2.55</td>
<td>2.61</td>
<td>2.58</td>
<td>2.61</td>
</tr>
<tr>
<td>Non-Participants</td>
<td>2.35</td>
<td>2.45</td>
<td>2.4</td>
<td>2.39</td>
</tr>
</tbody>
</table>

c) AEP Expansion

In the Fall of 2007, the law school expanded the Academic Excellence Program to second-year students on an experimental basis. Mr. Dropko recruited three additional TAs to offer small group sessions for students in the three sections of Constitutional Law, a required second-year course. Although participation in the program was less robust than in the first-year Contracts sections, the program appeared to demonstrate modest success. The following chart indicates that participants outperformed non-participants in Constitutional Law grades.

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35 Funding for two of the three TAs was provided by the university through a small increase in the law school’s GA allocation.
Mean Constitutional Law Grades for AEP Participants and Non-Participants 2007-2008

<table>
<thead>
<tr>
<th>Semester</th>
<th>Section 1</th>
<th>Section 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall Semester 2007</td>
<td>2.7</td>
<td>3.08</td>
</tr>
<tr>
<td>Participants</td>
<td>2.7</td>
<td>3.08</td>
</tr>
<tr>
<td>Non-Participants</td>
<td>2.47</td>
<td>2.81</td>
</tr>
<tr>
<td>Spring Semester 2008</td>
<td>2.8</td>
<td>3.0</td>
</tr>
<tr>
<td>Participants</td>
<td>2.8</td>
<td>3.0</td>
</tr>
<tr>
<td>Non-Participants</td>
<td>2.64</td>
<td>2.88</td>
</tr>
</tbody>
</table>

D. Attrition

To assure that CM graduates are both competent to practice law and capable of passing the bar exam, the Action Plan called for faculty members to commit to apply the full spectrum of grades fairly and rigorously as established by existing Grading Guidelines (or other Guidelines that the faculty might adopt after further study). The law school’s goal was (and remains) achieving an overall attrition rate that reflects appropriate academic dismissals of students who fail to demonstrate sufficient aptitude for the practice of law. Our focus on achieving appropriate attrition rates resulted in modifications to both our Grading Guidelines and our Academic Standards governing academic probation.

But increased attrition is not an end in itself. It represents one tool among many that must be used wisely and monitored carefully as we continue to strengthen our bar pass performance and the overall quality of the educational experience of our students. As discussed in detail above, the law school has devoted significant resources to its Academic Excellence Program and other components of the bar pass program that offer extensive support to students with low entering credentials and/or initially poor academic performance in law school. For these reasons, the law school has declined to set specific numeric goals for attrition rates.

1. Changes to Grading Guidelines and Academic Standards

In direct response to the Action Plan, the faculty of the law school adopted new Grading Guidelines in 2004 calling for an increase in the number of grades in the D+, D, and F ranges, with a corresponding increase in the number of grades in the A, B+, and B ranges. In 2007, the faculty adopted revised Grading Guidelines that increase the number of grade categories from eight to eleven, without fundamentally altering the overall grade distribution. The 2007 changes went into effect in Summer 2008. One motivation for the additional categories is to allow faculty to more precisely assess students’ academic performance.

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36 Participation by students in the third section of Constitutional Law was too low to permit analysis.
The law school’s Academic Standards have also been tightened just prior to and immediately following adoption of the Action Plan. Law students must maintain a minimum 2.00 GPA to remain in good academic standing. It is fairly obvious that seriously academically challenged students are ill-equipped for the intellectual rigors of law practice, and data indicated that they find it extremely difficult to pass the bar exam.

Effective in 2002, the law school set a 1.75 GPA as the floor below which students are dismissed without immediate recourse, meaning that they cannot seek a probationary period in which to reach the required 2.00 GPA. Also effective in 2002, students with GPAs between 1.75 and 2.00 were no longer automatically granted probation, but instead had to petition the Academic Standards Committee for a one-semester probationary period. Students who successfully petition for a probationary semester are dismissed if (1) they fail to reach the 2.00 minimum after the probationary semester or (2) achieve at least a 2.00 at the conclusion of probation but fall below the 2.0 cumulative GPA at the conclusion of any subsequent semester. The faculty revisited the Academic Standards following adoption of the Action Plan and in 2004 raised the threshold for petitioning the Academic Standards Committee for an initial probationary period to a 1.8 GPA.

Changes to the Academic Standards have affected attrition rates. Only a few students petition for probation each year, and only a few of those petitions are granted. The very small number of students who do file successful petitions for probation have all been able to achieve the requisite 2.0 GPA or higher at the end of the probationary period, often with assistance from the Academic Excellence Program.

2. Effectiveness of Increased Focus on Attrition

As previously noted, increased focus on attrition rates was initially inspired by two considerations. First, we predicted that our reduction in size and use of scholarship dollars would affect only some portion of the entering class and that attrition would be an additional means to achieve a stronger cohort that would ultimately take the bar exam. Thus, attrition was designed to complement our admissions strategy and further our long-standing goal of producing highly competent graduates. Second, our analysis of other Ohio law schools’ rates of attrition suggested that schools with similarly or better credentialed entering classes (e.g. Akron and

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37 Academic Regulations are provided in the Student Handbook, available to students at [http://www.law.csuohio.edu/currentstudents/handbook/](http://www.law.csuohio.edu/currentstudents/handbook/). Regulations 5.1 to 5.4 govern academic dismissal, petitions for probation, and re-admission following dismissal.

38 Less than 30% of students who graduate with a cumulative GPA below a 2.5 typically pass the bar exam on the first try, and some never pass despite repeated attempts.

39 Any academically dismissed student may apply for re-admission to CM through the regular Admissions process not less than two years after dismissal pursuant to Academic Regulation 5.2(a). However, a student may petition the Academic Standards Committee for permission to reduce the waiting period to reapply to one year under Academic Regulation 5.3(a)(1).

40 Academic Regulation 5.3(c) provides that the Academic Standards Committee may grant petitions for probation only where a student demonstrates that he or she has (1) “experienced substantial hardship caused by extraordinary and unforeseeable circumstances, (2) the factors that contributed to the student's insufficient academic performance no longer exist, and (3) there is a reasonable likelihood that the student will attain a cumulative grade point average of 2.0 at the end of the Probationary period.” A Student may appeal the Committee’s decision to the full faculty under Academic Regulation 5.4.
Capital) had traditionally higher attrition rates than CM. To be competitive in terms of bar passage rates, we believed that our attrition standards should reflect a standard appropriate to our entering classes. We also recognized, however, that higher attrition rates were not an end in themselves, and that this aspect of the Action Plan might become less significant if we were successful in strengthening the quality of entering classes, improving the effectiveness of our Academic Excellence Program, and implementing other student-support mechanisms established or inspired by the Action Plan.

The overall attrition rate (including both academic dismissals and students who leave to transfer or because they get low grades) for first-year students during the five entering classes before the Action Plan became effective (i.e. entering classes of 1998 to 2002) ranged from 8.4 to 14.4%. In contrast, the overall attrition rate for the five entering classes since the Action Plan’s inception for which data is available (i.e. classes entering in 2003 to 2007) has ranged from 14.8 to 22.2%. Unlike other aspects of the Action Plan that have taken several years to fully implement, we were able to implement higher attrition rates during the 2003-2004 academic year while still devising the Action Plan. (For more detailed attrition data, see attached Chart 4 for comparative attrition data on first and second year students at Ohio law schools and Chart 5, focusing on first-year attrition.)

While these overall attrition rates suggest that the more vigorous grading has had the desired effect of dismissing students who are not well suited to the study of law, it is difficult to determine the impact of this aspect of the Action Plan. This is because we can identify the number of students dismissed each year for poor academic performance, but we cannot discern the number of students who left voluntarily due to low grades. A few students, usually those with very high grades, also withdraw after their first year to transfer to another law school.

With those caveats in mind, one year’s data appears especially instructive. In 2003, CM had its highest combined (i.e. academic and non-academic) rate of attrition at 22.2% of the first-year class. Three years later, when the majority of that class graduated and took the bar exam, CM ranked fifth of the nine Ohio law schools in bar passage. At that time, this fifth place finish was the best ranking result in several years. These data strongly suggest, but do not definitively establish, a strong correlation between dismissal of academically weak students and significant improvement on bar pass scores.

Focusing only on the data for academic dismissals, in the five years preceding the implementation of the Action Plan, CM dismissed an average of 12.8 students in their first two years of law school. Since the inception of the Action Plan, the average dismissal rate has increased to 18.6 students per year. Another data point that is of particular interest related to attrition rates concerns the entering class of 2004. CM academically dismissed 27 students that year. Three years later, CM had the second-highest rate on the July 2007 Ohio bar exam. These numbers demonstrate that, by maintaining high academic standards, we have positively affected our bar passage rates.

41 From 1998 to 2002, for example, five Ohio law schools realized higher yearly attrition rates than CM: Akron, Capital, Dayton, Ohio Northern, and Toledo.
3. Impact of Attrition on Minority Students

Minority students have not been disproportionately affected by our increased focus on attrition. Five minority students were academically dismissed from both the entering class of 2002 and class of 2003, the two years prior to implementation of the Action Plan. Five minority students were also academically dismissed during the year the Action Plan was being formulated (2004). Since then, two minority students were dismissed from the entering class of 2005, three from the entering class of 2006, and five from the entering class of 2007.

E. Curriculum

1. Pre-Plan Changes

Curricular changes developed and approved by the law faculty went into effect in the Fall of 2000. The modifications were intended to improve our students’ educational experience in first-year foundational courses and inject appropriate additional rigor in upper-level course requirements. The revised curriculum (1) reduced the full-time first-year students’ course load from six to five class per semester; (2) increased Property, Torts, and Contracts from five to six credit hours each; (3) expanded the first-year legal writing course from four to five credit hours; (4) removed the “perspective elective” course requirement from the mandatory first-year schedule; (5) delayed Civil Procedure until the Spring semester and split the course so that the second half was not taken until the students’ second year of law school; and (6) mandated that upper-level students satisfy a third-semester legal writing requirement. Property, Torts and Contracts, all two-semester courses, were restructured so that students received grades recorded on their permanent transcripts (rather than temporary mid-term grades) at the conclusion of their first semester of law school.

Even though these changes pre-date the Action Plan, they were done with an eye towards increasing our bar passage rates. The courses increased by one credit hour each - Property, Torts, and Contracts – were then and remain “double tested” on the Ohio State Bar Examination, meaning that these subjects are covered in both the essay and the multiple-choice portions of the exam. The reduction from six to five courses a semester would enable students to more fully immerse themselves in these fundamental subjects and provide faculty with more opportunity to provide feedback to students through mid-term exams, quizzes, and other mechanisms. Legal writing was enhanced at both the first year and upper class level because data indicated that many of our students struggled with the essay portions of the Ohio bar exam. The change from a mid-term to a permanent grade in Property, Torts, and Contracts allowed the law school to identify students with serious academic deficiencies earlier and to appropriately increase academic attrition levels that lagged noticeably behind other Ohio law schools with similar students.

By the Fall of 2003, faculty had identified several concerns about the revised curriculum. The most pressing questions were whether the additional credit hour allotted to Property, Torts,
and Contracts was providing increased value to the students and whether splitting Civil Procedure into courses taken in separate academic years was pedagogically sound. Another issue was that the revised curriculum only totaled 29 credit hours for full-time students, leaving them one credit hour short of the 30 credits students need to take each academic year to reach the 90 needed for graduation. The Action Plan focused on these issues and directed the Curriculum Committee to reconsider them in light of the other objectives of the Action Plan.

2. Post-Plan Alterations

Following study of these and related subjects by the Teaching Committee and the Curriculum Committee, the faculty voted to revise the first year curriculum. Effective Fall 2005, Property, Torts, and Contracts were returned to five credit hours each, Civil Procedure was re-combined as a six-credit hour, two semester courses taught entirely in the first year, and Legal Writing was expanded to a six credit hour course. The third semester of legal writing requirement was retained.

In addressing curricular matters at CM, it should be noted that a number of universities, including Harvard, are currently engaged in an intense examination of their law school curriculum. These studies are largely inspired by the “Carnegie Report.” Published in 2007, the report concludes that law school graduates often lack critical lawyering skills. In reaction to this data, the ABA has recently augmented its accreditation requirements related to skills-based course offerings.

CM has intentionally and significantly increased its skills courses over the past decade and has aggressively counseled students to enroll in classes, externships, and clinics that develop fundamental skills including research, drafting, oral advocacy, negotiating, and similar skills. On May 8, 2008, the faculty approved an additional graduation requirement for students beginning with the entering 2008 class. Each student must now “take at least one course providing substantial instruction in professional skills generally regarded as necessary for effective and responsible participation in the legal profession.” Courses that satisfy the professional skills requirement are ones that "engage each student in skills performances that are assessed by the instructor."

We will continue to monitor our curriculum as it affects bar passage rates and the overall quality of legal education we provide. This continued action is dictated by both the Action Plan and by Goal #5 of our 2007 Strategic Plan, which affirms CM’s commitment to provide an educational experience for students “to prepare them to practice law in the 21st century.”

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43 Clinical faculty also noted that students who do not make up the one-credit hour deficiency in their second year are one hour short of the credits required for Supreme Court of Ohio standards for student practitioners as they enter their third year of law school.
F. Teaching

Nothing in the Action Plan suggests that law faculty should change their materials or methodologies to “teach to the bar.” To the contrary, we specifically avoided any such directives in the Action Plan. In addition to undermining core principals of academic freedom, such directives would likely prove counterproductive. Superior teaching occurs when each faculty member is free to identify the best methods and materials for the subject being taught. Nonetheless, it appears that the predominance of the Action Plan in the life of the law school over the past four years has caused some professors to reconsider certain aspects of their teaching strategies.

1. Status of Teaching Components Outlined in the Action Plan

The law school has long been committed to strengthening the quality of teaching and has adopted a number of mechanisms to further that objective. The Action Plan did not make specific teaching recommendations. Rather, the Action Plan instructed that “The Teaching Committee will examine possible methods of increasing the efficacy of our instruction, including but not limited to (1) increasing the instructional hour from 50 to 55 or 60 minutes; (2) shortening the semester to 13 weeks; (3) encouraging the use of multiple choice and bar essay type exams; and (4) encouraging the use of closed-book exams.” The Teaching Committee studied these and related issues and presented a detailed report and recommendations to the faculty during its March 24, 2004 faculty meeting. The faculty discussed these recommendations at length and adopted the Committee’s recommendations to reject proposals (1) and (2) and adopt proposals (3) and (4). These and other teaching proposals considered by the faculty following adoption of the Action Plan are discussed below.

a) Extension of Teaching “Hour”

The Teaching Committee recommended against extending the instructional hour from its current 50 minute to a 55 or 60 minute model after concluding that increasing the class hour would be more of a cosmetic rather than substantive change and that the extended class hour presented significant logistical problems with class scheduling. The extended classes would require substantially reducing time between classes, and most three-credit-hour courses would need to meet three days per week rather than two. Logistical complications were significantly compounded with night classes.

44 See, e.g., Plan to Enhance Quality Teaching at Cleveland-Marshall College of Law approved at May 15, 2003 faculty meeting (outlining proposals to encourage the use of feedback to students, provide summer grants for faculty to develop innovative teaching materials and mechanisms, and sponsoring annual teaching workshops or retreats for law faculty); 2007 CM Strategic Plan, Goal #5 (stating our intent “to expand our teaching strategies to maximize the educational experience for our students”).

45 Among other things, the Teaching Committee examined the impact of a recent curricular change that had added a credit hour each to Property, Contracts, and Torts, and concluded based on faculty surveys that the additional credit hour had not resulted in innovation in methods of delivering material to students or other pedagogical benefits. See Teaching Committee Memoranda of March 18, 2004 titled Response to Bar Pass Resolution 6(a) and Proposals for Consideration at the March 25 Faculty Meeting and Teaching Committee Report of Oct. 31, 2003 on Impact of Changes on First Year Curriculum.
b) Shortening Semester to 13 weeks

Shortening the semester from 14 to 13 weeks was considered as a means to allow students more time to prepare for the bar following law school graduation. The shortened semester, however, caused the same logistical problems as the increased instructional hour. ABA Standards require 700 minutes of instruction per credit hour per semester, so a 13-week semester demands at least 54-minute classes. In addition, the Teaching Committee concluded a shortened semester would produce an even more hurried pace throughout the semester, and thus be counterproductive to our goals of increasing students’ absorption and comprehension of complex legal materials.

c) Beginning Spring Semester Earlier

In lieu of shortening the semester to 13 weeks, the Teaching Committee endorsed the Bar Committee’s suggestion that the Spring semester begin one week earlier than usual. The result of this change, like shortening the semester to 13 weeks, is that graduates finish their last exams at approximately the same time as students graduating from the other eight Ohio law schools and have an additional week to study for the July bar examination. The faculty initially tabled this idea, but after further study adopted the change effective January 2007.

d) Use of Bar-Type Testing Formats

Traditional law school exams consist of detailed fact patterns followed by one or more questions. Students are required to write essays in which they identify key legal issues implicated by the facts and discuss possible resolutions of each issue at length. Some professors do not allow students to bring any materials to the exam, some allow students to bring limited resources such as a student-created outline of the course, and others allow students to consult a wide range of resources including textbook, outlines, study guides, and similar materials.

While not questioning the validity of traditional essay exams, the Teaching Committee concluded that faculty should be encouraged to use (1) multiple choice and short essay questions and (2) closed-book exams to help students become more familiar with these bar exam formats. However, the Teaching Committee also acknowledged that each professor should retain discretion to determine the most appropriate exam format for evaluating students in each course. Accordingly, the Committee did not suggest that the faculty adopt a uniform policy on these matters but encouraged professors to consider these alternatives.

2. Changes in Teaching Following Bar Plan Adoption

In 2003, 2006, and 2008, the Teaching Committee (with the participation of the Bar Committee in the later two years) conducted surveys on the teaching, grading, and feedback methodologies of the CM faculty. The survey instruments used in 2006 and 2008 were identical; the 2003 version was slightly different because we were gathering data on the impact of the 2000 curricular changes.
The response rates of the surveys were similar: 21 tenured or tenure-track faculty and 7 legal writing professors responded in 2003, 21 tenured or tenure-track, 5 legal writing, and 2 clinical faculty responded in 2006, and 21 tenured or tenure-track faculty members, 1 legal writing professor, 1 clinician, and 2 professors who did not indicate their status responded to the 2008 survey. The following section provides comparative data for only tenured or tenure-track faculty, because an insufficient number of responses exist for either the legal writing professors or the clinical faculty.\footnote{It can be safely assumed, however, that clinical and legal writing faculty routinely provide substantive, individualized feedback to their students due to the skills-intensive nature of their courses.}

\textbf{a) Feedback Mechanisms}

In 2003, 38\% of faculty indicated that they used graded quizzes, midterms, or tests other than the final exam. In 2006, 9.5\% of respondents said they used midterms and 14\% said they used graded quizzes or tests. The numbers for 2008 were even higher: 24\% of the faculty indicated that they used midterms and 14\% said they used graded quizzes or tests. Overall, this data indicates that little has changed in the number of grading opportunities that professor supply for their students. In addition, it appears that fewer faculty used ungraded quizzes or practice exams over this five-year period: 66\% in 2003, 43\% in 2006, and 57\% in 2008.

\textbf{b) Closed Versus Open Book Exams}

In the 2003 survey, 8 out of 21 (38\%) respondents indicated that they used completely closed book exams. That number rose to 48\% in 2006 and declined to 43\% in 2008, for an overall gain of 5\%. The percentage of faculty members giving limited open book exams (permitting students to only rely upon a rule book or very brief outline) was 19\% in 2003, 14\% in 2006, and 14\% in 2008. The number of faculty giving open book exams was 33\%, 19\%, and 28\%, respectively. The percentage of faculty allowing students to use their books as well as commercial outlines was 9.5\%, 14\%, and 9.5\%, respectively. The data on different forms of open book exams does not seem to indicate any significant change occurred among faculty members following adoption of the bar pass Plan.

\textbf{c) Exam Format and Feedback}

Traditional essay questions continue to be the predominant method of testing at the law school. In 2003, 76\% of faculty indicated that they used this type of question. In 2006, the number rose to 81\% and, in 2008, the number rose to 86\%. There was a decline in the percentage of faculty who used bar-type questions—short answer questions with limited space provided (38\% in 2003 compared to 33\% in 2006 and 33\% in 2008), but an increase in the percentage of faculty members using short answer questions without space limitations (38\% in 2003, 43\% in 2006, and 43\% in 2008.) The use of multiple-choice questions also declined over this five-year period: 43\% faculty used them in 2003, 38\% in 2006, and 33\% in 2008.

In terms of feedback on exams, professors at the law school appear to be using written comments more frequently (71\% in 2003, 76\% in 2006, and 90\% in 2008). In addition, a greater percentage of faculty members are meeting with students on a one-on-one basis to discuss their
exams (52% in 2003, 71% in 2006, and 76% in 2008). Professors’ use of answer keys has fluctuated with no distinct pattern—33%, 19%, and 43%, respectively, but their use of model answers has tended to decline (33%, 24%, 14%, respectively). It is possible that greater written comments and individual conferences are supplanting the use of answer keys or model answers.

d) Course Content and Bar Exam

The 2006 and 2008 surveys also asked faculty members who taught courses tested on the bar exam a number of questions concerning course content and the relationship between content and the bar exam. One question was “Have you changed the substantive content of your course or coverage of your subject matter in any way in the last two years?,” meaning in the two years since adoption of the bar pass Plan. In 2006, 57% of faculty members said that they had changed the substantive content of their courses during those two years. That number declined to 38% in 2008, presumably because many faculty members had already changed their courses as reflected in the 2006 survey.

In 2006, 38% of faculty also reported that they emphasized key or core concepts in greater detail rather than adding new materials. The percentage increased to 48% in 2008. In 2006, 52% of faculty members indicated that they had identified the areas in their subject matter covered on the Ohio bar exam; 57% said that they had done so in 2008. Finally, in 2006, 48% of faculty said that they had reviewed multiple-choice or essay questions in their subjects, while in 2008, the percentage of faculty members doing so declined to 38%.

Some faculty members also provided comments on the surveys vis-à-vis the bar exam. The following comments came from the 2006 survey:

“For more than the past 2 years, I have compared my curriculum to the outline of subjects tested on the bar for this course; as it happens, my curriculum covers most of these topics. I also use old bar questions as practice questions in class.”

“I try to include as much of the material listed by the Ohio Supreme Court as ‘fair game’ for the bar exam as I can without overwhelming the students.”

“I have reviewed the outline of topics covered on the bar from the Ohio Supreme Court web site and tried to cover most of the topics; I have also taught a lot more substantive law through problems and eliminated some case law materials, hoping to strengthen students analytical abilities.”

“Made sure I covered all topics listed as tested on the bar exam.”

The following comments are from the 2008 survey:

“Five and six years ago, when our bar passage was quite poor, I instituted a number of changes on my own in an effort to help my students better absorb the material. For all of my courses I created overhead transparencies and then PowerPoint slides that furnish a running outline of what I’m covering in the classroom. I make these
available to the students immediately after class. For my two upper-division bar
courses, I created course outlines which students can download at the semester's
outset. Because of these changes, students are much less likely to garble the
concepts presented in my classroom. Because they have a better grasp of the law,
their chances of passing the Bar Exam are improved.”

“Added new cases/statutes outside of casebook that reflect recent developments in
Ohio law.”

“I review the outline of subjects tested on the Ohio bar provided by the Supreme
Court of Ohio and make some of my decisions as to what topics to cover based on
that outline. I revise my syllabus for each course every time I teach it to
accommodate new developments in the law, so I am always making decisions on
what to include and what to exclude. All coverage decisions, of course, also
involve consideration as to what students need to learn for practice as well as for
passing the bar. But when my decision comes down to a bar tested versus a nonbar
tested topic, I usually choose the bar tested topic.”

“I talk with students about the bar exam more now than I did prior to the bar pass
plan, both inside and outside of class. My goal in these conversations is to make
students aware of the concrete steps they can take throughout law school to prepare
for the bar, while trying not to raise their anxiety levels. Many of these bar prep
tips – like preparing thoroughly for class, participating in class discussions, working
on their writing skills, and learning as much material as possible now – are of
course compatible with my primary objective of producing competent lawyers.”

G. Additional Initiatives to Improve Bar Passage Rate

In addition to implementing all the components of the Action Plan, the law school has
taken other steps directed at increasing our students’ rates of bar exam success. Key initiatives
are briefly summarized here.

- **Addition of Manager, Student Affairs.** Effective June 30, 2007, in exchange
  for the Provost’s approval of a staffing reorganization, the law school
  relinquished one full-time tenure-track faculty slot and the position of Assistant
  Dean for Student Affairs was been eliminated. The assistant deanship and the
  faculty slot were replaced with the positions of (1) Director, Bar Examination
  Preparation and (2) Manager of Student Affairs. The Manager of Student Affairs
  position was filled in June 2008.

- **Advising 1st Year Students.** Starting in the Spring of 2007, we expanded our
  advising activities to the first-year students. In meetings with each of the four
  first-year sections, we inform students of the overall format of the Ohio State Bar
  Examination, the deadline for applying to take the exam, and the subjects tested
  on the exam. Because law students are assigned to their first-year classes, these
counseling sessions were held immediately prior to the time when they register
for their second-year courses. This bar counseling was also offered in 2008 and will be provided in the same or a similar format in the future.

- **Counseling 2nd Year Students.** Starting in the Fall of 2006, Dean Geoffrey Mearns, Associate Dean Phyllis Crocker, Associate Dean Patricia Falk, Mr. Gary Williams, Mr. Daniel Dropko, and Clinical Professor Pamela Daiker-Middaugh divided up the entire second year class (both FT and PT) and scheduled individual counseling sessions with every second-year student. Professor Susan Becker joined the counseling team in 2007. The counselors provided students with information about the multiple steps necessary to apply for the bar and also guidance on how to best manage the bar preparation process. Counselors also gathered data from students to help identify individualized risk factors and trends regarding students’ preparation (or lack thereof) for the bar exam. Students have been very receptive to this program, and we will continue it.

- **Development of Bar Exam Checklist.** During the 07-08 academic year, the Bar Committee developed an Administrative Checklist for Taking the Ohio Bar Examination. Modeled after our Graduation Requirements checklist and available via the school’s website, this document provides information about the bar exam and highlights the specific steps each law student must complete throughout law school to qualify to take the bar exam immediately following graduation.

- **PMBR Partnership.** Commencing in the 2006-07 academic year, the law school partnered with a private entity, PMBR, to more effectively prepare our students for the Multistate Bar Examination (MBE), the multiple-choice component of the bar exam. This arrangement allowed students to take a six-day “Early Bird” MBE preparation course in the Spring semester of their last year of law school, and then take the six-day program again when it is offered in May to prepare them for the July bar exam. The law school subsidized each law student by about $200 and students paid an additional $350 for a review that usually costs about $700. Seventy-three students signed up for the program. Participants also received a workbook that provided six Multistate subjects and significant hands-on experience with MBE questions. Data indicate that participation in this program has a significant positive impact on student success rates. We continued this program this past summer.

- **Distribution of Ohio Bar Exam Material to Faculty.** In the summer of 2006, the law school gathered the last ten years of essay questions and model answers from the Ohio State Bar Examination, sorted them by subject, and provided copies to all faculty members teaching those subjects. The law school continues to make more recent exams available to faculty members immediately following release of the questions and model answers by the Ohio Supreme Court.

- **Faculty Presentations to Exam Takers.** In the summer of 2006, Mr. Williams instituted a program in which faculty volunteers provided advice to bar applicants
on how to approach the essay section of the exam. Most faculty members structured their presentations around essay questions given in previous Ohio bar exams, identifying for the students the most common subject areas emphasized on past exams and suggesting various strategies for answering bar essay questions.

- **Loans for Bar Takers.** In 2006, the law school allocated $25,000 as a bar loan fund. The fund was intended to encourage students to enroll in a commercial bar preparatory course and to take a minimum of six weeks off to study for the bar examination. To date, however, 11 students have taken advantage of this funding source.

- **Support During Exam.** For the past five years, law school administrators including Dean Mearns, Associate Dean Patricia Falk and Mr. Williams and faculty, including Professor Pamela Daiker-Middaugh, have been present in Columbus during the bar exam, providing sustenance and moral support to bar takers throughout the three-day test. Students have been extremely appreciative of these efforts.

- **Law Library Support.** Law library personnel have implemented a variety of initiatives to aid students preparing for the Ohio bar exam. Library staff members developed and routinely update numerous online and print sources addressing each subject matter tested on the bar and publications that advise students how to prepare for the exam. Library hours are extended during the weeks immediately preceding the bar exam and library privileges such as access to the PC lab and other online sources are extended to graduates who are studying for the bar. The Director of the Library is a standing member of the law school’s Bar Exam Committee.

**V. Conclusion**

The goal of the Bar Pass Plan was to improve our students’ performance on the bar exam and to enhance the overall quality of legal education offered at CM. As documented by the data and analyses presented throughout this report, those twin goals have been substantially advanced during the first four academic years of Action Plan implementation. While these achievements are cause for celebration, it is equally apparent that we cannot rest on our laurels.

The need to allocate additional scholarship dollars and to closely monitor the effective use of those dollars is critical to attracting a talented and diverse student body. Admissions Department personnel need continued support of their multifaceted efforts to increase the law school’s reputation and to recruit solid students in this highly competitive market.

Once an entering class is recruited, the task of producing exceptional graduates who can pass the bar exam and become productive members of the legal profession shifts onto the shoulders of the entire law school community. The Academic Excellence Program and the numerous programs initiated, implemented and supervised by the Bar Pass Coordinator should be continuously strengthened and refined. Efforts of faculty members to strengthen the quality
of their teaching and provide meaningful and timely feedback to students also deserve continued support. Law school personnel should also continue to gather and analyze data of the type highlighted by this report and from other sources\textsuperscript{47} to monitor the effectiveness of various law school programs and initiatives. The focus on appropriate levels of academic attrition must also be maintained.

Finally, and perhaps most importantly, the law school and university must continue to work as a team to successfully surmount the inevitable challenges, and to take advantage of the many opportunities, inherent in managing an engaged and successful law school.

**Index to Attachments**

Chart 1 Comparative Bar Pass Data for Ohio Law Schools 1997-2008
  Chart 1A July Bar Exam Results 1997-2008
  Chart 1B February Exam Results 1997-2008
Chart 2 Entering Credentials of Students at Ohio Law Schools 1996-2007
Chart 3 Revenues, Expenditures and Scholarships of Ohio Public Law Schools
Chart 4 Comparison Attrition 1\textsuperscript{st} and 2\textsuperscript{nd} Year Ohio Law School Students 1998-2007
Chart 5 Comparison Attrition 1\textsuperscript{st} Year Ohio Law School Students 1998-2007
CM’s 2007 Strategic Goals and Tactics Memorandum

\textsuperscript{47} For example, the law school has twice surveyed students extensively about their law school experiences using the Law School Survey of Student Engagement (LSSSE), has obtained information from second year students during their individual bar exam counseling sessions, has recently obtained data from the Supreme Court of Ohio from which we can mine additional detailed information about our students’ performance on the bar exam, and is gathering information starting with the 2008 applicant pool in why applicants offered admission to CM choose another law school. These data may yield insightful feedback relevant to our efforts to improve our bar passage rates and the general quality of legal education at CM.
C|M|LAW Summary of Career Planning Statistics Over 5 Years

<table>
<thead>
<tr>
<th></th>
<th>Class of 2011</th>
<th>Class of 2010</th>
<th>Class of 2009</th>
<th>Class of 2008</th>
<th>Class of 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Graduates</td>
<td>185*</td>
<td>178</td>
<td>201</td>
<td>205</td>
<td>179</td>
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<tr>
<td>Employed</td>
<td>157**</td>
<td>149</td>
<td>162</td>
<td>179</td>
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<td>Bar Passage Required</td>
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<td>126</td>
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<td>JD Advantage</td>
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<td>Other Professional</td>
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<td>Unemp – not seeking</td>
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<tr>
<td>Emp status unknown</td>
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<td>8</td>
<td>10</td>
<td>5</td>
<td>7</td>
</tr>
</tbody>
</table>

*92.9% of the Class of 2011 secured employed in Ohio.

**C|M|LAW does not provide special funding for employment of graduates.

Employment Types of Employed Graduates

<table>
<thead>
<tr>
<th></th>
<th>Class of 2011</th>
<th>Class of 2010</th>
<th>Class of 2009</th>
<th>Class of 2008</th>
<th>Class of 2007</th>
</tr>
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<tbody>
<tr>
<td>Law Firms</td>
<td>89</td>
<td>72</td>
<td>90</td>
<td>95</td>
<td>100</td>
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<tr>
<td>Solo</td>
<td>11</td>
<td>11</td>
<td>6</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>2-10</td>
<td>38</td>
<td>35</td>
<td>46</td>
<td>41</td>
<td>44</td>
</tr>
<tr>
<td>11-25</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>19</td>
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<tr>
<td>26-50</td>
<td>6</td>
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<td>6</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>51-100</td>
<td>5</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>4</td>
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<tr>
<td>101-250</td>
<td>12</td>
<td>9</td>
<td>8</td>
<td>15</td>
<td>8</td>
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<tr>
<td>251-500</td>
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<td>2</td>
<td>6</td>
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<td>500+</td>
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<tr>
<td>Business &amp; Industry</td>
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<td>40</td>
<td>36</td>
<td>42</td>
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<td>8</td>
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<tr>
<td>Academia</td>
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<td>2</td>
<td>6</td>
<td>5</td>
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</table>

Full-Time Salaries of Employed Graduates

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<tr>
<th></th>
<th>Class of 2011</th>
<th>Class of 2010</th>
<th>Class of 2009</th>
<th>Class of 2008</th>
<th>Class of 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Emp Graduates</td>
<td>157</td>
<td>149</td>
<td>162</td>
<td>179</td>
<td>163</td>
</tr>
<tr>
<td># Salaries Reported</td>
<td>44</td>
<td>42</td>
<td>44</td>
<td>79</td>
<td>55</td>
</tr>
<tr>
<td>Overall Average</td>
<td>$72,520</td>
<td>$73,815</td>
<td>$84,503</td>
<td>$81,823</td>
<td>$72,740</td>
</tr>
<tr>
<td>Judicial Clerk - # Rpt</td>
<td>1</td>
<td>7</td>
<td>1</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Average Salary</td>
<td>$32,000</td>
<td>$56,889</td>
<td>$34,500</td>
<td>$54,833</td>
<td>NA</td>
</tr>
<tr>
<td>Private Pract - # Rpt</td>
<td>24</td>
<td>19</td>
<td>32</td>
<td>51</td>
<td>40</td>
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<tr>
<td>Average Salary</td>
<td>$86,555</td>
<td>$95,526</td>
<td>$90,078</td>
<td>$89,333</td>
<td>$80,325</td>
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<td>Govt - # Reported</td>
<td>8</td>
<td>10</td>
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</tr>
<tr>
<td>Average Salary</td>
<td>$49,416</td>
<td>$48,963</td>
<td>$48,108</td>
<td>$53,667</td>
<td>$48,670</td>
</tr>
</tbody>
</table>
CRAIG M. BOISE
Curriculum Vitae

Office
Cleveland State University
Cleveland-Marshall College of Law
2121 Euclid Avenue, LB 138
Cleveland OH 44115-2214
(216) 687-2300
craig.boise@law.csuohio.edu

Academic and Administrative Experience

CLEVELAND-MARSHALL COLLEGE OF LAW, Cleveland, OH
Dean and Professor of Law (July 2011 – present)
As chief academic and administrative officer of the law school, duties include
representation of law school in university administration, fund development,
appointment of full-time and adjunct faculty, appointment of law school
committees, and alumni and community relations.

DEPAUL UNIVERSITY COLLEGE OF LAW, Chicago, IL
Graduate Tax Program, Director (2009-present)
Professor of Law (2009-present)
Faculty Recruitment Committee, Chair (2010-2011), Member (2009-10)
Dean Search Committee, Member (2010-11)
Strategic Plan Committee, Member (2009-10)

CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, Cleveland, OH
Associate Professor of Law (2007-09)
Assistant Professor of Law (2003-07)
Center for Business Law & Regulation, Associate Director (2006-08)
ABA Self-Study/Strategic Plan Committee, Member (2008-09)
Faculty Appointments Committee, Member (2006-07)
Dean Search Committee, Member (2005-06)

SUMMER INSTITUTE FOR GLOBAL JUSTICE, Utrecht, Netherlands
Lecturer (Summer 2007)

WASHINGTON & LEE UNIVERSITY SCHOOL OF LAW, Lexington, VA
Visiting Assistant Professor of Law (Fall 2006)
Courses taught: Federal Income Taxation, International Financial System
Integrity Seminar, International Tax Policy Seminar, International Taxation,
Offshore Financial Centers-Cayman Islands, Taxation of Corporations and
Shareholders, Tax Treaties Seminar
Legal Employment

THOMPSON HINE LLP, Cleveland, OH
Senior Tax Associate (1999-2003)

AKIN GUMP STRAUSS HAUER & FELD LLP, New York, NY
Tax Associate (1998-99)

CLEARY GOTTLIEB, STEEN & HAMILTON LLP, New York, NY
Tax Associate (1997-98)

HUSCH BLACKWELL SANDERS LLP, Kansas City, MO
Tax Associate (1995-97)

THE HONORABLE PASCO M. BOWMAN II, U.S. Court of Appeals for the Eighth Circuit, Kansas City, MO
Law Clerk (1994-95)

Education

NEW YORK UNIVERSITY SCHOOL OF LAW, LL.M-Taxation (1999)
UNIVERSITY OF CHICAGO LAW SCHOOL, Juris Doctor (1994)

Scholarly Publications: Law Review Articles and Book Chapters

Optimal Tax Treaty Administrative Guidance, 88 TEXAS LAW REVIEW SEE ALSO 175 (2010).

Regulating Tax Competition in Offshore Financial Centers, in OFFSHORE FINANCIAL CENTERS AND REGULATORY COMPETITION (Andrew P. Morriss, ed., 2010).


Other Scholarship

Amicus Brief on behalf of the Ohio School Boards Association before the Ohio Supreme Court, in HealthSouth Corporation v. Levin, No. 2004-K-749 (Appeal from B.T.A. April 22, 2008).


Practical and Policy Considerations in Corporate Inversion Transactions (with James C. Koenig), 3 CORPORATE BUSINESS TAXATION MONTHLY 3 (2002).


Community Service, Honors and Awards

CLEVELAND LEADERSHIP CENTER
  Board of Trustees, Member (2012-present)

CLEVELAND METROPOLITAN BAR ASSOCIATION
  Board of Trustees, Member (2011-present)

LAW AND LEADERSHIP INSTITUTE
  Board of Directors, Member (2011-present)

CLEVELAND MUSIC SCHOOL SETTLEMENT BOARD OF DIRECTORS
  Vice-Chair (2006-07)
  Member (2002-08)

CLEVELAND BRIDGE BUILDERS LEADERSHIP PROGRAM
  Selection Committee, Member (for Classes of 2005, 2006)
  Class of 2001, Member

CLEVELAND CLINIC FOUNDATION CHILDREN’S HOSPITAL FOR REHABILITATION
  Board of Directors, Member (2001-03)

KARAMU HOUSE – Cleveland, OH
  Board of Directors, Member (2000-03)

KALEIDOSCOPE MAGAZINE – “40 Under 40” Club
  Class of 2002, Member

WCPN/WVIZ – CLEVELAND PUBLIC RADIO AND TELEVISION
  Community Advisory Board, Member (2001-02)
Sponsored Research and Grant Activity

Offshore Financial Center Comparative Research—Isle of Man, Curaçao (co-principal investigator for $10,000 grant), Mercatus Center at George Mason University (2007-2009)

Academic Prizes, Honors and Awards

Value of Research honoree, Case Western Reserve University (2007)

Thomas R. Mulroy Prize for Excellence in Appellate Advocacy, University of Chicago School of Law (1993)

Phi Kappa Phi National Fellow, University of Missouri-Kansas City (1991)

Vice Chancellor’s Student Honor Award, University of Missouri-Kansas City (1991)

Roach Scholar, University of Missouri-Kansas City (1991)

Professional Affiliations

Ohio Bar, Admitted 2000 (currently inactive)

New York Bar, Admitted 1998 (currently inactive)

Missouri Bar, Admitted 1994 (currently inactive)

American Bar Association — Section on Taxation
  Committee on Committees, Member (2004-2007)
  Diversity Committee, Chair (2003-2005)
  Subcommittee for Important Developments - Committee on Foreign Activities of U.S. Taxpayers, Co-Chair (2001-2003)

Cleveland Metropolitan Bar Association
  Board of Trustees, Member (2011-present)
  General Tax Committee, Chair (2001-2002)
  State and Local Tax Clinic, Chair (2002)

Corporate Business Taxation Monthly
  Editorial Advisory Board, Member (2002-Present)

Select Lectures and Presentations

“Breaking Open Offshore Piggybanks: Redux” – Faculty Presentation, Wake Forest University School of Law, February 2009.

“Hotels and Houses: Monopoly Money at the State Level” – Faculty Presentation, University of Cincinnati College of Law, December 2008.

“Hotels and Houses: Monopoly Money at the State Level” – Faculty Presentation, DePaul University College of Law, October 2008.


“Scheme Liability, Section 10(b), and Stoneridge Investment Partners v. Scientific Atlanta” – Panel Discussion Moderator, Center for Business Law and Regulation Supreme Court Preview Symposium, CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW, October 2007.


“Playing With Monopoly Money: Phony Profits, Fraud Penalties, and Equity” – Faculty Presentation, WASHINGTON & LEE UNIVERSITY SCHOOL OF LAW, September 2006.


“The Intersection of Race and Tax” ABA TAX SECTION-DIVERSITY COMMITTEE (panel moderator), May 2004.


CMLAW Organizational Chart  
Chart 3: Academic Enrichment

Heidi Gorovitz Robertson  
Associate Dean  
Academic Enrichment

Rosa DelVecchio  
Admin. Secretary 1

Mary Jane McGinty  
Bar Exam Preparation

Kelly Curtis  
Director of Academic Support

Layla Davis  
Secretary 1

Bar Exam Lecturers

Revised November 2012
C|M|LAW Organizational Chart
Chart 4a: Emeriti Faculty

Joan E. Baker
David R. Barnhizer
Gordon Beggs
Thomas Buckley
Hyman Cohen
Dena S. Davis
Joel J. Finer
James T. Flaherty
Louis Geneva
Deborah Klein

Arthur R. Landever
Kermit Lind
Jane M. Picker
Alan Miles Ruben
Lloyd B. Snyder
Steven H. Steinglass
William Tabac
Barbara J. Tyler
Stephen J. Werber
Frederic P. White
C|M|LAW Organizational Chart
Chart 5: Advancement

Jennifer Nye
Director of Advancement

Rita Pawlik
Admin. Sec’y 1

Mary McKenna*
Director
Law Alumni Association

Megan McFadden
Development Associate

OPEN
Manager, Annual Giving and Special Projects

* Employed by, and reports to, the Cleveland-Marshall Law Alumni Association Board of Directors, but attends and participates in Law School Advancement meetings.

Revised November 2012
C|M|LAW Organizational Chart
Chart 7: Admissions and Financial Aid

Christopher Luca
Assistant Dean
Admissions and Financial Aid

Gina Huffman
Assistant Director of Admissions

Jacqueline Carner
Secretary 2

Steve Antol
Administrative Coordinator

Ivana Batkovic
Admissions Communications Specialist

Revised November 2012
C|M|LAW Organizational Chart
Chart 8: Career Planning

Jennifer Blaga
Director
Career Planning

Jessica Mathewson
Coordinator

Francie Fields
Assistant Director
Part-time

Renée Pienta
Assistant Director
Part-time

Revised November 2012
C|M|LAW Organizational Chart
Part 9: Budget and Administration

Jeane White
Director of Budget and Administration

Laverne Carter
Office Coordinator
Faculty & Administration

Donna Helfrich
Admin. Secretary 1
Budget and Travel

Rita Pawlik
Admin. Secretary 1
Development

Diane Adams
Secretary 2

Harold Jackson
WP Specialist 3
Photocopying & Supplies

Yolanda Salvisjo
Secretary 2
External Affairs

Karen Isebe
Secretary 2

Israel Payton
Clerical Specialist
Stud. Services Ctr

Layla Davis
Secretary 1

Mary McGee
Secretary 1

Sandra Natran
Administrative Coordinator
External Affairs

Revised November 2012
C|M|LAW Organizational Chart  
Chart 10: Adjunct Faculty

Thomas Adams - A  
Susan Audey - A  
Harold Babbit - A  
Joshua Barnhizer - L  
Joyce Barrett - A  
Mark Bennett - A  
Jason Bristol - A  
Maureen Brennan - A  
Claire Cahoon - L  
Frederick Calatrello - L  
Adam Davis - L  
Philip Eichorn - L  
John Fahsbender - L  
Matthew Fitzsimmons - L  
Charles Fleming - L  
Gina Fraternali - L  
Gordon Friedman - A  
Ian Friedman - A  
Alex Frondorf - L  
David Fusco - A  
Jennifer Gardner - L  
Joyce Goldstein - L  
Harry Greenfield - L  
Joseph Gross - L  
James Gwin (Fed. Dist. Ct. Judge) – L  
Karen Swanson Haan - A  
Susan Hanselman - A  
Michael Harvey - A  
Ronald James - L  
Pamela Johnson - L  
Tarama Karel - L  
Nirali Khandelwal - L  
Peter Kirsanow - L  
Joshua Klarfeld - A  
Margaret Koesel - L  
Margery Koosed - L  
Edward Kramer - A  
Debora Lasch - L  
Anthony Lazzaro - L  
David Leopold - A  
Diane Leung - L  
Theodore Mann - A  
David Marczely - A  
Edward Marek - A  
Stacey McKinley - L  
Daniel McMullen - A  
Stuart Mintz - A  
Michael Montgomery - L  
Julanne Montville - L  
Sarah Moore - L  
Thomas Moran - A  
Timothy Nauman - A  
David Neel - A  
Lorne Novick - L  
R. Russell O'Rourke - A  
Diane Palos - A  
Benita Pearson - A  
Dan Polster (Fed. Dist. Ct. Judge) - L  
Patricia Ritzert - L  
James Roosa - L  
Alin Rosca - L  
Karen Rubin-Kugelman - L  
Patricia Yeomans Salvador (Magistrate, Juvenile Court) - L  
Sara Menefee Santoli - L  
David Schweighoefer - A  
Robert Shepard – A  
Denise Wimbiscus Shepherd - A  
Stephen Sozio - A  
Judson Stelter - L  
Ashoke Talukdar - A  
Peter Traska - A  
Christel Turner - A  
David Valent - L  
Dean Valore - L  
Thomas Vanik - A  
Thomas Wagner - A  
Michael Warrell - A  
Thomas Warren - L  
David Weiner - L  
Amy Ryder Wentz - L  
David Whitehead - L  

NOTE: A = Adjunct Faculty; L = Lecturer in Law

Revised November 2012
Members of the Visiting Committee 2012-2013

Ms. Ilah M. Adkins, '03
Director of Legal Services, Vice-President
Charter One Bank

Ms. Ann-Marie Ahern, '98
McCarthy, Lebit, Crystal & Liffman Co., L.P.A.

Mr. Ronald C. Alexander, '99
Legislative Affairs Officer, Office of the Director
NASA Glenn Research Center

Ms. Benjamin W. Beckman, '10
Jones Day

Mr. Edward H. Blakemore
Senior Counsel
Eaton Corporation

Ms. April Miller Boise
Vice President, General Counsel & Secretary
Veyance Technologies

Mr. Jason R. Bristol, '00
Cohen, Rosenthal & Kramer LLP

Ms. Meena Morey Chandra, '92
US Dept. of Education - Office of Civil Rights

Ms. Colleen M. Cotter
Executive Director
The Legal Aid Society of Cleveland

Ms. Carol F. Dakin, '69
Squire Sanders

Mr. Steven M. Dettelbach
U.S. Attorney, Northern District of Ohio

Ms. Sue Marie Douglas
Office Managing Shareholder

Ms. Alana C. Jochum, '10
Squire Sanders

Mr. Mark D. McGinley, '82
Senior Vice President, General Counsel & Secretary
STERIS Corporation

Ms. Laura J. Mimura, '92
Vice President, Marketing and Communications
KeyCorp

Mr. David M. Paris, '78
Managing Partner
Nurenberg, Paris, Heller & McCarthy Co., L.P.A.

Honorable Benita Y. Pearson, '95
U.S. District Court, Northern District of Ohio – Youngstown

Ms. Susan E. Petersen, '97
Petersen & Petersen, Inc.

Rob Remington
Hahn Loeser & Parks LLP

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FY 2012 continued our transitional period. Departures of two staff and prolonged health care absences of two others required creativity and flexibility for scheduling and projects. While two professional vacancies and one support position have been filled for FY13, we have lost the Government Information/Special Projects Librarian position, so we begin FY13 making adjustments again. This report summarizes activities our Librarians managed in 2012, and our collective thoughts on the directions we would like to take in 2013.
The central access point for library services, the Information Services Desk is the face of the Cleveland Marshall Law Library. Open an average of 95 hours per seven day work week during the academic year, the Access & Faculty Services staff employees, Reference & Research Librarians, student assistants and the Associate Director open and close the library and lab, and handle requests from all the library’s varied users. Seventy-five percent of reference and circulation transactions with library patrons in the last year were with College of Law faculty and students, eight percent were with University students and faculty, and seventeen percent with alumni and the greater legal community, persons affiliated with other OhioLINK institutions, and members of the general public.

Librarians conducted over thirty research consultation sessions with students throughout the year. Students make an appointment with the librarian for assistance in researching a particular issue or area of law. Typically, the Librarian prepares for one of these consultation sessions in advance, meet with the student for up to an hour, and do follow-up as needed. We market the service on our website and digital signage, with sign up sheets at the front desk, and through the course of regular reference transactions. We need to repeat the message to faculty teaching courses with a writing requirement and encourage them to refer students in need of research help to us.

We circulated 18,325 items from the collection in 2011/12, compared to 20,866 the previous year. Nearly twenty –two percent of our circulation represented items from the Professional and Practice Skills Collection in room A066. Law students and other patrons continue to seek out the collection for study aids and practice support materials, and we should continue to keep their needs in perspective in our acquisitions decisions. Ohio Room circulation represented five percent of overall figures. Forty-five percent of our circulation was to law faculty and staff, thirty percent to law students and other members of the College of Law community, nine percent to CSU faculty and students, and eight percent to OhioLink members. These numbers are nearly identical to last year. Books are the most checked-out library materials, at 61.6% of total circulation. Bound periodicals circulated at a rate of 7.5%, while unbound periodicals circulated at a similar rate of 7.1% With the cancellation of the majority of law review titles, we expect that circulation figure to drop in FY13.

Last year we started tracking in-house use count in Millennium in order to gather additional statistics on collection use. In-house count tracks materials that are used in the library, but are not checked out. We officially started keeping in-house count statistics on July 1, 2010. Based on our count, 6,593 items were used in-house this past year, an increase of 371 over the previous year. As could be expected, the reference section saw the most in-house use (2,337 counts); the next two areas of the library most heavily used in-house were the Ohio Room (1,235 counts) and the Second floor (1,028).

The law library continues to serve patrons through interlibrary loan and OhioLINK. For ILL, the library is a net borrower (borrowing more materials through ILL than we lend). In this past year, our patrons made 146 requests of other institutions.
through ILL. The heaviest ILL users are our law students, with 95 requests. Our law faculty were also active ILL users, with 40 requests. The library filled 121 requests for other institutions (32 books and 89 articles).

The library is active in OhioLINK. This year we received 1,891 OhioLINK requests on behalf of our patrons, and shipped out 1,335 to other schools. OhioLINK numbers are down from last year, when we received 1,974 requests and shipped out 1,623 orders to other schools.

Taking ILL, OhioLINK, Document Delivery, and patron initiated inter-campus holds into account, the law library made 2,329 requests of other libraries, of which 2,286 of those requests were filled. The library received 2,596 requests for materials through ILL, OhioLINK, Document Delivery, and patron initiated inter-campus holds, of which 2,012 of these requests were successfully fulfilled by our library for other institutions.

Faculty Services:

Faculty Services can be broken down into two broad categories of services – (1) document delivery, course reserves, and course / TWEN page support and (2) research and publication support. Access services staff continue to assist faculty by maintaining and creating TWEN pages and course pages, putting materials on course reserves, and fulfilling paper and electronic document delivery requests. Some professors who have benefited from faculty services in this first category include Profs. Hoke, Keating, Ray, Weinstein, and O’Neill.

Library research assistants and librarians continued to support faculty research and publications with 148 faculty research sessions this year. Library RAs and librarians have completed research memos, compiled bibliographies, conducted non-legal research, and completed literature reviews for a number of faculty members. Librarians and RAs have also assisted faculty in preparing near-finished articles and books for publication. We have assisted faculty with cite-checking their work, with formatting footnotes in the required styles, and with formatting bibliographies for publication. Some professors who have benefited from research and publication support include Profs. Majette, Sundahl, Plecnik, Lewis, and Ray.

This year marks the start of Cleveland State University’s new institutional repository (IR), EngagedScholarship@CSU. With the help of the law library, the Cleveland Marshall College of Law has a significant presence in the new IR. The goal is to transfer all of the records in the library’s Faculty Publications Database into the IR, and use the IR exclusively going forward. Toward this goal, the access services department has assisted Sue as Digital Content Services Librarian in preparing texts and records for upload into the IR and in securing copyright permissions for journal articles. Specifically, department staff members have scanned articles only available in print, checked for online access to articles, completed portions of the batch upload
spreadsheets, corresponded with publishers for copyright permissions, and organized copyright permission responses.

Last year, Tom Hurray was assigned to be the key staff person to maintain the Faculty Publications database. With the new IR, all access services staff members have made significant contributions to the project. Going forward, once the bulk of the older Faculty Publication database materials have been uploaded into the IR, we expect that Tom will resume a more leading role in helping to maintain IR content. For now, however, this is a group project.

**Educational Programming and Instruction Services:**

During the 2011-2012 year, Librarians conducted or facilitated seventy-one educational sessions, sixty-eight for Cleveland-Marshall students, two for Cleveland State University classes, and one tour for paralegal students.

Fourteen of our C|M|L Law sessions were part of the Orientation program, thirteen were Research Certificate seminars. We provided two sessions at the request of BLSA and three sessions for law journal staff and research assistants, two were individual training for faculty, and thirty-seven guest lectures at the request of faculty. Topics ranged from effective use of Lexis and Westlaw and Internet resources and searching dockets, to research techniques in substantive areas such as comparative constitutional law and war crimes, as well as research strategies in non-law disciplines.

The thirteen Law Library Research Certificate Seminars attracted a total of fifty-nine students, compared to sixty-four students in the previous year, and thirty-three of them were first years. Students attending four or more of these seminars receive a Research Certificate, and we awarded thirteen of them this year. Twenty-six students attended two or more of our programs.

In 2011-2012, LexisNexis and Westlaw vendor representatives conducted several sessions in Legal Writing & Research classes and ten sessions in our training labs. Legal Writing & Research faculty continue to generally to rely on vendor reps to conduct LexisNexis/Westlaw trainings.

**Web and Blog Content:**

One of the major responsibilities of the Electronic Services Librarian is to coordinate development of content and enhancements for the law library webpage and blog. While taking over the role of Digital Content Services Librarian early in the year, Sue continued to manage these webpage duties until we were able to bring Karen Schneiderman to the position at the end of June.
Sue set up LibGuides as the new platform for our exceptional research guides, and began the process of migrating them to the new format. She trained staff and two library practicum students in the use of the software, and planned the conversion based on an analysis of statistics on hits and relevance to classes with a writing requirement. There were 60,233 hits to our research guides last year, nearly double that of the prior year. While part of that increase is surely increased staff use in making the format conversion, they are clearly valuable and frequently consulted. The new format was also useful in showcasing our two exhibitions: Our Lincoln, the Constitution and the Civil War: An Exhibition, and Lawyers Without Rights: Jewish Lawyers in Germany under the Third Reich Libguides both advertised the installations and supplemented the exhibit themes.

Staff members continue to post blog entries as a means to explore new library resources or databases, services or policies or relevant news items. Sue created a mobile app for the library’s website and a QR code tour of the library collection. In the spring, we acquired the Libcal module from Springshare (the provider of Libguides), and used it to create a system for online study room reservations. We are testing it this summer and certain students will be pleased with the innovation when the fall semester gets underway.

Technical Services

Our new Technical Services Librarian Beth Farrell reorganized the workflow of her department from ordering materials through claiming, processing and delivery in order to accomplish greater efficiencies and make best use of the skills of her staff. She also took on the responsibility of hiring and training all the Law Library’s student assistants so that they can work wherever needed in technical, administrative or public services functions. She has made significant inroads into increasing access to electronic and print titles through the library’s catalog by implementing improved cataloging practices.

The Technical Services staff added 11,284 titles to Scholar in FY12, including 7,194 digital resources, and received and processed 7,702 new physical items. As part of our ongoing collection maintenance projects, they also withdrew 22,685 volumes. The process to accelerate withdrawals in preparation for the loss of shelving for the solo practice incubator project has commenced: we anticipate 100,000 items will need to be withdrawn. This is a labor intensive process which we are hoping to complete by the end of December so that we can commence the relocation of the remaining volumes before construction commences.

Collection Development and Maintenance
A stagnant library materials budget accompanied by double digit inflation in the cost of many legal publications has been the norm for the last several years. We maintained a steady process of canceling print titles for which we have Lexis or Westlaw access, recognizing that such decisions are at the expense of serving University students and faculty and community users. This year, we took a long, serious look at print titles which had been traditional mainstays of the collection and eliminated those which no longer seemed relevant to today’s digital researchers. We also analyzed the usage rates of our electronic databases as best we could, and determined that several of our CCH resources were not generating enough hits to justify renewing them.

BNA was purchased by Bloomberg Law in the fall. Bloomberg has been making inroads in the law firm market as an alternative to Westlaw and Lexis and is offering its product to law schools at no charge. At years’ end, we negotiated an agreement with Bloomberg/BNA which reduced the cost of our comprehensive BNA Premier database package in exchange for an agreement to provide Bloomberg with access to our students and faculty on a par with that provide to Westlaw and Lexis. We welcome the opportunity to introduce our community to this important new product.

We lost the position of Government Information/Special Projects Librarian with the retirement of Schuyler Cook at the end of the year. Schuyler managed the Federal Depository Library Program for both the Michael Schwartz Library’s depository collection and ours. He trained Laura Ray in the procedures for processing documents here and Carol Zsulya for MSL. We are in the process of examining the extent to which either or both of the libraries wish to remain active in the program and analyzing impacts on our collections and services should we make changes to the current structure.

**Projects/Plans ahead of us for 2013 (in no particular order of importance):**

- Completing conversion of our Research Guides to the Lib Guides format – Karen has assumed leadership of the project and is working with Sue on the transition.
- Documenting use of digital subscriptions: This is a continuing conundrum as we are dependent on vendor supplied statistics (or lack thereof). Karen and our new Collection Development/Acquisitions Librarian will pursue options.
- Systematic weeding and reorganization of the print collection in preparation for the solo practice incubator construction.
- Continue development of Research Assistant faculty support program under Amy’s direction. We are also looking at potential publishing related services to law reviews. Is there a larger role for the law library or law librarian skills in support of law school publishing and scholarship initiatives?
• Integrate media site presentations for College of Law programs into Scholar. This is a project we have yet to address, and with the implementation of the IR, should look at anew.
• Implement regular program of staff development opportunities designed to educate the staff on new trends and services as well as meet specific training needs. Laura has been assigned this duty under her revised job description, and we expect progress this fall.
• Document and systematically implement procedures for acquiring, preserving and archiving all College of Law publications. This project was on the agenda of the previous Collection Development/Acquisitions Librarian, but was not addressed upon his departure. The IR brings us new opportunities for archiving, and the new CD Librarian will explore options with Sue.
• Continue Research Certificate program, with additional offerings emphasizing practical skills, and more half-hour programs. In FY 12 we made increased use of vendors as presenters, and offered fewer programs. With a full staff again, we should raise the profile of this service.
• Continue developing web exhibits for the Legal Landmarks project, and brand the page and collection as our own. This project was put on hold most of the year as our digital content production concentrated on the IR, and as Sue was performing the duties of two positions.
• Examine ebook opportunities
• Increase Scholar access to titles in our subscription databases

We are fortunate to have talented and creative staff, who are eager to embrace new projects and maximize their skills in support of the C|M|Law community. FY13’s two new librarians enhance our family, adding their perspectives, experiences and insights. We are looking forward to a great year!

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<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>18325</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### OhioLINK paging slips by Law and Non-Law patrons
#### Fiscal 2011-2012
(These numbers represent the amount of OhioLINK materials the Law Library staff handles at the desk each month and the type of patrons who order them to be picked up at the Law Library instead of the University Library)

<table>
<thead>
<tr>
<th>Month</th>
<th>Law</th>
<th>Non-Law</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 2011</td>
<td>11</td>
<td>38</td>
<td>49</td>
</tr>
<tr>
<td>August 2011</td>
<td>98</td>
<td>53</td>
<td>151</td>
</tr>
<tr>
<td>September 2011</td>
<td>184</td>
<td>115</td>
<td>299</td>
</tr>
<tr>
<td>October 2011</td>
<td>151</td>
<td>77</td>
<td>228</td>
</tr>
<tr>
<td>November 2011</td>
<td>70</td>
<td>76</td>
<td>146</td>
</tr>
<tr>
<td>December 2011</td>
<td>37</td>
<td>51</td>
<td>88</td>
</tr>
<tr>
<td>January 2012</td>
<td>161</td>
<td>153</td>
<td>314</td>
</tr>
<tr>
<td>February 2012</td>
<td>102</td>
<td>58</td>
<td>160</td>
</tr>
<tr>
<td>March 2012</td>
<td>86</td>
<td>42</td>
<td>128</td>
</tr>
<tr>
<td>April 2012</td>
<td>72</td>
<td>44</td>
<td>116</td>
</tr>
<tr>
<td>May 2012</td>
<td>90</td>
<td>43</td>
<td>133</td>
</tr>
<tr>
<td>June 2012</td>
<td>38</td>
<td>41</td>
<td>79</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>1100</td>
<td>791</td>
<td>1891</td>
</tr>
</tbody>
</table>
Alumni and Ohio Borrowers Statistics

<table>
<thead>
<tr>
<th></th>
<th>Alumni</th>
<th>Ohio Bar</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>August</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>September</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>October</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>November</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>December</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>January</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>February</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>March</td>
<td>2</td>
<td>0</td>
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<tr>
<td>April</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>May</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>June</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>42</td>
<td>8</td>
</tr>
</tbody>
</table>

Overall total requests: 50
# Interlibrary Loan Statistics 2011-2012

## Requests filled for Cleveland-Marshall Patrons

<table>
<thead>
<tr>
<th>Requests Made By</th>
<th>Requests Made By</th>
<th>Requests Made By</th>
<th>Total Requests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faculty</td>
<td>Students</td>
<td>Staff</td>
<td></td>
</tr>
<tr>
<td>40</td>
<td>95</td>
<td>11</td>
<td>146</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Books</th>
<th>Articles</th>
</tr>
</thead>
<tbody>
<tr>
<td>71</td>
<td>75</td>
</tr>
</tbody>
</table>

## Requests Filled for Other Institutions

<table>
<thead>
<tr>
<th>Total Requests</th>
</tr>
</thead>
<tbody>
<tr>
<td>121</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Books</th>
<th>Articles</th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td>89</td>
</tr>
</tbody>
</table>

## Total Filled ILL Requests

<table>
<thead>
<tr>
<th>Books</th>
<th>Articles</th>
<th>Total Requests</th>
</tr>
</thead>
<tbody>
<tr>
<td>103</td>
<td>164</td>
<td>267</td>
</tr>
</tbody>
</table>

## OhioLINK Statistics

<table>
<thead>
<tr>
<th>Received Law Patron</th>
<th>Received Non-Law Patron</th>
<th>Shipped</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1100</td>
<td>791</td>
<td>1335</td>
<td>3226</td>
</tr>
</tbody>
</table>

*Received* means materials requested by our patrons via OhioLINK and picked up at the Law Library. *Shipped* means materials requested from us and shipped out to other OhioLINK libraries.

## Total Number of Requests handled by Law Library

*(Includes all I.L.L., OhioLINK, Document Delivery “DD+”, and patron initiated inter-campus holds)*

<table>
<thead>
<tr>
<th>Requests to all libraries</th>
<th>Number filled</th>
<th>Requests from all libraries</th>
<th>Number filled</th>
</tr>
</thead>
<tbody>
<tr>
<td>2329</td>
<td>2286</td>
<td>2596</td>
<td>2012</td>
</tr>
</tbody>
</table>
## In-House Use Counts for 2011-2012

<table>
<thead>
<tr>
<th>Category</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reference</td>
<td>2337</td>
</tr>
<tr>
<td>Ohio Room</td>
<td>1235</td>
</tr>
<tr>
<td>Atrium Level</td>
<td>934</td>
</tr>
<tr>
<td>Second Floor</td>
<td>1028</td>
</tr>
<tr>
<td>A066</td>
<td>702</td>
</tr>
<tr>
<td>Base Level</td>
<td>211</td>
</tr>
<tr>
<td>Reserve Room</td>
<td>43</td>
</tr>
<tr>
<td>Casual Reading</td>
<td>7</td>
</tr>
<tr>
<td>lref1</td>
<td>22</td>
</tr>
<tr>
<td>Iperv</td>
<td>23</td>
</tr>
<tr>
<td>Course Reserve</td>
<td>11</td>
</tr>
<tr>
<td>faculty lounge</td>
<td>4</td>
</tr>
<tr>
<td>faculty office</td>
<td>5</td>
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<tr>
<td>Remote Storage</td>
<td>4</td>
</tr>
<tr>
<td>lwdn</td>
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<tr>
<td>Special Collections</td>
<td>1</td>
</tr>
<tr>
<td>media</td>
<td>0</td>
</tr>
<tr>
<td>lstar</td>
<td>2</td>
</tr>
<tr>
<td>Acq</td>
<td>1</td>
</tr>
<tr>
<td>lcirc</td>
<td>0</td>
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<td>3</td>
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<tr>
<td>media</td>
<td>0</td>
</tr>
<tr>
<td>lcirc</td>
<td>0</td>
</tr>
</tbody>
</table>

**Total** 6593
<table>
<thead>
<tr>
<th>Month</th>
<th>Shipped to: West Campus</th>
<th>Shipped to: Main Library Univ.Students/Faculty</th>
<th>Shipped from: Main Library Univ.Students/Faculty</th>
<th>Shipped from: Main Library Law Students</th>
</tr>
</thead>
<tbody>
<tr>
<td>July</td>
<td>0</td>
<td>15</td>
<td>11</td>
<td>0</td>
</tr>
<tr>
<td>August</td>
<td>1</td>
<td>22</td>
<td>14</td>
<td>19</td>
</tr>
<tr>
<td>September</td>
<td>0</td>
<td>67</td>
<td>23</td>
<td>14</td>
</tr>
<tr>
<td>October</td>
<td>0</td>
<td>69</td>
<td>29</td>
<td>23</td>
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<tr>
<td>November</td>
<td>0</td>
<td>52</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>December</td>
<td>1</td>
<td>12</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>January</td>
<td>0</td>
<td>44</td>
<td>62</td>
<td>26</td>
</tr>
<tr>
<td>February</td>
<td>0</td>
<td>35</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>March</td>
<td>1</td>
<td>27</td>
<td>27</td>
<td>21</td>
</tr>
<tr>
<td>April</td>
<td>1</td>
<td>34</td>
<td>6</td>
<td>7</td>
</tr>
<tr>
<td>May</td>
<td>1</td>
<td>6</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>June</td>
<td>1</td>
<td>12</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6</strong></td>
<td><strong>395</strong></td>
<td><strong>209</strong></td>
<td><strong>140</strong></td>
</tr>
</tbody>
</table>

Total Requests for the year 2011-2012: 919
Patron Initiated Stats Overview

Total requests for the year is 1174
There were 27 more requests than last year
Law students overall requests is 429
Requests for law library materials is 807
# Law Library Collection Development Policy

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## I. Mission and Goals

The primary mission of the Cleveland State University Cleveland-Marshall College of Law Library is to support the curriculum and research needs of the students and faculty of the College of Law. The Law Library also serves as a legal research center for the Cleveland State University community. In addition, the Law Library is available for use by the local bench, bar, and general public for the purpose of conducting legal research.
The goals of the Collection Development Policy are to guide in the acquisition, retention, and provision of materials and resources that support the academic needs of the College of Law, as well as to articulate the scope of our collection and general responsibilities toward its management. Among the subject areas of particular strength in the Law Library collection are: Constitutional Law, Employment and Labor Law, Jewish Law, Islamic Law, Law Careers, Legal Research and Writing, Ohio Law and Practice, and Urban Law.

While the need to provide access to certain core legal materials remains central to the library's mission, the means of such access is continuously evolving. The curriculum, faculty and student research interests continuously develop and change. To ensure that the Library anticipates and supports academic needs, the Collection Development Policy and its accompanying procedures are reviewed annually.

II. Selection Principles

A. Methodology
The Law Library Director and the Collection Development/Acquisitions Librarian, with the input of other Librarians and staff, select materials. Final decision-making authority rests with the Director. The librarians meet periodically to review and recommend serial and monograph titles as well as evaluate content and access for electronic collections. In addition, the librarians solicit input from faculty and consider usage statistics in developing the Collection with particular emphasis placed on the needs of College of Law faculty and students.

B. Standards
The Law Library adheres to the standards of its accrediting organizations, the American Bar Association and Association of American Law Schools, as well as the standards of the United States Government Depository program.

C. Selection Criteria Based on Jurisdiction
The Law Library provides access to primary materials for all state/federal jurisdictions. A greater concentration is placed on the states comprising the Sixth Circuit while the primary jurisdictional emphasis of the collection is on Ohio and federal law. Foreign, international, and comparative law resources are collected at introductory levels, as well as in subject areas complementing collection strengths and curricular emphasis. English language materials are preferred.

D. Selection Criteria Based on Content and Use
1. The Law Library collects materials and provides resources which support the current curriculum, advance the goals of the teaching staff, and/or support student learning and skill-building.

2. Selection considerations include relevance to our jurisdiction, quality, author’s reputation, treatment of legal issues either new or of recurring interest; coverage in a subject infrequently treated; and uniqueness.

3. The Law Library very selectively collects materials and resources of sociological, economic, and historical value in non-law disciplines when these materials support the teaching and/or research needs of Cleveland-Marshall College of Law faculty and students.

4. The Law Library generally does not acquire materials already held by the Cleveland State University Library unless the School of Law curriculum or demand by School of Law faculty and students supports such acquisitions.
E. Selection Criteria Based on Format
The Law Library seeks to select material formats most appropriate for the needs of our patrons. Considerations include cost, accessibility, coverage, probable demand, technology platform support, licensing guidelines, financial ability to keep current, availability of alternate and/or back-up source, and projected longevity. We aim to eliminate duplicate coverage among formats unless multiple copies are required.

III. Gifts
The Law Library sometimes accepts gift materials when they are given without restrictions. We reserve the right to review all gifts, select materials of interest, and decline offers of materials. All gift materials become the exclusive property of the Cleveland-Marshall College of Law Library and are added to the collection or otherwise disposed of as appropriate to the needs of the Law Library. Potential donors are urged to provide a list of the items considered for donation. The Law Library acknowledges receipt of any donation with a letter as soon as possible after receipt of the gift, but, pursuant to IRS Rules, we cannot appraise the value of, nor itemize, the donation.

IV. Package Plans and Standing Orders
Vendors and publishers offer package plans and standing orders as a mechanism to automatically ship their materials, sometimes at discount prices. The Law Library subscribes to package plans and standing orders, such as those of the Ohio State Bar Association, Practising Law Institute, and the American Bar Association. These plans help to ensure that the Law Library receives, in a timely manner, significant publications considered essential to the collection.

V. Memberships and Consortia
The Law Library is a member of several law and library related organizations and consortia. Consortia and memberships provide resource-sharing for member institutions. Currently, the Law Library is a member of the Law Libraries' Microform Consortium (LLMC), and, in partnership with the CSU University Library, is a member of OhioLINK, the resource-sharing consortium for most of Ohio’s academic libraries. OhioLINK membership provides member institutions, faculty, and students with access to materials held by other OhioLINK members. OhioLINK membership presumes that member institutions will maintain collections of value to be shared among consortium members.

VI. Specific Collections
A. Archival and Rare Materials (Special Collections Room)
The Law Library seeks to acquire all official publications and productions of the Cleveland-Marshall College of Law including law reviews, audiovisual materials, program materials, promotional and informational materials, and final reports resulting from College sponsored celebrations and special events, as well as all publications of the Law Faculty.

When budget allocations permit, the Law Library seeks to acquire materials of special curricular or scholarship interest or historical value, with particular emphasis on Ohio law.
B. Casual Reading
The Law Library collects a number of legal and general interest periodicals and newspapers. In addition, the Law Library acquires through donations of popular legal fiction and non-fiction titles for circulation.

C. Government Documents
The Law Library is a designated United States Government Depository Library, and selects government publications and productions to support the subject areas of administrative and judicial law, as well as legislative and legal-related topics addressed by a variety of government agencies (e.g., Department of Commerce, Department of Justice, Department of the Treasury, Federal Communications Commission, Internal Revenue Service, National Labor Relations Board). As the University Library is also a member of the Depository program, the two libraries collaborate on selection decisions. The goal of the collaboration is to ensure a comprehensive non-redundant collection, which supports the University and Law School curriculum.

D. Ohio Room
The Law Library collects Ohio primary and secondary legal materials extensively and houses the materials in the Ohio Room. The goal of the Ohio Room is to provide comprehensive access to Ohio legal primary and secondary materials, Ohio practice materials, as well as other materials on Ohio politics and government. To support teaching programs, some duplication of resources is necessary, so additional copies of selected materials are kept in Reference or Reserve.

E. Professional and Study Skills Collection
This collection assists students to master fundamental legal concepts and practice skills. It includes research and writing texts, study skills materials, law exam and bar exam preparation guides and sample tests, career materials, materials on how to set up and manage a legal practice, as well as circulating copies of study aids and donated casebooks. Emphasis is placed on substantive areas covered by the Ohio bar examination. Since this collection is intended to emphasize current texts and methodologies, it is weeded on a regular basis.

F. Reference
The Reference collection includes key high-use federal and Ohio primary and secondary materials, as well as selected non-law ready reference titles such as dictionaries, directories, encyclopedias, handbooks, and non-circulating copies of study aids.

G. Reserve
The Reserve collection includes non-circulating copies of faculty designated course reserve materials drawn from the Law Library collection or provided by the faculty member, bound volumes of course examinations, current faculty evaluations, current issues of periodicals and newspapers, unbound or current binders from selected high-use loose-leaf services and reporters, selected high-use Ohio practice materials, as well as selected treatises consistently referenced in multiple areas of the curriculum and designated by faculty or library staff as requiring Reserve status to ensure their availability.
VII. Retention, Weeding, and Withdrawal of Materials

A. Standards
The Law Library weeds materials on a continuous basis, considering the current value, permanent value, potential for use by patrons, multiple copies, alternative formats, other local or OhioLINK availability, and physical condition.

B. Remote Storage
The Library's archived materials at the Northeast Regional Depository in Rootstown, Ohio have been contributed to the Ohio Depository System (OHDEP), shared by public academic libraries throughout the state. Materials in OHDEP can be borrowed for circulation by patrons of any contribution institution. Turnaround time is approximately 48 hours.
SUSAN M. ALTMeyer, ESQ.
Cleveland-Marshall College of Law Library
2121 Euclid Ave., LL 212A
Cleveland, OH 44115
216.687.4894
sue.altmeyer@law.csuohio.edu

Employment

<table>
<thead>
<tr>
<th>Digital Content Librarian</th>
<th>Common Pleas Court Law Clerk</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/2012 - present</td>
<td>1997</td>
</tr>
<tr>
<td></td>
<td>Judge Shirley Strickland Saffold / Judge Patricia Cleary</td>
</tr>
<tr>
<td></td>
<td>Cuyahoga County Common Pleas Court</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Electronic Services Librarian</th>
<th>Associate Attorney</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007 – 7/2012</td>
<td>Hastings &amp; Kerka, 1992</td>
</tr>
<tr>
<td>Cleveland Marshall College of Law Library</td>
<td>Tax Attorney</td>
</tr>
<tr>
<td></td>
<td>Ernst &amp; Young 1991-1992</td>
</tr>
</tbody>
</table>

| Reference and Research Librarian | |
| 2001-2007 | Cleveland Law Library |

| Appellate Law Clerk | |
| Judge Joseph Nahra and Judge Ann Dyke | |
| Ohio Eighth District Court of Appeals | |

Education

Masters in Library & Information Science, 1998-2002, Kent State University

Juris Doctor, Summa Cum Laude, 1987-1990, Cleveland Marshall College of Law

Bachelor of Science, Summa Cum Laude, 1982-1986, Production and Operations Management, Ohio State University

Current Professional Activities

- ORALL – Ohio and Regional Law Librarians Association. Involvement includes vice-president, president elect 2012/2013, executive board member at large 2012, webmaster 2011 and 2012, presentation at annual meeting 2009, local arrangements committee chair 2009, County SIG Chair 2007, wrote various articles for the newsletter, education committee for 5 years.
- AALL – Involvement includes poster presentation, 2010.
- CALI - Member of the Legal Research Community Authoring Project Advisory Panel which reviews proposals for CALI lessons and reviews completed lessons. I co-authored a CALI lesson on Ohio Secondary Sources, and substantially revised and updated the Company Research lesson.
Jan Ryan Babbit
Cleveland-Marshall College of Law
Law Library, Room 122 – 1801 Euclid Ave
Cleveland, Ohio 44115-2214
(216) 687-6913
jan.babbit@law.csuohio.edu

Employment:

Cleveland-Marshall College of Law, Cleveland State University, Cleveland, Ohio, 2003-
• Associate Director, Law Library, 2007 –
• Assistant Director for Public Services, Law Library, 2003-2007
• Adjunct Faculty Member (Legal Research), 1978-1979

Cleveland Law Library Association, Cleveland, Ohio, 1985-2002
• Director, 1987-2002
• Assistant Director, 1985-1987

Cleveland Public Library, Cleveland, Ohio, 1972-1985
• Department Head, Public Administration Library, 1975-1985
• Assistant Department Head, Public Administration Library, 1974-1975
• Reference Librarian, Science and Technology Department, 1972-1974

Education:

J. D., Cleveland-Marshall College of Law, Cleveland State University, 1980
M.L.S., Kent State University School of Library Science, 1972
B.A., Wittenberg University, 1971

Professional Affiliations and Service:

American Association of Law Libraries
• ALL-SIS Collection Development Committee, 2005-2006
• Executive Board, SCCLL SIS, 1994-1997
• Constitution and Bylaws Committee, 1994-1996
• Government Relations Committee, 1992-1993
• Research Instruction Caucus, 1993-1994
• Project Recert, 1993-1994

Ohio Regional Association of Law Libraries
• President, 1991-1992
- Vice-President/President-Elect, 1990-1991

Ohio State Bar Association Law Libraries and Legal Information Services Committee, 1988-2003
  - Chair, 1995-1996
  - Vice-Chair, 1993-1995

Cleveland Bar Association Continuing Legal Education Committee, 1990-1995

Member, LSTA Advisory Council to the State Library of Ohio, 1997-2000

Member, County Law Library Resources Consortium Board Advisory Council, 2010 -

Publications:


_The Office Library – A New Definition_, 70 CLEVELAND BAR JOURNAL 28 (July/August, 1999)

_Basic Science Reference Sources: Approaches for Law Librarians_, 13 LEGAL REFERENCE SERVICES QUARTERLY 15 (1993)


_Zoning Control of Abortion Clinics_, 28 CLEVELAND STATE LAW REVIEW 507 (1979)

Selected Professional Presentations:

Public Library Legal Reference Service in the Internet Era, Ohio Library Council North and Northeast Chapter Conferences, March, April 2002, MOLO Regional Library System Workshop, September 2002

Faculty, The People's Law School, Cleveland Bar Association, September 2000

Guest Lecturer, CWRU and CSU Advanced Legal Research classes, 1997
CD-ROMs: Their Use and Success (Or Failure), Ohio Regional Association of Law Libraries Annual Meeting, October 1994

OSBA Leadership Training Workshop, October 1994

CD-ROM and the Internet, Cleveland Academy of Trial Attorneys Meeting, April 1994

Research and Writing Workshop, Ohio CLE Institute, October 1993

Court Bulletin Boards, AALL Annual Meeting, July 1993

Research Skills Update, OSBA Annual Convention, May 1993

OSBA Leadership Training Workshop, October 1992

North Central Library Cooperative Reference Workshop, September 1992


Retrospective Conversion Revisited, AALL Annual Meeting, July 1991

Basic Legal Reference Services, AALL Summer Institute, July 1991


Litigation Research Techniques – Beyond the Basics, Cleveland Bar Association Litigation Practice and Procedure Clinic, April 1991

County Law Library Workshop on Basic Legal Reference, Ohio Regional Association of Law Libraries, October 1990
Cassandra D. Baker  
11113 Lardet Avenue  
Cleveland, OH 44104  
(216) 791-4916  
chaker61@yahoo.com

OBJECTIVE:  
To seek employment in an organization where I could utilize my skills and experience in an office setting.

EDUCATION:  
Gatlin Education Services, Fort Worth, TX 76102  
08/16/11-Certification earned  
Gatlin Education Services, Fort Worth, TX 76102  
10/15/10-Certification earned  
John Adams High School, Cleveland, OH 44105  
06/1978 Graduate- High School Diploma

EMPLOYMENT:  
08/01/1988-Present- Cleveland State University, Cleveland, OH  
Library Associate I

EXPERIENCE:  
Receipt of Serial Journal Titles on-line  
Withdrawing and transferring revised/superseded materials  
Performs online record maintenance, Bibliographic records  
Responsible for updating revised library material(s)  
Copy cataloging electronic journals  
Preparing and shipping items to an outsource bindery company  
H-Binding unbound serial journal titles  
Checking processed materials before items are delivered to various departments  
Assist with supervising student assistants  
Directing telephone calls to various departments in the Law Library  
Recording statistics, Depository Liaison, Customer Service, assisting Patron’s

SKILLS:  
Proficient with MILLENNIUM online database system. ABLE Web, Microsoft Word, Excel.

CERTIFICATION:  
Certified Billing and Coding Specialist- National Health Career Association, primarily focuses on converting a medical procedure, diagnosis, or symptom into specific codes to submit a claim for reimbursement.  
Completed an intense course for Advanced Hospital Coding and CCS Prep.  
Certification, National Exam from AHIMA pending.

REFERENCES AVAILABLE UPON REQUEST
Amy Burchfield  
2121 Euclid Ave., LL113 Cleveland, OH 44115-2214 (216) 687-6885  
amy.burchfield@law.csuohio.edu

Education

Thesis: Foreign-Language Citation in the Harvard International Law Journal

The Ohio State University J.D. (2002)  
Executive Director, Appellate Advocacy Council, 2002  
Pro Bono Research Group Founding Member Award, 2002  
Public Service Fellow, 2002  
Foreign Language and Area Studies (FLAS) Fellowship for Polish, 2000 – 2001

Kent State University M.A. in German translation (1998)  
Thesis: The Relationship Between Food and Sex, chapter translation and analysis of Ingo Schulze’s 33 Augenblicke des Glücks

Cambridge University Certificate for Teaching English as Foreign Language to Adults (CTEFLA) (1994)

Juniata College B.A. in German, magna cum laude (1994)

Employment

Head, Access and Faculty Services, Cleveland-Marshall College of Law Library, Cleveland State University (2007 – present)

Freelance Book Indexer – create professional indexes for books in the areas of international development, public policy, and law (2007 – present) ICI-Certified Indexer since 2012 (Institute of Certified Indexers)


Lecturer in German, Kent State University (1997 – 1998)

Lecturer in English as a Foreign Language, The English Language Academy, Warsaw, Poland (1996 – 1997)

Lecturer in English as a Foreign Language, American English School, Warsaw, Poland (1995 – 1996)

Lecturer in English as a Foreign Language, Pedagogical Language College, Jaworzno, Poland (1994 – 1995)
Publications

Articles:


Online Publications and Newsletter Articles:

U.S. Treaty Research, CALI reviser project (with David Hollander) (2011)

The Crisis in Darfur: Researching the Legal Issues, GlobalLex (May 2009, most recent update October 2011)

International Sports Law, GlobalLex (February 2006, most recent update August 2011)


Reduce, Reuse, Recycle, ORALL Newsletter (September 2009)

Library Videos Using Camtasia, ORALL Newsletter (March 2009)

ASIL’s Electronic Publications, Global Action, A Newsletter of the International Law Section of the Cleveland Metropolitan Bar Association (January 2009)

Benefiting From Your Academic Library Job, LIScareer.com (March 2008)

Hot Legal Topics: Ohio Dog Fighting Law, ORALL Newsletter (December 2007)

Experience the World as an FCIL Librarian, LIScareer.com (June 2006)

Serving Patrons from Abroad: Seven Strategies from the Reference Desk, Law Library Lights (Spring 2005)

An FCIL Opportunity in My Own Backyard, FCIL Newsletter (October 2005)

Book Reviews and Surveys:


Book Review, reviewing Russian Peasants Go To Court: Legal Culture in the Countryside, 33 International Journal of Legal Information 483 (Winter 2005)


Editorships:

FCIL Newsletter, October 2005 – April 2007

Professional Presentations, Training, and Conferences

Presentations:


Panelist, “Roundtable Discussion on Careers in Foreign, Comparative and International Law Librarianship” at AALL Annual Meeting 2005 by the Foreign, Comparative, and International Law – Special Interest Section (FCIL-SIS).

Selected Training & Conferences:


AALS Workshop for Law Librarians, June 1-4, 2008.


American Association of Law Libraries, 95th, 98th & 100th Annual Meetings.

International Association of Law Libraries, 21st & 25th Annual Courses.

American Society of International Law, 98th, 99th & 100th Annual Meetings.

Awards and Honors

AALL Law Library Publications Award: Nonprint Division; jointly for Georgetown Law Library Legal Research Tutorial, author of Treaty Research, July 2008

Georgetown University Law Library Award of Excellence, June 2006
Language Skills

Advanced German and Polish

Basic Russian

Memberships

The American Association of Law Libraries

Ohio Regional Association of Law Libraries
Experience

Systems Data Administrator  [2007 - Present]
Supports operations and ensures integrity of Law Library and College networked computing systems. Performs a variety of system installation, configuration, integration, maintenance, data management, performance management, security and systems failure analysis and recovery tasks. Provides high level user support services. Coordinates operation of computer labs within the College. Designs, creates and maintains databases. Coordinates media and technology services for events and classroom use. Interacts professionally with all internal and external customers using strong interpersonal skills.

Participates in design, implementation and support Law Library and College networked computing systems, including:
- Contributing to development of and/or recommending policies on system use, services and security.
- Troubleshooting, upgrading and repairing servers. Developing and maintaining network with server-side scripting.
- Managing user accounts. Training users in system utilization as needed.
- Maintaining data integrity and security by performing data backups sufficient to restore data older than 24 hours.
- Installing, upgrading and configuring network operating systems and application software. Creating and maintaining system documentation.
- Integrating new technology into existing network.
- Leading special projects as assigned.

Provides high level technical support services to the user community, including:
- Assisting College technical staff to resolve hardware or operating systems problems.
- Testing new equipment to ensure compatibility with existing computing environment.
- Contacting vendors to resolve hardware or software problems.
- Meeting with end users for planning and implementation of new services.
- Loading and configuring software on personal computers, laptops.

Coordinates operation of computer labs within the College by:
- Scheduling computer lab facilities in response to instructor requests.
- Training, assigning work, scheduling and monitoring performance of student employees.

Designs, creates and maintains databases and provides programming and reporting support for administration, faculty and staff, including:
- Providing application programming and database support for requested services. Developing, writing and /or modifying reports to support the work of staff.
- Creating, extracting and merging data from databases. Providing database support and maintenance.
- Designing and programming automation systems for data reports and tasks.
- Developing, maintaining and documenting procedures and databases.

Coordinates media and technology services for events and classroom use, including:
- Creating and developing videos, presentation and streaming media for the web.
- Coordinating pre- and post-production for College events and course-related activities including editing.
- Overseeing DVD, CD-Rom and web production; coordinating production technology requirements.
- Assuming responsibility for cataloging, managing and distributing production materials.
- Providing technical support for classroom technology, as needed.
Assists College of Law technology team in ensuring timely and cost effective overall maintenance and modification of the network, infrastructure systems and other related packages.

Participates in the College of Law’s technology team. Participates in long and short range planning at departmental, college and university levels.

Enhances professional growth and development through participation in continuing education courses, professional organizations, seminars and workshops, reading current literature and maintaining professional contacts in the community.

Network Administrator [1995-2007]
The performance of the duties outlined below must be carried out within the mission of the University: to help create an effective learning environment for students; to treat all persons with dignity and respect; and to actively demonstrate an attitude of willing service and teamwork.

- **College of Law Network**: Monitors and develops the College of Law’s computer network. Assists the Unix Network Administrator in creation and administration of network accounts. Provides advice and assistance to other network staff as needed.

- **Technical Support**: Responsible for setup and maintenance of computers in the College of Law. Provides computer support for faculty, staff and students. Installs and upgrades hardware and software on College of Law computers. Provides technical troubleshooting and instruction on hardware and software applications to faculty, staff, and students. Responsible for hiring and scheduling of lab monitors. Assigns related work duties. Provides training, guidance and assistance.

- **Administration**: Actively participates in the Law Library’s Administrative Council and the College of Law’s technology team. Participates in long and short-range planning at departmental, library, college and university levels.

- **Professional Development**: Enhances professional growth and development through participation in continuing education courses, professional organizations, seminars and workshops, reading current literature and maintaining professional contacts in the community.

Education

Cleveland Central Catholic [1989]
College Preparatory

Skills

Sylvia M. Dunham

5120 Theodore Street•Maple Heights, OH 44137•(216) 523-7392 (work)•(216) 475-4789 (home)

PROFESSIONAL EXPERIENCE:

**Cleveland State University**
Cleveland-Marshall College of Law Library
1801 Euclid Avenue
Cleveland, OH 44115

Administrative Assistant to the Director 1985 - Present

Provides administrative and secretarial support to the director; responsible for the composing and editing of a variety of written materials for the director; responsible for taking dictation and the transcription of notes.

Performs all duties necessary for the smooth functioning of the Director’s office.

Responsible for having equipment serviced/maintained and/or repaired; responsible for ensuring that physical plant problems are repaired or eliminated; Responsible for the purchasing of supplies and equipment; responsible for monitoring 15-20 expense lines and purchasing records; responsible for preparing continuous orders/maintenance agreements for equipment and/or services. Approves invoices and purchase orders for payment.

Maintains confidential personnel records for staff; maintains administrative files, in electronic and print format.

Maintains and schedules some events on the director’s calendar of appointments; serves as receptionist—greets and assists visitors, answers telephone and screens calls; arranges and schedules meetings, conferences, library room reservations; and makes travel arrangements.

Serves as liaison with some university departments and outside vendors; serves on library teams and search committees as appropriate.

**Dyke College**
1375 East Sixth Street
Cleveland, OH 44115

Secretary, President’s Office 1983 - 1984

Provided secretarial support in the President’s Office. Typed correspondence; maintained president’s calendar; processed check requests; processed college car requests; ordered supplies, filed and ran Postalia machine.

Secretary to the Dean, Office of Continuing Education 1978 - 1983

Provided secretarial support to the Dean of Continuing and Cooperative Education.

Typed correspondence; scheduled interviews with cooperative education students and potential employers; arranged meetings, conferences, and luncheons for potential employers; ordered supplies, filed, answered telephone, maintained dean’s calendar of appointments; supervised and evaluated work of other clerical personnel.
EDUCATION:
Dyke College Associate’s Degree in Secretarial Science June, 1978

OTHER ACTIVITIES:
Recipient of Cleveland State University’s, BFSO/BAO Distinguished Service Award
Recipient of Cleveland State University’s Appreciation Day Certificate
Recipient of Cleveland State University’s, “Woman Who Has Made A Difference” Certificate Served on numerous Search Committees for Law Library Positions
Participated in the “Let Children Be Children” Campaign Sponsored by the American Red Cross

REFERENCES:
Michael J. Slinger, Associate Dean and Professor of Law
Weidner University School of Law
4601 Concord Pike, P.O. Box 7474
Wilmington, DE 19803
(302) 477-2162

Marie Rehmar, Head of Reference Services (Retired)
Cleveland-Marshall College of Law
4121 Hinsdale Road
South Euclid, OH 44118
(216) 381-1465

Priscilla D. Howard, Library Paraprofessional (Retired)
Cleveland-Marshall College of Law
3484 Woodridge Road
Cleveland Heights, OH 44121
(216) 382-3135
Jon Elias  
1352 W. Clifton #11  
Cleveland, OH 44107  
(216) 544-8948  
jon.elias@law.csuohio.edu

OBJECTIVE: To obtain a position as a valuable member with the Cleveland Marshall College of Law Library that utilizes my skills and experience

EDUCATION: Maxine Goodman Levin College of Urban Affairs  
Cleveland State University, Cleveland, Ohio  
Bachelor of Arts in Public Safety Management  
December 2005

COMPUTER SKILLS: Microsoft Office, PeopleSoft, Adobe, Millennium, Contribute, Drupal,

PROFESSIONAL EXPERIENCE: Cleveland Marshall College of Law Library, Cleveland, OH  
7/11-Present  
Circulation Supervisor  
- Manage activities at the circulation desk  
- Supervise one full time and part time employee along with student assistants  
- Completion of faculty service requests  
- Updating records in Millennium  
- Managing materials and requests for three law school journals  
- Market services of the law library to the CSU community  
- Recommend new policies and procedures to supervisors  
- Maintain and update website including course pages, hours, library services, etc.  
- Implemented online study room reservation system

Cleveland Marshall College of Law Library, Cleveland, OH  
9/06 -7/11  
Law Media Tech Assistant  
- Assist patrons at the information services desk  
- Process daily fine, and overdue notices  
- Use of various research databases including Lexis, Westlaw, and HeinOnline  
- Completion of faculty service requests
• Presenting law library services to various student organizations
• Placing materials on course reserve
• Editing and updating records via Millennium
• Updating the law library web page
• Assist in orientation for first year law students
• Training of student assistants
• Knowledge of basic legal reference material

References available upon request
BETH FARRELL
7376 SYLVAN DRIVE
KENT, OH 44240
(330) 389-1941 (MOBILE)
beth.farrell@law.csuohio.edu

PROFESSIONAL EMPLOYMENT
Cleveland-Marshall College of Law Library, Cleveland, OH
Technical Services Librarian, September 2011-present

Cleveland-Marshall College of Law Library, Cleveland, OH
Circulation Supervisor, September 2010-September 2011

Portage County District Library (PCDL), Garrettsville, OH
Collection Development Manager, 1999-2010
Audio-Visual Coordinator, 1994-1999
Branch Reference Librarian, 1994

PUBLICATIONS
“African American audio.” Library Journal, November 2012


CATALOGING/MILLENNIUM EXPERIENCE
• Fifteen years experience original and OCLC copy cataloging of digital, print and AV materials.
• Extensive experience with Innovative Interfaces Millennium modules (acquisitions, circulation, cataloging, serials); Create Lists, Web Management Reports; Innopac; OHIOLINK/SEARCHOHIO.
• Conducted PCDL staff training sessions on MARC record basics; search techniques in the Millennium Circulation module/web catalog; Create List training sessions.
• Member of Portage Library Consortium’s migration team. The Consortium migrated to Innovative Interfaces’ Millennium in 2004.
• Addressed inefficiencies in PCDL acquisitions processes, overhauling fund accounting and ordering methods, 1999.
COLLECTION/PROJECT MANAGEMENT EXPERIENCE

- Developed and implemented branch weeding schedule which allowed for complete examination of PCDL branch collections over a two-year period, 2010.
- Created “Opportunity is knocking” an OverDrive digital media collection designed to help patrons with job searching, career development, credit repair, foreclosure, and budgeting, 2009.
- Developed initial OverDrive digital media collection: worked with OverDrive project manager to design website; coordinated staff training; created help documents; organized promotional activities, including branch open houses, for launch, 2008.
- Undertook collection-by-collection analysis of shelf space and circulation statistics in each PCDL branch. Developed detailed plans, showing branches ways to improve allocation of shelf space, display, and arrangement of library materials collections, 2007.
- Surveyed patrons, using their input to develop a new video game collection, 2006.
- Organized and executed complete centralization of adult print material selection, 2006; partial centralization of the selection of children’s and young adult print materials, 2009.
- Surveyed area teachers, using their input to develop PCDL’s Book Boxes for Educators program. This program supplies classroom teachers/homeschooling parents with sets of print books and the corresponding audiobook, 2001.
- Created opening day collection for a new library branch, 1999.

TEACHING/TRAINING AND SUPERVISORY EXPERIENCE

- Supervise full-time and part-time classified employee, student employees in C|M|L Law Library Access/Faculty Service Department, 2010-present
- Serve as Student Employment Designee for C|M|L Law Library, 2010-present.
- Guest Lecturer, Dr. Donald Wicks’ Selection and Acquisition of Library Materials course, Kent State University’s School of Library and Information Science (KSU-SLIS), 2002-present. Discuss collection development in a public library setting.
- Supervised PCDL youth services librarians’ print materials selection and deselection activities, 2009-2010.
- Supervised PCDL reference librarians assigned to the Book Box for Educators program, 2001-2010.
- Supervised practicum experience for KSU-SLIS graduate student, 2009; assisted in the supervision of two other KSU-SLIS graduate students, 2009 and 2007.

Developed and led the following PCDL full-staff training sessions
• OverDrive digital media training: eBooks, 2009
• OverDrive digital media training: downloadable audiobooks, 2008
• MARC record basics/effective searching in the Innopac and Millennium Circulation Module, 2006
• ipage, Ingram’s ordering database, 2006
• NetLibrary downloadable audiobooks, 2006
• Millennium’s Create Lists, 2005

Patron training/reference
• OverDrive technical support group leader, providing online and telephone support to patrons using the OverDrive digital media collection, 2008-present.
• Lead contact for school teachers and homeschooling parents using the Book Boxes for Educators program, 2001-present
• Reference librarian providing general reference and research assistance at PCDL’s Pierce Streetsboro Branch, 1994.

EDUCATION

Master of Library Science, Kent State University: 1994
Bachelor of Science, Kent State University: 1991
Major: Fashion Merchandising; Minor: Philosophy

University Honors and Awards
Department Honors: Member Good Standing, Honors College
Institutional Honors: Magna Cum Laude
ANDRES GARCIA
7732 Oakhill Rd. Apt. C. North Royalton, OH 44107 (216) 253-3747 newsgarcia@gmail.com

EDUCATION
Cleveland Marshall College of Law: Cleveland State University, Cleveland OH (August 2012-present)

Bachelor of Science, Political Science: Kent State University, Kent, OH, May 2010

Associate of Arts, Journalism & Mass Communication: Cuyahoga Community College, Cleveland, OH, 2007

Associate of Applied Science Degree in Electronics Engineering Technology: ITT Technical Institute of Technology, Strongsville, OH, 2001

EXPERIENCE
Library Assistant: Cleveland Marshall College of Law Library, Cleveland, OH, May 2012-present
  • Responsible for opening and closing the Law Library
  • File loose-leaf library materials while working circulation desk
  • Assist faculty, student and pro se patrons with a wide variety of information needs ranging from finding a book on a specific subject to locating a case in the Lexis-Nexis Academic database to configuring laptops for wireless access

Recovery Specialist (Bi-lingual): Weltman, Weinberg & Reis, Cleveland, OH, September 2011-present
  • Negotiate with Spanish and English-speaking debtors having delinquent accounts
  • Secure payment according to client guidelines and in compliance with the Fair Debt Collection Practices Act and relevant state laws
  • Run daily activity and summary reports for over 300 accounts

Research Assistant: Cleveland Marshall College of Law Library, Cleveland, OH, May 2011-June 2011
  • Provided research support of faculty scholarship, helped to prepare scholarship for publication
  • Prepared detailed research memos and scholarly bibliographies
  • Surveyed and summarized case law, legislation, and secondary legal materials

Student Assistant: Cleveland Marshall College of Law Library, Cleveland, OH, January 2011-May 2011
  • Processed and organized law library materials; received and processed OhioLink materials
  • Provided customer service to a diverse group of students, faculty and public patrons
  • Worked with Library’s Millennium Automated System

Apartment Manager/Maintenance: Royal Gardens, North Royalton, OH, August 2009 – February 2011
  • Managed day-to-day operations of apartment complex, showed and leased apartments
  • Made repairs in apartments or on grounds, contacting appropriate repair specialists if necessary
  • Maintained detailed repair logs, receipts, apartment applicant information

Radio Talk Show Host/Reporter: Black Squirrel Radio, Kent State University, Kent, OH, 2008-2009
  • Hosted a talk show with an emphasis on politics at Kent State radio station; recorded news updates for broadcasts
  • Booked diverse guests for on air for discussions on contemporary political subjects
Contributing Intern: Smart Business Magazine, Cleveland, OH, 2006
- Wrote “Mover & Shakers” column; updated web content for a magazine whose mission is “to help business owners and managers deal with the daily challenges of growing a business”
- Conducted phone interviews with high-ranking business professionals

Shipping Receiving/Customer Service Rep: Hamlet USA, Solon, OH 2003 - 2004
- Ran daily and summary reports for client accounts
- Re-organized warehouse and developed electronic inventory system to maximize productivity
- Efficiently filled and shipped electronic and phone orders; received, examined, organized and recorded inventory

Biomedical Technician: Medical Integrated Services, Cuyahoga Falls, OH, 2002 – 2003
- Repaired wide a variety of high tech medical equipment, also responsible for ordering supplies and billing clients
- Developed a reputation for providing excellent technical repair service to clients
- Small group instruction on use of equipment; successfully communicated technical information to hospital staff

Service Technician / Field Service Representative: Olympus America, Strongsville, OH, 1999 – 2002
- Repaired Olympus medical equipment such as endoscopes and imaging equipment
- Effectively managed high-pressure repair situations, worked closely with surgeons and other medical staff

**TECHNICAL SKILLS**
* Millennium Library Automated System * LexisNexis, LexisNexis Academic * WestLaw, HeinOnline Databases * MS Windows and Mac Operating Systems * MS Office Suite * Mac iPhoto * Adobe Photo Shop CS2 *
Objective
I am currently seeking a career in which I can integrate my existing skill set and creative skill set in a structured team environment. Such a job would challenge my current abilities, and aide in gaining new skills to better perform my duties.

Employment History

Technical Services / Help Desk
RSM McGladrey 6/22/2006 – Present

- Assist callers from nationwide RSM offices.
- Troubleshoot and configure software over the phone.
- Use Remote Assistant to connect to customer’s machine and assist.
- Log tickets in Magic and Unicenter Service Desk.

Desktop / Laptop Technician

- Repair set quota laptops or desktops a day.
- Installing required hardware and pinpointing trouble.
- Destroy contents of desktop and laptop hard disks for client security.
- Test and inventory desktop and laptop PC parts.
- Pull and process laptop orders for customers.
- Repair, and/or, refurbish returned and acquired laptop hardware. Replacing LCD, hard disk, etc.
- Provide phone support for Laptop customers.
- Process vendor RMA requests and maintain up to date catalogue of transactions.

Graphic Design, Seasonal

- Seasonal employment.
- Create custom labels using customer photos with Adobe Photoshop for personalized candles.

PC Specialist
The Ohio College of Podiatric Medicine 09/13/1999 – 06/28/2002

- Administration of OCPM Student Center Network.
- Service for OCPM and related facility Desktop and Laptop PC’s.
- Installation and testing of test programs created by faculty in Illuminatus.
- Maintaining weekly tape back-up of Student Center data.
- Monitoring usage of Laserjet printer resources in Student Center for cost managing.
- Assembly of PC’s for use throughout facility.
- Analysis and repair of hardware related problems with existing PC’s.
- Installation and configuration of Operating Systems (Windows 98, XP, NT) on new PC’s.
- Installation and configuration of local and network printers.
- Use of Norton Ghost for back-up and restoration of mission critical data.
- Isolation and removal of viruses from infected PC’s.
- Revision and enforcement of facility Software Support Policy.
- Phone support for offsite users and PC’s.
- Compiling physical inventory of PC’s, monitors, scanners, and printers in facility.
- Maintaining work order records in Help Desk software TrackIT.
- Offsite support for OCPM Board member PC’s.
- Support for Palm based personal computers.
- Compilation and maintenance a library of hardware drivers for PC’s in facility.
- Obtaining and tracking RMA requests for damaged PC hardware.
- Assisting OCPM remote users in configuring Dial-Up networking for OCPM Internet Access.

**Programming:** HTML and CSS.

**Education History**

<table>
<thead>
<tr>
<th>Institution</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuyahoga Community College</td>
<td>2004</td>
</tr>
<tr>
<td>South High School</td>
<td>1991–1995</td>
</tr>
<tr>
<td>College Preparatory.</td>
<td></td>
</tr>
</tbody>
</table>
Meredith L. Hale

22447 Lake Road Apt. D301
Rocky River, Ohio
(937)-570-1066
runmerd@gmail.com
www.meredithhale.com

Work Experience

Cleveland State University Law Library (Cleveland, OH) January 2011 - present
Library Media Tech Assistant II (January 2012 – present)
Library Assistant (January 2011 – January 2012)
❖ Assisted university and public patrons with basic law reference questions using LexisNexis
  Academic, LexisNexis, Westlaw, PACER, and Scholar
❖ Created a variety of displays highlighting the library’s collection and upcoming speakers. I
  additionally helped promote and assemble two traveling exhibitions: “Lincoln: The Constitution
  and the Civil War” and “Lawyers Without Rights.”
❖ Helped maintain the website and created nearly twenty LibGuides
❖ Collected over 150 copyright permissions for the institutional repository of faculty publications
❖ Consistently contributed to the Law Library blog (http://cmlawlibraryblog.classcaster.net/)
❖ Filed loose-leaf law materials for approximately thirty publications
❖ Other tasks included preparing OhioLink materials, shelving, answering phone calls, filling
  faculty requests, and managing Alumni and Ohio Bar library card applications

Bryant and Stratton College (Parma, OH) September – December 2011
Adjunct English Faculty
❖ Instructed an introductory writing course of twenty-five students

Magnificat High School (Rocky River, OH) January – December 2011
Assistant Track & Field and Cross-Country Coach
❖ Helped the team achieve a sixth-place finish at the State XC Meet
❖ Led Wednesday morning lifting sessions
❖ Personally applied for and won a Team Refuel Grant worth $500

Brighton and Hove Art Museum (Brighton, UK) May – August 2010
Volunteer Collections Assistant
❖ Edited images for the museum website using Photoshop and gained experience updating records
  using the collection management software MIMSY

USA Track and Field (Indianapolis, IN) June – August 2009
Website Intern
❖ Collected and published all Junior Olympic Track and Field results (72 total competitions)
❖ Learned basic HTML coding
❖ Designed the Olympic Trials webpage which archived results I compiled from 1996 to present
❖ Created photo galleries and worked with images taken by sports photographer Victah Sailer
❖ Miscellaneous tasks: helped with National Running Day, organized merchandise, prepared
  mailings, entered data for the Pick-N-Win Fantasy Sports game, and updated the Facebook page

Flesh Public Library (Piqua, OH) May 2006 – August 2007
Summer Children’s Librarian
- Responsibilities included implementing and creating games for the summer reading club, designing printed packets, game sheets, and other materials, reading for story time, managing the book drop, copying, and performing normal circulation duties.

Education

Master of Arts in 1700-1900 English Literature and Culture
The University of Sussex (Brighton, UK)
- Graduated with Distinction
- Dissertation: “A Man Beside Myself: Shadow Narratives in the Nineteenth and Early-Twentieth Centuries”

Bachelor of Fine Arts
Syracuse University (Syracuse, NY)
- Double major in Illustration and English & Textual Studies: 3.92 GPA
- Honors Program: Produced an 80-page thesis focused on children’s literature titled “Governing Boyhood in the Novels of George MacDonald and Robert Louis Stevenson”
- English Distinction Program: Conducted original research at the New York State Archive in Albany on the graduates of Thomas Indian School
- Study Abroad: Jane Austen short-term program (Spring 2007), Florence summer session (2008)
- Athletics: President of the Running Club for three years; Division-I athlete for two years

Scholarships & Honors

<table>
<thead>
<tr>
<th>Scholarship/Grant</th>
<th>Dates</th>
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<tbody>
<tr>
<td>Chancellor’s International Scholarship</td>
<td>2010</td>
</tr>
<tr>
<td>Awarded to the top 40 international applicants at the University of Sussex</td>
<td>2009</td>
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<tr>
<td>Margaret Y. Cragg English Prize</td>
<td>2009</td>
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<tr>
<td>Given to the Syracuse University senior English major with the highest GPA in English courses</td>
<td>2009</td>
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<tr>
<td>Syracuse University Visual and Performing Arts Scholar</td>
<td>2009</td>
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<tr>
<td>Lauretta H. McCaffery English Award</td>
<td>2008</td>
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<tr>
<td>Newell W. Rossman, Jr. Scholarship in the Humanities</td>
<td>2008</td>
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<tr>
<td>Half-tuition scholarship presented to a Syracuse University junior majoring in the humanities</td>
<td>2008</td>
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<tr>
<td>Boston Marathon Qualifier and Finisher</td>
<td>2008</td>
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<tr>
<td>Syracuse Founders’ Scholarship</td>
<td>2005-2009</td>
</tr>
<tr>
<td>Patricia L. Recker Scholarship</td>
<td>2005-2009</td>
</tr>
<tr>
<td>High School Valedictorian</td>
<td>2005</td>
</tr>
<tr>
<td>Girl Scout Gold and Silver Awards</td>
<td>2000, 2005</td>
</tr>
</tbody>
</table>

Skills

Microsoft Office (typing speed: 60 wpm), Digital and Film Photography, Adobe Creative Suite (Photoshop, Illustrator, InDesign), Website Design (Microsoft Expression Web, Dreamweaver, Freeway Pro), MIMSY, iMovie, Soundslides, proficient on both Macs and PCs, copying, scanning, Spanish and French (Intermediate)

Interests

Museum and Library Services, Art History (esp. Art Nouveau and the Pre-Raphaelites), Victorian novels, Children’s Literature, Photography, Painting, Distance Running and Coaching
Experience

CLEVELAND-MARSHALL COLLEGE OF LAW LIBRARY, Cleveland, Ohio.
Evening/Weekend Supervisor. 10/98-Present
- Manage Interlibrary Loan and OhioLINK
- Interact professionally with all students and external customers.
- Supervise Student Assistants. Received student supervisor award.
- Assist Law Students and other patrons with the use of Library and Reference materials. Voted favorite staff member by Law Students in 2011.
- Compute monthly and yearly statistics. Order supplies for 2 departments.

CLEVELAND-MARSHALL COLLEGE OF LAW LIBRARY, Cleveland, Ohio.
Student Assistant Supervisor. 9/94-9/98
- Trained new student assistants. Created stack maintenance procedures.

DIVERSIFIED TITLE, Akron, Ohio.
Real Estate Title Examiner in Cuyahoga, Summit, & Stark County. 5/93-9/94
- Search public records. Compiled information of all documents affecting titles to real property, such as liens and encumbrances.

U.S. TITLE AGENCY INC., Cleveland, Ohio.
Real Estate Title Examiner. 4/92-5/93
- Worked in the title plant processing Real Estate Titles.

CITY OF AKRON, OHIO.
Assessments and Licensing Agent. 4/90-3/92
- Compiled property assessments and served notices to property owners.

Education

CLEVELAND STATE UNIVERSITY, CLEVELAND, OHIO
9/94-9/98
- B.A. in Urban Studies from the Levin College of Urban Affairs.
- Graduated Cum Laude.

HAMMEL COLLEGE, AKRON, OHIO
9/89-4/9
- Paralegal Certification received in April of 1990

GARFIELD HIGH SCHOOL, AKRON, OHIO
- Graduated in 1982

Computer Skills

Windows, Word and Word Perfect, Excel, GIS, Clio (Interlibrary Loan software), Lexis and Westlaw, Library research databases (OhioLINK and others).
Sean Kennedy
Cleveland State University Law Library
1801 Euclid Avenue, Cleveland, OH 44115-2214
Sean.Kennedy@law.csuohio.edu

Education

John Carroll University
2007-2011
B.S. in Psychology / Business minor

Kent State University
2012-Current
Master of Library and Information Science

Work Experience

Cleveland State University Law Library
Full Time – Library Associate 1
Jun 2012 – Current
Responsibilities – All the responsibilities from the Library Media Technical Assistant 1 position with the addition of: Cataloging monographs, claiming late materials including contacting vendors to reconcile accounts, monthly/year end collection statistics, other cataloging projects including retrospective cataloging

Cleveland State University Law Library
Full Time – Library Media Technical Assistant 1
Nov 2010 – Jun 2012
Responsibilities – Checking in serials, receiving all mail and shipments, item creation, order record creation, physical processing and repairing books, collection maintenance, museum display set up, working at circulation desk as required, supervising student assistants, other duties as assigned
Reason for leaving: Promoted to higher position

Cleveland State University Law Library
Part Time - Loose-leaf Filer
Jul 2009 – Nov 2010
Responsibilities – Primary loose-leaf filer, circulation desk duties, assist law librarians with research services as needed, complete faculty services requests, open/close library as needed, Ohiolink processing, other duties around library as assigned
Reason for leaving: Promoted to full time

Cuyahoga County Public Library – Brooklyn Branch
Part Time – Library Page
May 2006 – Jul 2009
Responsibilities – Shelving books, periodicals, and all other materials, assisting patrons with general questions, basic work in Millennium, help setting up displays, tables, chairs, etc. for library programs, helped with making recommendations on weeding collection
Reason for leaving: Increased responsibilities at new position
Skills

Software – Millennium library software, OCLC Client, all O/S (Windows and Mac), Microsoft Office Enterprise (Word, Excel, PowerPoint, and Access), Adobe programs, basic HTML, Google applications, etc.

Equipment – PC, Mac, Copy machines, Fax machines, Scanners, Printers, PDF Creator, Multi-Extension Phone System, Shredders, etc.

References available upon request.
Rebecca Anne Mattson
1801 Euclid Avenue, LL 117, Cleveland, Ohio 44115
216.523.7388

rebecca.mattson@law.csuohio.edu

Education:

University at Buffalo                      MLS, 2012
Buffalo, New York
GPA: 3.9/4.0
  • Research interest: mobile technology in the library setting

University at Buffalo School of Law        JD, 2006, cum laude
Buffalo, New York
  • Buffalo Moot Court Board
  • Buffalo Intellectual Property Law Journal

University at Buffalo                      BA, 2003, magna cum laude
Buffalo, New York
Major Study: Political Science, Social Sciences Interdisciplinary
  • Phi Beta Kappa
  • National Residence Hall Honorary

Experience:

Cleveland-Marshall College of Law Library  September 2012 – Present
Cleveland State University, Cleveland, Ohio
Collection Development/Acquisitions Librarian

Harris Beach, PLLC                          August 2011 – August 2012
Rochester, New York
Research Librarian

Thomson Reuters/West Publishing             August 2006 – August 2011
Rochester, New York
Senior Attorney Editor

Articles and Presentations:

Where to Begin Researching Civil Rights Law. The Daily Record, December 27, 2011.


**Memberships:**

New York State Bar, 2007 – Present  
Monroe County Bar Association, 2007 – Present  
New York State Bar Association, 2007 – 2009  
American Association of Law Libraries, 2010 – Present  
Ohio Regional Association of Law Libraries, 2012 – Present
Kristina L. Niedringhaus
Cleveland-Marshall College of Law Library • 2121 Euclid Ave., LL 110 • Cleveland, OH 44115
216.687.3547 • kristina.niedringhaus@law.csuohio.edu

Experience

Director of the Law Library and Associate Professor (tenure granted 2012) August 2008-present
Cleveland-Marshall College of Law, Cleveland State University Cleveland, OH
- Plan and direct all operations of the Law Library and Law School Information Technology, including budget, facilities, personnel, acquisitions, and delivery of legal information in all formats
- Serve on College of Law faculty committees, including:
  - Solo Incubator Task Force (2011-2013)
  - Curriculum (2011-2013)
  - Self-Study (2011-2013)
  - Budget Task Force (2011-2013)
  - Dean Search (2010-2011)
  - Special Committee to Review Curriculum and Academic Programs (2009-2011)
  - Bar Exam (2008-2011)
  - Orientation Fall 2010, Co-Chair (2010)
  - Communications Coordinator Search, Chair (2010)
  - Special Committee for Long-term contract review, Director of Legal Writing (2009-2010)
  - Special Committee on Orientation Planning (2008-2009)
  - Legal Writing Faculty Search (2008-2009)
- Serve on University committees, including:
  - Library 2020 Task Force (2012-2013)
  - Library, ex officio (2008-present)
  - Dean’s IT Council
  - Information Technology Advisory (2010-2011)
  - System Improvements Sub-committee, Chair.
- Serve as a member of the Dean’s Executive team
- Teach Advanced Legal Research and supervise Independent Legal Research students

Associate Dean of Information Resources & Technology and Associate Professor July 2006-July 2008
Director of Information Resources & Technology and Associate Professor July 2005-July 2006
Phoenix School of Law Phoenix, AZ
- Planned and directed all operations of the Information Resources Center and Law School Information Technology, including budget, facilities, personnel, acquisitions, and delivery of legal information in all formats
- Developed and guided library and IT infrastructure for a new law school
- Authored key accreditation documents and monitored compliance with ABA Standards
- Recruited highly-qualified and motivated personnel and coordinated training and professional development
- Planned and coordinated collection development, acquisitions, and maintenance of information resources
- Taught Lawyering Process IV: Advanced Legal Research; provided and supervised bibliographic instruction
- Served on faculty committees, including:
  - Information Resources, Chair (2005-2008)
  - Technology, Chair (2005-2008)
  - Building (2005-2008)
  - Regional Center of Excellence (2007-2008)
  - Creative Works (2007-2008)
  - Academic Standards (2005-2007)
  - Faculty Appointments (2005-2007)
- Served as a member of the Dean’s senior administrative team
Electronic Services Librarian and Assistant Professor
Texas Wesleyan University Law Library

August 2003-June '05
Fort Worth, TX

Associate Librarian
Georgia State University College of Law Library

June 2001-Aug 2003
Atlanta, GA

Senior Electronic Services Law Librarian
Electronic/Media Services Law Librarian
University of Toledo, LaValley Law Library

July 2000-May 2001
January 1999-June 2000
Toledo, OH

EDUCATION

Master of Arts in Information Science and Learning Technologies
University of Missouri—Columbia
Beta Phi Mu—International Library and Information Science Honor Society, H. W. Wilson Foundation Scholarship for Library Science Development, Graduate Teaching Assistant

Juris Doctor
University of North Carolina—Chapel Hill, School of Law
Graduate Research Assistant—Office of University Judicial Affairs
Research Assistant—Professor Marilyn Yarbrough, hate crime legislation and interpretation

Bachelor of Arts with College Honors, Economics and Political Science
Washington University, St. Louis, Missouri
National Merit Scholar, Alumni Scholar, Washington University Scholarship, Golden Key National Honor Society, Pi Sigma Alpha—National Political Science Honor Society
PUBLICATIONS

BOOKS & BOOK CHAPTERS


ARTICLES


E-Development: Should we expand our online learning opportunities?, AALL SPECTRUM, March 2003, at 8, 26.

Legal Resources for the Bench & Bar at UT’s LaValley Law Library, TOLEDO B. ASS’N NEWS., October 1999, at 5,6.

ONLINE TUTORIALS


BOOK REVIEWS

Book review, LEGAL INFO. ALERT, February 2003, at 17, 18. (Reviewed DOUGLAS S. LAVINE, CARDINAL RULES OF ADVOCACY: UNDERSTANDING AND MASTERING FUNDAMENTAL PRINCIPLES OF PERSUASION (2002)).
PRESENTATIONS & WORKSHOPS


with Barbara Avery & Bruce M. Kennedy, *Internet Sources and Strategies*. [CLE program, Ohio State Bar Association Annual Meeting, May 17, 2000.]

with Bruce M. Kennedy, *Accessing Vital Government Information for Ohio Attorneys*. [CLE program, University of Toledo College of Law Alumni Weekend, October 22, 1999.]
PROFESSIONAL ASSOCIATIONS

  • AALL Representative to the Center for Computer-Assisted Legal Research (2007-2010; 2010-2013)
  • Working group on the Colloquium on Shared Principles with Information Vendors (2011)
  • Law Library Journal Editor Search Task Force (2007)
    AALL Spectrum Article of the Year Award Subcommittee (Chair, 2004-2007); Webmaster (2004-2007)
  • Grants Committee (2002-2004)
  • Academic Law Libraries Special Interest Section, 1999-present
    CALI Committee (2002-present, Chair 2007-present); Special Task Force on the ABA Standards Review, Chair (2010-2011); Special Task Force on US News Rankings (2010); Membership Committee (member 2005-2007, Co-Chair 2006-2007), Website Committee (2004-2005)
  • Computing Services Special Interest Section, 1999-present
    Immediate Past Chair (2007-2008); Chair (2006-2007); Vice-Chair/Chair-Elect (2005-2006); Archives Committee (2011-present); Strategic Plan Implementation Committee (2010-11); Executive Board Member-at-Large (2002-2004); Strategic Plan Implementation Committee (Chair 2002-2004, Co-Chair 2000-2001, 2001-2002); Historian (2003-2004); Technology Competencies Committee (2000-2003); Program Committee (2001-2007); Roundtable Coordinator (2002)
  • Research Instruction/Patron Services Special Interest Section, 1999-present

Ohio Regional Association of Law Libraries, 1999-2001, and 2008-present
  Local Arrangements Committee, 2008-2009

Center for Computer-Assisted Legal Instruction (CALI)
  Board of Directors, 2009-2012 & 2012-2015; Legal Research Community Authoring Project Advisory Board, 2002-present, Chair, 2007-present

Society of Academic Law Library Directors (SALLD), 2008-present
  Vice-Chair/Chair-Elect, 2012-2014; Taskforce on Statistics, 2009-2010; Committee on the Future of the Profession, 2009-2010

Southwestern Association of Law Libraries (SWALL), 2003-2008

Arizona Association of Law Libraries (AZALL), 2005-2008
  Program Committee (2006-2007)

Southeastern Chapter (SEAALL) of the American Association of Law Libraries, 2001-2003
  2003 Program Committee; 2003 Annual Meeting Institute Co-coordinator

Atlanta Chapter (ALLA) of the American Association of Law Libraries, 2001-2003
  Recruitment, Scholarships & Public Relations Committee (2002-2003); Legal Research Institute Committee (2001-2002)
Laura E. Ray, MA, MLS, Instructional Services Librarian

Laura E. Ray has been at the Cleveland-Marshall College of Law Library since 1989, where she currently serves as the Instructional Services Librarian, and was previously the Media/Reference Librarian. She coordinates Law Library instructional programs, advises on collection issues for medical and health care materials, as well as provides classroom research instruction, reference service, and assistance with faculty instructional support. From 1980 till 1989 Laura was the librarian at the Northeast Ohio Multipurpose Arthritis Center, directed by Doctor Roland Moskowitz.

Laura received her MLS from Case Western Reserve University in 1979, and her MA in History and BA from Cleveland State University in 1976 and 1974. She is currently working on her PhD in History, concentrating on Antebellum slave health care.

Laura has been a member of the American Association of Law Libraries (AALL) since 1990. She currently chairs the AALL Micrographics/Audiovisual Special Interest Section (SIS), has chaired the Legal History & Rare Books SIS, and has chaired the Education Committee of both of these SISs for many years. Laura is also an active member of the Ohio Regional Association of Law Libraries (member of several ORALL Committees), Special Libraries Association (currently President-Elect of the SLA Cleveland Chapter), as well as the Association of Rheumatology Health Professionals and American College of Rheumatology (chair and member of many ARHP and ACR Committees).

Laura has presented numerous workshops and lectures at national and regional library and medical conferences since 1982, addressing a myriad of topics on the audiovisual enhancement of learning, educational design and learning styles, library and Web-based support of teaching and practice, legislative and administrative advocacy, as well as legal and medical research. Her most recent presentations are: Law Library Collections Post-Microform: Future Implications for the Newest Legacy Format (2012 AALL Annual Meeting), Web-Based Tools for Enhancing and Managing Teaching and Clinical Practice (Invited Speaker Workshop, 2012 ACR/ARHP Annual Scientific Meeting), Old into New: Collaborative Law Library Digital Collections (2011 AALL Annual Meeting), What You Need to Know about Using DVD Clips in the Classroom: Now You Can! (2011 AALL Annual Meeting), Documenting the Law: Video Instruction and Documentaries in Legal Education (2010 AALL Annual Meeting), and Web-Based Support of Clinical Practice and Teaching: Twittering, Blogging, and Doing the Wiki (2010 ACR/ARHP Annual Scientific Meeting).

Karen R. Schneiderman
2943 East Derbyshire Road, Apt. 2
Cleveland Heights, OH 44118
(216) 990-2977
krschneiderman@gmail.com

EDUCATION
Masters of Library and Information Science (2006), Kent State University, School of Library & Information Science, Kent, OH
Juris Doctorate (1983), University of Toledo, College of Law, Toledo, OH
Bachelors of Science (1980), Business Administration, Ohio State University, College of Business, Columbus, OH

TECHNOLOGY EXPERTISE
Fluency with: YBP’s GOBI; WorldCat; Bloomberg, Lexis, and Westlaw, and all their variations; Drupal; HyperText Markup Language (HTML); LibGuides & E-Reserves by Springshare; and Microsoft SharePoint. Familiarity with: Millennium and Koha OPAC’s. Ability use: MAC and PC operating systems in mobile and desktop environments.

LIBRARY EXPERIENCE
Cleveland-Marshall College of Law, Cleveland State University, Cleveland, OH
Electronic Services Librarian (July 2012 – Present).
- Provides legal reference services to law school and greater university community, also to area attorney lawyers and pro se library users.
- Coordinates law school community’s effective access, training and use digital resources.
- Actively manages faculty, staff and student accounts on Lexis, Westlaw, Bloomberg Law and CALI.
- Serves as the library’s webmaster on its external web site by maintaining links and content updates content.
- Contributes and monitors the Library’s social media on Word Press blog site, as well as the Library’s Facebook account.
- Reviews and provides acquisition recommendations on prospective digital resources.

Brooklyn Law School Library, Brooklyn, NY
Emerging Technologies Librarian & Adjunct Assistant Professor of Law, (2009 – 2012).
- Co-taught semester-long Advanced Legal Research course to upper level law students and Legal Research and Writing to Foreign Trained Lawyers course in our L.L.M. program.
- Participated in faculty liaison program with special focus on intellectual property and U.S. constitutional scholarship.
- Provided print and digital legal reference services to faculty, staff, students and alumni.
- Served as library liaison to Journal of Law and Policy, one of the School’s four student edited journals, and Trade Secrets Institute, a part of the School’s Dennis J. Block Center for the Study of International Business Law.
- Help prepare and participated in site visit by the Accreditation Committee and Council of the American Bar Association (March 2012).
- Provided trainings for librarians, faculty, staff and students in use of library digital resources and other useful digital tools.
- Managed faculty and staff accounts on Lexis, Westlaw, Bloomberg Law and CALI.
- Served as the Library’s webmaster on its external web site and the Library’s intranet site. Designed and actively maintains the content on these sites.
- Contributed and monitors the Library’s social media on Word Press and Blogger blog sites, as well as the Library’s twitter, Facebook, and Foursquare account.
- Evaluates, recommends and implements new digital resources and tools that support the law school’s research, reference and instruction programs.
Drexel University Libraries, Philadelphia, PA

**Research and Instructional Services Law Librarian, Legal Research Center, Earle Mack School of Law** (2006 – 2008).
- Participated in faculty liaison program.
- Provided bibliographic instruction and electronic resource training to faculty, staff and students.
- Planned, collected and analyzed reference desk statistics.
- Assisted in preparation for, and site visit of, the Accreditation Committee and Council of the American Bar Association. Participated in the site visit by Evaluation Team. The law school and law library received provisional approval in February 2008.
- Provided bibliographic instruction on topics including *Researching Health Law for Medical Librarians, Discovering Legal Professional Responsibility Resources, Researching Employment Discrimination Law, and Pennsylvania Legal Research*.

- Provided general reference services on a part-time basis.

Baker & Hostetler, LLP, Law Library, Cleveland, OH

**Technical Services Assistant** (2005 - 2006).
- Assisted in circulation and technical services duties.

Kent State University, Kent, OH

- Assisted in the development of the electronic resources licensing agreement database for use by the Kent State University Libraries Acquisitions Department and Access Services Department.

**Computer Lab Monitor, School of Library Science** (2005 to 2006).
- Provided technical and reference assistance to students and faculty at the School of Library and Information Science.

**SELECTED INSTRUCTIONAL EXPERIENCES**

**Understanding and Locating Ohio Statutes and Case Law**, presentations for 1L’s in Professor Carolyn Broering-Jacobs Legal Writing and Research Course, Cleveland-Marshall Law School, Cleveland State University, Cleveland, Ohio (Fall 2012).

**Legal Research and Writing for Foreign Trained Lawyers**, co-taught eighteen week course to ten L.L.M. students with professors David Sewell, Karen Ross, and Sara Gras, Brooklyn Law School, Brooklyn, New York (Fall 2011).

**Advanced Legal Research**, co-taught this fourteen week course to sixteen 2L’s and 3L’s. With Professor Sara Gras, Brooklyn Law School, Brooklyn, New York (Spring 2012); Professor Harold O’Grady, Brooklyn Law School, Brooklyn, New York (Spring 2010); and with former Library Director and Professor Victoria Szymbczak, Brooklyn Law School, Brooklyn, New York (Fall 2009).

**Labor Unions in the Work Environment**, lecture for Professor Tracey E. Messer’s Business Management course, Case Western Reserve University, Cleveland, OH (2008).


**LIBRARIAN HONORS AND AWARDS**

**Educational Scholarship**, Northern Ohio Technical Services Librarians, Cleveland, OH (Spring Semester, 2006).

**Betty Burrows Grant**, Special Library Association – Ohio Chapter, Cleveland, OH (April 20, 2005).
LIBRARY SERVICE ACTIVITIES


LEGAL PRACTICE EXPERIENCE

Cuyahoga County Common Pleas Court, Domestic Relations Division, Cleveland, OH, Judicial Attorney, (2002 to 2005).

Goldman & Rosen, Ltd., Akron, OH, Associate Counsel, (1999 to 2002).

American Federation of State County and Municipal Employees, Ohio Council 8, AFL-CIO, Cleveland, OH, Staff Attorney, (1992 to 1999).


Hyatt Legal Services, Akron, OH, Staff Attorney, (1986 to 1987).

Summit County Legal Defender Office, Akron, OH, Staff Attorney, (1983 to 1986).

SELECTED DECISIONS


BAR ADMISSIONS

United States Supreme Court, (2004 to present).

United States District Court, N. Dist. OH (1987 to present).

PROFESSIONAL EXPERIENCE:

Cleveland State University, Information Technology, Cleveland Marshall College of Law
Assistant Director, Technology Operations (June 2012 – Present)
Responsibilities include:
- Managing IT Staff;
- Creating proposals for future technology related purchases and projects;
- Coordinating ongoing departmental goals;
- Supporting classroom and courtroom technology;
- Coordinating projects and capital purchases with central IT;
- Overseeing the administration of various file, web, and exam servers;

Kent State University, Information Services / College of Architecture and Environmental Design
Lead IT User Support Analyst (promoted) (November 2006 – June 2012)
Responsibilities included:
- Administering the local area network for the College;
- Maintaining various network resources through Active Directory;
- Maintaining website homepage components for the College;
- Encrypting computer workstations;
- Coordinating the procurement of workstations and other computer equipment;
- Administering a variety of file, web, and license servers;
- Supporting faculty and staff technology needs;
- Deploying and maintaining computer labs;
- Hiring and managing student employees;
- Managing digital fabrication and print center services;
- Maintaining security updates on servers and workstations; and
- Supporting architecture and design-related software packages.

Kent State University, College of Technology
Instructor (January 2009 – June 2012)
Responsibilities included:
- Teaching a special topics IT Troubleshooting course (spring semesters).

Salem Community Hospital
Technical Assistant (promoted) (May 2001 – November 2006)
Responsibilities included:
- Performing maintenance and repairs to network equipment;
- Administering users and groups in Active Directory;
- Defining Group Policies;
• Setting up and enforcing security policies through Active Directory and other third party applications;
• Wireless access point testing and configuration; and
• Purchasing and deploying workstations hospital-wide.

Micronet Consultants
Lead Computer Technician (August 1999 – September 2000)
Responsibilities included:
• Building new computer systems;
• Upgrading existing computer systems; and
• Installing and configuring corporate networks.

EDUCATION AND TRAINING:

Kent State University; Master of Technology – May 2009

Kent State University; Bachelor of Science, Technology – August 2008

Kent State University; Associate of Applied Business, Computer Technology – December 2002

Microsoft approved course: Supporting Users Running the Microsoft Windows XP Operating System; Solutient Corporation.

Microsoft approved course: Supporting Users Running Applications on a Microsoft Windows XP Operating System; Solutient Corporation.


Turning Technologies Audience Response “Clicker” Technical Training - Windows and Mac; Turning Technologies, LLC.

Microsoft and Apple related seminars and web seminars regarding configuration, support, administration, and new products.

SKILLS:

• LAN Administration;
• Active Directory/Group Policy configuration experience;
• Develop and teach Information Technology related courses;
• Support both Windows and Mac OS platforms;
• Configure wireless networks and security encryption;
• Experience with 3D printing, laser cutting, and large format plotting;
• Experience using VTEL/Polycom and Wimba/Blackboard Distance Learning Systems
• Hire, train, and manage up to six student employees per semester; and
• Support the use of several 3D design software packages (e.g AutoCAD, Revit, Sketchup, Rhino, Maya, IES Virtual Environments, and Ecotect).
RICK Z. ZHANG

4582 Devereux Drive, Copley, Ohio 44321
Phone: (330) 697-9978, (330) 203-1168
E-mail: career@rickzhang.com

Education

Master of Science
Kent State University, Kent, Ohio 2000-2001

Bachelor of Science
Kent State University, Kent, Ohio 1995-1999

Skills

Web
- Information Organization and Site Planning
- Served as technology advisor on web development committee and several other technology related project committees
- Site development with Content Management System (Drupal)
- Front-end programming with HTML5, CSS3, JavaScript, and AJAX
- Backend programming with PHP (Apache), SQL (MySQL and PostgreSQL), and XML
- Interactive programming with Adobe Flash and ActionScript

Organizational and Interpersonal
- Project planning and time/financial estimation
- Task delegation according to team member responsibilities
- Prioritizing multiple projects with time and resource restraints
- Customer service oriented, very patient and friendly

Server Administration and Network Security
- Server application (web, email, database) setup and maintenance
- Resource sharing with Samba client/server
- Network security software firewall
- Experiences with Cisco routers and switches, SonicWALL firewall routers, and their configuration including Internet/intranet Firewall security, and Virtual Private Network (VPN) access

Development
- Client/Server application with C/C++, Visual C++, Java and Visual BASIC
- Database related programming with SQL Server and Microsoft Access.

Graphic Design
- Strong visual design skills with digital and print publications
- Advanced knowledge and skill in design and publishing software including Adobe suite and Microsoft titles
- Proficient in traditional and digital photography
Experiences

Cleveland State University, 2003-current
- Systems/Web Administrator
  - Create, Design, and Manage college websites and web server environment.
  - Project management and development for college website and web related applications.
  - Enterprise networking administration for school faculty, staff and student organizations.
  - Plan, deploy and maintain hardware and software upgrades for school technology needs.
  - Organize various projects in a team environment.
  - Supervise, Advise and Train junior-level team members on projects and technology issues.
  - Supervise and provide training for student assistants
  - Provide support and training for faculty/staff/student with any technology needs. Taught training classes.
  - Plan and deploy multimedia systems for classroom technology and distance learning needs.
  - Interact with university departments and external vendors on projects and technology needs.

GWIS Internet Solutions, 2002-2003
- Systems Engineer
  - Systems administration for web, email, database, and application servers.
  - Systems administration on routers and managed switches for 15000+ regional customers.
  - Systems programming for various server environments.
  - Application development for web, email, and database systems.
  - Network hardware planning and deployment for customer with ISDN, DSL, T1, T3 connections.
  - End-user tech support from individual to corporate customers.

Department of Geography, Kent State University, 1999-2002
- Research Associate
  - Research Software development
  - Web/Internet client-server programming
  - Computer Lab Assistant
  - Web and Application Server Administration

References
Available upon request
Karen A. Zima

Cleveland State University 2008-Current
Purchasing Agent 1

Duties include: Acquisition and supply ordering, general accounting, vendor contact, payroll, morator budget, payables and receivables, cash receipts, petty cash and III acquisition module maintenance. Have done bibliographic/OCLC work when we have been short staffed. Report to Technical Services Librarian. Associate Director as well as University Library Purchasing Agent 2 for 5 years on an as needed basis.

Cleveland State University 1985-2008
Records Management Officer

Acquisitions: Ordering, General Accounting, vendor contact, payroll, budget, payables and receivables. Also, Serial Check-in and Monograph processing. Assisted in the conversion from OCR/paper to NOTIS and then to the current computer program Innovative Interfaces.

Cross trained in most of the procedures in Technical Services

Appointed to the University Committee responsible for the conversion process of the BEL financial system to the Peoplesoft financial system. In addition to Law Library responsibilities, I worked in the University Library Technical Services department for 20% of the time under the Cooperative Work in Technical Services initiative (2005-2011).

Cleveland State University 1974-1985
Account Clerk II

Other work experience:

Assistant to Controller in the trucking industry
Tax Preparer and Returns Auditor for a tax preparation company
General Accountant for a Design Company

Education:

Baldwin-Wallace University, BA
Political Science & Business Administration-Accounting

Other:
Cub Scout Den Leader, St. Christopher's (Rocky River)
Executive Women's Golf Association, Leadership Chair and Course Director
Cleveland State University

Financial Report
Including Supplemental Information
June 30, 2010
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Report of Independent Auditors

To the Board of Trustees
Cleveland State University

We have audited the accompanying financial statements of the business-type activities and aggregate discretely presented component units of Cleveland State University (the “University”), a component unit of the State of Ohio, as of and for the years ended June 30, 2010 and 2009, which collectively comprise the University’s basic financial statements as listed in the table of contents. These financial statements are the responsibility of the University’s management. Our responsibility is to express opinions on these financial statements based on our audits. We did not audit the financial statements of The Cleveland State University Foundation, Inc. or the Euclid Avenue Housing Corporation, discretely presented component units of the University. Those financial statements were audited by other auditors whose reports thereon have been furnished to us, and our opinion, insofar as it relates to the amounts included for the discretely presented component units, is based on the reports of the other auditors.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. We believe that our audits and the reports of other auditors provide a reasonable basis for our opinion.

In our opinion, based on our audits and the reports of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the University as of June 30, 2010 and 2009 and the respective changes in financial position and, where applicable, cash flows thereof for the years then ended in conformity with accounting principles generally accepted in the United States of America.

The management’s discussion and analysis on pages 3 through 10 is not a required part of the basic financial statements but is supplemental information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management, regarding the methods of measurement and presentation of the required supplemental information. However, we did not audit the information and express no opinion on it.
To the Board of Trustees  
Cleveland State University

In accordance with *Government Auditing Standards*, we have also issued our report dated October 15, 2010 on our consideration of the University’s internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audits.

October 15, 2010

[Signature]

Pente & Moran, PLLC
Introduction

The following discussion and analysis provides an overview of the financial position and activities of Cleveland State University (the “University”) as of and for the year ended June 30, 2010. This discussion has been prepared by management and should be read in conjunction with the financial statements and the notes thereto, which follow this section.

The University was established in 1964 by action of the Ohio General Assembly and is part of the State of Ohio’s (the “State”) system of state-supported and state-assisted institutions of higher education. It is one of the 13 state universities in Ohio. By statute, it is a body politic and corporate and an instrumentality of the State. Located in the city of Cleveland, the University is an urban institution. A majority of the University’s students commute daily from their homes in the Cleveland metropolitan area.

Using the Annual Financial Report

The University’s financial report includes financial statements prepared in accordance with Governmental Accounting Standards Board (GASB) Statement No. 35, Basic Financial Statements – and Management’s Discussion and Analysis – for Public Colleges and Universities. These principles require that financial statements be presented on a consolidated basis to focus on the financial condition, the changes in financial condition, and the cash flows of the University as a whole. Many other non-financial factors also must be considered in assessing the overall health of the University, such as enrollment trends, student retention, strength of the faculty, condition of the buildings, and the safety of the campus.

The financial statements prescribed by GASB Statement No. 35 (the statement of net assets, the statement of revenues, expenses and changes in net assets, and the statement of cash flows) present financial information in a form similar to that used by corporations. They are prepared under the accrual basis of accounting, whereby revenue and assets are recognized when the service is provided and expenses and liabilities are recognized when others provide the service, regardless of when cash is exchanged.

Under the provisions of GASB Statement No. 39, Determining Whether Certain Organizations are Component Units, the Cleveland State University Foundation, Inc. (the “Foundation”) and the Euclid Avenue Housing Corporation (the “Corporation”) are treated as component units of the University. Accordingly, the Foundation and the Corporation are discretely presented in the University’s financial statements. The Foundation and the Corporation are excluded from management’s discussion and analysis. Financial statements for the Foundation can be obtained from the Office of the Executive Director at 2121 Euclid Avenue, Keith Building Room 300, Cleveland, OH 44115-2214; financial statements for the Corporation can be obtained from the Office of the President at 2121 Euclid Avenue, Administration Center Room 210, Cleveland, OH 44115-2214.
The statement of net assets presents the financial position of the University at the end of the fiscal year and includes all assets and liabilities. The difference between assets and liabilities—net assets—is one indicator of the current financial condition of the University, while the change in net assets is an indicator of whether the overall financial condition has improved or worsened during the year. Assets and liabilities are generally measured using current values. One notable exception is capital assets, which are stated at historical cost less an allowance for depreciation. A summary of the University’s assets, liabilities, and net assets at June 30, 2010, 2009 and 2008 is as follows:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current assets</td>
<td>$ 51,420,926</td>
<td>$ 48,233,371</td>
<td>$ 40,137,984</td>
</tr>
<tr>
<td>Noncurrent assets:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital assets, net</td>
<td>460,153,549</td>
<td>379,904,921</td>
<td>340,451,912</td>
</tr>
<tr>
<td>Other</td>
<td>99,693,462</td>
<td>150,479,231</td>
<td>159,028,058</td>
</tr>
<tr>
<td>Total assets</td>
<td>611,267,937</td>
<td>578,617,523</td>
<td>539,617,954</td>
</tr>
<tr>
<td>Current liabilities</td>
<td>42,131,497</td>
<td>42,170,066</td>
<td>37,675,256</td>
</tr>
<tr>
<td>Noncurrent liabilities</td>
<td>232,077,323</td>
<td>223,189,761</td>
<td>180,357,268</td>
</tr>
<tr>
<td>Total liabilities</td>
<td>274,208,820</td>
<td>265,359,827</td>
<td>218,032,524</td>
</tr>
<tr>
<td>Net assets</td>
<td>$ 337,059,117</td>
<td>$ 313,257,696</td>
<td>$ 321,585,430</td>
</tr>
</tbody>
</table>

Current assets consist primarily of cash, operating investments, accounts and notes receivable, prepaid expenses, deferred charges and inventories. Current liabilities consist primarily of accounts payable, accrued payroll and other liabilities, deferred revenue and the current portion of long-term debt.

Current assets increased in 2010 from 2009 primarily due to an increase in cash and cash equivalents, which was partially offset by a decrease in investments. In 2010, the University kept most of its cash on deposit with the bank, because the rate of interest paid by the bank was greater than other short-term investment vehicles.

Current assets increased in 2009 from 2008 primarily due to an increase in cash and cash equivalents. During 2009, the University increased its holdings in money market funds (which are classified as cash equivalents) because they offered greater returns than other short-term investment vehicles.

Net capital assets increased in 2010 from 2009 by $80.2 million, or 21.1%, and in 2009 from 2008 by $39.5 million, or 11.6%. Both increases were due to construction on the University’s campus. Projects under construction during these years include a new student center building and a new building to house the College of Education and Human Services.

Other assets decreased in 2010 from 2009 by $50.8 million, or 33.7%. The decrease was due primarily to the spending of bond proceeds on construction.

Other assets decreased in 2009 from 2008 by $8.5 million, or 5.4%. The decrease was the result of two factors: the increased use of money market funds, which are classified as current assets, and the spending of bond proceeds on construction.
Liabilities increased in 2010 from 2009 by $8.8 million, or 3.3%, due primarily to a $14.5 million capital lease for a new parking garage that was entered into in 2010.

Liabilities increased in 2009 from 2008 by $47.3 million, or 21.7%, due primarily to a $42.8 million capital lease for energy conservation projects that was issued in 2009.

**Capital and Debt Activities**

One critical factor affecting the quality of the University’s programs is the development and renewal of its capital assets. Capital additions totaled $100.4 million in 2010, $57.1 million in 2009, and $37.4 million in 2008. Capital retirements totaled $6.0 million in 2010, $25.7 million in 2009, and $2.7 million in 2008. Capital additions and retirements for 2010, 2009 and 2008 exclude transfers from construction in progress to buildings in the amounts of $31.3 million, $0.7 million and $6.2 million, respectively. Capital additions include construction of new facilities, repair and renovation of existing facilities, and acquisition of equipment and library books. Capital asset additions are funded, in part, by capital appropriations from the State. These appropriations amounted to $20.0 million in 2010, $15.1 million in 2009, and $3.4 million in 2008.

In August 2009, the University entered into a capital lease with the Corporation in the amount of $14.5 million. The lease covers a parking garage that was constructed by the Corporation on the University’s campus. The lease requires the University to operate and maintain the garage, and to make periodic payments to the Corporation equal to its required debt service payments.

In March 2009, the University entered into a capital lease in the amount of $42.8 million. Proceeds will be used to fund a variety of energy conservation projects on the University’s campus. When the projects are complete, energy savings will be sufficient to fund the lease payments.

**Net Assets**

Net assets represent the residual interest in the University’s assets after liabilities are deducted. The University’s net assets at June 30, 2010, 2009 and 2008 are summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invested in capital assets, net of related debt</td>
<td>$254,199,231</td>
<td>$246,794,695</td>
<td>$241,694,315</td>
</tr>
<tr>
<td>Restricted - expendable</td>
<td>15,128,293</td>
<td>17,078,592</td>
<td>16,875,687</td>
</tr>
<tr>
<td>Restricted - nonexpendable</td>
<td>1,100,356</td>
<td>917,117</td>
<td>1,308,413</td>
</tr>
<tr>
<td>Unrestricted</td>
<td>66,631,237</td>
<td>48,467,292</td>
<td>61,707,015</td>
</tr>
<tr>
<td>Total net assets</td>
<td>$337,059,117</td>
<td>$313,257,696</td>
<td>$321,585,430</td>
</tr>
</tbody>
</table>
Net assets invested in capital assets, net of related debt represent the University’s capital assets net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction, or improvement of those assets. Changes in this category of net assets are due to the net effect of additions to, disposals of, and depreciation on capital assets. In both 2010 and 2009, additions exceeded disposals and depreciation.

Restricted-expendable net assets are subject to externally imposed restrictions governing their use. Changes in this category are due to the timing of revenue and expenses in funds provided by donors and grantors. Restricted-nonexpendable net assets consist primarily of endowment funds held by the University. Changes in this category are driven primarily by investment performance, which was positive in 2010 and negative in 2009.

Unrestricted net assets are not subject to externally imposed stipulations. This category includes funds functioning as endowment (quasi-endowment) of $4.5 million at June 30, 2010, $4.0 million at June 30, 2009, and $4.7 million at June 30, 2008. The changes in value from year to year are due to gains or losses on investments.

For the year ended June 30, 2010, the University had an increase in total net assets of $23.8 million, or 7.6%. Net assets invested in capital assets, net of related debt, increased by $7.4 million, or 3.0%, because capital asset additions exceeded deductions and depreciation expense. Unrestricted net assets increased by $18.2 million, or 37.5%, due primarily to increases in net tuition income (which went from $115.3 million in 2009 to $126.2 million in 2010) and in investment income (which went from ($6.5 million) in 2009 to $7.7 million in 2010), along with a decrease in operating expenses in 2010 from 2009 of $0.2 million. The decrease in operating expenses was the result of a freeze on salaries and wages and energy conservation efforts.

For the year ended June 30, 2009, the University had a decrease in total net assets of $8.3 million, or 2.6%. Net assets invested in capital assets, net of related debt, increased by $5.1 million, or 2.1%, because capital asset additions exceeded deductions and depreciation expense. Unrestricted net assets decreased by $13.2 million, or 21.5%, due primarily to decreased investment income (which went from ($533,000) in 2008 to ($6.5 million) in 2009), and increased operating expenses (which went from $257.3 million in 2008 to $269.9 million in 2009). Expenses for salaries and wages, fringe benefits, and energy were higher in 2009 than in 2008.

**Statement of Revenue, Expenses and Changes in Net Assets**

The statement of revenues, expenses and changes in net assets presents the revenues earned and expenses incurred during the year. Activities are reported as either operating or nonoperating. As a public institution, the University is dependent on state assistance. This dependency contributed toward an operating deficit because the financial reporting model classifies state appropriations as nonoperating revenue. The utilization of capital assets is reflected in the financial statements as depreciation, which amortizes the cost of an asset over its expected useful life. Summarized revenue, expenses, and changes in net assets for the years ended June 30, 2010, June 30, 2009 and June 30, 2008 are as follows:
Operating revenue:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net student tuition and fees</td>
<td>$126,182,341</td>
<td>$115,263,410</td>
<td>$116,662,514</td>
</tr>
<tr>
<td>Grants and contracts</td>
<td>20,480,512</td>
<td>18,788,895</td>
<td>23,506,162</td>
</tr>
<tr>
<td>Other</td>
<td>21,103,594</td>
<td>20,712,482</td>
<td>20,310,456</td>
</tr>
<tr>
<td>Total operating revenue</td>
<td>167,766,447</td>
<td>154,764,787</td>
<td>160,479,132</td>
</tr>
</tbody>
</table>

Operating expenses:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational and general</td>
<td>226,629,451</td>
<td>226,598,855</td>
<td>215,684,519</td>
</tr>
<tr>
<td>Auxiliary enterprises</td>
<td>23,386,092</td>
<td>25,535,858</td>
<td>23,215,882</td>
</tr>
<tr>
<td>Depreciation and amortization</td>
<td>19,722,338</td>
<td>17,742,326</td>
<td>18,363,172</td>
</tr>
<tr>
<td>Total operating expenses</td>
<td>269,737,881</td>
<td>269,895,039</td>
<td>257,263,573</td>
</tr>
<tr>
<td>Operating loss</td>
<td>(101,971,434)</td>
<td>(115,130,252)</td>
<td>(96,784,441)</td>
</tr>
</tbody>
</table>

Nonoperating revenue, net:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>State appropriations</td>
<td>63,692,313</td>
<td>79,056,333</td>
<td>72,934,809</td>
</tr>
<tr>
<td>Other</td>
<td>42,102,246</td>
<td>12,664,624</td>
<td>19,348,092</td>
</tr>
<tr>
<td>Gain (loss) before other changes</td>
<td>3,823,125</td>
<td>(23,409,295)</td>
<td>(4,501,540)</td>
</tr>
<tr>
<td>Other changes</td>
<td>19,978,296</td>
<td>15,081,561</td>
<td>3,617,459</td>
</tr>
<tr>
<td>Increase (decrease) in net assets</td>
<td>23,801,421</td>
<td>(8,327,734)</td>
<td>(884,081)</td>
</tr>
</tbody>
</table>

Net assets at beginning of year | 313,257,696 | 321,585,430 | 322,469,511 |
Net assets at end of year $337,059,117 $313,257,696 $321,585,430

Total revenue and other changes in fiscal 2010, 2009 and 2008 was $298.8 million, $264.9 million, and $259.3 million, respectively. The most significant sources of 2010 operating revenue for the University were student tuition and fees of $126.2 million, grants and contracts of $20.5 million, and auxiliary services of $15.9 million.

Revenue from tuition and fees (net of scholarship allowances) increased in 2010 from 2009 by $10.9 million, or 9.5%, due to an increase in enrollment and an increase in tuition rates. Headcount enrollment increased by 6.9% from the prior year, while full-time equivalent enrollment increased by 7.4% from the prior year. A tuition increase of 3.5% was implemented in the spring 2010 semester.

Revenue from tuition and fees (net of scholarship allowances) decreased in 2009 from 2008 by $1.4 million, or 1.2%, due primarily to an increase in scholarships allowances (which are netted against revenue) of $1.3 million. Enrollment was essentially flat (headcount enrollment increased by 0.36%), and there were no tuition increases.

Revenue from grants and contracts decreased in 2009 from 2008 by $4.7 million, or 20.1%. The decline was in federal grants, and is attributable to fewer proposals for federal funding being funded. This decline was reversed in 2010, with revenue from federal grants and contracts increasing by $2.3 million, or 23.9%, over 2009.
Total expenses in fiscal 2010, 2009 and 2008 were $275.0 million, $273.3 million, and $260.2 million, respectively. Operating expenses include the costs of instruction, research, public service, general administration, utilities, libraries, and auxiliary services. Operating expenses also include depreciation and amortization. The increase in total expenses of $1.7 million (0.6%) in 2010 was due primarily to increased interest on debt. The increases in operating expenses of $12.6 million (4.9%) in 2009 were due primarily to salary increases granted to University employees, increases in the cost of medical insurance and other fringe benefits, and rising costs for energy.

Sources of nonoperating revenue include state appropriations of $63.7 million in 2010, $79.1 million in 2009, and $72.9 million in 2008; grants and contracts of $24.8 million in 2010, $18.0 million in 2009, and $16.4 million in 2008; gifts of $4.5 million in 2010, $4.6 million in 2009, and $6.4 million in 2008; and investment income (loss) of $7.7 million in 2010, ($6.5 million) in 2009, and ($553,000) in 2008. State funding increased in 2009 by $6.1 million, or 8.4%, but declined in 2010 by $15.4 million, or 19.4%, as the State used federal stimulus dollars to replace State funds. In 2010, such federal stimulus funds passed-through the State and received by the University as subsidy amounted to $10.4 million.

Net nonoperating revenue increased in 2010 from 2009 by $14.1 million, or 15.3%, due primarily to increases in funding for the Federal Pell Grants program and federal stimulus funds, offset by a decrease in state support. Net nonoperating revenue decreased in 2009 from 2008 by $562,000, or 0.6%, due primarily to the decline in investment income, offset by the increase in state support.

Other changes consist primarily of state capital appropriations of $20.0 million in 2010, $15.1 million in 2009, and $3.4 million in 2008.

**Statement of Cash Flows**

The statement of cash flows presents information related to cash inflows and outflows summarized by operating, noncapital financing, capital financing and investing activities, and helps measure the ability to meet financial obligations as they mature. A summary of the statement of cash flows for the years ended June 30, 2010, June 30, 2009 and June 30, 2008 is as follows:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net cash provided (used) by:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating activities</td>
<td>$ (83,066,244)</td>
<td>$ (91,764,282)</td>
<td>$ (83,383,896)</td>
</tr>
<tr>
<td>Noncapital financing activities</td>
<td>103,454,861</td>
<td>101,999,581</td>
<td>95,514,168</td>
</tr>
<tr>
<td>Capital financing activities</td>
<td>(73,968,302)</td>
<td>(4,261,211)</td>
<td>(39,231,358)</td>
</tr>
<tr>
<td>Investing activities</td>
<td>66,793,739</td>
<td>1,006,976</td>
<td>27,699,391</td>
</tr>
<tr>
<td>Net increase in cash</td>
<td>13,214,054</td>
<td>6,981,064</td>
<td>598,305</td>
</tr>
<tr>
<td><strong>Cash at beginning of year</strong></td>
<td>11,056,456</td>
<td>4,075,392</td>
<td>3,477,087</td>
</tr>
<tr>
<td><strong>Cash at end of year</strong></td>
<td>$ 24,270,510</td>
<td>$ 11,056,456</td>
<td>$ 4,075,392</td>
</tr>
</tbody>
</table>

Major sources of cash included student tuition and fees of $125.2 million in 2010, $116.1 million in 2009, and $116.1 million in 2008; state appropriations of $74.1 million in 2010, $79.1 million in 2009, and $72.9 million in 2008; grants and contracts (operating and nonoperating) of $46.0 million in 2010, $38.4 million in 2009, and $41.4 million in 2008; and auxiliary activities of $15.9 million in

The largest payments were for employee compensation and benefits totaling $163.9 million in 2010, $163.8 million in 2009, and $163.3 million in 2008; suppliers of goods and services totaling $87.9 million in 2010, $86.8 million in 2009, and $80.8 million in 2008; and purchases of capital assets totaling $99.4 million in 2010, $60.1 million in 2009, and $37.8 million in 2008.

The change in cash flows from 2009 to 2010 in the investing category is due primarily to the University electing to leave most of its cash in the bank in 2010 (because the rate of return was higher than other short-term investment vehicles), which resulted in a decrease in investments purchased.

The changes in cash flows from 2009 to 2010 and from 2008 to 2009 in the capital financing category is due primarily to the $42.8 million capital lease for energy conservation projects that was issued in 2009.

**Credit Rating**

The University’s bonds are rated “A” by Standard & Poor’s, with the most recent rating published on April 14, 2008. This rating is consistent with the years ended June 30, 2009 and 2008. The highest achievable rating is “AAA.” The University’s capacity to meet its financial obligations is considered strong considering this rating.

**Looking Ahead**

The ability of the University to fulfill its mission and execute its strategic plan is directly influenced by enrollment, state support, and the cost of healthcare, utilities, employee compensation and unfunded state and federal mandates.

In the fall of 2010, headcount enrollment at the University climbed to 17,204, increase of 4.2% from fall 2009 and the highest enrollment at the University in 18 years. Furthermore, first-year students entered the University as the most academically competitive class in its history.

Paramount to the University’s continuing success is its accreditation by the North Central Association of Colleges and Schools (NCA), which in 2000 awarded the University a 10 year renewal with enthusiasm and without condition. A team from the NCA will visit the University in Fall 2010 as part of the normal reaccreditation process.

The University faces significant cost pressures in the future. These relate to attracting and retaining high-quality faculty and staff, increasing costs of medical care and prescription drugs, volatile energy prices, and others.

A critical element to the University’s future is its relationship with the State. There is a direct relationship between the level of state support and the University’s ability to control tuition growth, as declines in state appropriations generally result in increased tuition levels. The state’s capital appropriations continue to support construction and renovation of the University’s facilities. Economic pressures affecting the State may affect the State’s future support of the University.

In September 2010, the State announced the planned lapse of $127.5 million in state subsidy to higher education for fiscal year 2011. The State’s estimate is that the University’s June 2011 subsidy payment from the State will be reduced by $4.7 million, which represents a reduction in the State’s support of the University for 2011 of 6.4%.
It has been widely reported that the State faces a revenue shortfall of $8 billion for its biennial budget that begins July 1, 2011 and ends June 30, 2013. As the State’s Constitution requires the adoption of a balanced budget, it is virtually certain that the State will have to cut spending and that support to higher education will be affected. The amount of any reduction in the State’s support of the University is not known at this time.

In the summer of 2010, the University’s president appointed a budget task force and charged it to make recommendations as to how the University would maintain a balanced budget if its State subsidy were to be cut by 10%, 15%, or 20%. The report of the task force is due to the president by December 31, 2010.
# Cleveland State University
Statement of Net Assets
June 30, 2010 and 2009

## ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Cash Equivalents</td>
<td>$24,270,510</td>
<td>$11,056,456</td>
</tr>
<tr>
<td>Investments (Note 2)</td>
<td>5,018,111</td>
<td>15,565,304</td>
</tr>
<tr>
<td>Accounts Receivable, Net (Note 3)</td>
<td>19,417,920</td>
<td>19,025,380</td>
</tr>
<tr>
<td>Notes Receivable, Net (Note 3)</td>
<td>1,276,989</td>
<td>903,685</td>
</tr>
<tr>
<td>Accrued Interest Receivable</td>
<td>12,491</td>
<td>392,519</td>
</tr>
<tr>
<td>Prepaid Expenses, Deferred Charges and Inventories</td>
<td>1,424,905</td>
<td>1,290,027</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>$51,420,926</td>
<td>48,233,371</td>
</tr>
<tr>
<td><strong>Noncurrent Assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted Investments (Note 2)</td>
<td>17,187,619</td>
<td>74,370,736</td>
</tr>
<tr>
<td>Long-Term and Endowment Investments (Note 2)</td>
<td>69,840,834</td>
<td>61,320,310</td>
</tr>
<tr>
<td>Notes Receivable, Net (Note 3)</td>
<td>10,334,360</td>
<td>12,352,537</td>
</tr>
<tr>
<td>Deferred Bond Premium and Issuance Costs</td>
<td>2,330,649</td>
<td>2,435,648</td>
</tr>
<tr>
<td>Capital Assets, Net (Note 5)</td>
<td>460,153,549</td>
<td>379,904,921</td>
</tr>
<tr>
<td><strong>Total Noncurrent Assets</strong></td>
<td>$559,847,011</td>
<td>530,384,152</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>$611,267,937</td>
<td>$578,617,523</td>
</tr>
</tbody>
</table>

## LIABILITIES

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Liabilities:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>8,994,419</td>
<td>10,542,868</td>
</tr>
<tr>
<td>Construction Accounts Payable</td>
<td>3,933,523</td>
<td>4,324,571</td>
</tr>
<tr>
<td>Accrued Liabilities</td>
<td>8,394,846</td>
<td>8,836,060</td>
</tr>
<tr>
<td>Accrued Interest Payable</td>
<td>1,439,785</td>
<td>1,403,734</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>10,279,623</td>
<td>9,689,730</td>
</tr>
<tr>
<td>Compensated Absences - Current Portion (Note 6)</td>
<td>636,708</td>
<td>792,395</td>
</tr>
<tr>
<td>Obligations Under Capital Leases - Current Portion (Note 6)</td>
<td>3,826,660</td>
<td>2,114,775</td>
</tr>
<tr>
<td>Long-Term Debt - Current Portion (Note 6)</td>
<td>4,625,933</td>
<td>4,465,933</td>
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<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>$42,131,497</td>
<td>$42,170,066</td>
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<tr>
<td><strong>Noncurrent Liabilities:</strong></td>
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<td></td>
</tr>
<tr>
<td>Accrued Liabilities (Note 6)</td>
<td>11,199,569</td>
<td>11,144,918</td>
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<tr>
<td>Compensated Absences (Note 6)</td>
<td>8,556,310</td>
<td>8,561,600</td>
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<tr>
<td>Obligations Under Capital Leases (Note 6)</td>
<td>68,231,368</td>
<td>54,767,234</td>
</tr>
<tr>
<td>Long-Term Debt (Note 6)</td>
<td>144,090,076</td>
<td>148,716,009</td>
</tr>
<tr>
<td><strong>Total Noncurrent Liabilities</strong></td>
<td>$232,077,323</td>
<td>$223,189,761</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td>$274,208,820</td>
<td>$265,359,827</td>
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## NET ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invested in Capital Assets, Net of Related Debt</td>
<td>254,199,231</td>
<td>246,794,695</td>
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<tr>
<td>Restricted, Expendable</td>
<td>15,128,293</td>
<td>17,078,592</td>
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<tr>
<td>Restricted, Nonexpendable</td>
<td>1,100,356</td>
<td>917,117</td>
</tr>
<tr>
<td>Unrestricted</td>
<td>66,631,237</td>
<td>48,467,292</td>
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<tr>
<td><strong>Total Net Assets</strong></td>
<td>$337,059,117</td>
<td>$313,257,696</td>
</tr>
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</table>

The accompanying notes are an integral part of the financial statements.
Cleveland State University
Statement of Revenue, Expenses, and Changes in Net Assets
Years Ended June 30, 2010 and 2009

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Revenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Tuition and Fees</td>
<td>$ 143,288,911</td>
<td>$ 130,750,629</td>
</tr>
<tr>
<td>Less Scholarship Allowances</td>
<td>17,106,570</td>
<td>15,487,219</td>
</tr>
<tr>
<td>Net Student Tuition and Fees</td>
<td>126,182,341</td>
<td>115,263,410</td>
</tr>
<tr>
<td>Federal Grants and Contracts</td>
<td>11,992,099</td>
<td>9,681,219</td>
</tr>
<tr>
<td>State Grants and Contracts</td>
<td>6,296,917</td>
<td>5,504,478</td>
</tr>
<tr>
<td>Local Grants and Contracts</td>
<td>490,186</td>
<td>681,071</td>
</tr>
<tr>
<td>Private Grants and Contracts</td>
<td>1,701,310</td>
<td>2,922,127</td>
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<tr>
<td>Sales and Services</td>
<td>4,773,836</td>
<td>4,709,650</td>
</tr>
<tr>
<td>Auxiliary Enterprises</td>
<td>15,912,209</td>
<td>15,433,175</td>
</tr>
<tr>
<td>Other Sources</td>
<td>417,549</td>
<td>569,657</td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>167,766,447</td>
<td>154,764,787</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Expenses</td>
<td></td>
<td></td>
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<tr>
<td>Instruction</td>
<td>92,025,220</td>
<td>95,209,808</td>
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<tr>
<td>Research</td>
<td>9,688,834</td>
<td>12,880,105</td>
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<tr>
<td>Public Service</td>
<td>11,186,289</td>
<td>11,357,482</td>
</tr>
<tr>
<td>Academic Support</td>
<td>22,934,405</td>
<td>24,067,498</td>
</tr>
<tr>
<td>Student Services</td>
<td>20,105,695</td>
<td>19,781,003</td>
</tr>
<tr>
<td>Institutional Support</td>
<td>28,300,239</td>
<td>29,714,486</td>
</tr>
<tr>
<td>Operation and Maintenance of Plant</td>
<td>24,816,384</td>
<td>22,711,537</td>
</tr>
<tr>
<td>Scholarships and Fellowships</td>
<td>17,572,385</td>
<td>10,876,936</td>
</tr>
<tr>
<td>Auxiliary Enterprises</td>
<td>23,386,092</td>
<td>25,553,858</td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>19,722,338</td>
<td>17,742,326</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>269,737,881</td>
<td>269,895,039</td>
</tr>
<tr>
<td>Operating Loss</td>
<td>(101,971,434)</td>
<td>(115,130,252)</td>
</tr>
<tr>
<td><strong>Nonoperating Revenue (Expenses)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Appropriations</td>
<td>63,692,313</td>
<td>79,056,333</td>
</tr>
<tr>
<td>Federal Appropriations</td>
<td>10,367,388</td>
<td>-</td>
</tr>
<tr>
<td>Federal Grants and Contracts</td>
<td>21,555,446</td>
<td>13,998,357</td>
</tr>
<tr>
<td>State Grants and Contracts</td>
<td>3,279,699</td>
<td>4,015,508</td>
</tr>
<tr>
<td>Gifts</td>
<td>4,477,080</td>
<td>4,557,213</td>
</tr>
<tr>
<td>Investment Income</td>
<td>7,698,092</td>
<td>(6,546,238)</td>
</tr>
<tr>
<td>Interest on Debt</td>
<td>(5,275,459)</td>
<td>(3,360,216)</td>
</tr>
<tr>
<td>Net Nonoperating Revenue</td>
<td>105,794,559</td>
<td>91,720,957</td>
</tr>
<tr>
<td>Gain (Loss) Before Other Changes</td>
<td>3,823,125</td>
<td>(23,409,295)</td>
</tr>
<tr>
<td><strong>Other Changes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Capital Appropriations</td>
<td>19,978,296</td>
<td>15,069,316</td>
</tr>
<tr>
<td>Capital Gifts</td>
<td>-</td>
<td>12,245</td>
</tr>
<tr>
<td>Increase (Decrease) in Net Assets</td>
<td>23,801,421</td>
<td>(8,327,734)</td>
</tr>
<tr>
<td><strong>Net Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Assets at Beginning of Year</td>
<td>313,257,696</td>
<td>321,585,430</td>
</tr>
<tr>
<td>Net Assets at End of Year</td>
<td>$ 337,059,117</td>
<td>$ 313,257,696</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
Cleveland State University
Statement of Cash Flows

Years Ended June 30

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cash Flows from Operating Activities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuition and Fees</td>
<td>$125,222,415</td>
<td>$116,088,860</td>
</tr>
<tr>
<td>Grants and Contracts</td>
<td>21,194,066</td>
<td>20,376,611</td>
</tr>
<tr>
<td>Payments to or On Behalf of Employees</td>
<td>(163,937,678)</td>
<td>(163,778,489)</td>
</tr>
<tr>
<td>Payments to Vendors</td>
<td>(88,802,575)</td>
<td>(86,805,739)</td>
</tr>
<tr>
<td>Loans Issued to Students</td>
<td>(1,160,506)</td>
<td>(771,320)</td>
</tr>
<tr>
<td>Collection of Loans to Students</td>
<td>3,299,546</td>
<td>1,174,466</td>
</tr>
<tr>
<td>Auxiliary Enterprises Charges</td>
<td>15,927,103</td>
<td>16,672,022</td>
</tr>
<tr>
<td>Other Receipts</td>
<td>5,191,385</td>
<td>5,279,307</td>
</tr>
<tr>
<td><strong>Net Cash Used by Operating Activities</strong></td>
<td>(83,066,244)</td>
<td>(91,764,282)</td>
</tr>
</tbody>
</table>

| **Cash Flows from Noncapital Financing Activities** |                 |                 |
| State Appropriations                  | 74,059,701      | 79,056,333      |
| Grants and Contracts                  | 24,835,145      | 18,013,865      |
| Gifts                                 | 4,477,080       | 4,557,213       |
| Cash Provided by Stafford and PLUS Loans | 107,184,246    | 96,397,555      |
| Cash Used by Stafford and PLUS Loans  | (107,163,728)   | (96,254,088)    |
| Cash Provided by Agency Fund Activities | (426,322)      | (1,258,157)     |
| Cash Used by Agency Fund Activities   | 488,739         | 1,486,860       |
| **Net Cash Provided by Noncapital Financing Activities** | 103,454,861    | 101,999,581     |

| **Cash Flows from Capital Financing Activities** |                 |                 |
| Proceeds from Capital Debt and Leases   | 17,680,920      | 48,839,328      |
| Capital Appropriations                  | 19,978,296      | 15,069,316      |
| Capital Gifts and Grants                | -               | 12,245          |
| Purchases of Capital Assets             | (99,417,276)    | (60,137,706)    |
| Principal Paid on Capital Debt and Leases| (6,970,835)     | (5,479,761)     |
| Interest Paid on Capital Debt and Leases | (5,239,407)    | (2,564,633)     |
| **Net Cash Used by Capital Financing Activities** | (73,968,302)   | (4,261,211)     |

| **Cash Flows from Investing Activities** |                 |                 |
| Proceeds from Sales and Maturities of Investments | 62,563,273      | 194,002,250     |
| Purchase of Investments                  | (3,353,487)     | (186,482,965)   |
| Interest on Investments                  | 7,583,953       | (6,512,309)     |
| **Net Cash Provided by Investing Activities** | 66,793,739      | 1,006,976       |

| **Net Increase in Cash**                | 13,214,054      | 6,981,064       |
| Cash and Cash Equivalents at Beginning of Year | 11,056,456     | 4,075,392       |
| Cash and Cash Equivalents at End of Year  | $24,270,510     | $11,056,456     |

The accompanying notes are an integral part of the financial statements.
### Reconciliation of Operating Loss to Cash Used by Operating Activities

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Loss</td>
<td>(101,971,434)</td>
<td>(115,130,252)</td>
</tr>
<tr>
<td>Adjustments:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>19,722,338</td>
<td>17,742,326</td>
</tr>
<tr>
<td>Changes in Assets and Liabilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts Receivable, Net</td>
<td>(841,231)</td>
<td>1,888,690</td>
</tr>
<tr>
<td>Notes Receivable, Net</td>
<td>2,139,040</td>
<td>403,146</td>
</tr>
<tr>
<td>Inventories</td>
<td>(29,884)</td>
<td>14,032</td>
</tr>
<tr>
<td>Prepaid Expenses and Deferred Charges</td>
<td>(104,994)</td>
<td>517,793</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>(1,919,637)</td>
<td>962,985</td>
</tr>
<tr>
<td>Accrued Liabilities</td>
<td>(650,335)</td>
<td>93,705</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>589,893</td>
<td>1,743,293</td>
</tr>
<tr>
<td>Cash Used by Operating Activities</td>
<td>(83,066,244)</td>
<td>(91,764,282)</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
### ASSETS

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>$5,051,468</td>
<td>$4,909,635</td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>220,221</td>
<td>63,674</td>
</tr>
<tr>
<td>Contributions receivable, net of allowance for uncollectible contributions</td>
<td>912,225</td>
<td>704,079</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>$6,183,914</td>
<td>$5,677,388</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Other assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deposit</td>
<td>-</td>
<td>20,000</td>
</tr>
<tr>
<td>Contributions receivable, net of allowance for uncollectible accounts</td>
<td>4,706,404</td>
<td>3,418,263</td>
</tr>
<tr>
<td>Long-term investments</td>
<td>38,383,659</td>
<td>32,719,584</td>
</tr>
<tr>
<td>Funds held on behalf of others:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cleveland State University (Note 11)</td>
<td>1,993,632</td>
<td>1,804,588</td>
</tr>
<tr>
<td>Cleveland State University Alumni Association</td>
<td>313,317</td>
<td>316,780</td>
</tr>
<tr>
<td><strong>Total Other assets</strong></td>
<td>$45,397,012</td>
<td>$38,279,215</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>$51,580,926</td>
<td>$43,956,603</td>
</tr>
</tbody>
</table>

### LIABILITIES

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Liabilities:</strong></td>
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<tr>
<td>Accounts payable</td>
<td>$45,814</td>
<td>$165,062</td>
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<tr>
<td>Payable to Cleveland State University (Note 11)</td>
<td>626,547</td>
<td>741,381</td>
</tr>
<tr>
<td>Notes Payable</td>
<td>39,996</td>
<td>-</td>
</tr>
<tr>
<td>Annuities payable</td>
<td>29,847</td>
<td>29,847</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>$742,204</td>
<td>$936,290</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noncurrent Liabilities:</strong></td>
<td></td>
<td></td>
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<tr>
<td>Payable to Cleveland State University (Note 11)</td>
<td>36,115</td>
<td>36,115</td>
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<tr>
<td>Notes Payable</td>
<td>724,739</td>
<td>-</td>
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<tr>
<td>Annuities payable</td>
<td>101,028</td>
<td>108,141</td>
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<tr>
<td>Funds held on behalf of others:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cleveland State University (Note 11)</td>
<td>1,993,632</td>
<td>1,804,588</td>
</tr>
<tr>
<td>Cleveland State University Alumni Association</td>
<td>313,317</td>
<td>316,780</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td>$3,911,035</td>
<td>$3,201,914</td>
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### NET ASSETS:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>(566,725)</td>
<td>(1,321,238)</td>
</tr>
<tr>
<td>Board-designated - Scholarships</td>
<td>140,597</td>
<td>130,130</td>
</tr>
<tr>
<td><strong>Total unrestricted</strong></td>
<td>(426,128)</td>
<td>(1,191,108)</td>
</tr>
<tr>
<td>Temporarily restricted (Note 10)</td>
<td>14,086,876</td>
<td>11,327,058</td>
</tr>
<tr>
<td>Permanently restricted (Note 10)</td>
<td>34,009,143</td>
<td>30,618,739</td>
</tr>
<tr>
<td><strong>Total Net Assets</strong></td>
<td>$47,669,891</td>
<td>$40,754,689</td>
</tr>
<tr>
<td><strong>Total Liabilities and Net Assets</strong></td>
<td>$51,580,926</td>
<td>$43,956,603</td>
</tr>
</tbody>
</table>

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*The accompanying notes are an integral part of the financial statements.*
## Euclid Avenue Housing Corporation

### Statement of Financial Position

**June 30, 2010 and 2009**

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Cash Equivalents</td>
<td>$1,856,782</td>
<td>$539,621</td>
</tr>
<tr>
<td>Cash held by the University</td>
<td>49,695</td>
<td>222,772</td>
</tr>
<tr>
<td><strong>Total Cash</strong></td>
<td>1,906,477</td>
<td>762,394</td>
</tr>
<tr>
<td>Bond proceeds / Investments</td>
<td>39,745,205</td>
<td>7,956,579</td>
</tr>
<tr>
<td>Student accounts receivable, net of allowance for uncollectible accounts of $11,000 in 2009 and $4,000 in 2008</td>
<td>95,330</td>
<td>42,046</td>
</tr>
<tr>
<td>Other receivable</td>
<td>96,028</td>
<td>17,214</td>
</tr>
<tr>
<td>Accrued interest receivable</td>
<td>-</td>
<td>24,392</td>
</tr>
<tr>
<td>Prepaid Expenses</td>
<td>13,847</td>
<td>6,105</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>41,856,887</td>
<td>8,808,684</td>
</tr>
<tr>
<td><strong>Other assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deferred bond issuance costs, net of accumulated amortization of $364,838 in 2010 and $287,371 in 2009</td>
<td>3,206,745</td>
<td>2,130,436</td>
</tr>
<tr>
<td>Note receivable</td>
<td>14,500,000</td>
<td>1,640,808</td>
</tr>
<tr>
<td><strong>Property:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>1,146,460</td>
<td>-</td>
</tr>
<tr>
<td>Building</td>
<td>28,280,753</td>
<td>27,792,453</td>
</tr>
<tr>
<td>Building improvements</td>
<td>27,446</td>
<td>12,398</td>
</tr>
<tr>
<td>Furniture, fixtures and equipment</td>
<td>1,230,908</td>
<td>1,206,740</td>
</tr>
<tr>
<td>Construction in progress</td>
<td>26,313,263</td>
<td>11,484,505</td>
</tr>
<tr>
<td><strong>Less: Accumulated depreciation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(3,482,140)</td>
<td>(2,598,719)</td>
</tr>
<tr>
<td><strong>Less: Accumulated depreciation</strong></td>
<td>53,516,690</td>
<td>37,897,377</td>
</tr>
<tr>
<td>Other assets</td>
<td>-</td>
<td>720,000</td>
</tr>
<tr>
<td><strong>Total Other assets</strong></td>
<td>71,223,435</td>
<td>42,388,621</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>$113,080,322</td>
<td>$51,197,305</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LIABILITIES</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Liabilities:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current portion of bonds payable (Note 11)</td>
<td>$735,000</td>
<td>$965,000</td>
</tr>
<tr>
<td>Current portion of notes payable</td>
<td>60,000</td>
<td>50,000</td>
</tr>
<tr>
<td>Accounts payable</td>
<td>3,962,015</td>
<td>2,297,621</td>
</tr>
<tr>
<td>Advance from University</td>
<td>-</td>
<td>300,000</td>
</tr>
<tr>
<td>Accrued interest</td>
<td>642,930</td>
<td>644,786</td>
</tr>
<tr>
<td>Accrued payroll</td>
<td>26,517</td>
<td>16,347</td>
</tr>
<tr>
<td>Deferred revenue</td>
<td>79,510</td>
<td>38,681</td>
</tr>
<tr>
<td>Security deposits</td>
<td>55,680</td>
<td>72,355</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>5,561,652</td>
<td>4,384,790</td>
</tr>
</tbody>
</table>

| Noncurrent Liabilities: | | |
| Deferred revenue | 1,388,924 | - |
| Bonds payable, less current portion (Note 11) | 105,610,000 | 46,950,000 |
| Notes payable, less current portion | 1,681,180 | 2,461,180 |
| **Total Liabilities** | 114,241,756 | 53,795,970 |

<table>
<thead>
<tr>
<th>NET ASSETS (DEFICIT)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>(1,161,434)</td>
<td>(2,598,665)</td>
</tr>
<tr>
<td><strong>Total Net Assets</strong></td>
<td>$113,080,322</td>
<td>$51,197,305</td>
</tr>
</tbody>
</table>

*The accompanying notes are an integral part of the financial statements.*
The Cleveland State University Foundation, Inc.

Statement of Activities

Year Ended June 30, 2010 (with comparative totals for the year ended June 30, 2009)

### Revenue

<table>
<thead>
<tr>
<th></th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total 2010</th>
<th>Total 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$116,944</td>
<td>$3,184,950</td>
<td>$3,416,985</td>
<td>$6,718,879</td>
<td>$7,176,494</td>
</tr>
<tr>
<td>Endowment management fee</td>
<td>24,796</td>
<td></td>
<td></td>
<td>24,796</td>
<td>28,171</td>
</tr>
<tr>
<td>Change in donor restrictions</td>
<td>-</td>
<td>(153,343)</td>
<td>153,343</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Net assets released from restriction:</td>
<td>4,718,322</td>
<td>(4,718,322)</td>
<td></td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total revenue</strong></td>
<td><strong>4,860,062</strong></td>
<td><strong>(1,686,715)</strong></td>
<td><strong>3,570,328</strong></td>
<td><strong>6,743,675</strong></td>
<td><strong>7,204,665</strong></td>
</tr>
</tbody>
</table>

### Expenses

#### Program services:

- Instructions: 1,104,264 - 1,104,264 - 1,104,264 - 973,373
- Research: 238,381 - 238,381 - 238,381 - 182,164
- Public service: 1,147,565 - 1,147,565 - 1,147,565 - 1,110,466
- Academic support: 98,608 - 98,608 - 98,608 - 114,560
- Financial aid: 1,128,229 - 1,128,229 - 1,128,229 - 1,299,264
- Auxiliary enterprises: 668,776 - 668,776 - 668,776 - 564,632
- Total program services: 4,485,088 - 4,485,088 - 4,485,088 - 4,577,147

#### Supporting services:

- Fund-raising: 155,970 - 155,970 - 155,970 - 136,743
- Total supporting services: 653,480 - 653,480 - 653,480 - 549,220

#### Gains/(Losses):

- Investment income, including realized and unrealized losses, net: 1,043,486 - 4,454,361 - 5,497,847 - 5,654,983
- Provision for uncollectible contributions: - (7,828) (179,924) (187,752) (1,833,389)
- Total expenses and losses: 4,095,082 (4,446,533) 179,924 (171,527) 12,614,739

### Change in Net Assets

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Change in Net Assets</td>
<td>764,980</td>
<td>2,759,818</td>
<td>3,390,404</td>
<td>6,915,202</td>
</tr>
<tr>
<td>Net Assets - Beginning of Year</td>
<td>(2,089,007)</td>
<td>12,224,957</td>
<td>30,618,739</td>
<td>40,754,689</td>
</tr>
<tr>
<td>Reclassification of Net Assets</td>
<td>897,899</td>
<td>(897,899)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Net Assets - End of Year</strong></td>
<td><strong>$ (426,128)</strong></td>
<td><strong>$ 14,086,876</strong></td>
<td><strong>$ 34,009,143</strong></td>
<td><strong>$ 47,669,891</strong></td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
Euclid Avenue Housing Corporation  
Statement of Activities  
Years Ended June 30, 2010 and 2009

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rental Income:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students</td>
<td>$ 3,180,061</td>
<td>$ 2,454,777</td>
</tr>
<tr>
<td>University</td>
<td>469,896</td>
<td>469,896</td>
</tr>
<tr>
<td>Other</td>
<td>133,094</td>
<td>-</td>
</tr>
<tr>
<td>Maintenance fee - University</td>
<td>154,305</td>
<td>154,305</td>
</tr>
<tr>
<td>Interest income</td>
<td>71,085</td>
<td>51,458</td>
</tr>
<tr>
<td>Gain on sale of assets</td>
<td>1,552,038</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>145,664</td>
<td>143,353</td>
</tr>
<tr>
<td><strong>Total revenue</strong></td>
<td>5,706,143</td>
<td>3,273,789</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>1,706,509</td>
<td>1,548,882</td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>960,888</td>
<td>934,230</td>
</tr>
<tr>
<td>Utilities</td>
<td>432,644</td>
<td>388,527</td>
</tr>
<tr>
<td>Payroll</td>
<td>611,917</td>
<td>487,102</td>
</tr>
<tr>
<td>Management fees</td>
<td>132,066</td>
<td>113,703</td>
</tr>
<tr>
<td>Maintenance</td>
<td>221,797</td>
<td>143,313</td>
</tr>
<tr>
<td>General and administrative</td>
<td>117,471</td>
<td>101,359</td>
</tr>
<tr>
<td>Other operating</td>
<td>32,840</td>
<td>14,759</td>
</tr>
<tr>
<td>Marketing</td>
<td>15,450</td>
<td>16,588</td>
</tr>
<tr>
<td>Accounting</td>
<td>26,708</td>
<td>11,255</td>
</tr>
<tr>
<td>Reserve allowance</td>
<td>8,417</td>
<td>7,947</td>
</tr>
<tr>
<td>Insurance</td>
<td>2,205</td>
<td>576</td>
</tr>
<tr>
<td>Temporary parking</td>
<td>-</td>
<td>1,150,000</td>
</tr>
<tr>
<td><strong>Total expenses</strong></td>
<td>4,268,912</td>
<td>4,918,241</td>
</tr>
</tbody>
</table>

| **Change in Net Assets** | 1,437,231 | (1,644,452) |
| **Net Assets (Deficit) - Beginning of Year** | (2,598,665) | (954,213) |
| **Net Assets (Deficit) - End of Year** | $(1,161,434) | $(2,598,665) |

The accompanying notes are an integral part of the financial statements.
NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization and Basis of Presentation

Cleveland State University (the “University”) was established by the General Assembly of the State of Ohio (the “State”) in 1964 by Statutory Act under Chapter 3344 of the Ohio Revised Code. As such, the University is a component unit of the State. The University is exempt from federal income taxes under Section 115 of the Internal Revenue Code, except for unrelated business income.

In accordance with Governmental Accounting Standards Board (GASB) Statement No. 14, The Reporting Entity, the University’s financial statements are included, as a discretely presented component unit, in the State’s Comprehensive Annual Financial Report.

The financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America, as prescribed by GASB Statement No. 35, Basic Financial Statements – and Management’s Discussion and Analysis – for Public Colleges and Universities. GASB Statement No. 35 establishes standards for external financial reporting for public colleges and universities and requires that resources be classified for accounting and reporting purposes into the following net asset categories:

- **Invested in capital assets, net of related debt:** Capital assets, net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction or improvement of those assets.

- **Restricted, Expendable:** Net assets whose use by the University is subject to externally-imposed stipulations that can be fulfilled by actions of the University pursuant to those stipulations or that expire by the passage of time. Income generated from these funds may be designated for student scholarships, loans, instruction, research, and other specific University needs.

- **Restricted, Nonexpendable:** Net assets subject to externally imposed stipulations that they be maintained permanently by the University. Income generated from these funds may be designated for student scholarships, loans, instruction, research, and other specific University needs.

- **Unrestricted:** Net assets that are not subject to externally imposed stipulations. Unrestricted net assets may be designated for specific purposes by action of management or may otherwise be limited by contractual agreements with outside parties.

The accompanying financial statements have been prepared on the accrual basis. The University reports a Business-Type Activity, as defined by GASB Statement No. 35, Business-Type Activities as those that are financed in whole or in part by fees charged to external parties for goods or services.
**FASB Pronouncements**

Pursuant to GASB Statement No. 20, *Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting*, the University has the option to apply all Financial Accounting Standards Board (FASB) pronouncements issued after November 30, 1989, unless the FASB conflicts with the GASB. The University has elected not to apply FASB pronouncements issued after the applicable date.

**Operating Activities**

The University’s policy for defining operating activities as reported on the statement of revenue, expenses and changes in net assets are those that result from exchange transactions such as payments received for providing services and payments made for goods or services received. The University also classifies as operating revenue grants classified as exchange transactions and auxiliary activities. Certain significant revenue streams relied upon for operations are recorded as nonoperating revenue, including state appropriations and investment income. Operating expenses include educational resources, administrative expenses and depreciation on capital assets. Under the University’s decentralized management structure, it is the responsibility of individual departments to determine whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available. The principal operating revenue is student tuition and fees. Student tuition and fees revenue is presented net of scholarships and fellowships applied to student accounts.

**Summary of Significant Accounting Policies**

**Cash and Cash Equivalents.** The University considers all highly liquid investments purchased with an original maturity of three months or less to be cash equivalents.

**Investments.** Investments are recorded at fair value, as established by the major securities markets. Purchases and sales of investments are accounted for on the trade date basis. Investment income is recorded on the accrual basis. Realized and unrealized gains and losses are reported as investment income. The University classifies all investments that mature in less than one year as current investments. Endowment investments are subject to the restrictions of gift instruments, requiring principal to be maintained in perpetuity with only the income from the investments available for expenditure. The University may set aside other assets for the same purposes as endowment investments (quasi-endowment); the University may expend the principal of quasi-endowment at any time.

**Inventories.** Inventories are reported at cost. Cost is determined on the average cost basis.

**Capital Assets.** Capital assets are stated at historical cost or at an appraised value at date of donation, if acquired by gift. It is the University’s policy to capitalize equipment costing $2,500 or more and buildings and improvements costing $100,000 or more. Depreciation of capital assets is provided on a straight-line basis over the estimated useful lives (5 to 40 years) of the respective assets and is not allocated to the functional expenditure categories. Amortization of the capitalized cost of assets held under capital leases is generally computed using the straight-line method over the estimated useful lives of the underlying assets or the term of the lease, whichever is shorter. The University capitalizes but does not depreciate works of art or historical treasures that are held for exhibition, education, research and public service. Deferred bond issuance costs are capitalized and amortized over the life of the bonds using the straight-line method.
**Compensated Absences.** Classified employees earn vacation at rates specified under state law. Full-time administrators and 12 month faculty earn vacation at a rate of 22 days per year. The maximum amount of vacation that an employee can carry over from one fiscal year to the next is 30 days.

All University employees are entitled to a sick leave credit equal to 10 hours for each month of service (earned on a pro rata basis for less than full-time employees). This sick leave will either be absorbed by time off due to illness or injury, or within certain limitations, be paid to the employee upon retirement. The amount paid to an employee, with 10 or more years of service upon retirement, is limited to one-quarter of the accumulated sick leave up to a maximum of 240 hours.

The University has an accrued liability for all accumulated vacation hours, plus an estimate of the amount of sick leave that will be paid upon retirement. Salary-related fringe benefits have also been accrued.

**Deferred Revenue.** Deferred revenue consists primarily of amounts received in advance of an event, such as student tuition and fees, and advance ticket sales related to the next fiscal year.

Summer term tuition and fees and corresponding expenses relating to the portion of the term that is within the current fiscal year are recognized as tuition revenue and operating expense. The portion of sessions falling into the next fiscal year are recorded as deferred revenue and prepaid expense in the statement of net assets and will be recognized in the following fiscal year.

**Perkins Loan Program.** Funds provided by the United States government under the Federal Perkins Loan program are loaned to qualified students and re-loaned after collection. These funds are ultimately refundable to the government and, therefore, are recorded as a liability in the accompanying financial statement of net assets.

**Auxiliary Enterprises.** Auxiliary enterprise revenue primarily represents revenue generated by parking, residence hall, Wolstein Center, food service, bookstore, recreation center, childcare center and intercollegiate athletics.

**Scholarship Allowances and Student Aid.** Financial aid to students is reported in the statement of revenues, expenses, and changes in net assets under the alternative method as prescribed by the National Association of College and University Business Officers (NACUBO). Certain aid such as loans, funds provided to students as awarded by third parties, and Federal Direct Lending is accounted for as a third-party payment (credited to the student’s account as if the student made the payment). All other aid is reflected in the financial statements as operating expenses, or scholarship allowances, which reduce revenue. The amount reported as operating expense represents the portion of aid that was provided to the student in the form of cash. Scholarship allowances represent the portion of aid provided to the student in the form of reduced tuition. Under the alternative method followed by the University, scholarship allowances are computed by allocating the cash payments to students, excluding payments for services, to the ratio of aid not considered to be third-party aid to total aid.

**Component Units.** The Cleveland State University Foundation, Inc. (the “Foundation”) and the Euclid Avenue Housing Corporation (the “Corporation”) are private nonprofit organizations that report under FASB standards, *Financial Reporting for Not-for-Profit Organizations*. As such, certain revenue recognition criteria and presentation features are different from GASB revenue recognition criteria and presentation features. No modifications have been made to the Foundation’s or the Corporation’s financial information included in the University’s financial report for these differences.
Use of Estimates. The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

NOTE 2 – DEPOSITS AND INVESTMENTS

Deposits

Custodial credit risk is the risk that, in the event of the failure of a depository financial institution, the University will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. Protection of University cash and deposits is provided by the Federal Deposit Insurance Corporation as well as qualified securities pledged by the institution holding the assets. Under State law, financial institutions must collateralize all public deposits. The value of the pooled collateral must equal at least 105 percent of public funds deposited. Collateral is held by trustees including the Federal Reserve Bank and designated third-party trustees of the financial institution.

At June 30, 2010, the cash and cash equivalents balance of $24,270,510 is after the University recorded an overdraft consisting of items in transit of $5,035,527 in accounts payable. The bank balance at June 30, 2010 was $24,177,001, of which $1,255,662 was covered by federal depository insurance, and $22,921,339 was covered by collateral held by the trust department of a bank other than the pledging bank in the name of the pledging bank.

At June 30, 2009, the cash and cash equivalents balance of $11,056,456 is after the University recorded an overdraft consisting of items in transit of $5,786,959 in accounts payable. The bank balance at June 30, 2009 was $10,230,150, of which $1,118,526 was covered by federal depository insurance, and $9,111,624 was covered by collateral held by the trust department of a bank other than the pledging bank in the name of the pledging bank.

Investments

In accordance with the board of trustees’ resolution, the types of investments that may be purchased by the University include United States Treasury securities, federal government agency securities, certificates of deposit, bank repurchase agreements, commercial paper, bonds and other obligations of the State of Ohio or any of its political subdivisions, the State Treasurer’s Asset Reserve (STAR Ohio), bankers acceptances, money market funds, common stocks, and corporate bonds. The endowment investments are managed by the Foundation, which can also invest in real estate and alternative investments.

STAR Ohio is an investment pool managed by the Ohio state treasurer’s office that allows governments within the State to pool their funds for investment purposes. STAR Ohio is not registered with the Securities and Exchange Commission as an investment company, but does operate in a manner consistent with Rule 2A7 of the Investment Company Act of 1940. The investment is valued at STAR Ohio’s share price, which represents fair market value, on June 30, 2010 and 2009.

Restricted investments consist of unspent debt proceeds.
As of June 30, 2010, the University had the following types of investments and maturities:

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Fair Value</th>
<th>Investment Maturities (in Years)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Less Than 1</td>
<td>1-5</td>
</tr>
<tr>
<td>U.S. obligation mutual fund</td>
<td>15,139,667</td>
<td>15,139,667</td>
</tr>
<tr>
<td>Certificates of Deposit</td>
<td>8,559,294</td>
<td>1,520,021</td>
</tr>
<tr>
<td>STAR Ohio</td>
<td>26,791</td>
<td>-</td>
</tr>
<tr>
<td>Bond mutual funds</td>
<td>30,201,692</td>
<td>-</td>
</tr>
<tr>
<td>Stock mutual funds</td>
<td>38,119,120</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>$ 92,046,564</td>
<td>$ 16,659,688</td>
</tr>
</tbody>
</table>

Investment Maturities (in Years)

As of June 30, 2009, the University had the following types of investments and maturities:

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Fair Value</th>
<th>Investment Maturities (in Years)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Less Than 1</td>
<td>1-5</td>
</tr>
<tr>
<td>U.S. agencies</td>
<td>$ 3,000,000</td>
<td>$ 3,000,000</td>
</tr>
<tr>
<td>U.S. obligation mutual fund</td>
<td>35,681,467</td>
<td>35,681,467</td>
</tr>
<tr>
<td>Certificates of Deposit</td>
<td>48,004,000</td>
<td>48,004,000</td>
</tr>
<tr>
<td>STAR Ohio</td>
<td>3,250,573</td>
<td>-</td>
</tr>
<tr>
<td>Bond mutual funds</td>
<td>31,876,358</td>
<td>-</td>
</tr>
<tr>
<td>Stock mutual funds</td>
<td>29,443,952</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>$ 151,256,350</td>
<td>$ 86,685,467</td>
</tr>
</tbody>
</table>

Some of the U.S. agency securities are callable at various dates. The University believes that no securities will be called.

**Interest Rate Risk.** Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Investments with interest rates that are fixed for longer periods are likely to be subject to more variability in their fair values as a result of future changes in interest rates.

**Credit Risk.** Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. As of June 30, 2010 and 2009, the University’s investment in STAR Ohio is rated AAA by Standard & Poor’s and Moody’s. While the University’s bond mutual fund investment itself is not rated, the credit quality of the fund’s holdings is AA or better, as rated by Standard & Poor’s and Moody’s.

**Custodial Credit Risk.** Custodial credit risk is the risk that, in the event of the failure of a counterparty to a transaction, the University will not be able to recover the value of investment securities that are in the possession of an outside party. At June 30, 2010 and 2009, the University had no exposure to custodial credit risk.
Concentration of Credit Risk. Concentration of credit risk is the risk of loss attributed to the magnitude of investment in a single issuer. The University’s investment policy places no limitation on the amount that may be invested in a single issuer. At June 30, 2010 and 2009, the University did not have more than 5% of its fixed income investments in any single issuer.

Foreign Currency Risk. Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of an investment. At June 30, 2010 and 2009, investments include approximately $5.2 million and $8.5 million, respectively, managed by international equity managers that are subject to foreign currency risk. Although the University’s investment policy does not specifically address foreign currency risk, it does limit foreign investments to no more than 20% of the portfolio.

NOTE 3 – RECEIVABLES

The composition of accounts receivable at June 30, 2010 and 2009 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student accounts</td>
<td>$11,279,473</td>
<td>$10,207,292</td>
</tr>
<tr>
<td>Grants</td>
<td>6,293,100</td>
<td>7,006,654</td>
</tr>
<tr>
<td>State Capital</td>
<td>3,415,867</td>
<td>3,864,558</td>
</tr>
<tr>
<td>Other</td>
<td>2,379,961</td>
<td>1,416,655</td>
</tr>
<tr>
<td><strong>Total Accounts Receivable</strong></td>
<td><strong>23,368,401</strong></td>
<td><strong>22,495,159</strong></td>
</tr>
<tr>
<td>Less allowance for uncollectible accounts</td>
<td>3,950,481</td>
<td>3,469,779</td>
</tr>
<tr>
<td><strong>Accounts Receivable - Net</strong></td>
<td><strong>$19,417,920</strong></td>
<td><strong>$19,025,380</strong></td>
</tr>
</tbody>
</table>

Notes receivable consist primarily of loans to students under the Federal Perkins Loan Program. The composition of notes receivable at June 30, 2010 and 2009 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perkins Loan Program</td>
<td>$11,932,914</td>
<td>$13,514,514</td>
</tr>
<tr>
<td>Foundation Capital Campaign</td>
<td>36,115</td>
<td>36,115</td>
</tr>
<tr>
<td>Other</td>
<td>655,241</td>
<td>651,609</td>
</tr>
<tr>
<td><strong>Total Notes Receivable</strong></td>
<td><strong>12,624,270</strong></td>
<td><strong>14,202,238</strong></td>
</tr>
<tr>
<td>Less allowance for uncollectible accounts</td>
<td>1,012,921</td>
<td>946,016</td>
</tr>
<tr>
<td><strong>Notes Receivable - Net</strong></td>
<td><strong>11,611,349</strong></td>
<td><strong>13,256,222</strong></td>
</tr>
<tr>
<td>Less Current Portion</td>
<td>1,276,989</td>
<td>903,685</td>
</tr>
<tr>
<td><strong>Total Noncurrent Notes Receivable</strong></td>
<td><strong>$10,334,360</strong></td>
<td><strong>$12,352,537</strong></td>
</tr>
</tbody>
</table>
NOTE 4 – STATE SUPPORT

The University is a state-assisted institution of higher education, which receives a student-based subsidy from the State. This subsidy is determined annually, based upon a formula devised by the Ohio Board of Regents.

In addition, the State provides the funding and constructs major plant facilities on the University’s campus. The funding is obtained from the issuance of revenue bonds by the Ohio Public Facilities Commission (OPFC), which in turn causes the construction and subsequent lease of the facility, by the Ohio Board of Regents. Upon completion, the board of regents turns over control of the facility to the University. Neither the obligation for the revenue bonds issued by OPFC nor the annual debt service charges for principal and interest on the bonds are reflected in the University’s financial statements. The OPFC revenue bonds are currently being funded through appropriations to the board of regents by the general assembly.

The facilities are not pledged as collateral for the revenue bonds. Instead, the bonds are supported by a pledge of monies in the Higher Education Bond Service Fund established in the custody of the Treasurer of State. If sufficient monies are not available from this fund, a pledge exists to assess a special student fee uniformly applicable to students in state-assisted institutions of higher education throughout the State.

NOTE 5 – CAPITAL ASSETS

Capital assets activity for the years ended June 30, 2010 and 2009 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Assets:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-depreciable:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>$ 54,783,526</td>
<td>$ 814,443</td>
<td>-</td>
<td>$ 55,597,969</td>
</tr>
<tr>
<td>Construction in Progress</td>
<td>65,932,640</td>
<td>52,351,979</td>
<td>31,270,143</td>
<td>87,014,476</td>
</tr>
<tr>
<td>Capitalized Collections</td>
<td>7,102,155</td>
<td>-</td>
<td>-</td>
<td>7,102,155</td>
</tr>
<tr>
<td>Depreciable:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Improvements</td>
<td>17,679,724</td>
<td>-</td>
<td>862,857</td>
<td>16,816,867</td>
</tr>
<tr>
<td>Buildings</td>
<td>433,406,782</td>
<td>71,892,144</td>
<td>2,656,938</td>
<td>502,641,948</td>
</tr>
<tr>
<td>Equipment</td>
<td>50,725,018</td>
<td>4,080,576</td>
<td>2,297,049</td>
<td>52,508,545</td>
</tr>
<tr>
<td>Library Books</td>
<td>64,811,013</td>
<td>2,543,367</td>
<td>176,975</td>
<td>67,177,405</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>483,059</td>
<td>-</td>
<td>-</td>
<td>483,059</td>
</tr>
<tr>
<td>Total Capital Assets</td>
<td>694,923,917</td>
<td>131,682,509</td>
<td>37,263,962</td>
<td>789,342,464</td>
</tr>
<tr>
<td>Less Accumulated Depreciation:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Improvements</td>
<td>10,788,372</td>
<td>769,667</td>
<td>323,571</td>
<td>11,234,468</td>
</tr>
<tr>
<td>Buildings</td>
<td>210,966,012</td>
<td>13,495,867</td>
<td>2,656,938</td>
<td>221,804,941</td>
</tr>
<tr>
<td>Equipment</td>
<td>42,362,137</td>
<td>2,643,705</td>
<td>2,297,049</td>
<td>42,708,793</td>
</tr>
<tr>
<td>Library Books</td>
<td>50,830,016</td>
<td>2,666,907</td>
<td>176,975</td>
<td>53,319,948</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>72,459</td>
<td>48,306</td>
<td>-</td>
<td>120,765</td>
</tr>
<tr>
<td>Total Accumulated Depreciation</td>
<td>315,018,996</td>
<td>19,624,452</td>
<td>5,454,533</td>
<td>329,188,915</td>
</tr>
<tr>
<td>Capital Assets, Net</td>
<td>$ 379,904,921</td>
<td>$ 112,058,057</td>
<td>$ 31,809,429</td>
<td>$ 460,153,549</td>
</tr>
</tbody>
</table>
Capital Assets:

Non-depreciable:
- Land: $53,692,989 + $1,090,537 = $54,783,526
- Construction in Progress: $34,397,677 + $32,218,929 - $683,966 = $65,932,640
- Capitalized Collections: $7,102,155

Depreciable:
- Land Improvements: $16,974,190 + $705,534 = $17,679,724
- Buildings: $436,635,122 + $18,675,095 - $21,903,435 = $433,406,782
- Equipment: $51,928,902 + $2,262,023 - $3,465,907 = $50,725,018
- Library Books: $62,284,564 + $2,817,238 - $290,789 = $64,811,013
- Intangible Assets: $483,059

Total Capital Assets: $663,498,658 + $57,769,356 - $26,344,097 = $694,923,917

Less Accumulated Depreciation:
- Land Improvements: $10,030,831 + $757,541 = $10,788,372
- Buildings: $221,462,166 + $11,407,281 - $21,903,435 = $210,966,012
- Equipment: $43,177,901 + $2,650,143 - $3,465,907 = $42,362,137
- Library Books: $48,351,695 + $2,769,110 - $290,789 = $50,830,016
- Intangible Assets: $24,153 + $48,306 = $72,459

Total Accumulated Depreciation: $323,046,746 + $17,632,381 - $25,660,131 = $315,018,996


NOTE 6 – NONCURRENT LIABILITIES

Noncurrent liabilities consist of the following as of June 30, 2010 and June 30, 2009:

<table>
<thead>
<tr>
<th>Due Dates</th>
<th>Interest Rate-%</th>
<th>2010 Beginning Balance</th>
<th>Additions</th>
<th>Reductions</th>
<th>Ending Balance</th>
<th>2010</th>
<th>Current</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996 Bonds Payable</td>
<td>1997-11</td>
<td>5.25-5.25</td>
<td>$615,000</td>
<td>-</td>
<td>$300,000</td>
<td>$315,000</td>
<td>$315,000</td>
</tr>
<tr>
<td>2003A Bonds Payable</td>
<td>2007-33</td>
<td>2.5-5.25</td>
<td>$29,580,000</td>
<td>-</td>
<td>$1,310,000</td>
<td>$28,270,000</td>
<td>$1,360,000</td>
</tr>
<tr>
<td>2003A Bond Premium</td>
<td>-</td>
<td>-</td>
<td>$605,991</td>
<td>-</td>
<td>-</td>
<td>$605,991</td>
<td></td>
</tr>
<tr>
<td>2004 Bonds Payable</td>
<td>2005-34</td>
<td>2.25-5.25</td>
<td>$57,275,000</td>
<td>-</td>
<td>$1,590,000</td>
<td>$55,685,000</td>
<td>$1,645,000</td>
</tr>
<tr>
<td>2004 Bonds Premium</td>
<td>-</td>
<td>-</td>
<td>$1,152,571</td>
<td>-</td>
<td>$46,103</td>
<td>$1,106,468</td>
<td>$46,103</td>
</tr>
<tr>
<td>2007A Bonds Payable</td>
<td>2010-36</td>
<td>4.00-5.75</td>
<td>$42,110,000</td>
<td>-</td>
<td>$790,000</td>
<td>$41,320,000</td>
<td>$820,000</td>
</tr>
<tr>
<td>2007A Bond Premium</td>
<td>-</td>
<td>-</td>
<td>$1,238,380</td>
<td>-</td>
<td>$44,492</td>
<td>$1,193,888</td>
<td>$44,492</td>
</tr>
<tr>
<td>2008 Bonds Payable</td>
<td>2008-36</td>
<td>3.00-4.75</td>
<td>$20,605,000</td>
<td>-</td>
<td>$360,000</td>
<td>$20,245,000</td>
<td>$370,000</td>
</tr>
<tr>
<td>Capital Leases</td>
<td>2010-40</td>
<td>2.33-5.08</td>
<td>$56,882,009</td>
<td>17,680,921</td>
<td>$2,504,902</td>
<td>$72,085,028</td>
<td>$3,826,660</td>
</tr>
</tbody>
</table>

Total Debt: $210,063,951 + 17,680,921 + 6,970,835 = $220,744,707 + $8,452,593

Perkins Student Loans: $10,333,758 + $27,626 + $10,306,132 = $1,083,050

Deposits: $811,160 + $3,519,536 + $3,437,259 = $893,437

Compensated Absences: $9,353,995 + $160,977 + $9,193,018 = $636,708

Less Current Portion long-term liabilities: ($230,562,864 + $21,200,457 - $10,596,697 = $241,166,624 - $9,089,301

Long-Term Liabilities: $223,189,761 + $232,077,323
In May 2008, the University issued general receipts bonds in the amount of $20,910,000. The General Receipts Series 2008 Bonds were issued as fixed-rate bonds maturing in 2013, 2033 and 2036. The proceeds of the bonds were used to refinance the 2003B and 2007B Bonds. The bonds have various call provisions.

During the year ended June 30, 2007, the University issued Series 2007A general receipts bonds. The Series 2007A general receipts bonds were issued for $42,110,000, bear interest rates between 4% and 5.75%, and mature in 2036. Proceeds were used to fund the construction of a new student center.

The Series 2007B general receipts bonds were issued for $9,210,000. They bear variable interest rates that reset weekly and mature in 2036. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was 4.51% at April 24, 2008. Proceeds were used to fund the construction of a new building on the University’s campus to house the College of Education and Human Services. This bond was called and refinanced in May 2008, using the proceeds of the General Receipts Series 2008 Bonds.

In August 2004, the University issued general receipts bonds in the amount of $62,000,000. The General Receipts Series 2004 Bonds were issued as fixed-rate bonds with serial maturities through 2008 and term bonds maturing in 2014, 2019, 2024, 2029 and 2034. The proceeds of the bonds were used to pay the cost of a variety of projects, including construction of a student center, parking facilities and a bookstore, renovations to a portion of Fenn Tower, and landscaping and other permanent site improvements to the main plaza.

In June 2003, the University issued Series 2003A and 2003B (Series 2003) general receipts bonds. The Series 2003A general receipts bonds were issued for $35,745,000, bear interest rates between 2.5% and 5.25%, and mature in 2033. Proceeds were used to refund outstanding Series 1993 general receipts bonds, rehabilitate the Howe Mansion and construct an administrative center.

The University issued $3,430,000 of general receipts bonds on November 1, 1996 (Series 1996). The proceeds were used to refinance existing debt and to renovate existing buildings. The bonds have various call provisions, and mature through 2011.
Interest expense on indebtedness was $5,275,459 in fiscal 2010 and $3,360,216 in fiscal 2009. On construction-related debt, interest cost of $4,420,254, net of $626,222 of interest earned on invested proceeds, was capitalized in fiscal 2010 and $5,295,569, net of $1,426,870 of interest earned on invested proceeds, was capitalized in fiscal 2009.

The University leases various pieces of equipment which have been recorded under various capital leases in amounts representing the present value of future minimum lease payments. Capital lease obligations are collateralized by equipment with an aggregate net book value of $46,764,994 at June 30, 2010 and $44,066,383 at June 30, 2009. The capital leases have varying maturity dates through 2040.

Principal and interest payable for the next five years and in subsequent five-year increments are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Bonds Payable</th>
<th>Capital Leases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Principal</td>
<td>Interest</td>
</tr>
<tr>
<td>2011</td>
<td>$4,510,000</td>
<td>$6,975,200</td>
</tr>
<tr>
<td>2012</td>
<td>4,345,000</td>
<td>6,806,085</td>
</tr>
<tr>
<td>2013</td>
<td>9,635,000</td>
<td>6,629,935</td>
</tr>
<tr>
<td>2014</td>
<td>3,935,000</td>
<td>6,230,760</td>
</tr>
<tr>
<td>2015</td>
<td>4,135,000</td>
<td>6,033,579</td>
</tr>
<tr>
<td>2016-2020</td>
<td>23,245,000</td>
<td>26,815,794</td>
</tr>
<tr>
<td>2021-2025</td>
<td>26,085,000</td>
<td>20,831,172</td>
</tr>
<tr>
<td>2026-2030</td>
<td>33,090,000</td>
<td>13,839,600</td>
</tr>
<tr>
<td>2031-2035</td>
<td>33,585,000</td>
<td>5,046,725</td>
</tr>
<tr>
<td>2036-2040</td>
<td>3,270,000</td>
<td>148,625</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$145,835,000</strong></td>
<td><strong>$99,357,475</strong></td>
</tr>
</tbody>
</table>

The University has entered into various lease agreements for office equipment and office and classroom space which are considered operating leases. The University has leased space in the Fenn Tower building from the Corporation, which it uses for classrooms and meeting rooms. Total rental expense under operating leases during the years ended June 30, 2010 and 2009 amounted to $1,679,523 and $1,581,361, respectively. The operating leases have varying maturity dates through 2037.
Future minimum operating lease payments as of June 30, 2010 are as follows:

<table>
<thead>
<tr>
<th>Year Ending June 30</th>
<th>Operating Leases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>$1,828,423</td>
</tr>
<tr>
<td>2012</td>
<td>1,665,414</td>
</tr>
<tr>
<td>2013</td>
<td>1,372,438</td>
</tr>
<tr>
<td>2014</td>
<td>1,000,683</td>
</tr>
<tr>
<td>2015</td>
<td>732,291</td>
</tr>
<tr>
<td>2016-2020</td>
<td>2,349,500</td>
</tr>
<tr>
<td>2021-2025</td>
<td>2,349,500</td>
</tr>
<tr>
<td>2026-2030</td>
<td>2,349,500</td>
</tr>
<tr>
<td>2031-2035</td>
<td>2,349,500</td>
</tr>
<tr>
<td>2036-2037</td>
<td>509,058</td>
</tr>
</tbody>
</table>

$16,506,307

NOTE 7 – EMPLOYMENT BENEFIT PLANS

Retirement Plans

Substantially all non-student University employees are covered by one of three retirement plans. The University faculty are covered by the State Teachers Retirement System of Ohio (STRS). Non-faculty employees are covered by the Ohio Public Employees Retirement System (OPERS). Employees may opt out of STRS and OPERS and participate in the Alternative Retirement Plan (ARP).

STRS and OPERS both offer three separate retirement plans: the defined benefit plan, the defined contribution plan, and a combined plan.

Defined Benefit Plans

STRS is a statewide retirement plan for certified teachers. STRS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefits are established by state statute. Contribution rates are established by the State Teachers Retirement Board, not to exceed the statutory maximum rates of 10% for employees and 14% for employers. Currently, employees contribute 10% of covered payroll and employers contribute 14% of covered payroll. The University's contributions to STRS for the years ending June 30, 2010, 2009, and 2008 were $7,185,855, $7,402,446, and $7,408,781, respectively, equal to the required contributions for each year. STRS issues a stand-alone financial report. The report may be obtained by writing to STRS Ohio, 275 East Broad Street, Columbus, OH 43215-3771, by calling 1-888-227-7877, or by visiting the STRS Ohio Web site at www.strsoh.org.

OPERS is a statewide retirement plan, which covers non-teaching University employees. OPERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefits are established by state statute. Contribution rates are established by the Ohio Public Employee Retirement Board, not to exceed the statutory maximum rates of 10% for employees and 14% for employers. Currently, employees contribute 10% of covered payroll and employers contribute 14% of covered payroll. The University's contributions to OPERS for the years ending June 30, 2010, 2009, and 2008 were $7,228,118, $7,364,278, and $7,161,846, respectively, equal to the required contributions for each year.
OPERS issues a stand-alone financial report. The report may be obtained by writing to OPERS, 277 East Town Street, Columbus, OH 43215-4642, or by calling (614) 222-5601 or 800-222-7377.

**Defined Contribution Plan**

The University also offers eligible employees an alternative retirement program. The University is required to contribute to STRS 3.50% of earned compensation for those employees participating in the alternative retirement program. The University’s contributions for the years ended June 30, 2010, 2009 and 2008 were $347,415, $327,263 and $319,559, respectively, which equal 3.50% of earned compensation.

STRS also offers a defined contribution plan in addition to its long established defined benefit plan. All employee contributions and employer contributions at a rate of 10.5% are placed in an investment account directed by the employee. Disability benefits are limited to the employee’s account balance. Employees electing the defined contribution plan receive no postretirement health care benefits.

OPERS also offers a defined contribution plan, the Member-Directed Plan (MD). The MD plan does not provide disability benefits, annual cost-of-living adjustments, postretirement health care benefits or death benefits to plan members and beneficiaries. Benefits are entirely dependent on the sum of contributions and investment returns earned by each participant’s choice of investment options.

**Combined Plans**

STRS offers a combined plan with features of both a defined contribution plan and a defined benefit plan. In the combined plan, employee contributions are invested in self-directed investments, and the employer contribution is used to fund a reduced defined benefit. Employees electing the combined plan receive postretirement healthcare benefits.

OPERS also offers a combined plan. This is a cost-sharing, multiple-employer defined benefit plan that has elements of both a defined benefit and defined contribution plan. In the combined plan, employee contributions are invested in self-directed investments, and the employer contribution is used to fund a reduced defined benefit. OPERS also provides retirement, disability, survivor, and postretirement health care benefits to qualified members.

**Post-employment Benefits**

STRS provides other postemployment benefits (OPEB) to all retirees and their dependents, while OPERS provides postretirement health care coverage to age and service retirees (and dependents) with 10 or more years of qualifying Ohio service credit. Health care coverage for disability recipients and primary survivor recipients is also available under OPERS. A portion of each employer’s contributions is set aside for the funding of postretirement health care. For STRS, this rate was 1.0% of the total 14.00%, while the OPERS rate was 7.0% from January 1 through March 31, 2009 and 5.5% from April 1 through June 30, 2009 of the total 14.00% for the year ended June 30, 2009.

The Ohio Revised Code provides the statutory authority for public employers to fund postretirement health care through their contributions to STRS and OPERS. Postretirement healthcare under STRS is financed on a pay-as-you-go basis. Assets available in the health care reserve fund for STRS amounted to $2.7 billion at June 30, 2009 (the latest information available). The number of benefit recipients eligible for OPEB was 129,659 for STRS at June 30, 2009. The amount contributed by the University to STRS to fund these benefits for the years ended June 30, 2010, 2009 and 2008 was $513,275, $528,746, and $529,199, respectively.
Postretirement health care under OPERS is advance-funded on an actuarially determined basis. The actuarial value of OPERS net assets available for OPEB at December 31, 2008 (the latest information available) is $10.7 billion. The actuarially accrued liability and the unfunded actuarial accrued liability, based on the actuarial cost method used, were $29.6 billion and $18.9 billion, respectively. Significant actuarial assumptions include a 6.5% investment return, a 4% individual pay increases, and a 4% increase in health care costs. All investments are carried at market value. For actuarial valuations purposes, a smoothed market approach is used. The number of OPERS active contributing participants was 357,584 for the year ended December 31, 2009. The amount contributed by the University to OPERS for OPEB funding for the years ended June 30, 2010, 2009 and 2008 was $3,614,059, $3,682,139 and $2,579,782, respectively.

NOTE 8 – RISK MANAGEMENT

The University is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. On July 1, 1993, the University joined with 11 other state-assisted universities in Ohio to form an insurance-purchasing pool for the acquisition of commercial property and casualty insurance. The University pays annual premiums to the pool for its property and casualty insurance coverage based on its percentage of the total insurable value to the pool. Future contributions will be adjusted based upon each university’s loss history. Each university has a base deductible of $100,000. The next $250,000 of any one claim is the responsibility of the pool, which has a total annual aggregate deductible limit of $700,000. The commercial property insurer is liable for the amount of any claim in excess of $350,000, or $100,000 in the event the pool has reached its annual limit. There were no significant reductions in coverage from the prior year.

The University maintains a self-insured dental plan for its employees. The University’s risk exposure is limited to claims incurred. The changes in the total liability for actual and estimated dental claims for the years ended June 30, 2010 and 2009 are summarized below:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability at beginning of year</td>
<td>$ 7,161</td>
<td>$ 27,074</td>
</tr>
<tr>
<td>Claims Incurred</td>
<td>1,070,420</td>
<td>1,113,669</td>
</tr>
<tr>
<td>Claims Paid</td>
<td>(1,067,620)</td>
<td>(1,133,582)</td>
</tr>
<tr>
<td>Liability at end of year</td>
<td>$ 9,961</td>
<td>$ 7,161</td>
</tr>
</tbody>
</table>
The University maintains a self-insured medical plan for its employees. The University’s risk exposure is limited to claims incurred. There is a $150,000 specific stop loss for any given claim. The changes in the total liability for actual and estimated medical claims for the years ended June 30, 2010 and 2009 are summarized below:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability at beginning of year</td>
<td>$1,209,483</td>
<td>$1,199,384</td>
</tr>
<tr>
<td>Claims Incurred</td>
<td>8,870,542</td>
<td>9,753,965</td>
</tr>
<tr>
<td>Claims Paid</td>
<td>(8,866,997)</td>
<td>(9,892,840)</td>
</tr>
<tr>
<td>IBNR-(Decrease) Increase in estimated claims</td>
<td>(118,264)</td>
<td>148,974</td>
</tr>
<tr>
<td>Liability at end of year</td>
<td>$1,094,764</td>
<td>$1,209,483</td>
</tr>
</tbody>
</table>

Medical claims are based upon estimates of the claims liabilities. Estimates are based upon past experience, medical inflation trends, and current claims outstanding, including year-end lag analysis. Differences between the estimated claims payable and actual claims paid are reported as an operating expense in the statement of revenue, expenses and changes in net assets.

The University participates in a State pool of agencies and universities that pays workers’ compensation premiums into the State Insurance Fund on a pay-as-you-go basis (the “Plan”), which pays workers’ compensation benefits to beneficiaries who have been injured on the job. Losses from asserted and unasserted claims for the participating state agencies and universities in the Plan are accrued by the Ohio Bureau of Workers’ Compensation (the “Bureau”) based on estimates that incorporate past experience, as well as other considerations including the nature of each claim or incident and relevant trend factors. Participants in the Plan annually fund the workers’ compensation liability based on rates set by the Bureau to collect cash needed in subsequent fiscal years to pay the workers’ compensation claims of participating state agencies and universities.

During the normal course of its operations, the University has become a defendant in various legal actions. It is not possible to estimate the outcome of these legal actions; however, in the opinion of legal counsel and the University administration, the disposition of these pending cases will not have a material adverse effect on the financial condition or operations of the University. Settled claims resulting from these risks have not exceeded insurance coverage in any of the past three fiscal years.

**NOTE 9 – GRANT CONTINGENCIES**

The University receives significant financial assistance from numerous federal, state and local agencies in the form of grants. The disbursement of funds received under these programs generally requires compliance with terms and conditions specified in the grant agreements and are subject to audit by the grantor agencies. Any disallowed claims resulting from such audits could become a liability of the University. However, in the opinion of the University administration, any such disallowed claims will not have a material effect on any of the financial statements of the University at June 30, 2010.
NOTE 10 – NET ASSETS

The temporarily and permanently restricted net assets of the Foundation are balances whose use by the Foundation has been limited by the donors to a specific time period or purpose. Temporarily restricted net assets are available, and permanently restricted net assets are held in perpetuity, for the following purposes:

<table>
<thead>
<tr>
<th></th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instruction/research</td>
<td>$3,507,317</td>
<td>$6,898,248</td>
</tr>
<tr>
<td>Public service</td>
<td>4,304,460</td>
<td>50,567</td>
</tr>
<tr>
<td>Academic support</td>
<td>875,543</td>
<td>914,128</td>
</tr>
<tr>
<td>Financial aid</td>
<td>3,527,234</td>
<td>25,016,508</td>
</tr>
<tr>
<td>Institutional support</td>
<td>814,564</td>
<td>1,092,345</td>
</tr>
<tr>
<td>Auxiliary enterprises</td>
<td>1,057,758</td>
<td>37,347</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$14,086,876</strong></td>
<td><strong>$34,009,143</strong></td>
</tr>
</tbody>
</table>

NOTE 11 – COMPONENT UNITS

The Foundation and the Corporation are legally separate not-for-profit entities organized for the purpose of providing support to the University. Both the Foundation and the Corporation are exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code.

The Foundation acts primarily as a fundraising organization to supplement the resources that are available to the University in support of its programs. The board of the foundation is self-perpetuating and consists of business leaders and friends of the University. Although the University does not control the timing or amount of receipts from the Foundation, the majority of resources, or income thereon, that the Foundation holds and invests are restricted to the activities of the University by donors. Because these restricted resources held by the Foundation can only be used by, or for the benefit of, the University, the Foundation is considered a component unit of the University and is discretely presented in the University’s financial statements. Complete financial statements for the Foundation can be obtained from the Office of the Executive Director at 2121 Euclid Avenue, Keith Building Room 323, Cleveland, OH 44115-2214.

During the years ended June 30, 2010 and 2009, the Foundation paid $3,880,958 and $3,921,197, respectively, to the University. At June 30, 2010 and 2009, the University had receivables from the Foundation totaling $662,662 and $777,496, respectively.

As authorized by the board of trustees, beginning in fiscal year 1998, the University placed endowment and quasi-endowment funds on deposit with the Foundation for investment. At June 30, 2010 and 2009, the amount on deposit with the Foundation totaled $1,993,632 and $1,804,588, respectively.

The Corporation was organized primarily to further the educational mission of the University by developing, owning and managing housing for the students, faculty and staff of the University. On March 1, 2005, the Corporation leased the Fenn Tower building, located on the University’s campus, from the University. Annual rent is equal to the net available cash flows from the Fenn Tower project. No rent was paid during fiscal years 2010 and 2009. On March 1, 2005, the Corporation entered into a development agreement with American Campus Communities (ACC) to plan, design and construct housing units in Fenn Tower. In addition, the Corporation entered into a management agreement with ACC to manage Fenn Tower. The project was completed in August 2006. The facility has the capacity to house 430 residents.
On March 17, 2005, the Corporation issued $34,385,000 of Cleveland-Cuyahoga County Port Authority bonds (Series 2005 Bonds) to finance the costs of the Fenn Tower project. The Series 2005 Bonds are serial bonds maturing between 2007 and 2036. Interest rates are fixed and vary from 3.0% to 4.5%.

On June 1, 2008, the Corporation leased land, owned by the University and located on its campus, from the University. On August 22, 2008, the Corporation entered into a design-build agreement with the Apostolos Group to construct a 623-car parking garage on the site. On July 1, 2008, the Corporation entered into a lease agreement with the University to operate the garage once construction is completed. On July 25, 2008, the Corporation issued $14,500,000 of tax-exempt bonds with the Cleveland-Cuyahoga County Port Authority to finance construction of the garage. The Series 2008 Bonds are serial bonds maturing between 2009 and 2040. They bear variable interest rates that reset weekly. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was .20% at June 30, 2010. Construction of the garage was completed in August 2009.

On December 18, 2009, the Corporation leased land, owned by the University and located on its campus, from the University. On August 24, 2009, the Corporation entered into a development agreement with ACC to plan, design and construct 600 beds of student housing and a 300-car parking garage on this land. In addition, the Corporation entered into a management agreement with ACC to manage the student housing. On December 18, 2009, the Corporation issued $59,005,000 of County of Cuyahoga, Ohio bonds (Series 2009 bonds) to finance the project. The 2009 bonds are serial bonds maturing between 2011 and 2042. They bear variable interest rates that are reset weekly. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was .26% at June 30, 2010.

Principal and interest payable for the next five years and in subsequent five-year increments are as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal</th>
<th>Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>$1,125,000</td>
<td>$3,928,692</td>
</tr>
<tr>
<td>2012</td>
<td>1,165,000</td>
<td>3,894,937</td>
</tr>
<tr>
<td>2013</td>
<td>1,495,000</td>
<td>3,851,466</td>
</tr>
<tr>
<td>2014</td>
<td>1,635,000</td>
<td>3,802,989</td>
</tr>
<tr>
<td>2015</td>
<td>1,795,000</td>
<td>3,746,943</td>
</tr>
<tr>
<td>2016-2020</td>
<td>11,520,000</td>
<td>17,630,107</td>
</tr>
<tr>
<td>2021-2025</td>
<td>14,960,000</td>
<td>15,129,809</td>
</tr>
<tr>
<td>2026-2030</td>
<td>18,865,000</td>
<td>11,943,833</td>
</tr>
<tr>
<td>2031-2035</td>
<td>23,885,000</td>
<td>8,001,942</td>
</tr>
<tr>
<td>2036-2040</td>
<td>22,955,000</td>
<td>3,575,304</td>
</tr>
<tr>
<td>2041-2043</td>
<td>6,945,000</td>
<td>367,865</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$106,345,000</strong></td>
<td><strong>$75,873,887</strong></td>
</tr>
</tbody>
</table>

Complete financial statements for the Corporation can be obtained from the Office of the President at 2121 Euclid Avenue, Administration Center Room 209, Cleveland, OH 44115-2214.
Independent Auditor's Report

To the Board of Trustees
Cleveland State University

We have audited the basic financial statements of Cleveland State University, a component unit of the State of Ohio, as of and for the years ended June 30, 2011 and 2010, which collectively comprise the University’s basic financial statements, and have issued our report thereon dated October 14, 2011. Those basic financial statements are the responsibility of the management of Cleveland State University. Our responsibility is to express an opinion on these basic financial statements based on our audits. We did not audit the financial statements of Cleveland State University Foundation, Inc. and Euclid Avenue Housing Corporation, which represent all of the assets and revenue of the presented component units ("component units"). Those financial statements were audited by other auditors, whose report thereon has been furnished to us, and our opinion, insofar as it relates to the amounts included for the component units, is based on the report of the other auditors.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the basic financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, based on our audits and the reports of the other auditors, the basic financial statements referred to above present fairly, in all material respects, the respective financial position of Cleveland State University and its presented component units as of June 30, 2011 and 2010 and the respective changes in financial position and cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we also have issued our report dated October 28, 2011 on our consideration of Cleveland State University’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters for the years ended June 30, 2011 and 2010. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide opinions on the internal control or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audits.
To the Board of Trustees  
Cleveland State University  

The management’s discussion and analysis presented on pages 3 through 10 is not a required part of the basic financial statements, but is supplemental information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management, regarding the methods of measurement and presentation of the supplemental information. However, we did not audit the information and express no opinion on it.

Toledo, Ohio  
October 28, 2011
Introduction

The following discussion and analysis provides an overview of the financial position and activities of Cleveland State University (the “University”) as of and for the year ended June 30, 2011. This discussion has been prepared by management and should be read in conjunction with the financial statements and the notes thereto, which follow this section.

The University was established in 1964 by action of the Ohio General Assembly and is part of the State of Ohio’s (the “State”) system of State supported and State assisted institutions of higher education. It is one of the 13 state universities in Ohio. By statute it is a body politic and corporate and an instrumentality of the State. Located in the city of Cleveland, the University is an urban institution. A majority of the University’s students commute daily from their homes in the Cleveland metropolitan area.

Using the Annual Financial Report

The University’s financial report includes financial statements prepared in accordance with Governmental Accounting Standards Board (GASB) Statement No. 35, Basic Financial Statements - and Management’s Discussion and Analysis - for Public Colleges and Universities. These principles require that financial statements be presented on a consolidated basis to focus on the financial condition, the changes in financial condition, and the cash flows of the University as a whole. Many other non-financial factors also must be considered in assessing the overall health of the University, such as enrollment trends, student retention, strength of the faculty, condition of the buildings, and the safety of the campus.

The financial statements prescribed by GASB Statement No. 35 (the statement of net assets, the statement of revenue, expenses and changes in net assets, and the statement of cash flows) present financial information in a form similar to that used by corporations. They are prepared under the accrual basis of accounting, whereby revenue and assets are recognized when the service is provided and expenses and liabilities are recognized when others provide the service, regardless of when cash is exchanged.

Under the provisions of GASB Statement No. 39, Determining Whether Certain Organizations are Component Units, the Cleveland State University Foundation, Inc. (the “Foundation”) and the Euclid Avenue Housing Corporation (the “Corporation”) are treated as component units of the University. Accordingly, the Foundation and the Corporation are discretely presented in the University’s financial statements. The Foundation and the Corporation are excluded from the management’s discussion and analysis. Financial statements for the Foundation can be obtained from the Office of the Executive Director at 2121 Euclid Avenue, Keith Building Room 300, Cleveland, OH 44115-2214; financial statements for the Corporation can be obtained from the Office of the President at 2121 Euclid Avenue, Administration Center Room 210, Cleveland, OH 44115-2214.
**Statement of Net Assets**

The statement of net assets presents the financial position of the University at the end of the fiscal year and includes all assets and liabilities. The difference between assets and liabilities - net assets - is one indicator of the current financial condition of the University, while the change in net assets is an indicator of whether the overall financial condition has improved or worsened during the year. Assets and liabilities are generally measured using current values. One notable exception is capital assets, which are stated at historical cost less an allowance for depreciation. A summary of the University’s assets, liabilities, and net assets at June 30, 2011, 2010 and 2009 is as follows:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current assets</td>
<td>$49,912,965</td>
<td>$51,420,926</td>
<td>$48,233,371</td>
</tr>
<tr>
<td>Noncurrent assets:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital assets, net</td>
<td>481,088,738</td>
<td>460,153,549</td>
<td>379,904,921</td>
</tr>
<tr>
<td>Other</td>
<td>89,488,453</td>
<td>99,693,462</td>
<td>150,479,231</td>
</tr>
<tr>
<td>Total assets</td>
<td>620,490,156</td>
<td>611,267,937</td>
<td>578,617,523</td>
</tr>
<tr>
<td>Current liabilities</td>
<td>43,914,067</td>
<td>42,131,497</td>
<td>42,170,066</td>
</tr>
<tr>
<td>Noncurrent liabilities</td>
<td>229,838,876</td>
<td>232,077,323</td>
<td>223,189,761</td>
</tr>
<tr>
<td>Total liabilities</td>
<td>273,752,943</td>
<td>274,208,820</td>
<td>265,359,827</td>
</tr>
<tr>
<td>Net assets</td>
<td>$346,737,213</td>
<td>$337,059,117</td>
<td>$313,257,696</td>
</tr>
</tbody>
</table>

Current assets consist primarily of cash, operating investments, accounts and notes receivable, prepaid expenses, deferred charges and inventories. Current liabilities consist primarily of accounts payable, accrued payroll and other liabilities, deferred revenue and the current portion of long-term debt.

Current assets decreased in 2011 from 2010 primarily due to a decrease in investments, which was partially offset by an increase in cash.

Current assets increased in 2010 from 2009 primarily due to an increase in cash and cash equivalents, which was partially offset by a decrease in investments. In 2010, the University kept most of its cash on deposit with the bank, because the rate of interest paid by the bank was greater than other short-term investment vehicles.

Net capital assets increased in 2011 from 2010 by $20.9 million, or 4.5%, and in 2010 from 2009 by $80.2 million, or 21.1%. Both increases were due to construction on the University’s campus. Projects under construction during these years include a new student center building and a new building to house the College of Education and Human Services.

Other assets decreased in 2011 from 2010 by $10.2 million or 10.2%. The decrease was due primarily to the spending of bond proceeds on construction.

Other assets decreased in 2010 from 2009 by $50.8 million, or 33.7%. The decrease was due primarily to the spending of bond proceeds on construction.
Liabilities decreased in 2011 from 2010 by .5 million or .02%. Liabilities increased in 2010 from 2009 by $8.8 million, or 3.3%, due primarily to a $14.5 million capital lease for a new parking garage that was entered into in 2010.

**Capital and Debt Activities**

One critical factor affecting the quality of the University’s programs is the development and renewal of its capital assets. Capital additions totaled $45.7 million in 2011, $100.4 million in 2010, and $57.1 million in 2009. Capital retirements totaled $5.9 million in 2011, $6.0 million in 2010, and $25.7 million in 2009. Capital additions and retirements for 2011, 2010 and 2009 exclude transfers from construction in progress to buildings in the amounts of $87.0 million, $31.3 million and $0.7 million, respectively. Capital additions include construction of new facilities, repair and renovation of existing facilities, and acquisition of equipment and library books. Capital asset additions are funded, in part, by capital appropriations from the State. These appropriations amounted to $4.6 million in 2011, $20.0 million in 2010, and $15.1 million in 2009.

In August 2009, the University entered into a capital lease with the Corporation in the amount of $14.5 million. The lease covers a parking garage that was constructed by the Corporation on the University’s campus. The lease requires the University to operate and maintain the garage, and to make periodic payments to the Corporation equal to its required debt service payments.

In March 2009, the University entered into a capital lease in the amount of $42.8 million. Proceeds will be used to fund a variety of energy conservation projects on the University’s campus. When the projects are complete, energy savings will be sufficient to fund the lease payments.

**Net Assets**

Net assets represent the residual interest in the University’s assets after liabilities are deducted. The University’s net assets at June 30, 2011, 2010 and 2009 are summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invested in capital assets, net of related debt</td>
<td>$249,745,249</td>
<td>$254,199,231</td>
<td>$246,794,695</td>
</tr>
<tr>
<td>Restricted - expendable</td>
<td>17,002,312</td>
<td>15,128,293</td>
<td>17,078,592</td>
</tr>
<tr>
<td>Restricted - nonexpendable</td>
<td>1,256,241</td>
<td>1,100,356</td>
<td>917,117</td>
</tr>
<tr>
<td>Unrestricted</td>
<td>78,733,411</td>
<td>66,631,237</td>
<td>48,467,292</td>
</tr>
<tr>
<td>Total net assets</td>
<td>$346,737,213</td>
<td>$337,059,117</td>
<td>$313,257,696</td>
</tr>
</tbody>
</table>

Net assets invested in capital assets, net of related debt represent the University’s capital assets net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction, or improvement of those assets. Changes in this category of net assets are due to the net effect of additions to, disposals of, and depreciation on capital assets. In both 2011 and 2010, additions exceeded disposals and depreciation.

Restricted - expendable net assets are subject to externally imposed restrictions governing their use. Changes in this category are due to the timing of revenue and expenses in funds provided by donors and grantors. Restricted - nonexpendable net assets consist primarily of endowment funds held by the University. Changes in this category are driven primarily by investment performance, which was positive in both 2011 and 2010.
Unrestricted net assets are not subject to externally imposed stipulations. This category includes funds functioning as endowment (quasi-endowment) of $5.3 million at June 30, 2011, $4.5 million at June 30, 2010, and $4.0 million at June 30, 2009. The changes in value from year to year are due to gains or losses on investments.

For the year ended June 30, 2011, the University had an increase in total net assets of $9.6 million, or 2.9%. Net assets invested in capital assets, net of related debt, decreased by $4.4 million, or -1.7%, because deductions and depreciation expense exceeded capital asset additions. Unrestricted net assets increased by $12.1 million or 18.2%, due primarily to increases in net tuition income (which went from $126.2 million in 2010 to $140.7 million in 2011) and in investment income (which went from $7.7 million in 2010 to $13.2 million in 2011), and increased operating expenses (which went from $269.7 million in 2010 to $292.2 million in 2011). Expenses for salaries and wages, and depreciation were higher in 2011 than 2010.

For the year ended June 30, 2010, the University had an increase in total net assets of $23.8 million, or 7.6%. Net assets invested in capital assets, net of related debt, increased by $7.4 million, or 3.0%, because capital asset additions exceeded deductions and depreciation expense. Unrestricted net assets increased by $18.2 million, or 37.5%, due primarily to increases in net tuition income (which went from $115.3 million in 2009 to $126.2 million in 2010) and in investment income (which went from $6.5 million in 2009 to $7.7 million in 2010), along with a decrease in operating expenses in 2010 from 2009 of $0.2 million. The decrease in operating expenses was the result of a freeze on salaries and wages and energy conservation efforts.

**Statement of Revenue, Expenses and Changes in Net Assets**

The statement of revenue, expenses and changes in net assets presents the revenue earned and expenses incurred during the year. Activities are reported as either operating or nonoperating. As a public institution, the University is dependent on State assistance. This dependency contributed toward an operating deficit because the financial reporting model classifies State appropriations as nonoperating revenue. The utilization of capital assets is reflected in the financial statements as depreciation, which amortizes the cost of an asset over its expected useful life. Summarized revenue, expenses, and changes in net assets for the years ended June 30, 2011, June 30, 2010 and June 30, 2009 are as follows:
Operating revenue:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net student tuition and fees</td>
<td>$140,713,140</td>
<td>$126,182,341</td>
<td>$115,263,410</td>
</tr>
<tr>
<td>Grants and contracts</td>
<td>19,208,702</td>
<td>20,480,512</td>
<td>18,788,895</td>
</tr>
<tr>
<td>Other</td>
<td>25,643,144</td>
<td>21,103,594</td>
<td>20,712,482</td>
</tr>
<tr>
<td>Total operating revenue</td>
<td>185,564,986</td>
<td>167,766,447</td>
<td>154,764,787</td>
</tr>
</tbody>
</table>

Operating expenses:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational and general</td>
<td>236,226,386</td>
<td>226,629,451</td>
<td>226,598,855</td>
</tr>
<tr>
<td>Auxiliary enterprises</td>
<td>31,200,532</td>
<td>23,386,092</td>
<td>25,553,858</td>
</tr>
<tr>
<td>Depreciation and amortization</td>
<td>24,818,443</td>
<td>19,722,338</td>
<td>17,742,326</td>
</tr>
<tr>
<td>Total operating expenses</td>
<td>292,245,361</td>
<td>269,737,881</td>
<td>269,895,039</td>
</tr>
<tr>
<td>Operating loss</td>
<td>(106,680,375)</td>
<td>(101,971,434)</td>
<td>(115,130,252)</td>
</tr>
</tbody>
</table>

Nonoperating revenue, net:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>State appropriations</td>
<td>63,544,555</td>
<td>63,692,313</td>
<td>79,056,333</td>
</tr>
<tr>
<td>Other</td>
<td>48,198,477</td>
<td>42,102,246</td>
<td>12,664,624</td>
</tr>
<tr>
<td>Gain (loss) before other changes</td>
<td>5,062,657</td>
<td>3,823,125</td>
<td>(23,409,295)</td>
</tr>
</tbody>
</table>

Other changes:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase (decrease) in net assets</td>
<td>9,678,096</td>
<td>23,801,421</td>
<td>(8,327,734)</td>
</tr>
</tbody>
</table>

Net assets at beginning of year: 337,059,117, 313,257,696, 321,585,430

Net assets at end of year: $346,737,213, $337,059,117, $313,257,696

Total revenue and other changes in fiscal 2011, 2010 and 2009 were $311.4 million, $298.8 million, and $264.9 million, respectively. The most significant sources of 2011 operating revenue for the University were student tuition and fees of $140.7 million, grants and contracts of $19.2 million, and auxiliary services of $20.8 million.

Revenue from tuition and fees (net of scholarship allowances) increased in 2011 from 2010 by $14.5 million, or 11.5% due to an increase in enrollment and an increase in tuition rates. Headcount enrollment increased by 5.3% from the prior year, while full-time equivalent enrollment increased by 6.1% from the prior year. A tuition increase of 3.3% was implemented in the Fall 2011 semester.

Revenue from tuition and fees (net of scholarship allowances) increased in 2010 from 2009 by $10.9 million, or 9.5%, due to an increase in enrollment and an increase in tuition rates. Headcount enrollment increased by 6.9% from the prior year, while full-time equivalent enrollment increased by 7.4% from the prior year. A tuition increase of 3.5% was implemented in the Spring 2010 semester.

Revenue from grants and contracts increased in 2011 by $3.4 million or 7.5%, and increased in 2010 by $8.5 million or 23.2%. The increases are due to higher revenue from federal grants and contracts.
Total expenses in fiscal 2011, 2010 and 2009 were $301.7 million, $275.0 million, and $273.3 million, respectively. Operating expenses include the costs of instruction, research, public service, general administration, utilities, libraries, and auxiliary services. Operating expenses also include depreciation and amortization. The increase in total expenses of $26.7 million (10.0%) in 2011 was due primarily to increased interest on debt and depreciation expense. The increase in total expenses of $1.7 million (0.6%) in 2010 was due primarily to increased interest on debt.

Sources of nonoperating revenue include State appropriations of $63.5 million in 2011, $63.7 million in 2010, and $79.1 million in 2009; grants and contracts of $29.5 million in 2011, $24.8 million in 2010, and $18.0 million in 2009; gifts of $4.4 million in 2011, $4.5 million in 2010, and $4.6 million in 2009; and investment income (loss) of $13.2 million in 2011, $7.7 million in 2010, and ($6.5 million) in 2009. State funding decreased in 2011 by $.1 million or .23% and by $15.4 million in 2010, or 19.4%, as the State used federal stimulus dollars to replace State funds. Such federal stimulus funds passed-through the State and received by the University as subsidy amounted to $10.6 million in 2011 and $10.4 million in 2010.

Net nonoperating revenue increased in 2011 from 2010 by $5.9 million, or 5.62%, due primarily to increases in funding for the federal Pell Grants program and an increase in investment income. Net nonoperating revenue increased in 2010 from 2009 by $14.1 million, or 15.3%, due primarily to increases in funding for the federal Pell Grants program and federal stimulus funds, offset by a decrease in State support.

Other changes consist primarily of State capital appropriations of $4.6 million in 2011, $20.0 million in 2010, and $15.1 million in 2009.

**Statement of Cash Flows**

The statement of cash flows presents information related to cash inflows and outflows summarized by operating, noncapital financing, capital financing and investing activities, and helps measure the ability to meet financial obligations as they mature. A summary of the statement of cash flows for the years ended June 30, 2011, June 30, 2010 and June 30, 2009 is as follows:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net cash provided (used) by:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating activities</td>
<td>$(86,218,223)</td>
<td>$(83,066,244)</td>
<td>$(91,764,282)</td>
</tr>
<tr>
<td>Noncapital financing activities</td>
<td>108,664,963</td>
<td>103,454,861</td>
<td>101,999,581</td>
</tr>
<tr>
<td>Capital financing activities</td>
<td>(46,791,000)</td>
<td>(73,968,302)</td>
<td>(4,261,211)</td>
</tr>
<tr>
<td>Investing activities</td>
<td>27,460,659</td>
<td>66,793,739</td>
<td>1,006,976</td>
</tr>
<tr>
<td>Net increase in cash</td>
<td>3,116,399</td>
<td>13,214,054</td>
<td>6,981,064</td>
</tr>
<tr>
<td>Cash at beginning of year</td>
<td>24,270,510</td>
<td>11,056,456</td>
<td>4,075,392</td>
</tr>
<tr>
<td>Cash at end of year</td>
<td>$27,386,909</td>
<td>$24,270,510</td>
<td>$11,056,456</td>
</tr>
</tbody>
</table>

Major sources of cash included student tuition and fees of $138.2 million in 2011, $125.2 million in 2010, and $116.1 million in 2009; State appropriations of $74.1 million in 2011, $74.1 million in 2010, and $79.1 million in 2009; grants and contracts (operating and nonoperating) of $47.0 million in 2011, $46.0 million in 2010, and $38.4 million in 2009; and auxiliary activities of $20.8 million in 2011, $15.9 million in 2010, and $16.7 million in 2009.
The largest payments were for employee compensation and benefits totaling $165.6 million in 2011, $163.9 million in 2010, and $163.8 million in 2009; suppliers of goods and services totaling $103.0 million in 2011, $88.8 million in 2010, and $86.8 million in 2009; and purchases of capital assets totaling $42.6 million in 2011, $99.4 million in 2010, and $60.1 million in 2009.

The change in cash flows from 2011 to 2010 and 2009 to 2010 in the investing category is due primarily to the University electing to leave most of its cash in the bank (because the rate of return was higher than other short-term investment vehicles), which resulted in a decrease in investments purchased.

**Credit Rating**

The University’s bonds are rated “A” by Standard & Poor’s, with the most recent rating published on April 14, 2008. An “A” rating indicates a strong capacity to meet financial commitments, but somewhat susceptible to adverse economic conditions and changes in circumstances. This rating is consistent with the years ended June 30, 2010 and 2009. The highest achievable rating is “AAA.” The University’s capacity to meet its financial obligations is considered strong.

**Looking Ahead**

The primary challenge facing Ohio public institutions of higher learning, including Cleveland State University (CSU), is remaining true to their missions in the face of shrinking public assistance. In the State of Ohio’s FY12- FY13 budget, CSU lost approximately $11 million, or 15%, of its State Share of Instruction (SSI) allocation, the major state funding source for state colleges and universities. In order to help offset this significant decline in operating revenue, the University implemented plans for certain revenue enhancements and expense reductions as part of its FY12 Operating Budget plan. Revenue from student instructional fee tuition increased 10.2% in FY11 over FY10 due to a 5% increase in student credit hour enrollment and an increase in undergraduate and graduate tuition rates of 3.3% and an increase in the law tuition rate of 6.75%. Anticipated FY12 tuition revenue should benefit from improved retention of students from FY11 plus an expected increase of approximately 2% in student credit hour enrollment in FY12, along with a tuition rate increase of approximately 5% for undergraduates and graduate courses and a 9% increase in the tuition rate for law courses. However, the FY12 ratio of state funding as a percentage of total operating revenue continued to fall to approximately 29%, giving rise to a heavier reliance on student tuition as the primary source of revenue. The ability of the University to fulfill its mission and execute its strategic plan is even more dependent upon student enrollment and tuition than it was just a year ago.

The University is also affected by decisions at the state level regarding capital funding through the biennial capital appropriations bill. The funds pay for campus renovation and maintenance of existing facilities, as well as refunding debt for state-approved projects that the University has assumed on its own. The State is not expected to provide any capital funding for the capital cycle FY11-FY12. As a result of missing an entire capital funding cycle, the University has begun to reserve operating funds for undertaking necessary capital maintenance and renovation projects on campus. The outlook for the State’s FY13-FY14 capital appropriations bill is uncertain at this time. While the State anticipates some level of appropriation, it remains to be seen whether it will be funded at historical levels.
Cleveland State University received continuing accreditation by the North Central Association of Colleges and Schools (NCA), for an additional 10-year period (2011-2020) without any conditions or qualifications. A team from the NCA visited the University in Fall 2010 as part of the standard reaccreditation process.

The University continues to face significant cost pressures in the future. These relate to attracting and retaining high quality faculty and staff, increased costs of employee benefits, most notably medical care and prescription drug coverage, and the cost of energy. The University recently reached labor contract agreements with its three major bargaining units - AAUP (faculty union), SEIU and CWA (clerical and service employees.) These contracts are for a term of three years.

In the summer of 2010, the University’s president appointed a budget task force and charged it to make recommendations as to how the University would maintain a balanced budget, pending state reductions in subsidy (SSI) for FY12. Various recommendations to the president were accepted and implemented, resulting in both labor and other expense reductions to the University’s FY12 budget. All areas of the University were directed to provide operating plans at reduced budget levels and reductions were made strategically by the president, the senior management team, and with assistance of the Budget Task Force. The core missions of student instruction and student services were essentially preserved with some moderate reductions. Other University support functions contributed more significantly to the budget targets. The University traditionally monitors its revenue sources and the operating budgets of its units very closely. While operating at a lower level of state subsidy in FY12, it appears that, barring unforeseen events, CSU should receive its expected FY12 allocation of subsidy from the State. Instructional fee tuition revenue for the Fall 2011 semester was essentially at the plan level - $250,000 short of the revenue budget of $64.6 million, .4% below plan.
Cleveland State University  
Statement of Net Assets  
June 30, 2011 and 2010

### ASSETS

<table>
<thead>
<tr>
<th>Current Assets:</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and Cash Equivalents</td>
<td>$27,386,909</td>
<td>$24,270,510</td>
</tr>
<tr>
<td>Investments (Note 2)</td>
<td>9,741</td>
<td>5,018,111</td>
</tr>
<tr>
<td>Accounts Receivable, Net (Note 3)</td>
<td>19,897,366</td>
<td>19,417,920</td>
</tr>
<tr>
<td>Notes Receivable, Net (Note 3)</td>
<td>1,158,498</td>
<td>1,276,989</td>
</tr>
<tr>
<td>Accrued Interest Receivable</td>
<td>2,028</td>
<td>12,491</td>
</tr>
<tr>
<td>Prepaid Expenses, Deferred Charges and Inventories</td>
<td>1,458,423</td>
<td>1,424,905</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>$49,912,965</td>
<td>51,420,926</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Noncurrent Assets:</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted Investments (Note 2)</td>
<td>2,116,457</td>
<td>17,187,619</td>
</tr>
<tr>
<td>Long-Term and Endowment Investments (Note 2)</td>
<td>75,302,992</td>
<td>69,840,834</td>
</tr>
<tr>
<td>Notes Receivable, Net (Note 3)</td>
<td>9,831,992</td>
<td>10,334,360</td>
</tr>
<tr>
<td>Deferred Bond Premium and Issuance Costs</td>
<td>2,237,012</td>
<td>2,330,649</td>
</tr>
<tr>
<td>Capital Assets, Net (Note 5)</td>
<td>481,088,738</td>
<td>460,153,549</td>
</tr>
<tr>
<td><strong>Total Noncurrent Assets</strong></td>
<td>$570,577,191</td>
<td>559,847,011</td>
</tr>
</tbody>
</table>

| **Total Assets**                | $620,490,156  | 611,267,937   |

### LIABILITIES

<table>
<thead>
<tr>
<th>Current Liabilities:</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts Payable</td>
<td>9,202,832</td>
<td>8,994,419</td>
</tr>
<tr>
<td>Construction Accounts Payable</td>
<td>1,029,689</td>
<td>3,933,523</td>
</tr>
<tr>
<td>Accrued Liabilities</td>
<td>8,932,323</td>
<td>8,394,846</td>
</tr>
<tr>
<td>Accrued Interest Payable</td>
<td>2,893,488</td>
<td>1,439,785</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>9,558,669</td>
<td>10,279,623</td>
</tr>
<tr>
<td>Compensated Absences - Current Portion (Note 6)</td>
<td>902,939</td>
<td>636,708</td>
</tr>
<tr>
<td>Obligations Under Capital Leases - Current Portion (Note 6)</td>
<td>6,933,194</td>
<td>3,826,660</td>
</tr>
<tr>
<td>Long-Term Debt - Current Portion (Note 6)</td>
<td>4,460,933</td>
<td>4,625,933</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>$43,914,067</td>
<td>42,131,497</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Noncurrent Liabilities:</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accrued Liabilities (Note 6)</td>
<td>12,387,423</td>
<td>11,199,569</td>
</tr>
<tr>
<td>Compensated Absences (Note 6)</td>
<td>8,726,234</td>
<td>8,556,310</td>
</tr>
<tr>
<td>Obligations Under Capital Leases (Note 6)</td>
<td>69,096,076</td>
<td>68,231,368</td>
</tr>
<tr>
<td>Long-Term Debt (Note 6)</td>
<td>139,629,143</td>
<td>144,090,076</td>
</tr>
<tr>
<td><strong>Total Noncurrent Liabilities</strong></td>
<td>$229,838,876</td>
<td>232,077,323</td>
</tr>
</tbody>
</table>

| **Total Liabilities**           | $273,752,943  | 274,208,820   |

### NET ASSETS

<table>
<thead>
<tr>
<th>Invested in Capital Assets, Net of Related Debt</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted, Expendable</td>
<td>249,745,249</td>
<td>254,199,231</td>
</tr>
<tr>
<td>Restricted, Nonexpendable</td>
<td>17,002,312</td>
<td>15,128,293</td>
</tr>
<tr>
<td>Unrestricted</td>
<td>1,256,241</td>
<td>1,100,356</td>
</tr>
<tr>
<td><strong>Total Net Assets</strong></td>
<td>$346,737,213</td>
<td>$337,059,117</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
### Cleveland State University

Statement of Revenue, Expenses, and Changes in Net Assets

**Years Ended June 30, 2011 and 2010**

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Revenue:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Tuition and Fees</td>
<td>$159,331,825</td>
<td>$143,288,911</td>
</tr>
<tr>
<td>Less Scholarship Allowances</td>
<td>$18,618,685</td>
<td>$17,106,570</td>
</tr>
<tr>
<td><strong>Net Student Tuition and Fees</strong></td>
<td>$140,713,140</td>
<td>$126,182,341</td>
</tr>
<tr>
<td>Federal Grants and Contracts</td>
<td>$9,944,701</td>
<td>$11,992,099</td>
</tr>
<tr>
<td>State Grants and Contracts</td>
<td>$5,726,269</td>
<td>$6,296,917</td>
</tr>
<tr>
<td>Local Grants and Contracts</td>
<td>$765,192</td>
<td>$490,186</td>
</tr>
<tr>
<td>Private Grants and Contracts</td>
<td>$2,772,540</td>
<td>$1,701,310</td>
</tr>
<tr>
<td>Sales and Services</td>
<td>$4,297,708</td>
<td>$4,773,836</td>
</tr>
<tr>
<td>Auxiliary Enterprises</td>
<td>$20,845,190</td>
<td>$15,912,209</td>
</tr>
<tr>
<td>Other Sources</td>
<td>$500,246</td>
<td>$417,549</td>
</tr>
<tr>
<td><strong>Total Operating Revenue</strong></td>
<td>$185,564,986</td>
<td>$167,766,447</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Expenses:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instruction</td>
<td>$94,507,110</td>
<td>$92,025,220</td>
</tr>
<tr>
<td>Research</td>
<td>$12,295,867</td>
<td>$9,688,834</td>
</tr>
<tr>
<td>Public Service</td>
<td>$8,193,701</td>
<td>$11,186,289</td>
</tr>
<tr>
<td>Academic Support</td>
<td>$23,531,908</td>
<td>$22,934,405</td>
</tr>
<tr>
<td>Student Services</td>
<td>$20,953,129</td>
<td>$20,105,695</td>
</tr>
<tr>
<td>Institutional Support</td>
<td>$30,856,817</td>
<td>$28,300,239</td>
</tr>
<tr>
<td>Operation and Maintenance of Plant</td>
<td>$26,045,710</td>
<td>$24,816,384</td>
</tr>
<tr>
<td>Scholarships and Fellowships</td>
<td>$19,842,144</td>
<td>$17,572,385</td>
</tr>
<tr>
<td>Auxiliary Enterprises</td>
<td>$31,200,532</td>
<td>$23,386,092</td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>$24,818,443</td>
<td>$19,722,338</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>$292,245,361</td>
<td>$269,737,881</td>
</tr>
<tr>
<td><strong>Operating Loss</strong></td>
<td>($106,680,375)</td>
<td>($101,971,434)</td>
</tr>
<tr>
<td><strong>Nonoperating Revenue (Expenses)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Appropriations</td>
<td>$63,544,555</td>
<td>$63,692,313</td>
</tr>
<tr>
<td>Federal Appropriations</td>
<td>$10,567,874</td>
<td>$10,367,388</td>
</tr>
<tr>
<td>Federal Grants and Contracts</td>
<td>$26,129,061</td>
<td>$21,555,446</td>
</tr>
<tr>
<td>State Grants and Contracts</td>
<td>$3,392,498</td>
<td>$3,279,699</td>
</tr>
<tr>
<td>Gifts</td>
<td>$4,390,082</td>
<td>$4,477,080</td>
</tr>
<tr>
<td>Investment Income</td>
<td>$13,179,158</td>
<td>$7,698,092</td>
</tr>
<tr>
<td>Interest on Debt</td>
<td>($9,460,196)</td>
<td>($5,275,459)</td>
</tr>
<tr>
<td><strong>Net Nonoperating Revenue</strong></td>
<td>$111,743,032</td>
<td>$105,794,559</td>
</tr>
<tr>
<td><strong>Gain Before Other Changes</strong></td>
<td>$5,062,657</td>
<td>$3,823,125</td>
</tr>
<tr>
<td><strong>Other Changes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Capital Appropriations</td>
<td>$4,615,439</td>
<td>$19,978,296</td>
</tr>
<tr>
<td><strong>Increase in Net Assets</strong></td>
<td>$9,678,096</td>
<td>$23,801,421</td>
</tr>
<tr>
<td><strong>Net Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Assets at Beginning of Year</td>
<td>$337,059,117</td>
<td>$313,257,696</td>
</tr>
<tr>
<td>Net Assets at End of Year</td>
<td>$346,737,213</td>
<td>$337,059,117</td>
</tr>
</tbody>
</table>

*The accompanying notes are an integral part of the financial statements.*
## Cleveland State University

### Statement of Cash Flows

<table>
<thead>
<tr>
<th>Years Ended June 30</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cash Flows from Operating Activities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuition and Fees</td>
<td>$ 138,258,310</td>
<td>$ 125,222,415</td>
</tr>
<tr>
<td>Grants and Contracts</td>
<td>17,524,694</td>
<td>21,194,066</td>
</tr>
<tr>
<td>Payments to or on Behalf of Employees</td>
<td>(165,623,922)</td>
<td>(163,937,678)</td>
</tr>
<tr>
<td>Payments to Vendors</td>
<td>(103,059,287)</td>
<td>(88,802,575)</td>
</tr>
<tr>
<td>Loans Issued to Students</td>
<td>(482,271)</td>
<td>(1,160,506)</td>
</tr>
<tr>
<td>Collection of Loans to Students</td>
<td>1,552,483</td>
<td>3,299,546</td>
</tr>
<tr>
<td>Auxiliary Enterprises Charges</td>
<td>20,813,816</td>
<td>15,927,103</td>
</tr>
<tr>
<td>Other Receipts</td>
<td>4,797,954</td>
<td>5,191,385</td>
</tr>
<tr>
<td><strong>Net Cash Used in Operating Activities</strong></td>
<td>(86,218,223)</td>
<td>(83,066,244)</td>
</tr>
</tbody>
</table>

| **Cash Flows from Noncapital Financing Activities** |               |               |
| State Appropriations | 74,112,429    | 74,059,701    |
| Grants and Contracts | 29,521,559    | 24,835,145    |
| Gifts                | 4,390,082     | 4,477,080     |
| Cash Provided by Stafford and PLUS Loans | 111,891,358   | 107,184,246   |
| Cash Used by Stafford and PLUS Loans | (112,000,000) | (107,163,728) |
| Cash Provided by Agency Fund Activities | (972,680)     | (426,322)     |
| Cash Used by Agency Fund Activities | 1,722,215     | 488,739       |
| **Net Cash Provided by Noncapital Financing Activities** | 108,664,963   | 103,454,861   |

| **Cash Flows from Capital Financing Activities** |               |               |
| Proceeds from Capital Debt and Leases | 7,459,451      | 17,680,920    |
| Capital Appropriations | 4,615,439     | 19,978,296    |
| Capital Gifts and Grants | 0            | 0             |
| Purchases of Capital Assets | (42,642,238)  | (99,417,276)  |
| Principal Paid on Capital Debt and Leases | (8,114,143)   | (6,970,835)   |
| Interest Paid on Capital Debt and Leases | (8,109,509)   | (5,239,407)   |
| **Net Cash Used in Capital Financing Activities** | (46,791,000)  | (73,968,302)  |

| **Cash Flows from Investing Activities** |               |               |
| Proceeds from Sales and Maturities of Investments | 16,579,507    | 62,563,273    |
| Purchase of Investments | (1,962,133)   | (3,353,487)   |
| Interest on Investments | 12,843,285    | 7,583,953     |
| **Net Cash Provided by Investing Activities** | 27,460,659    | 66,793,739    |

| **Net Increase in Cash** | 3,116,399     | 13,214,054    |
| **Cash and Cash Equivalents at Beginning of Year** | 24,270,510    | 11,056,456    |
| **Cash and Cash Equivalents at End of Year** | $27,386,909   | $24,270,510   |
Reconciliation of Operating Loss to Cash Used by Operating Activities

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Loss</td>
<td>(106,680,375)</td>
<td>(101,971,434)</td>
</tr>
<tr>
<td>Adjustments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>24,818,443</td>
<td>19,722,338</td>
</tr>
<tr>
<td>Changes in Assets and Liabilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts Receivable, Net</td>
<td>(3,497,203)</td>
<td>(841,231)</td>
</tr>
<tr>
<td>Notes Receivable, Net</td>
<td>1,070,212</td>
<td>2,139,040</td>
</tr>
<tr>
<td>Inventories</td>
<td>121,900</td>
<td>(29,884)</td>
</tr>
<tr>
<td>Prepaid Expenses and Deferred Charges</td>
<td>(155,418)</td>
<td>(104,994)</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>(2,647,476)</td>
<td>(1,919,637)</td>
</tr>
<tr>
<td>Accrued Liabilities</td>
<td>1,472,648</td>
<td>(650,335)</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>(720,954)</td>
<td>589,893</td>
</tr>
<tr>
<td>Cash Used by Operating Activities</td>
<td>(86,218,223)</td>
<td>(83,066,244)</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
The accompanying notes are an integral part of the financial statements.
<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Cash Equivalents</td>
<td>$2,021,827</td>
<td>$1,856,782</td>
</tr>
<tr>
<td>Cash held by the University</td>
<td>119,444</td>
<td>49,695</td>
</tr>
<tr>
<td>Total Cash</td>
<td>2,141,271</td>
<td>1,906,477</td>
</tr>
<tr>
<td>Bond proceeds / Investments</td>
<td>19,951,814</td>
<td>39,745,205</td>
</tr>
<tr>
<td>Student accounts receivable, net of allowance for uncollectible accounts of $40,000 in 2011 and $15,000 in 2010</td>
<td>89,027</td>
<td>95,330</td>
</tr>
<tr>
<td>Other receivable</td>
<td>118,145</td>
<td>96,028</td>
</tr>
<tr>
<td>Prepaid Expenses</td>
<td>12,935</td>
<td>13,847</td>
</tr>
<tr>
<td>Total Current Assets</td>
<td>22,313,192</td>
<td>41,856,887</td>
</tr>
<tr>
<td>Other assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deferred bond issuance costs, net of accumulated amortization of $498,372 in 2011 and $364,838 in 2010</td>
<td>3,073,211</td>
<td>3,206,745</td>
</tr>
<tr>
<td>Note receivable</td>
<td>14,500,000</td>
<td>14,500,000</td>
</tr>
<tr>
<td>Property:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>1,146,460</td>
<td>1,146,460</td>
</tr>
<tr>
<td>Building</td>
<td>54,671,438</td>
<td>28,280,753</td>
</tr>
<tr>
<td>Building improvements</td>
<td>98,836</td>
<td>27,446</td>
</tr>
<tr>
<td>Furniture, fixtures and equipment</td>
<td>2,217,545</td>
<td>1,230,908</td>
</tr>
<tr>
<td>Construction in progress</td>
<td>18,071,217</td>
<td>26,313,263</td>
</tr>
<tr>
<td>Less: Accumulated depreciation</td>
<td>(5,071,764)</td>
<td>(3,482,140)</td>
</tr>
<tr>
<td>Total Other assets</td>
<td>76,205,496</td>
<td>56,998,830</td>
</tr>
<tr>
<td><strong>LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Liabilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current portion of bonds payable (Note 11)</td>
<td>$660,000</td>
<td>$735,000</td>
</tr>
<tr>
<td>Current portion of notes payable</td>
<td>60,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Accounts payable</td>
<td>2,694,757</td>
<td>3,962,015</td>
</tr>
<tr>
<td>Accrued interest</td>
<td>1,001,229</td>
<td>642,930</td>
</tr>
<tr>
<td>Accrued payroll</td>
<td>50,037</td>
<td>26,517</td>
</tr>
<tr>
<td>Deferred revenue</td>
<td>120,679</td>
<td>79,510</td>
</tr>
<tr>
<td>Security deposits</td>
<td>147,610</td>
<td>55,680</td>
</tr>
<tr>
<td>Total Current Liabilities</td>
<td>4,734,312</td>
<td>5,561,652</td>
</tr>
<tr>
<td><strong>NET ASSETS (DEFICIT)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unrestricted</td>
<td>(1,736,742)</td>
<td>(1,161,434)</td>
</tr>
<tr>
<td>Total Liabilities and Net Assets (Deficit)</td>
<td>$111,020,135</td>
<td>$113,080,322</td>
</tr>
</tbody>
</table>
The accompanying notes are an integral part of the financial statements.

The Cleveland State University Foundation, Inc.
Statement of Activities
Year Ended June 30, 2011 (with comparative totals for the year ended June 30, 2010)

<table>
<thead>
<tr>
<th></th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total 2011</th>
<th>Total 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributions</td>
<td>$281,424</td>
<td>$4,642,732</td>
<td>$6,771,394</td>
<td>$11,695,550</td>
<td>$6,718,879</td>
</tr>
<tr>
<td>Endowment management fee</td>
<td>22,073</td>
<td>-</td>
<td>-</td>
<td>22,073</td>
<td>24,796</td>
</tr>
<tr>
<td>Net assets released from restrictions</td>
<td>4,476,279</td>
<td>(4,476,279)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total revenue</strong></td>
<td>4,779,776</td>
<td>166,453</td>
<td>6,771,394</td>
<td>11,717,623</td>
<td>6,743,675</td>
</tr>
</tbody>
</table>

|                      |              |                        |                        |            |            |
| **Expenses**         |              |                        |                        |            |            |
| **Program services** |              |                        |                        |            |            |
| Instructions         | 1,205,368    | -                      | -                      | 1,205,368  | 1,104,264  |
| Research             | 277,630      | -                      | -                      | 277,630    | 238,381    |
| Public service       | 604,623      | -                      | -                      | 604,623    | 1,147,565  |
| Academic support     | 72,434       | -                      | -                      | 72,434     | 98,608     |
| Financial aid        | 1,374,347    | -                      | -                      | 1,374,347  | 1,128,229  |
| Institutional support | 118,664    | -                      | -                      | 118,664    | 99,265     |
| Auxiliary enterprises| 786,456      | -                      | -                      | 786,456    | 668,776    |
| **Total program services** | 4,439,522 | -                      | -                      | 4,439,522  | 4,485,088  |

|                      |              |                        |                        |            |            |
| **Support services** |              |                        |                        |            |            |
| Management and general | 523,869 | -                      | -                      | 523,869    | 497,510    |
| Fundraising          | 100,671      | -                      | -                      | 100,671    | 155,970    |
| **Total support services** | 624,540 | -                      | -                      | 624,540    | 653,480    |

|                      |              |                        |                        |            |            |
| **Gains/(Losses):**  |              |                        |                        |            |            |
| Investment income, including realized and unrealized losses, net | 690,196 | 8,133,747 | -              | 8,823,943  | 5,497,847  |
| Provision for uncollectible contributions | -      | 7,964      | (210,818)     | (202,854)  | (187,752)  |
| **Total expenses and losses** | 4,373,866 | (8,141,711) | 210,818       | (3,557,027) | (171,527)  |

|                      |              |                        |                        |            |            |
| **Change in Net Assets** | 405,910    | 8,308,164              | 6,560,576              | 15,274,650 | 6,915,202  |

|                      |              |                        |                        |            |            |
| **Net Assets - Beginning of Year** | (426,128) | 14,086,876             | 34,009,143             | 47,669,891 | 40,754,689 |

|                      |              |                        |                        |            |            |
| **Net Assets - End of Year** | $ (20,218) | $22,395,040            | $40,569,719            | $62,944,541 | $47,669,891 |

The accompanying notes are an integral part of the financial statements.
### Euclid Avenue Housing Corporation

#### Statement of Activities

**Years Ended June 30, 2011 and 2010**

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rental Income:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students</td>
<td>$5,703,723</td>
<td>$3,180,061</td>
</tr>
<tr>
<td>University</td>
<td>697,988</td>
<td>469,896</td>
</tr>
<tr>
<td>Other</td>
<td>176,949</td>
<td>133,094</td>
</tr>
<tr>
<td>Maintenance fee - University</td>
<td>234,426</td>
<td>154,305</td>
</tr>
<tr>
<td>Interest income</td>
<td>107,827</td>
<td>71,085</td>
</tr>
<tr>
<td>Gain on sale of assets</td>
<td>-</td>
<td>1,552,038</td>
</tr>
<tr>
<td>Other</td>
<td>210,751</td>
<td>145,664</td>
</tr>
<tr>
<td><strong>Total revenue</strong></td>
<td>$7,131,664</td>
<td>$5,706,143</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>3,187,371</td>
<td>1,706,509</td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>1,697,200</td>
<td>960,888</td>
</tr>
<tr>
<td>Utilities</td>
<td>633,204</td>
<td>432,644</td>
</tr>
<tr>
<td>Payroll</td>
<td>1,092,582</td>
<td>611,917</td>
</tr>
<tr>
<td>Management fees</td>
<td>238,096</td>
<td>132,066</td>
</tr>
<tr>
<td>Maintenance</td>
<td>347,319</td>
<td>221,797</td>
</tr>
<tr>
<td>General and administrative</td>
<td>159,900</td>
<td>117,471</td>
</tr>
<tr>
<td>Other operating</td>
<td>248,398</td>
<td>32,840</td>
</tr>
<tr>
<td>Marketing</td>
<td>41,006</td>
<td>15,450</td>
</tr>
<tr>
<td>Accounting</td>
<td>28,820</td>
<td>26,708</td>
</tr>
<tr>
<td>Reserve allowance</td>
<td>31,241</td>
<td>8,417</td>
</tr>
<tr>
<td>Insurance</td>
<td>1,835</td>
<td>2,205</td>
</tr>
<tr>
<td><strong>Total expenses</strong></td>
<td>$7,706,972</td>
<td>$4,268,912</td>
</tr>
<tr>
<td><strong>Change in Net Assets</strong></td>
<td>(575,308)</td>
<td>1,437,231</td>
</tr>
<tr>
<td><strong>Net Assets (Deficit) - Beginning of Year</strong></td>
<td>(1,161,434)</td>
<td>(2,598,665)</td>
</tr>
<tr>
<td><strong>Net Assets (Deficit) - End of Year</strong></td>
<td>$ (1,736,742)</td>
<td>$ (1,161,434)</td>
</tr>
</tbody>
</table>

*The accompanying notes are an integral part of the financial statements.*
NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization and Basis of Presentation

Cleveland State University (the “University”) was established by the General Assembly of the State of Ohio (the “State”) in 1964 by statutory act under Chapter 3344 of the Ohio Revised Code. As such, the University is a component unit of the State. The University is exempt from federal income taxes under Section 115 of the Internal Revenue Code, except for unrelated business income.

In accordance with Governmental Accounting Standards Board (GASB) Statement No. 14, The Reporting Entity, the University’s financial statements are included, as a discretely presented component unit, in the State’s Comprehensive Annual Financial Report.

The financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America, as prescribed by GASB Statement No. 35, Basic Financial Statements – and Management’s Discussion and Analysis – for Public Colleges and Universities. GASB Statement No. 35 establishes standards for external financial reporting for public colleges and universities and requires that resources be classified for accounting and reporting purposes into the following net asset categories:

- **Invested in capital assets, net of related debt:** Capital assets, net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction or improvement of those assets.

- **Restricted, Expendable:** Net assets whose use by the University is subject to externally imposed stipulations that can be fulfilled by actions of the University pursuant to those stipulations or that expire by the passage of time. Income generated from these funds may be designated for student scholarships, loans, instruction, research, and other specific University needs.

- **Restricted, Nonexpendable:** Net assets subject to externally imposed stipulations that they be maintained permanently by the University. Income generated from these funds may be designated for student scholarships, loans, instruction, research, and other specific University needs.

- **Unrestricted:** Net assets that are not subject to externally imposed stipulations. Unrestricted net assets may be designated for specific purposes by action of management or may otherwise be limited by contractual agreements with outside parties.

The accompanying financial statements have been prepared on the accrual basis. The University reports as a business-type activity, as defined by GASB Statement No. 35. Business-type activities are those that are financed in whole or in part by fees charged to external parties for goods or services.
FASB Pronouncements

Pursuant to GASB Statement No. 20, Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting, the University has the option to apply all Financial Accounting Standards Board (FASB) pronouncements issued after November 30, 1989, unless FASB conflicts with GASB. The University has elected not to apply FASB pronouncements issued after the applicable date.

Operating Activities

The University’s policy for defining operating activities as reported on the statement of revenue, expenses and changes in net assets are those that result from exchange transactions such as payments received for providing services and payments made for goods or services received. The University also classifies as operating revenue grants classified as exchange transactions and auxiliary activities. Certain significant revenue streams relied upon for operations are recorded as nonoperating revenue, including State appropriations and investment income. Operating expenses include educational resources, administrative expenses and depreciation on capital assets. Under the University’s decentralized management structure, it is the responsibility of individual departments to determine whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available. The principal operating revenue is student tuition and fees. Student tuition and fees revenue is presented net of scholarships and fellowships applied to student accounts.

Summary of Significant Accounting Policies

Cash and Cash Equivalents. The University considers all highly liquid investments purchased with an original maturity of three months or less to be cash equivalents.

Investments. Investments are recorded at fair value, as established by the major securities markets. Purchases and sales of investments are accounted for on the trade date basis. Investment income is recorded on the accrual basis. Realized and unrealized gains and losses are reported as investment income. The University classifies all investments that mature in less than one year as current investments.

Endowment investments are subject to the restrictions of gift instruments, requiring principal to be maintained in perpetuity with only the income from the investments available for expenditure. The University may set aside other assets for the same purposes as endowment investments (quasi-endowment); the University may expend the principal of a quasi-endowment at any time.

Accounts Receivable Allowance. The allowance for bad debt is determined based on historical average and a reasonableness ratio of A/R to bad debt. The objective is to increase the collectibility of current receivables to assist the University's objectives regarding enrollment and retention. As such, we enforce policies that prohibit registration with an unpaid balance over $1,000 and limit registration for those students with a current unpaid balance between $200 - $1,000. The new federal regulations regarding Title IV returns have unfortunately, increased our outstanding of A/R; the ratio between the bad debt allowance and the A/R, however, is still within a reasonable parameter.

Inventories. Inventories are reported at cost. Cost is determined on the average cost basis.
Capital Assets. Capital assets are stated at historical cost or at an appraised value at date of donation, if acquired by gift. It is the University’s policy to capitalize equipment costing $2,500 or more and buildings and improvements costing $100,000 or more. Depreciation of capital assets is provided on a straight-line basis over the estimated useful lives (5 to 40 years) of the respective assets and is not allocated to the functional expenditure categories. Amortization of the capitalized cost of assets held under capital leases is generally computed using the straight-line method over the estimated useful lives of the underlying assets or the term of the lease, whichever is shorter. The University capitalizes but does not depreciate works of art or historical treasures that are held for exhibition, education, research and public service. Deferred bond issuance costs are capitalized and amortized over the life of the bonds using the straight-line method.

Compensated Absences. Classified employees earn vacation at rates specified under State law. Full-time administrators and 12-month faculty earn vacation at a rate of 22 days per year. The maximum amount of vacation that an employee can carry over from one fiscal year to the next is 30 days.

All University employees are entitled to a sick leave credit equal to 10 hours for each month of service (earned on a pro-rata basis for less than full-time employees). This sick leave will either be absorbed by time off due to illness or injury, or within certain limitations, be paid to the employee upon retirement. The amount paid to an employee, with 10 or more years of service upon retirement, is limited to one-quarter of the accumulated sick leave up to a maximum of 240 hours.

The University has an accrued liability for all accumulated vacation hours, plus an estimate of the amount of sick leave that will be paid upon retirement. Salary-related fringe benefits have also been accrued.

Deferred Revenue. Deferred revenue consists primarily of amounts received in advance of an event, such as student tuition and fees, and advance ticket sales related to the next fiscal year.

Summer term tuition and fees and corresponding expenses relating to the portion of the term that is within the current fiscal year are recognized as tuition revenue and operating expense. The portion of sessions falling into the next fiscal year is recorded as deferred revenue and prepaid expense in the statement of net assets and will be recognized in the following fiscal year.

Perkins Loan Program. Funds provided by the United States government under the Federal Perkins Loan program are loaned to qualified students and re-loaned after collection. These funds are ultimately refundable to the government and, therefore, are recorded as a liability in the accompanying statement of net assets.

Auxiliary Enterprises. Auxiliary enterprise revenue primarily represents revenue generated by parking, residence hall, Wolstein Center, food service, bookstore, recreation center, child care center and intercollegiate athletics.
Scholarship Allowances and Student Aid. Financial aid to students is reported in the statement of revenue, expenses, and changes in net assets under the alternative method as prescribed by the National Association of College and University Business Officers (NACUBO). Certain aid such as loans, funds provided to students as awarded by third parties, and Federal Direct Lending is accounted for as a third-party payment (credited to the student’s account as if the student made the payment). All other aid is reflected in the financial statements as operating expenses or scholarship allowances, which reduce revenue. The amount reported as operating expense represents the portion of aid that was provided to the student in the form of cash. Scholarship allowances represent the portion of aid provided to the student in the form of reduced tuition. Under the alternative method followed by the University, scholarship allowances are computed by allocating the cash payments to students, excluding payments for services, to the ratio of aid not considered to be third-party aid to total aid.

Component Units. The Cleveland State University Foundation, Inc. (the “Foundation”) and the Euclid Avenue Housing Corporation (the “Corporation”) are private nonprofit organizations that report under FASB standards, Financial Reporting for Not-for-Profit Organizations. As such, certain revenue recognition criteria and presentation features are different from GASB revenue recognition criteria and presentation features. No modifications have been made to the Foundation’s or the Corporation’s financial information included in the University’s financial report for these differences.

Use of Estimates. The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

Accounting Pronouncements

Service Concession Arrangements: In December 2010, the GASB issued Statement No. 60, Accounting and Financial Reporting for Service Concession Arrangements (SCA). An SCA is an agreement between a College/University and another legally separate College/University or private sector entity in which two things happen. First, the College/University transfers to the other entity the right and related obligation to provide public services through the use of a public asset (such as using a part of a university facility as a bookstore) in exchange for significant consideration from the other entity. In the context of these agreements, the College/University that transfers rights and obligations is referred to as the transferor. The entity to which these rights and obligations are transferred is referred to as the operator. Second, this operator - whether it is in the public or private sector - collects fees from the users or customers of the public asset (for example, students at the university/college). Finally, the transferor maintains control over the services provided. For example, the College/University has the ability to modify or approve the rates that can be charged for the services and the type of services that are provided.

For an SCA that involves an existing facility, the transferor should continue to report the capital asset. For a new facility or an improvement to an existing facility, the transferor should report the new facility or the improvement as a capital asset at fair value when the facility is placed in operation. The transferor should also report any related contractual obligations as liabilities. Finally, the transferor should report the difference between those two amounts as a deferred inflow of resources. This pronouncement must be applied for years that begin after December 15, 2011.
Reporting Entity Standards: In December 2010, the GASB issued Statement No. 61, Financial Reporting Entity: Omnibus. This standard is intended to improve the information presented about the financial reporting entity, which is made up of the College/University financial reporting entity and related entities (component units). The statement modifies certain requirements for inclusion of component units in the financial reporting entity. For organizations that previously were required to be included as component units by meeting the fiscal dependency criteria, a financial benefit or burden relationship is also needed between the College/University and that organization for it to be included in the reporting entity as a component unit. The statement also modifies the criteria for reporting component units as if they were part of the College/University (i.e., blending). Blending should be used when the College/University and the component unit have a financial benefit or burden relationship, or management has operational responsibility for the component units. Additionally, for equity interests in legally separate organizations, the entity is required to report its interest as “restricted net assets – nonspendable.” This standard is effective for financial statements for reporting periods beginning after June 15, 2012; however, earlier application is encouraged.

Private Sector Accounting Rules: In December 2010, the GASB issued Statement No. 62, Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements. This changes the requirement for the College/University to apply any private sector accounting guidance that existed as of November 30, 1989 and instead incorporates all such guidance in this statement. The College/University will no longer have the ability to choose to continue to follow FASB statements written after that date, although such guidance still qualifies as “other accounting literature” in the GAAP hierarchy. This pronouncement must be applied for years that begin after December 15, 2011.

Deferred Inflows/Outflows and Net Position: In June 2011, the GASB issued Statement No. 63, Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position. This standard provides financial reporting guidance for deferred inflows and outflows of resources. Concepts Statement No. 4, Elements of Financial Statements, introduced and defined those elements as a consumption of net assets by the College/University that is applicable to a future reporting period, and an acquisition of net assets by the College/University that is applicable to a future reporting period, respectively. Previous financial reporting standards do not include guidance for reporting those financial statement elements, which are distinct from assets and liabilities. The standard also incorporates deferred outflows of resources and deferred inflows of resources into the definitions of the required components of the residual measure and by renaming that measure as net position, rather than net assets. The provisions for this standard are effective for financial statements for periods beginning after December 15, 2011.

Derivative Instruments – Termination Provisions: In June 2011, the GASB issued Statement No. 64, Derivative Instruments: Application of Hedge Accounting Termination Provisions - An Amendment of GASB Statement No. 53. This Statement clarifies whether an effective hedging relationship continues after the replacement of a swap counterparty or a swap counterparty’s credit support provider and sets forth criteria that establish when the effective hedging relationship continues and hedge accounting should continue to be applied. The requirements of this Statement enhance comparability and improve financial reporting by clarifying the circumstances in which hedge accounting should continue when a swap counterparty, or a swap counterparty’s credit support provider, is replaced. The provisions of this Statement are effective for financial statements for periods beginning after June 15, 2011.
NOTE 2 - DEPOSITS AND INVESTMENTS

**Deposits**

Custodial credit risk is the risk that, in the event of the failure of a depository financial institution, the University will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. Protection of University cash and deposits is provided by the Federal Deposit Insurance Corporation as well as qualified securities pledged by the institution holding the assets. Under State law, financial institutions must collateralize all public deposits. The value of the pooled collateral must equal at least 105 percent of public funds deposited. Collateral is held by trustees including the Federal Reserve Bank and designated third-party trustees of the financial institution.

At June 30, 2011, the cash and cash equivalents balance of $27,386,909 is after the University recorded an overdraft consisting of items in transit of $4,622,342 in accounts payable. The bank balance at June 30, 2011 was $27,280,702, of which $1,005,778 was covered by federal depository insurance, and $26,274,924 was covered by collateral held by the trust department of a bank other than the pledging bank in the name of the pledging bank.

At June 30, 2010, the cash and cash equivalents balance of $24,270,510 is after the University recorded an overdraft consisting of items in transit of $5,035,527 in accounts payable. The bank balance at June 30, 2010 was $24,177,001, of which $1,255,662 was covered by federal depository insurance, and $22,921,339 was covered by collateral held by the trust department of a bank other than the pledging bank in the name of the pledging bank.

**Investments**

In accordance with the Board of Trustees’ resolution, the types of investments that may be purchased by the University include United States treasury securities, federal government agency securities, certificates of deposit, bank repurchase agreements, commercial paper, bonds and other obligations of the State of Ohio or any of its political subdivisions, the State Treasurer’s Asset Reserve (STAR Ohio), bankers’ acceptances, money market funds, common stocks, and corporate bonds. The endowment investments are managed by the Foundation, which can also invest in real estate and alternative investments.

STAR Ohio is an investment pool managed by the Ohio state treasurer’s office that allows governments within the State to pool their funds for investment purposes. STAR Ohio is not registered with the Securities and Exchange Commission as an investment company, but does operate in a manner consistent with Rule 2A7 of the Investment Company Act of 1940. The investment is valued at STAR Ohio’s share price, which represents fair market value, on June 30, 2011 and 2010.

Restricted investments consist of unspent debt proceeds.
As of June 30, 2011, the University had the following types of investments and maturities:

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Fair Value</th>
<th>Less Than 1</th>
<th>1-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. obligation mutual fund</td>
<td>$2,116,457</td>
<td>$2,116,457</td>
<td>-</td>
</tr>
<tr>
<td>Certificates of Deposit</td>
<td>800,112</td>
<td>-</td>
<td>800,112</td>
</tr>
<tr>
<td>STAR Ohio</td>
<td>9,741</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bond mutual funds</td>
<td>29,707,623</td>
<td>-</td>
<td>29,707,623</td>
</tr>
<tr>
<td>Stock mutual funds</td>
<td>44,795,257</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>$77,429,190</td>
<td>$2,116,457</td>
<td>$30,507,735</td>
</tr>
</tbody>
</table>

As of June 30, 2010, the University had the following types of investments and maturities:

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Fair Value</th>
<th>Less Than 1</th>
<th>1-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. obligation mutual fund</td>
<td>$15,139,667</td>
<td>$15,139,667</td>
<td>-</td>
</tr>
<tr>
<td>Certificates of Deposit</td>
<td>8,559,294</td>
<td>1,520,021</td>
<td>7,039,273</td>
</tr>
<tr>
<td>STAR Ohio</td>
<td>26,791</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bond mutual funds</td>
<td>30,201,692</td>
<td>-</td>
<td>30,201,692</td>
</tr>
<tr>
<td>Stock mutual funds</td>
<td>38,119,120</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>$92,046,564</td>
<td>$16,659,688</td>
<td>$37,240,965</td>
</tr>
</tbody>
</table>

Some of the U.S. agency securities are callable at various dates. The University believes that no securities will be called.

**Interest Rate Risk.** Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Investments with interest rates that are fixed for longer periods are likely to be subject to more variability in their fair values as a result of future changes in interest rates.

**Credit Risk.** Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. As of June 30, 2011 and 2010, the University’s investment in STAR Ohio is rated AAA by Standard & Poor’s and Moody’s. While the University’s bond mutual fund investment itself is not rated, the credit quality of the fund’s holdings is AA or better, as rated by Standard & Poor’s and Moody’s.

**Custodial Credit Risk.** Custodial credit risk is the risk that, in the event of the failure of a counterparty to a transaction, the University will not be able to recover the value of investment securities that are in the possession of an outside party. At June 30, 2011 and 2010, the University had no exposure to custodial credit risk.

**Concentration of Credit Risk.** Concentration of credit risk is the risk of loss attributed to the magnitude of investment in a single issuer. The University’s investment policy places no limitation on the amount that may be invested in a single issuer. At June 30, 2011 and 2010, the University did not have more than 5% of its fixed income investments in any single issuer.
Foreign Currency Risk. Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of an investment. At June 30, 2011 and 2010, investments include approximately $5.6 million and $5.2 million, respectively, managed by international equity managers that are subject to foreign currency risk. Although the University’s investment policy does not specifically address foreign currency risk, it does limit foreign investments to no more than 20% of the portfolio.

NOTE 3 - RECEIVABLES

The composition of accounts receivable at June 30, 2011 and 2010 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student accounts</td>
<td>$14,271,525</td>
<td>$11,279,473</td>
</tr>
<tr>
<td>Grants</td>
<td>7,977,108</td>
<td>6,293,100</td>
</tr>
<tr>
<td>State Capital</td>
<td>398,110</td>
<td>3,415,867</td>
</tr>
<tr>
<td>Other</td>
<td>1,890,992</td>
<td>2,379,961</td>
</tr>
<tr>
<td>Total Accounts Receivable</td>
<td>24,537,735</td>
<td>23,368,401</td>
</tr>
<tr>
<td>Less allowance for uncollectible accounts</td>
<td>4,640,369</td>
<td>3,950,481</td>
</tr>
<tr>
<td>Accounts Receivable - Net</td>
<td>$19,897,366</td>
<td>$19,417,920</td>
</tr>
</tbody>
</table>

Notes receivable consist primarily of loans to students under the federal Perkins Loan Program. The composition of notes receivable at June 30, 2011 and 2010 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perkins Loan Program</td>
<td>$11,185,610</td>
<td>$11,932,914</td>
</tr>
<tr>
<td>Foundation Capital Campaign</td>
<td>-</td>
<td>36,115</td>
</tr>
<tr>
<td>Other</td>
<td>647,828</td>
<td>655,241</td>
</tr>
<tr>
<td>Total Notes Receivable</td>
<td>11,833,438</td>
<td>12,624,270</td>
</tr>
<tr>
<td>Less allowance for uncollectible accounts</td>
<td>842,948</td>
<td>1,012,921</td>
</tr>
<tr>
<td>Notes Receivable - Net</td>
<td>10,990,490</td>
<td>11,611,349</td>
</tr>
<tr>
<td>Less Current Portion</td>
<td>1,158,498</td>
<td>1,276,989</td>
</tr>
<tr>
<td>Total Noncurrent Notes Receivable</td>
<td>$ 9,831,992</td>
<td>$10,334,360</td>
</tr>
</tbody>
</table>

NOTE 4 - STATE SUPPORT

The University is a State-assisted institution of higher education, which receives a student-based subsidy from the State. This subsidy is determined annually, based upon a formula devised by the Ohio Board of Regents.

In addition, the State provides the funding and constructs major plant facilities on the University’s campus. The funding is obtained from the issuance of revenue bonds by the Ohio Public Facilities Commission (OPFC), which in turn causes the construction and subsequent lease of the facility, by the Ohio Board of Regents. Upon completion, the Board of Regents turns over control of the facility to the University. Neither the obligation for the revenue bonds issued by OPFC nor the annual debt service charges for principal and interest on the bonds are reflected in the University’s financial statements. The OPFC revenue bonds are currently being funded through appropriations to the Board of Regents by the General Assembly.
The facilities are not pledged as collateral for the revenue bonds. Instead, the bonds are supported by a pledge of monies in the Higher Education Bond Service Fund established in the custody of the Treasurer of State. If sufficient monies are not available from this fund, a pledge exists to assess a special student fee uniformly applicable to students in state-assisted institutions of higher education throughout the State.

NOTE 5 - CAPITAL ASSETS

Capital assets activity for the years ended June 30, 2011 and 2010 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Beginning</td>
<td>Additions/</td>
<td>Retirements/</td>
</tr>
<tr>
<td></td>
<td>Balance</td>
<td>Transfers</td>
<td>Transfers</td>
</tr>
<tr>
<td>Capital Assets:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-depreciable:</td>
<td>$55,997,969</td>
<td>$194,404</td>
<td>$0</td>
</tr>
<tr>
<td>Land</td>
<td>87,014,476</td>
<td>0</td>
<td>87,014,476</td>
</tr>
<tr>
<td>Construction in Progress</td>
<td>7,102,155</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Depreciable:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Improvements</td>
<td>16,816,867</td>
<td>7,084,700</td>
<td>0</td>
</tr>
<tr>
<td>Buildings</td>
<td>502,641,988</td>
<td>120,271,930</td>
<td>0</td>
</tr>
<tr>
<td>Equipment</td>
<td>52,508,545</td>
<td>2,508,323</td>
<td>5,322,771</td>
</tr>
<tr>
<td>Library Books</td>
<td>67,177,405</td>
<td>2,605,734</td>
<td>579,667</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>483,059</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Capital Assets</td>
<td>789,342,464</td>
<td>132,665,091</td>
<td>92,916,914</td>
</tr>
</tbody>
</table>

Less Accumulated Depreciation:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Beginning</td>
<td>Additions/</td>
<td>Retirements/</td>
</tr>
<tr>
<td></td>
<td>Balance</td>
<td>Transfers</td>
<td>Transfers</td>
</tr>
<tr>
<td>Land Improvements</td>
<td>11,234,468</td>
<td>1,066,478</td>
<td>0</td>
</tr>
<tr>
<td>Buildings</td>
<td>221,804,941</td>
<td>16,747,642</td>
<td>0</td>
</tr>
<tr>
<td>Equipment</td>
<td>42,708,793</td>
<td>3,699,281</td>
<td>5,322,771</td>
</tr>
<tr>
<td>Library Books</td>
<td>53,319,948</td>
<td>3,153,719</td>
<td>579,667</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>120,765</td>
<td>48,306</td>
<td>0</td>
</tr>
<tr>
<td>Total Accumulated Depreciation</td>
<td>329,188,915</td>
<td>24,715,426</td>
<td>5,902,438</td>
</tr>
</tbody>
</table>

Capital Assets, Net $460,153,549 $107,949,665 $87,014,476 $481,088,738
Capital Assets:

Non-depreciable:

- Land: $54,783,526 + $814,443 - $ - 55,597,969
- Construction in Progress: 65,932,640 + 52,351,979 - 31,270,143 87,014,476
- Capitalized Collections: 7,102,155 - - 7,102,155

Depreciable:

- Land Improvements: 17,679,724 - 862,857 16,816,867
- Buildings: 433,406,782 + 71,892,144 - 2,656,938 502,641,988
- Equipment: 50,725,018 + 4,080,576 - 2,297,049 52,508,545
- Library Books: 64,811,013 + 2,543,367 - 176,975 67,177,405
- Intangible Assets: 483,059 - - 483,059

Total Capital Assets: 694,923,917 + 131,682,509 - 37,263,962 789,342,464

Less Accumulated Depreciation:

- Land Improvements: 10,788,372 + 769,667 - 11,234,468
- Buildings: 210,966,012 + 13,495,867 - 221,804,941
- Equipment: 42,362,137 + 2,643,705 - 42,708,793
- Library Books: 50,830,016 + 2,666,907 - 53,319,948
- Intangible Assets: 72,459 + 48,306 - 120,765

Total Accumulated Depreciation: 315,018,996 + 19,624,452 - 5,454,533 329,188,915


NOTE 6 - NONCURRENT LIABILITIES

Noncurrent liabilities consist of the following as of June 30, 2011 and June 30, 2010:

<table>
<thead>
<tr>
<th>Due Dates</th>
<th>Interest Rate-%</th>
<th>2011 Beginning Balance</th>
<th>Additions</th>
<th>Reductions</th>
<th>2011 Ending Balance</th>
<th>Current</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996 Bonds Payable</td>
<td>1997-11 5.25-5.25</td>
<td>$315,000</td>
<td>-</td>
<td>315,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>2003A Bonds Payable</td>
<td>2007-33 2.5-5.25</td>
<td>28,270,000</td>
<td>-</td>
<td>1,360,000</td>
<td>26,910,000</td>
<td>1,415,000</td>
</tr>
<tr>
<td>2003A Bond Premium</td>
<td></td>
<td>580,653</td>
<td>-</td>
<td>25,338</td>
<td>555,315</td>
<td>25,338</td>
</tr>
<tr>
<td>2004 Bonds Payable</td>
<td>2005-34 2.25-5.25</td>
<td>55,685,000</td>
<td>-</td>
<td>1,645,000</td>
<td>54,040,000</td>
<td>1,700,000</td>
</tr>
<tr>
<td>2004 Bonds Premium</td>
<td></td>
<td>1,106,468</td>
<td>-</td>
<td>46,103</td>
<td>1,060,365</td>
<td>46,103</td>
</tr>
<tr>
<td>2007A Bonds Payable</td>
<td>2010-36 4.00-5.75</td>
<td>41,320,000</td>
<td>-</td>
<td>820,000</td>
<td>40,500,000</td>
<td>850,000</td>
</tr>
<tr>
<td>2007A Bond Premium</td>
<td></td>
<td>1,193,888</td>
<td>-</td>
<td>44,942</td>
<td>1,149,396</td>
<td>44,942</td>
</tr>
<tr>
<td>2008 Bonds Payable</td>
<td>2008-36 3.00-4.75</td>
<td>20,245,000</td>
<td>-</td>
<td>370,000</td>
<td>19,875,000</td>
<td>380,000</td>
</tr>
<tr>
<td>Capital Leases</td>
<td>2010-40 2.33-5.08</td>
<td>72,058,028</td>
<td>7,459,451</td>
<td>3,488,209</td>
<td>76,029,270</td>
<td>6,933,194</td>
</tr>
<tr>
<td>Total Debt</td>
<td></td>
<td>220,774,037</td>
<td>7,459,451</td>
<td>8,114,142</td>
<td>220,119,346</td>
<td>11,394,127</td>
</tr>
<tr>
<td>Perkins Student Loans</td>
<td></td>
<td>10,306,132</td>
<td>413,345</td>
<td>22,971</td>
<td>10,696,506</td>
<td>-</td>
</tr>
<tr>
<td>Deposits</td>
<td></td>
<td>893,437</td>
<td>4,314,186</td>
<td>3,516,706</td>
<td>1,690,917</td>
<td>-</td>
</tr>
<tr>
<td>Compensated Absences</td>
<td></td>
<td>9,193,018</td>
<td>436,155</td>
<td>-</td>
<td>9,629,173</td>
<td>902,939</td>
</tr>
<tr>
<td>Less Current Portion long-term liabilities</td>
<td></td>
<td>241,166,624</td>
<td>12,623,137</td>
<td>11,653,819</td>
<td>242,135,942</td>
<td>12,297,066</td>
</tr>
<tr>
<td>Long-Term Liabilities</td>
<td></td>
<td>(9,059,301)</td>
<td>-</td>
<td>(9,059,301)</td>
<td>(12,297,066)</td>
<td>-</td>
</tr>
</tbody>
</table>

28
In May 2008, the University issued general receipts bonds in the amount of $20,910,000. The General Receipts Series 2008 Bonds were issued as fixed rate bonds maturing in 2013, 2033 and 2036. The proceeds of the bonds were used to refinance the 2003B and 2007B Bonds. The bonds have various call provisions.

During the year ended June 30, 2007, the University issued Series 2007A general receipts bonds. The Series 2007A general receipts bonds were issued for $42,110,000, bear interest rates between 4% and 5.75%, and mature in 2036. Proceeds were used to fund the construction of a new Student Center.

The Series 2007B general receipts bonds were issued for $9,210,000. They bear variable interest rates that reset weekly and mature in 2036. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was 4.51% at April 24, 2008. Proceeds were used to fund the construction of a new building on the University’s campus to house the College of Education and Human Services. This bond was called and refinanced in May 2008, using the proceeds of the General Receipts Series 2008 Bonds.

In August 2004, the University issued general receipts bonds in the amount of $62,000,000. The General Receipts Series 2004 Bonds were issued as fixed rate bonds with serial maturities through 2008 and term bonds maturing in 2014, 2019, 2024, 2029 and 2034. The proceeds of the bonds were used to pay the cost of a variety of projects, including construction of a student center, parking facilities and a bookstore, renovations to a portion of Fenn Tower, and landscaping and other permanent site improvements to the main plaza.

In June 2003, the University issued Series 2003A and 2003B (Series 2003) general receipts bonds. The Series 2003A general receipts bonds were issued for $35,745,000, bear interest rates between 2.5% and 5.25%, and mature in 2033. Proceeds were used to refund outstanding Series 1993 general receipts bonds, rehabilitate the Howe Mansion and construct an Administrative Center.

Interest expense on indebtedness was $9,460,196 in fiscal 2011 and $5,275,459 in fiscal 2010. On construction-related debt, interest cost of $0 was capitalized in fiscal 2011, and $4,420,254, net of $626,222 of interest earned on invested proceeds, was capitalized in fiscal 2010.
The University leases various pieces of equipment which have been recorded under various capital leases in amounts representing the present value of future minimum lease payments. Capital lease obligations are collateralized by equipment with an aggregate net book value of $37,909,684 at June 30, 2011 and $46,764,994 at June 30, 2010. The capital leases have varying maturity dates through 2041.

Principal and interest payable for the next five years and in subsequent five-year increments are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Bonds Payable</th>
<th></th>
<th>Capital Leases</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Principal</td>
<td>Interest</td>
<td>Principal</td>
<td>Interest</td>
</tr>
<tr>
<td>2012</td>
<td>$4,345,000</td>
<td>$6,806,085</td>
<td>$6,933,194</td>
<td>$3,082,806</td>
</tr>
<tr>
<td>2013</td>
<td>9,635,000</td>
<td>6,629,935</td>
<td>7,224,243</td>
<td>2,618,342</td>
</tr>
<tr>
<td>2014</td>
<td>3,935,000</td>
<td>6,230,760</td>
<td>6,280,418</td>
<td>2,319,360</td>
</tr>
<tr>
<td>2015</td>
<td>4,135,000</td>
<td>6,033,579</td>
<td>6,064,002</td>
<td>2,057,673</td>
</tr>
<tr>
<td>2016</td>
<td>4,355,000</td>
<td>5,820,904</td>
<td>6,215,588</td>
<td>1,798,438</td>
</tr>
<tr>
<td>2017-2021</td>
<td>23,620,000</td>
<td>49,271,125</td>
<td>27,226,825</td>
<td>5,099,785</td>
</tr>
<tr>
<td>2022-2026</td>
<td>27,360,000</td>
<td>46,914,687</td>
<td>3,295,000</td>
<td>2,021,982</td>
</tr>
<tr>
<td>2027-2031</td>
<td>34,715,000</td>
<td>46,934,750</td>
<td>3,785,000</td>
<td>1,547,654</td>
</tr>
<tr>
<td>2032-2036</td>
<td>29,225,000</td>
<td>32,660,450</td>
<td>4,385,000</td>
<td>990,043</td>
</tr>
<tr>
<td>2037-2041</td>
<td>-</td>
<td>-</td>
<td>4,620,000</td>
<td>321,313</td>
</tr>
<tr>
<td></td>
<td>$141,325,000</td>
<td>$207,302,275</td>
<td>$76,029,270</td>
<td>$21,857,396</td>
</tr>
</tbody>
</table>

The University has entered into various lease agreements for office equipment, and office and classroom space, which are considered operating leases. The University has leased space in the Fenn Tower building from the Corporation, which it uses for classrooms and meeting rooms. Total rental expense under operating leases during the years ended June 30, 2011 and 2010 amounted to $2,581,938 and $1,679,523, respectively. The operating leases have varying maturity dates through 2042.

Future minimum operating lease payments as of June 30, 2011 are as follows:

<table>
<thead>
<tr>
<th>Year Ending June 30</th>
<th>Operating Leases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$1,991,250</td>
</tr>
<tr>
<td>2013</td>
<td>1,747,861</td>
</tr>
<tr>
<td>2014</td>
<td>1,403,024</td>
</tr>
<tr>
<td>2015</td>
<td>1,397,024</td>
</tr>
<tr>
<td>2016</td>
<td>860,900</td>
</tr>
<tr>
<td>2017-2021</td>
<td>4,304,500</td>
</tr>
<tr>
<td>2022-2026</td>
<td>4,304,500</td>
</tr>
<tr>
<td>2027-2031</td>
<td>4,304,500</td>
</tr>
<tr>
<td>2032-2036</td>
<td>4,304,500</td>
</tr>
<tr>
<td>2037-2041</td>
<td>2,150,791</td>
</tr>
<tr>
<td>2042</td>
<td>430,158</td>
</tr>
<tr>
<td></td>
<td>$27,199,008</td>
</tr>
</tbody>
</table>
NOTE 7 - EMPLOYMENT BENEFIT PLANS

Retirement Plans

Substantially all non-student University employees are covered by one of three retirement plans. The university faculty are covered by the State Teachers Retirement System of Ohio (STRS). Non-faculty employees are covered by the Ohio Public Employees Retirement System (OPERS). Employees may opt out of STRS and OPERS and participate in the Alternative Retirement Plan (ARP).

STRS and OPERS both offer three separate retirement plans: the defined benefit plan, the defined contribution plan, and a combined plan.

Defined Benefit Plans

STRS is a statewide retirement plan for certified teachers. STRS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefits are established by State statute. Contribution rates are established by the State Teachers Retirement Board, not to exceed the statutory maximum rates of 10% for employees and 14% for employers. Currently, employees contribute 10% of covered payroll and employers contribute 14% of covered payroll. The University's contributions to STRS for the years ended June 30, 2011, 2010, and 2009 were $7,282,885, $7,185,855, and $7,402,446, respectively, equal to the required contributions for each year. STRS issues a stand-alone financial report. The report may be obtained by writing to STRS Ohio, 275 East Broad Street, Columbus, OH 43215-3771, by calling 1-888-227-7877, or by visiting the STRS Ohio website at www.strsoh.org.

OPERS is a statewide retirement plan, which covers non-teaching University employees. OPERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefits are established by State statute. Contribution rates are established by the Ohio Public Employee Retirement Board, not to exceed the statutory maximum rates of 10% for employees and 14% for employers. Currently, employees contribute 10% of covered payroll and employers contribute 14% of covered payroll. The University's contributions to OPERS for the years ended June 30, 2011, 2010, and 2009 were $7,437,768, $7,228,118, and $7,364,278, respectively, equal to the required contributions for each year. OPERS issues a stand-alone financial report. The report may be obtained by writing to OPERS, 277 East Town Street, Columbus, OH 43215-4642, or by calling (614) 222-5601 or 800-222-7377.

Defined Contribution Plan

The University also offers eligible employees an alternative retirement program. The University is required to contribute to STRS 3.50% of earned compensation for those employees participating in the alternative retirement program. The University’s contributions for the years ended June 30, 2011, 2010 and 2009 were $371,702, $347,415 and $327,263, respectively, which equal 3.50% of earned compensation.

STRS also offers a defined contribution plan in addition to its long established defined benefit plan. All employee contributions and employer contributions at a rate of 10.5% are placed in an investment account directed by the employee. Disability benefits are limited to the employee’s account balance. Employees electing the defined contribution plan receive no postretirement healthcare benefits.

OPERS also offers a defined contribution plan, the Member-Directed Plan (MD). The MD plan does not provide disability benefits, annual cost-of-living adjustments, postretirement healthcare benefits or death benefits to plan members and beneficiaries. Benefits are entirely dependent on the sum of contributions and investment returns earned by each participant’s choice of investment options.
Combined Plans

STRS offers a combined plan with features of both a defined contribution plan and a defined benefit plan. In the combined plan, employee contributions are invested in self-directed investments, and the employer contribution is used to fund a reduced defined benefit. Employees electing the combined plan receive postretirement healthcare benefits.

OPERS also offers a combined plan. This is a cost-sharing, multiple-employer defined benefit plan that has elements of both a defined benefit and defined contribution plan. In the combined plan, employee contributions are invested in self-directed investments, and the employer contribution is used to fund a reduced defined benefit. OPERS also provides retirement, disability, survivor, and postretirement healthcare benefits to qualified members.

Postemployment Benefits

STRS provides other postemployment benefits (OPEB) to all retirees and their dependents, while OPERS provides postretirement healthcare coverage to age and service retirants (and dependents) with 10 or more years of qualifying Ohio service credit. Healthcare coverage for disability recipients and primary survivor recipients is also available under OPERS. A portion of each employer’s contributions is set aside for the funding of postretirement health care. For STRS, this rate was 1.0% of the total 14.00%, while the OPERS rate was 5.0% of the total 14.00% for the year ended June 30, 2010.

The Ohio Revised Code provides the statutory authority for public employers to fund postretirement health care through their contributions to STRS and OPERS. Postretirement healthcare under STRS is financed on a pay-as-you-go basis. The amount contributed by the University to STRS to fund these benefits for the years ended June 30, 2011, 2010 and 2009 was $520,206, $513,275, and $528,746, respectively.

Postretirement health care under OPERS is advance-funded on an actuarially determined basis. The amount contributed by the University to OPERS for OPEB funding for the years ended June 30, 2011, 2010 and 2009 was $3,718,884, $3,614,059 and $3,682,139, respectively.

NOTE 8 - RISK MANAGEMENT

The University is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. On July 1, 1993, the University joined with 11 other state-assisted universities in Ohio to form an insurance-purchasing pool for the acquisition of commercial property and casualty insurance. The University pays annual premiums to the pool for its property and casualty insurance coverage based on its percentage of the total insurable value to the pool. Future contributions will be adjusted based upon each university’s loss history. Each university has a base deductible of $100,000. The next $250,000 of any one claim is the responsibility of the pool, which has a total annual aggregate deductible limit of $700,000. The commercial property insurer is liable for the amount of any claim in excess of $350,000, or $100,000 in the event the pool has reached its annual limit. There were no significant reductions in coverage from the prior year.
The University maintains a self-insured dental plan for its employees. The University’s risk exposure is limited to claims incurred. The changes in the total liability for actual and estimated dental claims for the years ended June 30, 2011 and 2010 are summarized below:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability at beginning of year</td>
<td>$9,961</td>
<td>$7,161</td>
</tr>
<tr>
<td>Claims Incurred</td>
<td>1,122,459</td>
<td>1,070,420</td>
</tr>
<tr>
<td>Claims Paid</td>
<td>(1,117,414)</td>
<td>(1,067,620)</td>
</tr>
<tr>
<td>Liability at end of year</td>
<td>$15,006</td>
<td>$9,961</td>
</tr>
</tbody>
</table>

The University maintains a self-insured medical plan for its employees. The University’s risk exposure is limited to claims incurred. There is a $150,000 specific stop loss for any given claim. The changes in the total liability for actual and estimated medical claims for the years ended June 30, 2011 and 2010 are summarized below:

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability at beginning of year</td>
<td>$1,094,764</td>
<td>$1,209,483</td>
</tr>
<tr>
<td>Claims Incurred</td>
<td>10,094,073</td>
<td>8,870,542</td>
</tr>
<tr>
<td>Claims Paid</td>
<td>(9,321,162)</td>
<td>(8,866,997)</td>
</tr>
<tr>
<td>IBNR-(Decrease) Increase in estimated claims</td>
<td>(920,282)</td>
<td>(118,264)</td>
</tr>
<tr>
<td>Liability at end of year</td>
<td>$947,393</td>
<td>$1,094,764</td>
</tr>
</tbody>
</table>

Medical claims are based upon estimates of the claims liabilities. Estimates are based upon past experience, medical inflation trends, and current claims outstanding, including year-end lag analysis. Differences between the estimated claims payable and actual claims paid are reported as an operating expense in the statement of revenue, expenses and changes in net assets.

The University participates in a State pool of agencies and universities that pays workers’ compensation premiums into the State Insurance Fund on a pay-as-you-go basis (the Plan), which pays workers’ compensation benefits to beneficiaries who have been injured on the job. Losses from asserted and unasserted claims for the participating state agencies and universities in the Plan are accrued by the Ohio Bureau of Workers’ Compensation (the Bureau) based on estimates that incorporate past experience, as well as other considerations including the nature of each claim or incident and relevant trend factors. Participants in the Plan annually fund the workers’ compensation liability based on rates set by the Bureau to collect cash needed in subsequent fiscal years to pay the workers’ compensation claims of participating state agencies and universities.

During the normal course of its operations, the University has become a defendant in various legal actions. It is not possible to estimate the outcome of these legal actions; however, in the opinion of legal counsel and the University administration, the disposition of these pending cases will not have a material adverse effect on the financial condition or operations of the University. Settled claims resulting from these risks have not exceeded insurance coverage in any of the past three fiscal years.
NOTE 9 - GRANT CONTINGENCIES

The University receives significant financial assistance from numerous federal, state and local agencies in the form of grants. The disbursement of funds received under these programs generally requires compliance with terms and conditions specified in the grant agreements and are subject to audit by the grantor agencies. Any disallowed claims resulting from such audits could become a liability of the University. However, in the opinion of the University administration, any such disallowed claims will not have a material effect on any of the financial statements of the University at June 30, 2011.

NOTE 10 - NET ASSETS

The temporarily and permanently restricted net assets of the Foundation are balances whose use by the Foundation has been limited by the donors to a specific time period or purpose. Temporarily restricted net assets are available, and permanently restricted net assets are held in perpetuity, for the following purposes:

<table>
<thead>
<tr>
<th></th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instruction</td>
<td>$ 4,897,637</td>
<td>$ 6,260,536</td>
</tr>
<tr>
<td>Research</td>
<td>269,121</td>
<td>797,032</td>
</tr>
<tr>
<td>Public service</td>
<td>4,914,969</td>
<td>50,607</td>
</tr>
<tr>
<td>Academic support</td>
<td>1,140,804</td>
<td>2,450,951</td>
</tr>
<tr>
<td>Financial aid</td>
<td>8,100,831</td>
<td>29,873,296</td>
</tr>
<tr>
<td>Institutional support</td>
<td>2,489,770</td>
<td>1,099,430</td>
</tr>
<tr>
<td>Auxiliary enterprises</td>
<td>581,908</td>
<td>37,867</td>
</tr>
<tr>
<td></td>
<td>$ 22,395,040</td>
<td>$ 40,569,719</td>
</tr>
</tbody>
</table>

NOTE 11 - COMPONENT UNITS

The Foundation and the Corporation are legally separate not-for-profit entities organized for the purpose of providing support to the University. Both the Foundation and the Corporation are exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code.

The Foundation acts primarily as a fund-raising organization to supplement the resources that are available to the University in support of its programs. The Board of the Foundation is self-perpetuating and consists of business leaders and friends of the University. Although the University does not control the timing or amount of receipts from the Foundation, the majority of resources, or income thereon, that the Foundation holds and invests are restricted to the activities of the University by donors. Because these restricted resources held by the Foundation can only be used by, or for the benefit of, the University, the Foundation is considered a component unit of the University and is discretely presented in the University’s financial statements. Complete financial statements for the Foundation can be obtained from the Office of the Executive Director at 2121 Euclid Avenue, Keith Building Room 323, Cleveland, OH 44115-2214.
During the years ended June 30, 2011 and 2010, the Foundation paid $3,802,834 and $3,880,958, respectively, to the University. At June 30, 2011 and 2010, the University had receivables from the Foundation totaling $1,051,798 and $662,662, respectively.

As authorized by the Board of Trustees, beginning in fiscal year 1998, the University placed Endowment and Quasi-Endowment funds on deposit with the Foundation for investment. At June 30, 2011 and 2010, the amount on deposit with the Foundation totaled $2,590,934 and $1,993,632, respectively.

The Corporation was organized primarily to further the educational mission of the University by developing, owning and managing housing for the students, faculty and staff of the University. On March 1, 2005, the Corporation leased the Fenn Tower building, located on the University’s campus, from the University. Annual rent is equal to the net available cash flows from the Fenn Tower project. No rent was paid during fiscal years 2010 and 2009. On March 1, 2005, the Corporation entered into a Development Agreement with American Campus Communities (ACC) to plan, design and construct housing units in Fenn Tower. In addition, the Corporation entered into a Management Agreement with ACC to manage Fenn Tower. The project was completed in August 2006. The facility has the capacity to house 430 residents.

On March 17, 2005, the Corporation issued $34,385,000 of Cleveland-Cuyahoga County Port Authority bonds (Series 2005 Bonds) to finance the costs of the Fenn Tower project. The Series 2005 Bonds are serial bonds maturing between 2007 and 2036. Interest rates are fixed and vary from 3.0% to 4.5%.

On June 1, 2008, the Corporation leased land, owned by the University and located on its campus, from the University. On August 22, 2008, the Corporation entered into a design-build agreement with the Apostolos Group to construct a 623-car parking garage on the site. On July 1, 2008, the Corporation entered into a lease agreement with the University to operate the garage once construction is completed. On July 25, 2008, the Corporation issued $14,500,000 of tax-exempt bonds with the Cleveland-Cuyahoga County Port Authority to finance construction of the garage. The Series 2008 Bonds are serial bonds maturing between 2009 and 2040. They bear variable interest rates that reset weekly. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was .09% at June 30, 2011. Construction of the garage was completed in August 2009.

On December 18, 2009, the Corporation leased land, owned by the University and located on its campus, from the University. On August 24, 2009, the Corporation entered into a development agreement with ACC to plan, design and construct 600 beds of student housing and a 300-car parking garage on this land. In addition, the Corporation entered into a management agreement with ACC to manage the student housing. On December 18, 2009, the Corporation issued $59,005,000 of County of Cuyahoga, Ohio bonds (Series 2009 bonds) to finance the project. The 2009 bonds are serial bonds maturing between 2011 and 2042. They bear variable interest rates that are reset weekly. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was .08% at June 30, 2011. Phase 1 opened in August 2010, and Phase 2 is scheduled to open in August 2011.
Principal and interest payable for the next five years and in subsequent five-year increments are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Principal</th>
<th>Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$1,150,000</td>
<td>$3,904,880</td>
</tr>
<tr>
<td>2013</td>
<td>1,190,000</td>
<td>3,870,187</td>
</tr>
<tr>
<td>2014</td>
<td>1,520,000</td>
<td>3,824,066</td>
</tr>
<tr>
<td>2015</td>
<td>1,665,000</td>
<td>3,774,589</td>
</tr>
<tr>
<td>2016</td>
<td>1,825,000</td>
<td>3,717,343</td>
</tr>
<tr>
<td>2017-2021</td>
<td>11,765,000</td>
<td>17,422,632</td>
</tr>
<tr>
<td>2022-2026</td>
<td>15,195,000</td>
<td>14,855,559</td>
</tr>
<tr>
<td>2027-2031</td>
<td>19,205,000</td>
<td>11,605,683</td>
</tr>
<tr>
<td>2032-2036</td>
<td>24,275,000</td>
<td>7,610,667</td>
</tr>
<tr>
<td>2037-2041</td>
<td>20,975,000</td>
<td>3,193,054</td>
</tr>
<tr>
<td>2042-2043</td>
<td>6,945,000</td>
<td>367,865</td>
</tr>
<tr>
<td></td>
<td>$105,710,000</td>
<td>$74,146,525</td>
</tr>
</tbody>
</table>

Complete financial statements for the Corporation can be obtained from the Office of the President at 2121 Euclid Avenue, Administration Center Room 209, Cleveland, OH 44115-2214.

**NOTE 12 - SUBSEQUENT EVENT**

On September 23, 2011, the University issued taxable general receipts bonds in the principal amount of $5,775,000. The General Receipts Series 2011 Bonds were issued as fixed rate bonds with monthly maturities beginning October 1, 2013 through April 1, 2042. Interest is payable monthly at the rate of 5.32%. The proceeds of the bonds will be used to finance a portion of the costs of public improvements identified as the North Campus Neighborhood - Project Phase I. This phase is the subject of a "project development agreement" dated July 14, 2011 by and between Cleveland State University and CSU Housing, LLC, an Ohio limited liability company which serves as the project developer.
Cleveland State University

Financial Report
Including Supplemental Information
June 30, 2012
<table>
<thead>
<tr>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
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<td>Report of Independent Auditors</td>
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</tr>
<tr>
<td>Management’s Discussion and Analysis</td>
<td>3-10</td>
</tr>
<tr>
<td>Basic Financial Statements</td>
<td></td>
</tr>
<tr>
<td>Statement of Net Assets</td>
<td>11</td>
</tr>
<tr>
<td>Statement of Revenue, Expenses, and Changes in Net Assets</td>
<td>12</td>
</tr>
<tr>
<td>Statement of Cash Flows</td>
<td>13-14</td>
</tr>
<tr>
<td>Statements of Financial Position (Component Units):</td>
<td></td>
</tr>
<tr>
<td>The Cleveland State University Foundation, Inc.</td>
<td>15</td>
</tr>
<tr>
<td>Euclid Avenue Development Corporation</td>
<td>16</td>
</tr>
<tr>
<td>Statements of Activities (Component Units):</td>
<td></td>
</tr>
<tr>
<td>The Cleveland State University Foundation, Inc.</td>
<td>17</td>
</tr>
<tr>
<td>Euclid Avenue Development Corporation</td>
<td>18</td>
</tr>
<tr>
<td>Notes to Financial Statements</td>
<td>19-37</td>
</tr>
</tbody>
</table>
Independent Auditor’s Report

To the Board of Trustees
Cleveland State University

We have audited the accompanying financial statements of Cleveland State University (the “University”) as of and for the years ended June 30, 2012 and 2011. We did not audit the financial statements of Cleveland State University Foundation, Inc. (the “Foundation”) and Euclid Avenue Development Corporation (the “Corporation”), which present all of the balances and activity reported in the discretely presented component units. Those financial statements were audited by other auditors, whose report thereon has been furnished to us, and our opinion, insofar as it relates to the amounts included for the Foundation and Corporation, are based on the report of the other auditors. The University and the discretely presented component units collectively comprise the basic financial statements. These financial statements are the responsibility of the University’s management. Our responsibility is to express opinions on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the basic financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, based on our audits and the reports of the other auditors, the basic financial statements referred to above present fairly, in all material respects, the respective financial position of Cleveland State University and its discretely presented component units as of June 30, 2012 and 2011 and the respective changes in financial position and cash flows, if applicable, for the years then ended, in conformity with accounting principles generally accepted in the United States of America.
To the Board of Trustees
Cleveland State University

In accordance with Government Auditing Standards, we have also issued our report dated October 15, 2012 on our consideration of Cleveland State University’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide opinions on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that management's discussion and analysis, as identified on pages 3 through 10, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplemental information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Toledo, Ohio
October 15, 2012
Introduction

The following discussion and analysis provides an overview of the financial position and activities of Cleveland State University (the “University”) as of and for the year ended June 30, 2012. This discussion has been prepared by management and should be read in conjunction with the financial statements and the notes thereto, which follow this section.

The University was established in 1964 by action of the Ohio General Assembly and is part of the State of Ohio’s (the “State”) system of State-supported and State-assisted institutions of higher education. It is one of the 13 State universities in Ohio. By statute, it is a body politic and corporate and an instrumentality of the State. Located in the city of Cleveland, the University is an urban institution. A majority of the University’s students commute daily from their homes in the Cleveland metropolitan area.

Using the Annual Financial Report

The University’s financial report includes financial statements prepared in accordance with Governmental Accounting Standards Board (GASB) Statement No. 35, Basic Financial Statements - and Management’s Discussion and Analysis - for Public Colleges and Universities. These principles require that financial statements be presented on a consolidated basis to focus on the financial condition, the changes in financial condition, and the cash flows of the University as a whole. Many other nonfinancial factors also must be considered in assessing the overall health of the University, such as enrollment trends, student retention, strength of the faculty, condition of the buildings, and the safety of the campus.

The financial statements prescribed by GASB Statement No. 35 (the Statement of Net Assets, the Statement of Revenue, Expenses and Changes in Net Assets, and the Statement of Cash Flows) present financial information in a form similar to that used by corporations. They are prepared under the accrual basis of accounting, whereby revenue and assets are recognized when the service is provided and expenses and liabilities are recognized when others provide the service, regardless of when cash is exchanged.

Under the provisions of GASB Statement No. 39, Determining Whether Certain Organizations are Component Units, the Cleveland State University Foundation, Inc. (the “Foundation”) and the Euclid Avenue Development Corporation (the “Corporation”) are treated as component units of the University. Accordingly, the Foundation and the Corporation are discretely presented in the University’s financial statements. The Foundation and the Corporation are excluded from the management’s discussion and analysis. Financial statements for the Foundation can be obtained from the Office of the Executive Director at 2121 Euclid Avenue, Keith Building Room 300, Cleveland, OH 44115-2214; financial statements for the Corporation can be obtained from the Office of the Vice President for Business Affairs and Finance at 2121 Euclid Avenue, Administration Center Room 210, Cleveland, OH 44115-2214.
**Statement of Net Assets**

The statement of net assets presents the financial position of the University at the end of the fiscal year and includes all assets and liabilities. The difference between assets and liabilities—net assets—is one indicator of the current financial condition of the University, while the change in net assets is an indicator of whether the overall financial condition has improved or worsened during the year. Assets and liabilities are generally measured using current values. One notable exception is capital assets, which are stated at historical cost less an allowance for depreciation. A summary of the University’s assets, liabilities, and net assets at June 30, 2012, 2011, and 2010 is as follows:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current assets</strong></td>
<td><strong>$ 58,779,879</strong></td>
<td><strong>$ 49,912,965</strong></td>
<td><strong>$ 51,420,926</strong></td>
</tr>
<tr>
<td><strong>Noncurrent assets</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital assets, net</td>
<td><strong>477,359,925</strong></td>
<td><strong>481,088,738</strong></td>
<td><strong>460,153,549</strong></td>
</tr>
<tr>
<td>Other</td>
<td><strong>91,511,510</strong></td>
<td><strong>89,488,453</strong></td>
<td><strong>99,693,462</strong></td>
</tr>
<tr>
<td><strong>Total assets</strong></td>
<td><strong>627,651,314</strong></td>
<td><strong>620,490,156</strong></td>
<td><strong>611,267,937</strong></td>
</tr>
<tr>
<td><strong>Current liabilities</strong></td>
<td><strong>50,253,020</strong></td>
<td><strong>43,914,067</strong></td>
<td><strong>42,131,497</strong></td>
</tr>
<tr>
<td><strong>Noncurrent liabilities</strong></td>
<td><strong>219,093,396</strong></td>
<td><strong>229,838,876</strong></td>
<td><strong>232,077,323</strong></td>
</tr>
<tr>
<td><strong>Total liabilities</strong></td>
<td><strong>269,346,416</strong></td>
<td><strong>273,752,943</strong></td>
<td><strong>274,208,820</strong></td>
</tr>
<tr>
<td><strong>Net assets</strong></td>
<td><strong>$ 358,304,898</strong></td>
<td><strong>$ 346,737,213</strong></td>
<td><strong>$ 337,059,117</strong></td>
</tr>
</tbody>
</table>

Current assets consist primarily of cash, operating investments, accounts and notes receivable, prepaid expenses, deferred charges, and inventories. Current liabilities consist primarily of accounts payable, accrued payroll and other liabilities, deferred revenue, and the current portion of long-term debt.

Current assets increased in 2012 from 2011, primarily due to an increase in restricted accounts receivable and unbilled grants.

Current assets decreased in 2011 from 2010, primarily due to a decrease in investments, which was partially offset by an increase in cash.

Net capital assets decreased in 2012 from 2011 by $3.7 million, or 0.8%, and increased in 2011 from 2010 by $20.9 million, or 4.5%. The decrease in 2012 was primarily due to demolition of two buildings on campus. The increase in 2011 was due to construction on the University’s campus. Projects under construction in 2011 included a new student center building and a new building to house the College of Education and Human Services.

Other assets increased in 2012 from 2011 by $2.0 million, or 2.3%. The increase was due primarily to the 2011 bond issuance increasing restricted investments.

Other assets decreased in 2011 from 2010 by $10.2 million, or 10.2%. The decrease was due primarily to the spending of bond proceeds on construction.

Liabilities decreased in 2012 from 2011 by 4.4 million, or 1.6%, primarily due to a decrease in capital lease obligations. Liabilities decreased in 2011 from 2010 by $.5 million, or .2%.
Capital and Debt Activities

One critical factor affecting the quality of the University’s programs is the development and renewal of its capital assets. Capital additions totaled $22.7 million in 2012, $45.7 million in 2011, and $100.4 million in 2010. Capital retirements totaled $16.9 million in 2012, $5.9 million in 2011, and $6.0 million in 2010. Capital additions and retirements for 2012, 2011 and 2010 exclude transfers from construction in progress to buildings in the amounts of $87.0 million in 2011 and $31.3 million in 2010. Capital additions include construction of new facilities, repair and renovation of existing facilities, and acquisition of equipment and library books. Capital asset additions are funded, in part, by capital appropriations from the State. These appropriations amounted to $3.2 million in 2012, $4.6 million in 2011, and $20.0 million in 2010.

In September, 2011, the University issued taxable general receipts bonds in the principal amount of $5,775,000. The General Receipts Series 2011 Bonds were issued as fixed rate bonds with monthly maturities beginning October 1, 2013 through April 1, 2042. Interest is payable monthly at the rate of 5.32%. The proceeds of the bonds will be used to finance a portion of the costs of public improvements identified as the North Campus Neighborhood - Project Phase I. This phase is the subject of a "project development agreement" dated July 14, 2011 by and between Cleveland State University and CSU Housing, LLC, an Ohio limited liability company which serves as the project developer.

In August 2009, the University entered into a capital lease with the Corporation in the amount of $14.5 million. The lease covers a parking garage that was constructed by the Corporation on the University’s campus. The lease requires the University to operate and maintain the garage, and to make periodic payments to the Corporation equal to its required debt service payments.

In August 2010, the University entered into a capital lease with the Corporation in the amount of $7.07 million. The lease covers a parking garage that was constructed by the Corporation on the University’s campus. The lease requires the University to operate and maintain the garage, and to make payments to the Corporation equal to its required debt service payments.

In March 2009, the University entered into a capital lease in the amount of $42.8 million. Proceeds will be used to fund a variety of energy conservation projects on the University’s campus. When the projects are complete, energy savings will be sufficient to fund the lease payments.

Net Assets

Net assets represent the residual interest in the University’s assets after liabilities are deducted. The University’s net assets at June 30, 2012, 2011, and 2010 are summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invested in capital assets, net of related debt</td>
<td>$251,117,125</td>
<td>$249,745,249</td>
<td>$254,199,231</td>
</tr>
<tr>
<td>Restricted - expendable</td>
<td>19,717,693</td>
<td>17,002,312</td>
<td>15,128,293</td>
</tr>
<tr>
<td>Restricted - nonexpendable</td>
<td>1,200,914</td>
<td>1,256,241</td>
<td>1,100,356</td>
</tr>
<tr>
<td>Unrestricted</td>
<td>86,269,166</td>
<td>78,733,411</td>
<td>66,631,237</td>
</tr>
<tr>
<td><strong>Total net assets</strong></td>
<td><strong>$358,304,898</strong></td>
<td><strong>$346,737,213</strong></td>
<td><strong>$337,059,117</strong></td>
</tr>
</tbody>
</table>
Net assets invested in capital assets, net of related debt represent the University’s capital assets net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction, or improvement of those assets. Changes in this category of net assets are due to the net effect of additions to, disposals of, and depreciation on capital assets.

Restricted-expendable net assets are subject to externally imposed restrictions governing their use. Changes in this category are due to the timing of revenue and expenses in funds provided by donors and grantors. Restricted-nonexpendable net assets consist primarily of endowment funds held by the University. Changes in this category are driven primarily by investment performance, which was positive in both 2012 and 2011.

Unrestricted net assets are not subject to externally imposed stipulations. This category includes funds functioning as endowment (quasi-endowment) of $5.3 million at June 30, 2012, $5.3 million at June 30, 2011, and $4.5 million at June 30, 2010.

For the year ended June 30, 2012, the University had an increase in total net assets of $11.6 million, or 3.4%. Net assets invested in capital assets, net of related debt, increased by $1.4 million, or .5%, because capital asset additions exceeded deductions and depreciation expense. Unrestricted net assets increased by $7.5 million, or 9.6%, due primarily to an increase in net tuition income (which went from $140.7 million in 2011 to $148.9 million in 2012), along with a decrease in operating expenses in 2012 from 2011 of $12.1 million. The decrease in operating expenses was the result of budget cuts and energy conservation efforts.

For the year ended June 30, 2011, the University had an increase in total net assets of $9.6 million, or 2.8%. Net assets invested in capital assets, net of related debt, decreased by $4.4 million, or -1.7%, because deductions and depreciation expense exceeded capital asset additions. Unrestricted net assets increased by $12.1 million or 18.2%, due primarily to increases in net tuition income (which went from $126.2 million in 2010 to $140.7 million in 2011) and in investment income (which went from $7.7 million in 2010 to $13.2 million in 2011), and increased operating expenses (which went from $269.7 million in 2010 to $292.2 million in 2011). Expenses for salaries and wages and depreciation were higher in 2011 than 2010.

Statement of Revenue, Expenses and Changes in Net Assets

The Statement of Revenue, Expenses and Changes in Net Assets presents the revenue earned and expenses incurred during the year. Activities are reported as either operating or nonoperating. As a public institution, the University is dependent on State assistance. This dependency contributed toward an operating deficit because the financial reporting model classifies State appropriations as nonoperating revenue. The utilization of capital assets is reflected in the financial statements as depreciation, which amortizes the cost of an asset over its expected useful life. Summarized revenue, expenses, and changes in net assets for the years ended June 30, 2012, June 30, 2011, and June 30, 2010 are as follows:
### Operating Revenue

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net student tuition and fees</td>
<td>$148,869,484</td>
<td>$140,713,140</td>
<td>$126,182,341</td>
</tr>
<tr>
<td>Grants and contracts</td>
<td>22,516,862</td>
<td>19,208,702</td>
<td>20,480,512</td>
</tr>
<tr>
<td>Other</td>
<td>27,360,842</td>
<td>25,643,144</td>
<td>21,103,594</td>
</tr>
<tr>
<td><strong>Total operating revenue</strong></td>
<td><strong>198,747,188</strong></td>
<td><strong>185,564,986</strong></td>
<td><strong>167,766,447</strong></td>
</tr>
</tbody>
</table>

### Operating Expenses

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Educational and general</td>
<td>226,748,245</td>
<td>236,226,386</td>
<td>226,629,451</td>
</tr>
<tr>
<td>Auxiliary enterprises</td>
<td>29,152,533</td>
<td>31,200,532</td>
<td>23,386,092</td>
</tr>
<tr>
<td>Depreciation and amortization</td>
<td>24,203,824</td>
<td>24,818,443</td>
<td>19,722,338</td>
</tr>
<tr>
<td><strong>Total operating expenses</strong></td>
<td><strong>280,104,602</strong></td>
<td><strong>292,245,361</strong></td>
<td><strong>269,737,881</strong></td>
</tr>
<tr>
<td>Operating loss</td>
<td>(81,357,414)</td>
<td>(106,680,375)</td>
<td>(101,971,434)</td>
</tr>
</tbody>
</table>

### Nonoperating Revenue, net:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>State appropriations</td>
<td>64,434,747</td>
<td>63,544,555</td>
<td>63,692,313</td>
</tr>
<tr>
<td>Other</td>
<td>25,310,529</td>
<td>48,198,477</td>
<td>42,102,246</td>
</tr>
<tr>
<td><strong>Gain before other changes</strong></td>
<td><strong>8,387,862</strong></td>
<td><strong>5,062,657</strong></td>
<td><strong>3,823,125</strong></td>
</tr>
<tr>
<td>Other changes</td>
<td>3,179,823</td>
<td>4,615,439</td>
<td>19,978,296</td>
</tr>
<tr>
<td>Increase in net assets</td>
<td>11,567,685</td>
<td>9,678,096</td>
<td>23,801,421</td>
</tr>
</tbody>
</table>

**Net assets at beginning of year**

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>$346,737,213</td>
<td>$337,059,117</td>
<td>$313,257,696</td>
<td></td>
</tr>
</tbody>
</table>

**Net assets at end of year**

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>$358,304,898</td>
<td>$346,737,213</td>
<td>$337,059,117</td>
<td></td>
</tr>
</tbody>
</table>

Total revenue and other changes in fiscal 2012, 2011 and 2010 were $300.7 million, $311.4 million, and $298.8 million, respectively. The most significant sources of 2012 operating revenue for the University were student tuition and fees of $148.9 million, grants and contracts of $22.5 million, and auxiliary services of $22.5 million.

Revenue from tuition and fees (net of scholarship allowances) increased in 2012 from 2011 by $8.2 million, or 5.8%, due to an increase in enrollment and an increase in tuition rates. Headcount enrollment increased by .35% from the prior year, while full-time equivalent enrollment increased by 1.6% from the prior year. A tuition increase of 3.5% was implemented in the Fall 2011 semester.

Revenue from tuition and fees (net of scholarship allowances) increased in 2011 from 2010 by $14.5 million, or 11.5% due to an increase in enrollment and an increase in tuition rates. Headcount enrollment increased by 5.3% from the prior year, while full-time equivalent enrollment increased by 6.1% from the prior year. A tuition increase of 3.3% was implemented in the Fall 2011 semester.

Total expenses in fiscal 2012, 2011, and 2010 were $289.1 million, $301.7 million, and $275.0 million, respectively. Operating expenses include the costs of instruction, research, public service, general administration, utilities, libraries, and auxiliary services. Operating expenses also include depreciation and amortization. Expenses decreased by $12.6 million (4.2%) in 2012, due primarily to energy conservation savings and budget cuts. The increase in total expenses of $26.7 million (9.7%) in 2011 was due primarily to increased interest on debt and depreciation expense.
Sources of nonoperating revenue include State appropriations of $64.4 million in 2012, $63.5 million in 2011, and $63.7 million in 2010; grants and contracts of $26.1 million in 2012, $29.5 million in 2011, and $24.8 million in 2010; gifts of $7.2 million in 2012, $4.4 million in 2011, and $4.5 million in 2010; and investment income of $1.0 million in 2012, $13.2 million in 2011, and $7.7 million in 2010.

Net nonoperating revenue decreased in 2012 from 2011 by $21.9 million, or 19.7%, due primarily to decreases in federal stimulus funds and investment income. Net nonoperating revenue increased in 2011 from 2010 by $5.9 million, or 5.62%, due primarily to increases in funding for the federal Pell Grants program and an increase in investment income.

Other changes consist primarily of State capital appropriations of $3.2 million in 2012, $4.6 million in 2011, and $20.0 million in 2010.

**Statement of Cash Flows**

The Statement of Cash Flows presents information related to cash inflows and outflows summarized by operating, noncapital financing, capital financing and investing activities, and helps measure the ability to meet financial obligations as they mature. A summary of the statement of cash flows for the years ended June 30, 2012, June 30, 2011 and June 30, 2010 is as follows:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net cash (used in) provided by:</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating activities</td>
<td>$(69,179,077)</td>
<td>$(86,218,223)</td>
<td>$(83,066,244)</td>
</tr>
<tr>
<td>Noncapital financing activities</td>
<td>97,466,051</td>
<td>108,664,963</td>
<td>103,454,861</td>
</tr>
<tr>
<td>Capital financing activities</td>
<td>(31,178,524)</td>
<td>(46,791,000)</td>
<td>(73,968,302)</td>
</tr>
<tr>
<td>Investing activities</td>
<td>(2,097,525)</td>
<td>27,460,659</td>
<td>66,793,739</td>
</tr>
<tr>
<td><strong>Net (decrease) increase in cash</strong></td>
<td>$(4,989,075)</td>
<td>3,116,399</td>
<td>13,214,054</td>
</tr>
<tr>
<td>Cash at beginning of year</td>
<td>27,386,909</td>
<td>24,270,510</td>
<td>11,056,456</td>
</tr>
<tr>
<td>Cash at end of year</td>
<td>$22,397,834</td>
<td>$27,386,909</td>
<td>$24,270,510</td>
</tr>
</tbody>
</table>

Major sources of cash included student tuition and fees of $148.1 million in 2012, $138.2 million in 2011, and $125.2 million in 2010; State appropriations of $64.4 million in 2012, $74.1 million in 2011, and $74.1 million in 2010; grants and contracts (operating and noncapital) of $38.2 million in 2012, $47.0 million in 2011, and $46.0 million in 2010; and auxiliary activities of $21.5 million in 2012, $20.8 million in 2011, and $15.9 million in 2010.

The largest payments were for employee compensation and benefits totaling $166.9 million in 2012, $165.6 million in 2011, and $163.9 million in 2010; suppliers of goods and services totaling $88.6 million in 2012, $103.0 million in 2011, and $88.8 million in 2010; and purchases of capital assets totaling $20.2 million in 2012, $42.6 million in 2011, and $99.4 million in 2010.

The change in cash flows from 2012 to 2011 and 2011 to 2010 in the investing category is due primarily to the University electing to leave most of its cash in the bank (because the rate of return was higher than other short-term investment vehicles), which resulted in a decrease in investments purchased.
Credit Rating

The University’s bonds are rated “A+” by Standard & Poor’s, with the most recent rating published on July 25, 2012. An “A” rating indicates a strong capacity to meet financial commitments, but somewhat susceptible to adverse economic conditions and changes in circumstances. This rating is consistent with the years ended June 30, 2011 and 2010. The highest achievable rating is “AAA.” The University’s capacity to meet its financial obligations is considered strong. The University’s bonds are rated “A1” by Moody’s Investors Service, with the most recent rating published on July 23, 2012. Obligations rated “A” by Moody’s are judged to be upper-medium grand and are subject to low credit risk. The highest achievable rating is “AAA.”

Looking Ahead

The primary challenge facing Ohio public institutions of higher learning, including Cleveland State University (CSU), continues to be maintaining the quality of academic instruction and controlling costs in the face of declining public funding from the State. In the State of Ohio’s FY12- FY13 budget, CSU lost approximately $11 million, or 15%, of its State Share of Instruction (SSI) allocation, the major state funding source for state colleges and universities. In order to help offset this significant decline in operating revenue, the University implemented plans for certain revenue enhancements and expense reductions as part of its FY12 and FY13 Operating Budget plans. Revenue from student instructional fee tuition increased 5.8% in FY12 over FY11 due to a slight increase in student credit hour enrollment and an increase in undergraduate and graduate tuition rates of 5.5% and an increase in the law tuition rate of 9.1%. Anticipated FY13 tuition revenue should benefit from improved retention of students from FY12, plus an expected increase of approximately 2.1% in student credit hour enrollment in FY13, along with a tuition rate increase of approximately 3.5% for undergraduates and graduate courses and a 9.5% increase in the tuition rate for law courses. The FY13 ratio of state funding as a percentage of total operating revenue remains the same as FY12 at approximately 29%. The percentage continues to solidify the heavy reliance on student tuition as the primary source of revenue. The ability of the University to fulfill its mission and execute its strategic plan continues to be more dependent upon student enrollment and tuition.

In order to improve recruitment and retention, the University has implemented a comprehensive enrollment plan. Tactics to achieve increased enrollment and retention include new technology system, new staff, reorganization of recruitment territories, re-engineering campus visitation programs, including a new welcome center, as well as campus and downtown Cleveland development improvements.

The University is also affected by decisions at the state level regarding capital funding through the biennial capital appropriations bill. The funds pay for campus renovation and maintenance of existing facilities, as well as refunding debt for State-approved projects that the University has assumed on its own. The State did not provide any capital funding for the capital cycle FY11-FY12. As a result of missing an entire capital funding cycle, the University has begun to reserve operating funds for undertaking necessary capital maintenance and renovation projects on campus. The University requested $12.8 million from the State for the State’s FY13-FY14 capital appropriations budget. The State accepted the University’s capital improvement plan and approved the $12.8 million funding request. The capital funding will be used for the University’s Strategic STEMM Facilities Enhancement Project comprised of engineering and inter-disciplinary laboratory upgrades and physical infrastructure improvements to the Fenn College of Engineering building.
During the Summer of 2012, the University issued Series 2012 General Receipts Bonds in the amount of $152 million. Included in this issuance was $45 million of funding for a planned new facility on campus to advance the University’s growing role in health sciences and expand its alliance with Northeast Ohio Medical University (NEOMED). The University plans to demolish a vacant dormitory and replace it with a health sciences and life sciences building. Construction is expected to begin in November 2012 with a February 2015 estimated completion.

Cleveland State University is accredited by the North Central Association of Colleges and Schools (“NCA”), until 2020, having received unconditional accreditation in 2011.

The University continues to face significant cost pressures in the future. The University has taken measures to address ongoing operating cost challenges, such as attracting and retaining high quality faculty and staff, increased costs of employee benefits, most notably medical care and prescription drug coverage, and the cost of energy. The University recently reached labor contract agreements with its four major bargaining units – AAUP (faculty union), SEIU, CWA (clerical and service employees), and FOP (police). These contracts are for a term of three years.

The University traditionally monitors its revenue sources and the operating budgets of its units very closely. While operating at a lower level of State subsidy in FY13, it appears that, barring unforeseen events, CSU should receive its expected FY13 allocation of subsidy from the State. Instructional fee tuition revenue for the Fall 2012 semester was above the plan level - $741,000 greater than the revenue budget of $65.9 million.
## Assets

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Cash Equivalents</td>
<td>$22,397,834</td>
<td>$27,386,909</td>
</tr>
<tr>
<td>Investments (Note 2)</td>
<td>1,520,971</td>
<td>9,741</td>
</tr>
<tr>
<td>Accounts Receivable, Net (Note 3)</td>
<td>31,942,637</td>
<td>19,897,366</td>
</tr>
<tr>
<td>Notes Receivable, Net (Note 3)</td>
<td>1,093,963</td>
<td>1,158,498</td>
</tr>
<tr>
<td>Accrued Interest Receivable</td>
<td>3,057</td>
<td>2,028</td>
</tr>
<tr>
<td>Prepaid Expenses, Deferred Charges and Inventories</td>
<td>1,821,417</td>
<td>1,458,423</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td>58,779,879</td>
<td>49,912,965</td>
</tr>
<tr>
<td><strong>Noncurrent Assets:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted Investments (Note 2)</td>
<td>3,701,457</td>
<td>2,116,457</td>
</tr>
<tr>
<td>Long-Term and Endowment Investments (Note 2)</td>
<td>75,071,662</td>
<td>75,302,992</td>
</tr>
<tr>
<td>Notes Receivable, Net (Note 3)</td>
<td>10,438,000</td>
<td>9,831,992</td>
</tr>
<tr>
<td>Deferred Bond Premium and Issuance Costs</td>
<td>2,300,391</td>
<td>2,237,012</td>
</tr>
<tr>
<td>Capital Assets, Net (Note 5)</td>
<td>477,359,925</td>
<td>481,088,738</td>
</tr>
<tr>
<td><strong>Total Noncurrent Assets</strong></td>
<td>568,871,435</td>
<td>570,577,191</td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td>627,651,314</td>
<td>620,490,156</td>
</tr>
</tbody>
</table>

## Liabilities

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current Liabilities:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>9,132,804</td>
<td>9,202,832</td>
</tr>
<tr>
<td>Construction Accounts Payable</td>
<td>1,219,875</td>
<td>1,029,689</td>
</tr>
<tr>
<td>Accrued Liabilities</td>
<td>9,365,939</td>
<td>8,932,323</td>
</tr>
<tr>
<td>Accrued Interest Payable</td>
<td>3,008,901</td>
<td>2,893,488</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>9,559,259</td>
<td>9,558,669</td>
</tr>
<tr>
<td>Compensated Absences - Current Portion (Note 6)</td>
<td>998,410</td>
<td>902,939</td>
</tr>
<tr>
<td>Obligations Under Capital Leases - Current Portion (Note 6)</td>
<td>7,216,899</td>
<td>6,933,194</td>
</tr>
<tr>
<td>Long-Term Debt - Current Portion (Note 6)</td>
<td>9,750,933</td>
<td>4,460,933</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td>50,253,020</td>
<td>43,914,067</td>
</tr>
<tr>
<td><strong>Noncurrent Liabilities:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accrued Liabilities (Note 6)</td>
<td>12,992,504</td>
<td>12,387,423</td>
</tr>
<tr>
<td>Compensated Absences (Note 6)</td>
<td>8,011,602</td>
<td>8,726,234</td>
</tr>
<tr>
<td>Obligations Under Capital Leases (Note 6)</td>
<td>62,436,081</td>
<td>69,096,076</td>
</tr>
<tr>
<td>Long-Term Debt (Note 6)</td>
<td>135,653,209</td>
<td>139,629,143</td>
</tr>
<tr>
<td><strong>Total Noncurrent Liabilities</strong></td>
<td>219,093,396</td>
<td>229,838,876</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td>269,346,416</td>
<td>273,752,943</td>
</tr>
</tbody>
</table>

## Net Assets

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Invested in Capital Assets, Net of Related Debt</td>
<td>251,117,125</td>
<td>249,745,249</td>
</tr>
<tr>
<td>Restricted, Expendable</td>
<td>19,717,693</td>
<td>17,002,312</td>
</tr>
<tr>
<td>Restricted, Nonexpendable</td>
<td>1,200,914</td>
<td>1,256,241</td>
</tr>
<tr>
<td>Unrestricted</td>
<td>86,269,166</td>
<td>78,733,411</td>
</tr>
<tr>
<td><strong>Total Net Assets</strong></td>
<td>$358,304,898</td>
<td>$346,737,213</td>
</tr>
</tbody>
</table>

*The accompanying notes are an integral part of the financial statements.*
# Cleveland State University

## Statement of Revenue, Expenses, and Changes in Net Assets

### Years Ended June 30, 2012 and 2011

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Revenue:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student Tuition and Fees</td>
<td>$167,855,215</td>
<td>$159,331,825</td>
</tr>
<tr>
<td>Less Scholarship Allowances</td>
<td>$18,985,731</td>
<td>$18,616,685</td>
</tr>
<tr>
<td>Net Student Tuition and Fees</td>
<td>$148,869,484</td>
<td>140,713,140</td>
</tr>
<tr>
<td>Federal Grants and Contracts</td>
<td>$10,584,556</td>
<td>9,944,701</td>
</tr>
<tr>
<td>State Grants and Contracts</td>
<td>$8,973,341</td>
<td>5,726,269</td>
</tr>
<tr>
<td>Local Grants and Contracts</td>
<td>$263,589</td>
<td>765,192</td>
</tr>
<tr>
<td>Private Grants and Contracts</td>
<td>$2,695,376</td>
<td>2,772,540</td>
</tr>
<tr>
<td>Sales and Services</td>
<td>$4,524,083</td>
<td>4,297,708</td>
</tr>
<tr>
<td>Auxiliary Enterprises</td>
<td>$22,458,921</td>
<td>20,845,190</td>
</tr>
<tr>
<td>Other Sources</td>
<td>$377,838</td>
<td>500,246</td>
</tr>
<tr>
<td>Total Operating Revenue</td>
<td>$198,747,188</td>
<td>185,564,986</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating Expenses:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instruction</td>
<td>$91,932,544</td>
<td>94,507,110</td>
</tr>
<tr>
<td>Research</td>
<td>$14,961,949</td>
<td>12,295,867</td>
</tr>
<tr>
<td>Public Service</td>
<td>$5,997,307</td>
<td>8,193,701</td>
</tr>
<tr>
<td>Academic Support</td>
<td>$23,017,435</td>
<td>23,531,908</td>
</tr>
<tr>
<td>Student Services</td>
<td>$17,787,324</td>
<td>20,953,129</td>
</tr>
<tr>
<td>Institutional Support</td>
<td>$27,057,901</td>
<td>30,856,817</td>
</tr>
<tr>
<td>Operation and Maintenance of Plant</td>
<td>$27,975,181</td>
<td>26,045,710</td>
</tr>
<tr>
<td>Scholarships and Fellowships</td>
<td>$18,018,604</td>
<td>19,842,144</td>
</tr>
<tr>
<td>Auxiliary Enterprises</td>
<td>$29,152,533</td>
<td>31,200,532</td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>$24,203,824</td>
<td>24,818,443</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>$280,104,602</td>
<td>292,245,361</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Loss</td>
<td>$(81,357,414)</td>
<td>$(106,680,375)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Nonoperating Revenue (Expenses)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Appropriations</td>
<td>$64,434,747</td>
<td>63,544,555</td>
</tr>
<tr>
<td>Federal Appropriations</td>
<td>$-</td>
<td>10,567,874</td>
</tr>
<tr>
<td>Federal Grants and Contracts</td>
<td>$23,453,217</td>
<td>26,129,061</td>
</tr>
<tr>
<td>State Grants and Contracts</td>
<td>$2,646,337</td>
<td>3,392,498</td>
</tr>
<tr>
<td>Gifts</td>
<td>$7,196,632</td>
<td>4,390,082</td>
</tr>
<tr>
<td>Investment Income</td>
<td>$1,048,743</td>
<td>13,179,158</td>
</tr>
<tr>
<td>Interest on Debt</td>
<td>$-9,034,400</td>
<td>$9,460,196</td>
</tr>
<tr>
<td>Net Nonoperating Revenue</td>
<td>$89,745,276</td>
<td>$111,743,032</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gain Before Other Changes</td>
<td>$8,387,862</td>
<td>5,062,657</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Other Changes</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Capital Appropriations</td>
<td>$3,179,823</td>
<td>4,615,439</td>
</tr>
<tr>
<td>Increase in Net Assets</td>
<td>$11,567,685</td>
<td>9,678,096</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net Assets at Beginning of Year</td>
<td>$346,737,213</td>
<td>$337,059,117</td>
</tr>
<tr>
<td>Net Assets at End of Year</td>
<td>$358,304,898</td>
<td>$346,737,213</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
Cleveland State University  
Statement of Cash Flows

<table>
<thead>
<tr>
<th>Years Ended June 30</th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cash Flows from Operating Activities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuition and Fees</td>
<td>$ 148,052,785</td>
<td>$ 138,258,310</td>
</tr>
<tr>
<td>Grants and Contracts</td>
<td>12,061,232</td>
<td>17,524,694</td>
</tr>
<tr>
<td>Payments to or On Behalf of Employees</td>
<td>(166,992,829)</td>
<td>(165,623,922)</td>
</tr>
<tr>
<td>Payments to Vendors</td>
<td>(88,587,197)</td>
<td>(103,059,287)</td>
</tr>
<tr>
<td>Loans Issued to Students</td>
<td>(2,281,222)</td>
<td>(482,271)</td>
</tr>
<tr>
<td>Collection of Loans to Students</td>
<td>2,123,105</td>
<td>1,552,483</td>
</tr>
<tr>
<td>Auxiliary Enterprises Charges</td>
<td>21,543,128</td>
<td>20,813,816</td>
</tr>
<tr>
<td>Other Receipts</td>
<td>4,901,921</td>
<td>4,797,954</td>
</tr>
<tr>
<td><strong>Net Cash Used in Operating Activities</strong></td>
<td>(69,179,077)</td>
<td>(86,218,223)</td>
</tr>
</tbody>
</table>

| **Cash Flows from Noncapital Financing Activities** |            |            |
| State Appropriations                | 64,434,747 | 74,112,429 |
| Grants and Contracts                | 26,099,554 | 29,521,559 |
| Gifts                               | 7,196,632  | 4,390,082  |
| Cash Provided by Stafford and PLUS Loans | 103,166,584 | 111,891,358 |
| Cash Used in Stafford and PLUS Loans | (103,100,000) | (112,000,000) |
| Cash Provided by Agency Fund Activities | (317,735)   | (972,680)  |
| Cash Used in Agency Fund Activities  | (13,731)   | 1,722,215  |
| **Net Cash Provided by Noncapital Financing Activities** | 97,466,051 | 108,664,963 |

| **Cash Flows from Capital Financing Activities** |            |            |
| Proceeds from Capital Debt and Leases          | 5,846,522  | 7,459,451  |
| Capital Appropriations                          | 3,179,823  | 4,615,439  |
| Purchases of Capital Assets                     | (20,274,119) | (42,642,238) |
| Principal Paid on Capital Debt and Leases       | (10,908,746) | (8,114,143) |
| Interest Paid on Capital Debt and Leases        | (9,022,004) | (8,109,509) |
| **Net Cash Used in Capital Financing Activities** | (31,178,524) | (46,791,000) |

| **Cash Flows from Investing Activities** |            |            |
| Proceeds from Sales and Maturities of Investments | 42,800,112 | 16,579,507 |
| Purchase of Investments                         | (45,665,012) | (1,962,133) |
| Interest on Investments                         | 767,375     | 12,843,285 |
| **Net Cash (Used in) Provided by Investing Activities** | (2,097,525) | 27,460,659 |
| **Net (Decrease) Increase in Cash**             | (4,989,075) | 3,116,399  |
| Cash and Cash Equivalents at Beginning of Year  | 27,386,909  | 24,270,510 |
| Cash and Cash Equivalents at End of Year         | $ 22,397,834 | $ 27,386,909 |
Cleveland State University  
Statement of Cash Flows (continued)

Reconciliation of Operating Loss to Cash Used in Operating Activities

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating Loss</td>
<td>$(81,357,414)</td>
<td>$(106,680,375)</td>
</tr>
<tr>
<td>Adjustments:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>24,203,824</td>
<td>24,818,443</td>
</tr>
<tr>
<td>Changes in Assets and Liabilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts Receivable, Net</td>
<td>(12,309,542)</td>
<td>(3,497,203)</td>
</tr>
<tr>
<td>Notes Receivable, Net</td>
<td>(158,117)</td>
<td>1,070,212</td>
</tr>
<tr>
<td>Inventories</td>
<td>32,540</td>
<td>121,900</td>
</tr>
<tr>
<td>Prepaid Expenses and Deferred Charges</td>
<td>(395,534)</td>
<td>(155,418)</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>240,988</td>
<td>(2,647,476)</td>
</tr>
<tr>
<td>Accrued Liabilities</td>
<td>563,588</td>
<td>1,472,648</td>
</tr>
<tr>
<td>Deferred Revenue</td>
<td>590</td>
<td>(720,954)</td>
</tr>
<tr>
<td>Cash Used in Operating Activities</td>
<td>$(69,179,077)</td>
<td>$(86,218,223)</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
## The Cleveland State University Foundation, Inc.
### Statement of Financial Position
#### June 30, 2012 and 2011

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>$3,346,274</td>
<td>$5,603,609</td>
</tr>
<tr>
<td>Accounts receivable</td>
<td>595,790</td>
<td>387,869</td>
</tr>
<tr>
<td>Contributions receivable, net of allowance for uncollectible contributions</td>
<td>1,660,074</td>
<td>1,034,821</td>
</tr>
<tr>
<td>Total Current Assets</td>
<td>5,602,138</td>
<td>7,026,299</td>
</tr>
<tr>
<td>Other assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributions receivable, net of allowance for uncollectible accounts</td>
<td>$8,906,214</td>
<td>$6,880,023</td>
</tr>
<tr>
<td>Long-term investments</td>
<td>54,700,811</td>
<td>50,974,702</td>
</tr>
<tr>
<td>Funds held on behalf of others:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cleveland State University (Note 11)</td>
<td>2,530,750</td>
<td>2,590,934</td>
</tr>
<tr>
<td>Cleveland State University Alumni Association</td>
<td>353,081</td>
<td>366,939</td>
</tr>
<tr>
<td>Total Other assets</td>
<td>66,490,856</td>
<td>60,812,598</td>
</tr>
<tr>
<td>Total Assets</td>
<td>72,092,994</td>
<td>67,838,897</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LIABILITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Liabilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable</td>
<td>$31,666</td>
<td>$19,243</td>
</tr>
<tr>
<td>Payable to Cleveland State University (Note 11)</td>
<td>2,343,930</td>
<td>1,051,798</td>
</tr>
<tr>
<td>Notes Payable</td>
<td>39,996</td>
<td>39,996</td>
</tr>
<tr>
<td>Annuities payable</td>
<td>33,376</td>
<td>32,517</td>
</tr>
<tr>
<td>Total Current Liabilities</td>
<td>2,448,968</td>
<td>1,143,554</td>
</tr>
<tr>
<td>Noncurrent Liabilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notes Payable</td>
<td>644,747</td>
<td>684,743</td>
</tr>
<tr>
<td>Annuities payable</td>
<td>104,169</td>
<td>108,186</td>
</tr>
<tr>
<td>Funds held on behalf of others:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cleveland State University (Note 11)</td>
<td>2,530,750</td>
<td>2,590,934</td>
</tr>
<tr>
<td>Cleveland State University Alumni Association</td>
<td>353,081</td>
<td>366,939</td>
</tr>
<tr>
<td>Total Liabilities</td>
<td>6,081,715</td>
<td>4,894,356</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NET ASSETS:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unrestricted</td>
<td>(1,178,606)</td>
<td>(184,387)</td>
</tr>
<tr>
<td>Board designated - Scholarships</td>
<td>164,391</td>
<td>164,169</td>
</tr>
<tr>
<td>Total unrestricted</td>
<td>(1,014,215)</td>
<td>(20,218)</td>
</tr>
<tr>
<td>Temporarily restricted (Note 10)</td>
<td>24,021,694</td>
<td>22,395,040</td>
</tr>
<tr>
<td>Permanently restricted (Note 10)</td>
<td>43,003,800</td>
<td>40,569,719</td>
</tr>
<tr>
<td>Total Net Assets</td>
<td>66,011,279</td>
<td>62,944,541</td>
</tr>
<tr>
<td>Total Liabilities and Net Assets</td>
<td>$72,092,994</td>
<td>$67,838,897</td>
</tr>
</tbody>
</table>

*The accompanying notes are an integral part of the financial statements.*
### Euclid Avenue Development Corporation

#### Statement of Financial Position

June 30, 2012 and 2011

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and Cash Equivalents</td>
<td>$1,707,943</td>
<td>$2,021,827</td>
</tr>
<tr>
<td>Cash held by the University</td>
<td>397,056</td>
<td>119,444</td>
</tr>
<tr>
<td>Total Cash</td>
<td>$2,104,999</td>
<td>$2,141,271</td>
</tr>
<tr>
<td>Bond proceeds / Investments</td>
<td>15,587,728</td>
<td>19,951,814</td>
</tr>
<tr>
<td>Student accounts receivable</td>
<td>54,891</td>
<td>89,027</td>
</tr>
<tr>
<td>Other receivable</td>
<td>221,408</td>
<td>118,145</td>
</tr>
<tr>
<td>Leases Receivable (current portion)</td>
<td>205,000</td>
<td>-</td>
</tr>
<tr>
<td>Prepaid Expenses</td>
<td>21,927</td>
<td>12,935</td>
</tr>
<tr>
<td>Total Current Assets</td>
<td>$18,195,953</td>
<td>$22,313,192</td>
</tr>
<tr>
<td>Other assets:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deferred bond issuance costs, net of accumulated</td>
<td>2,958,934</td>
<td>3,073,211</td>
</tr>
<tr>
<td>amortization of $612,649 in 2012 and $498,372 in 2011</td>
<td>2,958,934</td>
<td>3,073,211</td>
</tr>
<tr>
<td>Leases receivable</td>
<td>21,365,000</td>
<td>14,500,000</td>
</tr>
<tr>
<td>Property:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>1,146,460</td>
<td>1,146,460</td>
</tr>
<tr>
<td>Building</td>
<td>70,448,479</td>
<td>54,671,438</td>
</tr>
<tr>
<td>Building improvements</td>
<td>169,088</td>
<td>98,836</td>
</tr>
<tr>
<td>Furniture, fixtures and equipment</td>
<td>2,958,995</td>
<td>2,217,545</td>
</tr>
<tr>
<td>Construction in progress</td>
<td>-</td>
<td>18,071,217</td>
</tr>
<tr>
<td>Total Other depreciations</td>
<td>74,723,022</td>
<td>76,205,496</td>
</tr>
<tr>
<td>Less: Accumulated depreciation</td>
<td>(7,068,247)</td>
<td>(5,071,764)</td>
</tr>
<tr>
<td></td>
<td>67,654,775</td>
<td>71,133,732</td>
</tr>
<tr>
<td>Other assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Other assets</td>
<td>$91,978,709</td>
<td>$88,706,943</td>
</tr>
<tr>
<td>Total Assets</td>
<td>$110,174,662</td>
<td>$111,020,135</td>
</tr>
</tbody>
</table>

| **LIABILITIES**      |            |            |
| Current Liabilities: |            |            |
| Current portion of bonds payable (Note 11) | 790,000 | 660,000 |
| Current portion of notes payable | 60,000 | 60,000 |
| Accounts payable     | 484,164    | 2,694,757  |
| Accrued interest     | 1,055,025  | 1,001,229  |
| Accrued payroll       | 28,513     | 50,037     |
| Deferred revenue     | 155,707    | 120,679    |
| Security deposits     | 182,665    | 147,610    |
| Total Current Liabilities | 2,756,074 | 4,734,312 |
| Noncurrent Liabilities: |         |            |
| Deferred revenue     | 1,313,847  | 1,351,385  |
| Bonds payable, less current portion (Note 11) | 104,160,000 | 105,050,000 |
| Notes payable, less current portion | 1,561,180 | 1,621,180 |
| Total Liabilities    | $109,791,101| $112,756,877|

**NET ASSETS (DEFICIT)**

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>383,561</td>
<td>(1,736,742)</td>
</tr>
<tr>
<td>Total Liabilities and Net Assets</td>
<td>$110,174,662</td>
<td>$111,020,135</td>
</tr>
</tbody>
</table>

*The accompanying notes are an integral part of the financial statements.*
### The Cleveland State University Foundation, Inc.
#### Statement of Activities

**Year Ended June 30, 2012** (with comparative totals for the year ended June 30, 2011)

#### Revenue

<table>
<thead>
<tr>
<th></th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>179,498</td>
<td>$ 5,477,086</td>
<td>$ 2,466,566</td>
<td>8,123,150</td>
<td>11,695,550</td>
</tr>
<tr>
<td>Endowment management fee</td>
<td>23,797</td>
<td>-</td>
<td>-</td>
<td>23,797</td>
<td>22,073</td>
</tr>
<tr>
<td>Net assets released from restrictions</td>
<td>3,444,332</td>
<td>(3,444,332)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total revenue</strong></td>
<td>3,647,627</td>
<td>2,032,754</td>
<td>2,466,566</td>
<td>8,146,947</td>
<td>11,717,623</td>
</tr>
</tbody>
</table>

#### Expenses

**Program services:**

<table>
<thead>
<tr>
<th>Program Service</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instructions</td>
<td>964,479</td>
<td>-</td>
<td>-</td>
<td>964,479</td>
<td>1,205,368</td>
</tr>
<tr>
<td>Research</td>
<td>342,150</td>
<td>-</td>
<td>-</td>
<td>342,150</td>
<td>277,630</td>
</tr>
<tr>
<td>Public service</td>
<td>797,349</td>
<td>-</td>
<td>-</td>
<td>797,349</td>
<td>604,623</td>
</tr>
<tr>
<td>Academic support</td>
<td>53,583</td>
<td>-</td>
<td>-</td>
<td>53,583</td>
<td>72,434</td>
</tr>
<tr>
<td>Financial aid</td>
<td>709,690</td>
<td>-</td>
<td>-</td>
<td>709,690</td>
<td>1,374,347</td>
</tr>
<tr>
<td>Institutional support</td>
<td>122,906</td>
<td>-</td>
<td>-</td>
<td>122,906</td>
<td>118,664</td>
</tr>
<tr>
<td>Auxiliary enterprises</td>
<td>454,175</td>
<td>-</td>
<td>-</td>
<td>454,175</td>
<td>786,456</td>
</tr>
<tr>
<td><strong>Total program services</strong></td>
<td>3,444,332</td>
<td>-</td>
<td>-</td>
<td>3,444,332</td>
<td>4,439,522</td>
</tr>
</tbody>
</table>

**Supporting services:**

<table>
<thead>
<tr>
<th>Supporting Service</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management and general</td>
<td>489,459</td>
<td>-</td>
<td>-</td>
<td>489,459</td>
<td>523,869</td>
</tr>
<tr>
<td>Fundraising</td>
<td>196,141</td>
<td>-</td>
<td>-</td>
<td>196,141</td>
<td>100,671</td>
</tr>
<tr>
<td><strong>Total supporting services</strong></td>
<td>685,600</td>
<td>-</td>
<td>-</td>
<td>685,600</td>
<td>624,540</td>
</tr>
</tbody>
</table>

#### Gains/(Losses):

<table>
<thead>
<tr>
<th>Gains/(Losses)</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investment (loss) gain, including realized and unrealized losses, net</td>
<td>(43,644)</td>
<td>(766,280)</td>
<td>-</td>
<td>(809,924)</td>
<td>8,823,943</td>
</tr>
<tr>
<td>Provision for uncollectible contributions</td>
<td>(79)</td>
<td>(86,685)</td>
<td>(53,589)</td>
<td>(140,353)</td>
<td>(202,854)</td>
</tr>
<tr>
<td><strong>Total expenses and losses</strong></td>
<td>4,173,655</td>
<td>852,965</td>
<td>53,589</td>
<td>5,080,209</td>
<td>(3,557,027)</td>
</tr>
</tbody>
</table>

#### Change in Net Assets

<table>
<thead>
<tr>
<th>Change in Net Assets</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(526,028)</td>
<td>1,179,789</td>
<td>2,412,977</td>
<td>3,066,738</td>
<td>15,274,650</td>
<td></td>
</tr>
</tbody>
</table>

#### Net Assets - Beginning of Year

<table>
<thead>
<tr>
<th>Net Assets - Beginning of Year</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(20,218)</td>
<td>22,395,040</td>
<td>40,569,719</td>
<td>62,944,541</td>
<td>47,669,891</td>
<td></td>
</tr>
</tbody>
</table>

#### Reclassification of net assets (Note 11)

<table>
<thead>
<tr>
<th>Reclassification of net assets (Note 11)</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>(467,969)</td>
<td>446,865</td>
<td>21,104</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

#### Net Assets - End of Year

<table>
<thead>
<tr>
<th>Net Assets - End of Year</th>
<th>Unrestricted</th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
<th>Total</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ (1,014,215)</td>
<td>$ 24,021,694</td>
<td>$ 43,003,800</td>
<td>$ 66,011,279</td>
<td>$ 62,944,541</td>
<td></td>
</tr>
</tbody>
</table>
Euclid Avenue Development Corporation  
Statement of Activities  
Years Ended June 30, 2012 and 2011

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rental Income:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students</td>
<td>$ 7,714,137</td>
<td>$ 5,703,723</td>
</tr>
<tr>
<td>University</td>
<td>929,559</td>
<td>697,988</td>
</tr>
<tr>
<td>Other</td>
<td>161,525</td>
<td>176,949</td>
</tr>
<tr>
<td>Maintenance fee - University</td>
<td>310,709</td>
<td>234,426</td>
</tr>
<tr>
<td>Interest income</td>
<td>105,298</td>
<td>107,827</td>
</tr>
<tr>
<td>Gain on sale of assets</td>
<td>1,492,083</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>345,823</td>
<td>210,751</td>
</tr>
<tr>
<td><strong>Total revenue</strong></td>
<td>11,059,134</td>
<td>7,131,664</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>3,053,505</td>
<td>3,187,371</td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>2,260,689</td>
<td>1,697,200</td>
</tr>
<tr>
<td>Utilities</td>
<td>1,166,712</td>
<td>633,204</td>
</tr>
<tr>
<td>Payroll</td>
<td>1,333,208</td>
<td>1,092,582</td>
</tr>
<tr>
<td>Management fees</td>
<td>317,293</td>
<td>238,096</td>
</tr>
<tr>
<td>Maintenance</td>
<td>414,523</td>
<td>347,319</td>
</tr>
<tr>
<td>General and administrative</td>
<td>168,001</td>
<td>159,900</td>
</tr>
<tr>
<td>Other operating</td>
<td>96,056</td>
<td>248,398</td>
</tr>
<tr>
<td>Marketing</td>
<td>51,005</td>
<td>41,006</td>
</tr>
<tr>
<td>Accounting</td>
<td>22,507</td>
<td>28,820</td>
</tr>
<tr>
<td>Reserve allowance</td>
<td>50,797</td>
<td>31,241</td>
</tr>
<tr>
<td>Insurance</td>
<td>4,535</td>
<td>1,835</td>
</tr>
<tr>
<td><strong>Total expenses</strong></td>
<td>8,938,831</td>
<td>7,706,972</td>
</tr>
<tr>
<td><strong>Change in Net Assets</strong></td>
<td>2,120,303</td>
<td>(575,308)</td>
</tr>
<tr>
<td><strong>Net Deficit - Beginning of Year</strong></td>
<td>(1,736,742)</td>
<td>(1,161,434)</td>
</tr>
<tr>
<td><strong>Net Assets (Deficit) - End of Year</strong></td>
<td>$ 383,561</td>
<td>$ (1,736,742)</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of the financial statements.
NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Organization and Basis of Presentation

Cleveland State University (the University) was established by the General Assembly of the State of Ohio (the “State”) in 1964 by statutory act under Chapter 3344 of the Ohio Revised Code. As such, the University is a component unit of the State. The University is exempt from federal income taxes under Section 115 of the Internal Revenue Code, except for unrelated business income.

In accordance with Governmental Accounting Standards Board (GASB) Statement No. 14, The Reporting Entity, the University’s financial statements are included, as a discretely presented component unit, in the State’s Comprehensive Annual Financial Report.

The financial statements have been prepared in accordance with accounting principles generally accepted in the United States of America, as prescribed by GASB Statement No. 35, Basic Financial Statements – and Management’s Discussion and Analysis – for Public Colleges and Universities. GASB Statement No. 35 establishes standards for external financial reporting for public colleges and universities and requires that resources be classified for accounting and reporting purposes into the following net asset categories:

- **Invested in capital assets, net of related debt**: Capital assets, net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction or improvement of those assets.

- **Restricted, Expendable**: Net assets whose use by the University is subject to externally-imposed stipulations that can be fulfilled by actions of the University pursuant to those stipulations or that expire by the passage of time. Income generated from these funds may be restricted for student scholarships, loans, instruction, research, and other specific University needs.

- **Restricted, Nonexpendable**: Net assets subject to externally-imposed stipulations that they be maintained permanently by the University. Income generated from these funds may be restricted for student scholarships, loans, instruction, research, and other specific University needs.

- **Unrestricted**: Net assets that are not subject to externally-imposed stipulations. Unrestricted net assets may be designated for specific purposes by action of management or may otherwise be limited by contractual agreements with outside parties.

The accompanying financial statements have been prepared on the accrual basis. The University reports as a Business-Type Activity, as defined by GASB Statement No. 35. Business-Type Activities are those that are financed in whole or in part by fees charged to external parties for goods or services.
FASB Pronouncements

Pursuant to GASB Statement No. 20, Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting, the University has the option to apply all Financial Accounting Standards Board (FASB) pronouncements issued after November 30, 1989, unless the FASB conflicts with the GASB. The University has elected not to apply FASB pronouncements issued after the applicable date.

Operating Activities

The University’s policy for defining operating activities as reported on the statement of revenue, expenses, and changes in net assets are those that result from exchange transactions such as payments received for providing services and payments made for goods or services received. The University also classifies as operating revenue grants classified as exchange transactions and auxiliary activities. Certain significant revenue streams relied upon for operations are recorded as nonoperating revenue, including State appropriations and investment income. Operating expenses include educational resources, administrative expenses and depreciation on capital assets. Under the University’s decentralized management structure, it is the responsibility of individual departments to determine whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available. The principal operating revenue is student tuition and fees. Student tuition and fees revenue are presented net of scholarships and fellowships applied to student accounts.

Summary of Significant Accounting Policies

Cash and Cash Equivalents. The University considers all highly liquid investments purchased with an original maturity of three months or less to be cash equivalents.

Investments. Investments are recorded at fair value, as established by the major securities markets. Purchases and sales of investments are accounted for on the trade date basis. Investment income is recorded on the accrual basis. Realized and unrealized gains and losses are reported as investment income. The University classifies all investments that mature in less than one year as current investments. Endowment investments are subject to the restrictions of gift instruments, requiring principal to be maintained in perpetuity with only the income from the investments available for expenditure. The University may set aside other assets for the same purposes as endowment investments (quasi-endowment); the University may expend the principal of quasi-endowment at any time.

Accounts Receivable Allowance. The allowance for bad debt is determined based on historical average and a reasonableness ratio of accounts receivable to bad debt. The objective is to increase the collectibility of current receivables to assist the University's objectives regarding enrollment and retention. As such, the University enforces policies that prohibit registration with an unpaid balance over $1,000 and limit registration for those students with a current unpaid balance between $200 - $1,000. The new federal regulations regarding Title IV returns has unfortunately increased our outstanding accounts receivable; the ratio between the bad debt allowance and the accounts receivable, however, is still within reasonable parameters.

Inventories. Inventories are reported at cost. Cost is determined on the average cost basis.
**Capital Assets.** Capital assets are stated at historical cost or at an appraised value at date of donation, if acquired by gift. It is the University’s policy to capitalize equipment costing $2,500 or more and buildings and improvements costing $100,000 or more. Depreciation of capital assets is provided on a straight-line basis over the estimated useful lives (five to forty years) of the respective assets and is not allocated to the functional expenditure categories. Amortization of the capitalized cost of assets held under capital leases is generally computed using the straight-line method over the estimated useful lives of the underlying assets or the term of the lease, whichever is shorter. The University capitalizes but does not depreciate works of art or historical treasures that are held for exhibition, education, research and public service. Deferred bond issuance costs are capitalized and amortized over the life of the bonds using the straight-line method.

**Compensated Absences.** Classified employees earn vacation at rates specified under State law. Full-time administrators and twelve-month faculty earn vacation at a rate of 22 days per year. The maximum amount of vacation that an employee can carry over from one fiscal year to the next is 30 days.

All University employees are entitled to a sick leave credit equal to 10 hours for each month of service (earned on a pro rata basis for less than full-time employees). This sick leave will either be absorbed by time off due to illness or injury, or within certain limitations, be paid to the employee upon retirement. The amount paid to an employee, with 10 or more years of service upon retirement, is limited to one-quarter of the accumulated sick leave up to a maximum of 240 hours.

The University has an accrued liability for all accumulated vacation hours, plus an estimate of the amount of sick leave that will be paid upon retirement. Salary-related fringe benefits have also been accrued.

**Deferred Revenue.** Deferred revenue consists primarily of amounts received in advance of an event, such as student tuition and fees, and advance ticket sales related to the next fiscal year.

Summer term tuition and fees and corresponding expenses relating to the portion of the term that is within the current fiscal year are recognized as tuition revenue and operating expense. The portion of sessions falling into the next fiscal year are recorded as deferred revenue and prepaid expense in the statement of net assets and will be recognized in the following fiscal year.

**Perkins Loan Program.** Funds provided by the United States government under the Federal Perkins Loan program are loaned to qualified students and re-loaned after collection. These funds are ultimately refundable to the government and, therefore, are recorded as a liability in the accompanying statement of net assets.

**Auxiliary Enterprises.** Auxiliary enterprise revenue primarily represents revenue generated by parking, residence hall, Wolstein Center, food service, bookstore, recreation center, child care center and intercollegiate athletics.
Scholarship Allowances and Student Aid. Financial aid to students is reported in the statement of revenue, expenses, and changes in net assets under the alternative method as prescribed by the National Association of College and University Business Officers (NACUBO). Certain aid such as loans, funds provided to students as awarded by third parties, and Federal Direct Lending is accounted for as a third-party payment (credited to the student’s account as if the student made the payment). All other aid is reflected in the financial statements as operating expenses, or scholarship allowances, which reduce revenue. The amount reported as operating expense represents the portion of aid that was provided to the student in the form of cash. Scholarship allowances represent the portion of aid provided to the student in the form of reduced tuition. Under the alternative method followed by the University, scholarship allowances are computed by allocating the cash payments to students, excluding payments for services, to the ratio of aid not considered to be third-party aid to total aid.

Component Units. The Cleveland State University Foundation, Inc. (the Foundation) and the Euclid Avenue Development Corporation (the Corporation) are private nonprofit organizations that report under FASB standards, Financial Reporting for Not-for-Profit Organizations. As such, certain revenue recognition criteria and presentation features are different from GASB revenue recognition criteria and presentation features. No modifications have been made to the Foundation’s or the Corporation’s financial information included in the University’s financial report for these differences.

Use of Estimates. The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

Accounting Pronouncements

Service Concession Arrangements: In December 2010, the GASB issued Statement No. 60, Accounting and Financial Reporting for Service Concession Arrangements (SCA). An SCA is an agreement between a University and another legally-separate University or private sector entity in which two things happen. First, the University transfers to the other entity the right and related obligation to provide public services through the use of a public asset (such as using a part of a university facility as a bookstore) in exchange for significant consideration from the other entity. In the context of these agreements, the university that transfers rights and obligations is referred to as the transferor. The entity to which these rights and obligations are transferred is referred to as the operator. Second, this operator—whether it is in the public or private sector—collects fees from the users or customers of the public asset (for example, students at the University). Finally, the transferor maintains control over the services provided. For example, the University has the ability to modify or approve the rates that can be charged for the services and the type of services that are provided.

For an SCA that involves an existing facility, the transferor should continue to report the capital asset. For a new facility or an improvement to an existing facility, the transferor should report the new facility or the improvement as a capital asset at fair value when the facility is placed in operation. The transferor should also report any related contractual obligations as liabilities. Finally, the transferor should report the difference between those two amounts as a deferred inflow of resources. This pronouncement must be applied for years that begin after December 15, 2011.
**Reporting Entity Standards:** In December 2010, the GASB issued Statement No. 61, *Financial Reporting Entity: Omnibus*. This standard is intended to improve the information presented about the financial reporting entity, which is made up of the University financial reporting entity and related entities (component units). The statement modifies certain requirements for inclusion of component units in the financial reporting entity. For organizations that previously were required to be included as component units by meeting the fiscal dependency criteria, a financial benefit or burden relationship is also needed between the University and that organization for it to be included in the reporting entity as a component unit. The statement also modifies the criteria for reporting component units as if they were part of the University (ie: blending). Blending should be used when the University and the component unit have a financial benefit or burden relationship, or management has operational responsibility for the component units. Additionally, for equity interests in legally separate organizations, the entity is required to report its interest as “restricted net assets – nonspendable.” This standard is effective for financial statements for reporting periods beginning after June 15, 2012; however, earlier application is encouraged.

**Private Sector Accounting Rules:** In December 2010, the GASB issued Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*. This changes the requirement for the University to apply any private sector accounting guidance that existed as of November 30, 1989 and instead incorporates all such guidance in this statement. The University will no longer have the ability to choose to continue to follow FASB statements written after that date, although such guidance still qualifies as “other accounting literature” in the GAAP hierarchy. This pronouncement must be applied for years that begin after December 15, 2011.

**Deferred Inflows/Outflows and Net Position:** In June 2011, the GASB issued Statement No. 63 *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. This standard provides financial reporting guidance for deferred inflows and outflows of resources. Concepts Statement No. 4, *Elements of Financial Statements*, introduced and defined those elements as a consumption of net assets by the University that is applicable to a future reporting period, and an acquisition of net assets by the University that is applicable to a future reporting period, respectively. Previous financial reporting standards do not include guidance for reporting those financial statement elements, which are distinct from assets and liabilities. The standard also incorporates deferred outflows of resources and deferred inflows of resources into the definitions of the required components of the residual measure and by renaming that measure as net position, rather than net assets. The provisions for this standard are effective for financial statements for periods beginning after December 15, 2011.

**Items Previously Reported as Assets and Liabilities:** In March 2012, the GASB issued Statement No. 65, *Items Previously Reported as Assets and Liabilities*. Statement No. 65 establishes accounting and financial reporting standards that reclassify, as deferred outflows and inflows of resources, certain items that were previously reported as assets and liabilities. This statement also provides other financial reporting guidance related to the impact of the financial statement elements deferred outflows of resources and deferred inflows of resources. The provisions of this Statement are effective for financial statements for periods beginning after December 15, 2012 (or June 30, 2014). Statement No. 65 will be implemented for the University as of June 30, 2014.

**Reporting for Pensions:** In June 2012, the GASB issued Statement No. 68, *Accounting and Financial Reporting for Pensions*. Statement No. 68 requires governments providing defined benefit pensions to recognize their unfunded pension benefit obligation as a liability for the first time, and to more comprehensively and comparably measure the annual costs of pension benefits. The statement also enhances accountability and transparency through revised note disclosures and required supplementary information (RSI). The University is currently evaluating the impact this standard will have on the financial statements when adopted. The provisions of this statement are effective for financial statements for the year ending June 30, 2015.
NOTE 2 – DEPOSITS AND INVESTMENTS

Deposits

Custodial credit risk is the risk that, in the event of the failure of a depository financial institution, the University will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. Protection of University cash and deposits is provided by the federal deposit insurance corporation as well as qualified securities pledged by the institution holding the assets. Under State law, financial institutions must collateralize all public deposits. The value of the pooled collateral must equal at least 105 percent of public funds deposited. Collateral is held by trustees including the Federal Reserve Bank and designated third-party trustees of the financial institution.

At June 30, 2012, the cash and cash equivalents balance of $22,397,834 is after the University recorded an overdraft consisting of items in transit of $3,860,475 in accounts payable. The bank balance at June 30, 2012 was $22,131,686, of which $690,982 was covered by federal depositary insurance, and $21,440,704 was covered by collateral held by the trust department of a bank other than the pledging bank in the name of the pledging bank.

At June 30, 2011, the cash and cash equivalents balance of $27,386,909 is after the University recorded an overdraft consisting of items in transit of $4,622,342 in accounts payable. The bank balance at June 30, 2011 was $27,280,702, of which $1,005,778 was covered by federal depositary insurance, and $26,274,924 was covered by collateral held by the trust department of a bank other than the pledging bank in the name of the pledging bank.

Investments

In accordance with the Board of Trustees’ resolution, the types of investments that may be purchased by the University include United States treasury securities, federal government agency securities, certificates of deposit, bank repurchase agreements, commercial paper, bonds and other obligations of the State of Ohio or any of its political subdivisions, the State Treasurer’s Asset Reserve (STAR Ohio), bankers acceptances, money market funds, common stocks, and corporate bonds. The endowment investments are managed by the Foundation, which can also invest in real estate and alternative investments.

STAR Ohio is an investment pool managed by the Ohio state treasurer’s office that allows governments within the State to pool their funds for investment purposes. STAR Ohio is not registered with the Securities and Exchange Commission as an investment company, but does operate in a manner consistent with Rule 2A7 of the Investment Company Act of 1940. The investment is valued at STAR Ohio’s share price, which represents fair market value, on June 30, 2012 and 2011.

Restricted investments consist of unspent debt proceeds.
As of June 30, 2012, the University had the following types of investments and maturities:

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Fair Value</th>
<th>Less Than 1</th>
<th>1-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Paper</td>
<td>$2,690,099</td>
<td>$2,690,099</td>
<td>-</td>
</tr>
<tr>
<td>U.S. obligation mutual fund</td>
<td>21,223,363</td>
<td>21,223,363</td>
<td>-</td>
</tr>
<tr>
<td>Certificates of Deposit</td>
<td>1,520,000</td>
<td>1,520,000</td>
<td>-</td>
</tr>
<tr>
<td>STAR Ohio</td>
<td>971</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bond mutual funds</td>
<td>26,131,177</td>
<td>-</td>
<td>26,131,177</td>
</tr>
<tr>
<td>Stock mutual funds</td>
<td>28,728,480</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$80,294,090</strong></td>
<td><strong>$25,433,462</strong></td>
<td><strong>$26,131,177</strong></td>
</tr>
</tbody>
</table>

As of June 30, 2011, the University had the following types of investments and maturities:

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>Fair Value</th>
<th>Less Than 1</th>
<th>1-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. obligation mutual fund</td>
<td>$2,116,457</td>
<td>$2,116,457</td>
<td>-</td>
</tr>
<tr>
<td>Certificates of Deposit</td>
<td>800,112</td>
<td>-</td>
<td>800,112</td>
</tr>
<tr>
<td>STAR Ohio</td>
<td>9,741</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Bond mutual funds</td>
<td>29,707,623</td>
<td>-</td>
<td>29,707,623</td>
</tr>
<tr>
<td>Stock mutual funds</td>
<td>44,795,257</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$77,429,190</strong></td>
<td><strong>$2,116,457</strong></td>
<td><strong>$30,507,735</strong></td>
</tr>
</tbody>
</table>

Some of the U.S. agency securities are callable at various dates. The University believes that no securities will be called.

**Interest Rate Risk.** Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Investments with interest rates that are fixed for longer periods are likely to be subject to more variability in their fair values as a result of future changes in interest rates.

**Credit Risk.** Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. While the University’s bond mutual fund investment itself is not rated, the credit quality of the fund’s holdings is AA or better, as rated by Standard & Poor’s and Moody’s.

**Custodial Credit Risk.** Custodial credit risk is the risk that, in the event of the failure of a counterparty to a transaction, the University will not be able to recover the value of investment securities that are in the possession of an outside party. The University does not have a policy for custodial credit risk. At June 30, 2012 and 2011 none of the investment securities were uninsured and unregistered, with securities held by the counterparty or by its trust department or agent but not in the University's name.

**Concentration of Credit Risk.** Concentration of credit risk is the risk of loss attributed to the magnitude of investment in a single issuer. As of June 30, 2012 and 2011, not more than 5% of the University’s total investments were invested in any one issuer except those which are obligations of, or fully guaranteed as to both principal and interest by, the U.S. Government or its agencies.
**Foreign Currency Risk.** Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of an investment. At June 30, 2012 and 2011, investments include approximately $5.2 million and $5.6 million, respectively, managed by international equity managers that are subject to foreign currency risk. Although the University’s investment policy does not specifically address foreign currency risk, it does limit foreign investments to no more than 20% of the portfolio.

**NOTE 3 – RECEIVABLES**

The composition of accounts receivable at June 30, 2012 and 2011 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student accounts</td>
<td>$14,630,774</td>
<td>$14,271,525</td>
</tr>
<tr>
<td>Grants</td>
<td>18,432,738</td>
<td>7,977,108</td>
</tr>
<tr>
<td>State Capital</td>
<td>133,839</td>
<td>398,110</td>
</tr>
<tr>
<td>Other</td>
<td>3,123,844</td>
<td>1,890,992</td>
</tr>
<tr>
<td><strong>Total Accounts Receivable</strong></td>
<td><strong>36,321,195</strong></td>
<td><strong>24,537,735</strong></td>
</tr>
<tr>
<td>Less allowance for uncollectible accounts</td>
<td>4,378,558</td>
<td>4,640,369</td>
</tr>
<tr>
<td><strong>Accounts Receivable - Net</strong></td>
<td><strong>$31,942,637</strong></td>
<td><strong>$19,897,366</strong></td>
</tr>
</tbody>
</table>

Notes receivable consist primarily of loans to students under the federal Perkins Loan Program. The composition of notes receivable at June 30, 2012 and 2011 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perkins Loan Program</td>
<td>$11,694,307</td>
<td>$11,185,610</td>
</tr>
<tr>
<td>Other</td>
<td>646,336</td>
<td>647,828</td>
</tr>
<tr>
<td><strong>Total Notes Receivable</strong></td>
<td><strong>12,340,643</strong></td>
<td><strong>11,833,438</strong></td>
</tr>
<tr>
<td>Less allowance for uncollectible accounts</td>
<td>808,680</td>
<td>842,948</td>
</tr>
<tr>
<td><strong>Notes Receivable - Net</strong></td>
<td><strong>11,531,963</strong></td>
<td><strong>10,990,490</strong></td>
</tr>
<tr>
<td>Less Current Portion</td>
<td>1,093,963</td>
<td>1,158,498</td>
</tr>
<tr>
<td><strong>Total Noncurrent Notes Receivable</strong></td>
<td><strong>$10,438,000</strong></td>
<td><strong>$9,831,992</strong></td>
</tr>
</tbody>
</table>

**NOTE 4 – STATE SUPPORT**

The University is a State-assisted institution of higher education, which receives a student-based subsidy from the State. This subsidy is determined annually, based upon a formula devised by the Ohio Board of Regents.

In addition, the State provides the funding and constructs major plant facilities on the University’s campus. The funding is obtained from the issuance of revenue bonds by the Ohio Public Facilities Commission (OPFC), which in turn causes the construction and subsequent lease of the facility, by the Ohio Board of Regents. Upon completion, the Board of Regents turns over control of the facility to the University. Neither the obligation for the revenue bonds issued by OPFC nor the annual debt service charges for principal and interest on the bonds are reflected in the University’s financial statements. The OPFC revenue bonds are currently being funded through appropriations to the Board of Regents by the General Assembly.
The facilities are not pledged as collateral for the revenue bonds. Instead, the bonds are supported by a pledge of monies in the Higher Education Bond Service Fund established in the custody of the Treasurer of State. If sufficient monies are not available from this fund, a pledge exists to assess a special student fee uniformly applicable to students in State-assisted institutions of higher education throughout the State.

**NOTE 5 – CAPITAL ASSETS**

Capital assets activity for the years ended June 30, 2012 and 2011 is summarized as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Capital Assets:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Non-depreciable:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>$55,792,373</td>
<td>$24,751</td>
<td>0</td>
<td>$55,817,124</td>
</tr>
<tr>
<td>Construction in Progress</td>
<td>7,102,155</td>
<td>0</td>
<td>0</td>
<td>7,102,155</td>
</tr>
<tr>
<td>Capitalized Collections</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Depreciable:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Improvements</td>
<td>23,901,567</td>
<td>173,720</td>
<td>0</td>
<td>24,075,287</td>
</tr>
<tr>
<td>Buildings</td>
<td>622,913,918</td>
<td>7,515,621</td>
<td>2,783,923</td>
<td>627,645,616</td>
</tr>
<tr>
<td>Equipment</td>
<td>49,694,097</td>
<td>9,487,558</td>
<td>13,578,463</td>
<td>45,603,192</td>
</tr>
<tr>
<td>Library Books</td>
<td>69,203,472</td>
<td>2,266,748</td>
<td>557,078</td>
<td>70,913,142</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>483,059</td>
<td>0</td>
<td>0</td>
<td>483,059</td>
</tr>
<tr>
<td><strong>Total Capital Assets</strong></td>
<td>829,090,641</td>
<td>22,683,041</td>
<td>16,919,464</td>
<td>834,854,218</td>
</tr>
<tr>
<td><strong>Less Accumulated Depreciation:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Improvements</td>
<td>12,300,946</td>
<td>876,512</td>
<td>0</td>
<td>13,177,458</td>
</tr>
<tr>
<td>Buildings</td>
<td>238,552,583</td>
<td>16,575,507</td>
<td>472,875</td>
<td>254,655,215</td>
</tr>
<tr>
<td>Equipment</td>
<td>41,085,303</td>
<td>3,729,512</td>
<td>13,578,463</td>
<td>31,236,352</td>
</tr>
<tr>
<td>Library Books</td>
<td>55,894,000</td>
<td>2,870,969</td>
<td>557,078</td>
<td>58,207,891</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>483,071</td>
<td>48,306</td>
<td>0</td>
<td>531,377</td>
</tr>
<tr>
<td><strong>Total Accumulated Depreciation</strong></td>
<td>348,001,903</td>
<td>24,100,806</td>
<td>14,608,416</td>
<td>357,494,293</td>
</tr>
<tr>
<td><strong>Capital Assets, Net</strong></td>
<td>$481,088,738</td>
<td>$(1,417,765)</td>
<td>$2,311,048</td>
<td>$477,359,925</td>
</tr>
</tbody>
</table>
### Capital Assets:

<table>
<thead>
<tr>
<th></th>
<th>2011 Beginning Balance</th>
<th>Additions/ Transfers</th>
<th>Retirements/ Transfers</th>
<th>2011 Ending Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Non-depreciable:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>$55,597,969 ($194,404)</td>
<td></td>
<td>87,014,476</td>
<td>$55,792,373</td>
</tr>
<tr>
<td>Construction in Progress</td>
<td>7,102,155</td>
<td></td>
<td>0</td>
<td>7,102,155</td>
</tr>
<tr>
<td><strong>Depreciable:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Improvements</td>
<td>16,816,867 (7,084,700)</td>
<td></td>
<td>0</td>
<td>23,901,567</td>
</tr>
<tr>
<td>Buildings</td>
<td>502,641,988 (120,271,930)</td>
<td>0</td>
<td>0</td>
<td>622,913,918</td>
</tr>
<tr>
<td>Equipment</td>
<td>52,508,545 (2,508,323)</td>
<td></td>
<td>5,322,771</td>
<td>49,694,097</td>
</tr>
<tr>
<td>Library Books</td>
<td>67,177,405 (2,605,734)</td>
<td></td>
<td>579,667</td>
<td>69,203,472</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>483,059</td>
<td></td>
<td>0</td>
<td>483,059</td>
</tr>
<tr>
<td><strong>Total Capital Assets</strong></td>
<td>$789,342,464</td>
<td>132,665,091</td>
<td>92,914,476</td>
<td>$829,090,641</td>
</tr>
</tbody>
</table>

### Less Accumulated Depreciation:

<table>
<thead>
<tr>
<th></th>
<th>2011 Beginning Balance</th>
<th>Additions/ Transfers</th>
<th>Retirements/ Transfers</th>
<th>2011 Ending Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Improvements</td>
<td>11,234,468 (1,066,478)</td>
<td></td>
<td>0</td>
<td>12,300,946</td>
</tr>
<tr>
<td>Buildings</td>
<td>221,804,941 (16,747,642)</td>
<td>0</td>
<td>0</td>
<td>238,552,583</td>
</tr>
<tr>
<td>Equipment</td>
<td>42,708,793 (46,103)</td>
<td></td>
<td>5,322,771</td>
<td>41,085,303</td>
</tr>
<tr>
<td>Library Books</td>
<td>53,319,948 (3,153,719)</td>
<td></td>
<td>579,667</td>
<td>55,894,000</td>
</tr>
<tr>
<td>Intangible Assets</td>
<td>120,765 (48,306)</td>
<td></td>
<td>0</td>
<td>169,071</td>
</tr>
<tr>
<td><strong>Total Accumulated Depreciation</strong></td>
<td>$329,188,915</td>
<td>24,715,426</td>
<td>5,902,438</td>
<td>$348,001,903</td>
</tr>
</tbody>
</table>

### Capital Assets, Net

<table>
<thead>
<tr>
<th></th>
<th>2011 Beginning Balance</th>
<th>Additions/ Transfers</th>
<th>Retirements/ Transfers</th>
<th>2011 Ending Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$460,153,549 ($107,949,665)</td>
<td></td>
<td>87,014,476</td>
<td>$481,088,738</td>
</tr>
</tbody>
</table>

### NOTE 6 – NONCURRENT LIABILITIES

Noncurrent liabilities consist of the following as of June 30, 2012 and June 30, 2011:

<table>
<thead>
<tr>
<th>Due Dates</th>
<th>Interest Rate-%</th>
<th>2012 Beginning Balance</th>
<th>Additions/ Reductions</th>
<th>2012 Ending Balance</th>
<th>Current</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003A Bonds Payable</td>
<td>2007-33 2.5-5.25</td>
<td>$26,910,000 ($1,415,000 $25,495,000 $1,470,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2003A Bond Premium</td>
<td>555,315</td>
<td>- 25,338</td>
<td>529,977</td>
<td>25,338</td>
<td></td>
</tr>
<tr>
<td>2004 Bonds Payable</td>
<td>2005-34 2.25-5.25</td>
<td>$54,040,000 ($1,700,000 $52,340,000 $1,770,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2004 Bonds Premium</td>
<td>1,060,365</td>
<td>- 46,103</td>
<td>1,014,262</td>
<td>46,103</td>
<td></td>
</tr>
<tr>
<td>2007A Bonds Payable</td>
<td>2010-36 4.00-5.75</td>
<td>$40,500,000 ($850,000 $39,650,000 $890,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2007A Bond Premium</td>
<td>1,149,396</td>
<td>- 44,493</td>
<td>1,104,903</td>
<td>44,492</td>
<td></td>
</tr>
<tr>
<td>2008 Bonds Payable</td>
<td>2008-36 3.00-4.75</td>
<td>$19,875,000 ($380,000 $19,495,000 $5,050,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2011 Bonds Payable</td>
<td>2013-42 5.32</td>
<td>- 5,775,000</td>
<td>5,775,000</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Capital Leases</td>
<td>2010-41 2.33-5.08</td>
<td>$76,029,270 (69,652,980</td>
<td>6,447,812</td>
<td>7,216,899</td>
<td></td>
</tr>
<tr>
<td>Perkins Student Loans</td>
<td>10,696,506</td>
<td>815,717</td>
<td>11,512,223</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Deposits</td>
<td>1,590,917</td>
<td>3,036,916</td>
<td>3,247,552</td>
<td>1,480,281</td>
<td></td>
</tr>
<tr>
<td>Compensated Absences</td>
<td>9,629,173</td>
<td>619,161</td>
<td>9,010,012</td>
<td>998,410</td>
<td></td>
</tr>
<tr>
<td><strong>Total Debt</strong></td>
<td>229,838,876</td>
<td>9,699,155</td>
<td>14,775,459</td>
<td>237,057,638</td>
<td>17,966,242</td>
</tr>
<tr>
<td>Less Current Portion long-term liabilities</td>
<td>(12,297,066)</td>
<td>(17,966,242)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Long-Term Liabilities</strong></td>
<td>$219,093,816</td>
<td>$219,093,816</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Due Dates | Interest Rate-% | 2011 Beginning Balance | Additions | Reductions | 2011 Ending Balance | Current
--- | --- | --- | --- | --- | --- | ---
1996 Bonds Payable | 1997-11 | 5.25-5.25% | $315,000 | - | $315,000 | -
2003A Bonds Payable | 2007-33 | 2.5-5.25% | 28,270,000 | - | 1,360,000 | 26,910,000 | 1,415,000
2003A Bond Premium | | | 580,653 | - | 25,338 | 555,315 | 25,338
2004 Bonds Payable | 2005-34 | 2.25-5.25% | 55,685,000 | - | 1,645,000 | 54,040,000 | 1,700,000
2004 Bonds Premium | | | 1,106,468 | - | 46,103 | 1,060,365 | 46,103
2007A Bonds Payable | 2010-36 | 4.00-5.75% | 41,320,000 | - | 820,000 | 40,500,000 | 850,000
2007A Bond Premium | | | 1,193,888 | - | 44,492 | 1,149,396 | 44,492
2008 Bonds Payable | 2008-36 | 3.00-4.75% | 20,245,000 | - | 370,000 | 19,875,000 | 380,000
Capital Leases | 2010-40 | 2.33-5.08% | 72,058,028 | 7,459,451 | 3,488,209 | 76,029,270 | 6,933,194
Total Debt | | | 220,774,037 | 7,459,451 | 8,114,142 | 220,119,346 | 11,394,127
Perkins Student Loans | | | 10,306,132 | 413,345 | - | 10,696,506 | -
Deposits | | | 893,437 | 4,314,186 | 3,516,706 | 1,690,917 | -
Compensated Absences | | | 9,193,018 | 436,155 | - | 9,629,173 | 902,939
Total | | | 241,166,624 | 12,623,137 | 11,653,819 | 242,135,942 | 12,297,066
Less Current Portion long-term liabilities | (9,089,301) | | | | | (12,297,066)
Long-Term Liabilities | $232,077,323 | | | | $229,838,876 | 

In September, 2011, the University issued taxable general receipts bonds in the principal amount of $5,775,000. The General Receipts Series 2011 Bonds were issued as fixed rate bonds with monthly maturities beginning October 1, 2013 through April 1, 2042. Interest is payable monthly at the rate of 5.32%. The proceeds of the bonds will be used to finance a portion of the costs of public improvements identified as the North Campus Neighborhood - Project Phase I. This phase is the subject of a "project development agreement" date July 14, 2011 by and between Cleveland State University and CSU Housing, LLC, an Ohio limited liability company which serves as the project developer.

In May 2008, the University issued general receipts bonds in the amount of $20,910,000. The General Receipts Series 2008 Bonds were issued as fixed rate bonds maturing in 2013, 2033 and 2036. The proceeds of the bonds were used to refinance the 2003B and 2007B Bonds. The bonds have various call provisions.

During the year ended June 30, 2007, the University issued Series 2007A general receipts bonds. The Series 2007A general receipts bonds were issued for $42,110,000, bear interest rates between 4% and 5.75%, and mature in 2036. Proceeds were used to fund the construction of a new Student Center.

The Series 2007B general receipts bonds were issued for $9,210,000. They bear variable interest rates that reset weekly and mature in 2036. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was 4.51% at April 24, 2008. Proceeds were used to fund the construction of a new building on the University’s campus to house the College of Education and Human Services. This bond was called and refinanced in May 2008, using the proceeds of the General Receipts Series 2008 Bonds.

In August 2004, the University issued general receipts bonds in the amount of $62,000,000. The General Receipts Series 2004 Bonds were issued as fixed rate bonds with serial maturities through 2008 and term bonds maturing in 2014, 2019, 2024, 2029 and 2034. The proceeds of the bonds were used to pay the cost of a variety of projects, including construction of a student center, parking facilities and a bookstore, renovations to a portion of Fenn Tower, and landscaping and other permanent site improvements to the main plaza.
In June 2003, the University issued Series 2003A and 2003B (Series 2003) general receipts bonds. The Series 2003A general receipts bonds were issued for $35,745,000, bear interest rates between 2.5% and 5.25%, and mature in 2033. Proceeds were used to refund outstanding Series 1993 general receipts bonds, rehabilitate the Howe Mansion and construct an Administrative Center.

Interest expense on indebtedness was $9,034,400 in fiscal 2012 and $9,460,196 in fiscal 2011. On construction-related debt, interest cost of $211,647 was capitalized in fiscal 2012, net of $2,360 of interest earned on invested proceeds; interest cost of $0 was capitalized in fiscal 2011.

The University leases various pieces of equipment which have been recorded under various capital leases in amounts representing the present value of future minimum lease payments. Capital lease obligations are collateralized by equipment with an aggregate net book value of $21,367,511 at June 30, 2012 and $37,909,684 at June 30, 2011. The capital leases have varying maturity dates through 2041.

Principal and interest payable for the next five years and in subsequent five-year increments are as follows:

<table>
<thead>
<tr>
<th></th>
<th>Bonds Payable</th>
<th>Capital Leases</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Principal</td>
<td>Interest</td>
</tr>
<tr>
<td>2013</td>
<td>$9,635,000</td>
<td>$6,937,165</td>
</tr>
<tr>
<td>2014</td>
<td>4,025,000</td>
<td>6,536,394</td>
</tr>
<tr>
<td>2015</td>
<td>4,255,000</td>
<td>6,333,095</td>
</tr>
<tr>
<td>2016</td>
<td>4,475,000</td>
<td>6,114,036</td>
</tr>
<tr>
<td>2017</td>
<td>4,680,000</td>
<td>5,890,214</td>
</tr>
<tr>
<td>2018-2022</td>
<td>24,615,000</td>
<td>25,813,451</td>
</tr>
<tr>
<td>2023-2027</td>
<td>29,355,000</td>
<td>19,393,757</td>
</tr>
<tr>
<td>2028-2032</td>
<td>37,525,000</td>
<td>11,467,292</td>
</tr>
<tr>
<td>2033-2037</td>
<td>22,495,000</td>
<td>2,671,865</td>
</tr>
<tr>
<td>2038-2042</td>
<td>1,695,000</td>
<td>226,566</td>
</tr>
<tr>
<td></td>
<td>$142,755,000</td>
<td>$91,383,835</td>
</tr>
</tbody>
</table>

The University has entered into various lease agreements for office equipment, and office and classroom space, which are considered operating leases. The University has leased space in the Fenn Tower building from the Corporation, which it uses for classrooms and meeting rooms. Total rental expense under operating leases during the years ended June 30, 2012 and 2011 amounted to $2,852,250 and $2,581,938, respectively. The operating leases have varying maturity dates through 2042.
Future minimum operating lease payments as of June 30, 2012 are as follows:

<table>
<thead>
<tr>
<th>Year Ending June 30</th>
<th>Operating Leases</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$3,341,710</td>
</tr>
<tr>
<td>2014</td>
<td>2,996,873</td>
</tr>
<tr>
<td>2015</td>
<td>2,990,873</td>
</tr>
<tr>
<td>2016</td>
<td>2,454,749</td>
</tr>
<tr>
<td>2017</td>
<td>2,454,749</td>
</tr>
<tr>
<td>2018-2022</td>
<td>33,895,416</td>
</tr>
<tr>
<td>2023-2027</td>
<td>4,304,500</td>
</tr>
<tr>
<td>2028-2032</td>
<td>4,304,500</td>
</tr>
<tr>
<td>2033-2037</td>
<td>3,873,758</td>
</tr>
<tr>
<td>2038-2042</td>
<td>2,150,792</td>
</tr>
<tr>
<td></td>
<td>$62,767,920</td>
</tr>
</tbody>
</table>

NOTE 7 – EMPLOYMENT BENEFIT PLANS

Retirement Plans

Substantially all nonstudent University employees are covered by one of three retirement plans. The university faculty are covered by the State Teachers Retirement System of Ohio (STRS). Nonfaculty employees are covered by the Ohio Public Employees Retirement System (OPERS). Employees may opt out of STRS and OPERS and participate in the Alternative Retirement Plan (ARP).

STRS and OPERS both offer three separate retirement plans: the defined benefit plan, the defined contribution plan, and a combined plan.

Defined Benefit Plans

STRS is a statewide retirement plan for certified teachers. STRS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefits are established by State statute. Contribution rates are established by the State Teachers Retirement Board, not to exceed the statutory maximum rates of 10% for employees and 14% for employers. Currently, employees contribute 10% of covered payroll and employers contribute 14% of covered payroll. The University's contributions to STRS for the years ending June 30, 2012, 2011, and 2010 were $6,826,392, $7,282,885, and $7,185,855, respectively, equal to the required contributions for each year. STRS issues a stand-alone financial report. The report may be obtained by writing to STRS Ohio, 275 East Broad Street, Columbus, OH 43215-3771, by calling 1-888-227-7877, or by visiting the STRS Ohio Web site at www.strsoh.org.
OPERS is a statewide retirement plan, which covers nonteaching University employees. OPERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Benefits are established by State statute. Contribution rates are established by the Ohio Public Employee Retirement Board, not to exceed the statutory maximum rates of 10% for employees and 14% for employers. Currently, employees contribute 10% of covered payroll and employers contribute 14% of covered payroll. The University’s contributions to OPERS for the years ending June 30, 2012, 2011, and 2010 were $7,151,384, $7,437,768, and $7,228,118, respectively, equal to the required contributions for each year. OPERS issues a stand-alone financial report. The report may be obtained by visiting www.opers.org/investments/cafr.shtml, writing to OPERS, 277 East Town Street, Columbus, OH 43215-4642, or by calling (614) 222-5601 or 800-222-7377.

**Defined Contribution Plan**

The University also offers eligible employees an alternative retirement program. The University is required to contribute to STRS 3.50% of earned compensation for those employees participating in the alternative retirement program. The University’s contributions for the years ended June 30, 2012, 2011 and 2010 were $288,450, $371,702 and $347,415, respectively, which equal 3.50% of earned compensation.

STRS also offers a defined contribution plan in addition to its long established defined benefit plan. All employee contributions and employer contributions at a rate of 10.5% are placed in an investment account directed by the employee. Disability benefits are limited to the employee’s account balance. Employees electing the defined contribution plan receive no postretirement health care benefits.

OPERS also offers a defined contribution plan, the Member-Directed Plan (MD). The MD plan does not provide disability benefits, annual cost-of-living adjustments, postretirement health care benefits or death benefits to plan members and beneficiaries. Benefits are entirely dependent on the sum of contributions and investment returns earned by each participant’s choice of investment options.

**Combined Plans**

STRS offers a combined plan with features of both a defined contribution plan and a defined benefit plan. In the combined plan, employee contributions are invested in self-directed investments, and the employer contribution is used to fund a reduced defined benefit. Employees electing the combined plan receive postretirement health care benefits.

OPERS also offers a combined plan. This is a cost-sharing, multiple-employer defined benefit plan that has elements of both a defined benefit and defined contribution plan. In the combined plan, employee contributions are invested in self-directed investments, and the employer contribution is used to fund a reduced defined benefit. OPERS also provides retirement, disability, survivor, and postretirement health care benefits to qualified members.

**Post-employment Benefits**

STRS provides other postemployment benefits (OPEB) to all retirees and their dependents, while OPERS provides postretirement health care coverage to age and service retirants (and dependents) with 10 or more years of qualifying Ohio service credit. Health care coverage for disability recipients and primary survivor recipients is also available under OPERS. A portion of each employer’s contributions is set aside for the funding of postretirement health care. For STRS, this rate was 1.0% of the total 14.00%, while the OPERS rate was 4.0% of the total 14.00% for the year ended June 30, 2011.
The Ohio Revised Code provides the statutory authority for public employers to fund postretirement health care through their contributions to STRS and OPERS. Postretirement healthcare under STRS is financed on a pay-as-you-go basis. The amount contributed by the University to STRS to fund these benefits for the years ended June 30, 2012, 2011 and 2010 was $487,599, $520,206, and $513,275, respectively.

Postretirement health care under OPERS is advance-funded on an actuarially determined basis. The amount contributed by the University to OPERS for OPEB funding for the years ended June 30, 2012, 2011 and 2010 was $3,575,692, $3,718,884 and $3,614,059, respectively.

NOTE 8 – RISK MANAGEMENT

The University is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. On July 1, 1993, the University joined with eleven other State-assisted universities in Ohio to form an insurance-purchasing pool for the acquisition of commercial property and casualty insurance. The University pays annual premiums to the pool for its property and casualty insurance coverage based on its percentage of the total insurable value to the pool. Future contributions will be adjusted based upon each university’s loss history. Each university has a base deductible of $100,000. The next $250,000 of any one claim is the responsibility of the pool, which has a total annual aggregate deductible limit of $700,000. The commercial property insurer is liable for the amount of any claim in excess of $350,000, or $100,000 in the event the pool has reached its annual limit. There were no significant reductions in coverage from the prior year.

The University maintains a self-insured dental plan for its employees. The University’s risk exposure is limited to claims incurred. The changes in the total liability for actual and estimated dental claims for the years ended June 30, 2012 and 2011 are summarized below:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability at beginning of year</td>
<td>$15,006</td>
<td>$9,961</td>
</tr>
<tr>
<td>Claims Incurred</td>
<td>1,098,618</td>
<td>1,122,459</td>
</tr>
<tr>
<td>Claims Paid</td>
<td>(1,091,338)</td>
<td>(1,117,414)</td>
</tr>
<tr>
<td>Liability at end of year</td>
<td>$22,286</td>
<td>$15,006</td>
</tr>
</tbody>
</table>

The University maintains a self-insured medical plan for its employees. The University’s risk exposure is limited to claims incurred. There is a $150,000 specific stop loss for any given claim. The changes in the total liability for actual and estimated medical claims for the years ended June 30, 2012 and 2011 are summarized below:

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability at beginning of year</td>
<td>$947,393</td>
<td>$1,094,764</td>
</tr>
<tr>
<td>Claims Incurred</td>
<td>10,771,029</td>
<td>10,949,073</td>
</tr>
<tr>
<td>Claims Paid</td>
<td>(10,342,541)</td>
<td>(9,321,162)</td>
</tr>
<tr>
<td>IBNR-Decrease in estimated claims</td>
<td>(218,607)</td>
<td>(920,282)</td>
</tr>
<tr>
<td>Liability at end of year</td>
<td>$1,157,274</td>
<td>$947,393</td>
</tr>
</tbody>
</table>
Medical claims are based upon estimates of the claims liabilities. Estimates are based upon past experience, medical inflation trends, and current claims outstanding, including year-end lag analysis. Differences between the estimated claims payable and actual claims paid are reported as an operating expense in the Statement of Revenue, Expenses, and Changes in Net Assets.

The University participates in a State pool of agencies and universities that pays workers’ compensation premiums into the State Insurance Fund on a pay-as-you-go basis (the Plan), which pays workers’ compensation benefits to beneficiaries who have been injured on the job. Losses from asserted and unasserted claims for the participating state agencies and universities in the Plan are accrued by the Ohio Bureau of Workers’ Compensation (the Bureau) based on estimates that incorporate past experience, as well as other considerations including the nature of each claim or incident and relevant trend factors. Participants in the Plan annually fund the workers’ compensation liability based on rates set by the Bureau to collect cash needed in subsequent fiscal years to pay the workers’ compensation claims of participating State agencies and universities.

During the normal course of its operations, the University has become a defendant in various legal actions. It is not possible to estimate the outcome of these legal actions; however, in the opinion of legal counsel and the University administration, the disposition of these pending cases will not have a material adverse effect on the financial condition or operations of the University. Settled claims resulting from these risks have not exceeded insurance coverage in any of the past three fiscal years.

NOTE 9 – GRANT CONTINGENCIES

The University receives significant financial assistance from numerous federal, state and local agencies in the form of grants. The disbursement of funds received under these programs generally requires compliance with terms and conditions specified in the grant agreements and are subject to audit by the grantor agencies. Any disallowed claims resulting from such audits could become a liability of the University. However, in the opinion of the University administration, any such disallowed claims will not have a material effect on any of the financial statements of the University at June 30, 2012.

NOTE 10 – NET ASSETS

The temporarily and permanently restricted net assets of the Foundation are balances whose use by the Foundation has been limited by the donors to a specific time period or purpose. Temporarily restricted net assets are available, and permanently restricted net assets are held in perpetuity, for the following purposes:

<table>
<thead>
<tr>
<th></th>
<th>Temporarily Restricted</th>
<th>Permanently Restricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Instruction</td>
<td>$6,036,572</td>
<td>$7,688,242</td>
</tr>
<tr>
<td>Research</td>
<td>270,944</td>
<td>805,128</td>
</tr>
<tr>
<td>Public service</td>
<td>4,944,336</td>
<td>50,607</td>
</tr>
<tr>
<td>Academic support</td>
<td>1,257,491</td>
<td>901,281</td>
</tr>
<tr>
<td>Financial aid</td>
<td>8,494,155</td>
<td>32,421,206</td>
</tr>
<tr>
<td>Institutional support</td>
<td>1,934,139</td>
<td>1,099,429</td>
</tr>
<tr>
<td>Auxiliary enterprises</td>
<td>1,084,057</td>
<td>37,907</td>
</tr>
<tr>
<td></td>
<td>$24,021,694</td>
<td>$43,003,800</td>
</tr>
</tbody>
</table>
NOTE 11 – COMPONENT UNITS

The Foundation and the Corporation are legally separate not-for-profit entities organized for the purpose of providing support to the University. Both the Foundation and the Corporation are exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code.

The Foundation acts primarily as a fundraising organization to supplement the resources that are available to the University in support of its programs. The Board of the Foundation is self-perpetuating and consists of business leaders and friends of the University. Although the University does not control the timing or amount of receipts from the Foundation, the majority of resources, or income thereon, that the Foundation holds and invests are restricted to the activities of the University by donors. Because these restricted resources held by the Foundation can only be used by, or for the benefit of, the University, the Foundation is considered a component unit of the University and is discretely presented in the University’s financial statements. Complete financial statements for the Foundation can be obtained from the Office of the Executive Director at 2121 Euclid Avenue, Keith Building Room 323, Cleveland, OH 44115-2214.

During the years ended June 30, 2012 and 2011, the Foundation paid $1,101,358 and $3,802,834, respectively, to the University. At June 30, 2012 and 2011, the University had receivables from the Foundation totaling $2,343,930 and $1,051,798, respectively.

As authorized by the Board of Trustees, beginning in fiscal year 1998, the University placed Endowment and Quasi-Endowment funds on deposit with the Foundation for investment. At June 30, 2012 and 2011, the amount on deposit with the Foundation totaled $2,530,750 and $2,590,934, respectively.

As of June 30, 2012, the Foundation had the following types of investments:

<table>
<thead>
<tr>
<th>Investments carried at fair value</th>
<th>Cost</th>
<th>Carrying Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and cash equivalents</td>
<td>$461,584</td>
<td>$461,584</td>
</tr>
<tr>
<td>Stocks - domestic</td>
<td>369,407</td>
<td>454,643</td>
</tr>
<tr>
<td>Mutual funds - domestic</td>
<td>27,408,666</td>
<td>27,844,329</td>
</tr>
<tr>
<td>Mutual funds - international</td>
<td>12,683,380</td>
<td>12,316,052</td>
</tr>
<tr>
<td>Fixed income securities</td>
<td>4,528,458</td>
<td>4,771,633</td>
</tr>
<tr>
<td>Alternative investments</td>
<td>6,174,481</td>
<td>6,380,505</td>
</tr>
<tr>
<td>Note Receivable</td>
<td></td>
<td>1,544,741</td>
</tr>
<tr>
<td>Investment in real estate, net of accumulated depreciation</td>
<td></td>
<td>927,324</td>
</tr>
<tr>
<td>Investments carried at adjusted cost</td>
<td></td>
<td>2,472,065</td>
</tr>
<tr>
<td>Total</td>
<td>$51,625,976</td>
<td>$52,228,746</td>
</tr>
<tr>
<td>Total</td>
<td>$54,700,811</td>
<td></td>
</tr>
</tbody>
</table>
As of June 30, 2011, the Foundation had the following types of investments:

<table>
<thead>
<tr>
<th>Type</th>
<th>Cost</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stocks - domestic</td>
<td>505,677</td>
<td>788,585</td>
</tr>
<tr>
<td>Mutual funds - domestic</td>
<td>22,509,954</td>
<td>23,434,775</td>
</tr>
<tr>
<td>Mutual funds - international</td>
<td>8,988,690</td>
<td>10,171,568</td>
</tr>
<tr>
<td>Fixed income securities</td>
<td>13,357,132</td>
<td>14,047,618</td>
</tr>
<tr>
<td>Investments carried at fair value</td>
<td>45,361,453</td>
<td>48,442,546</td>
</tr>
<tr>
<td>Note Receivable</td>
<td></td>
<td>1,588,978</td>
</tr>
<tr>
<td>Investment in real estate, net of accumulated depreciation</td>
<td></td>
<td>943,178</td>
</tr>
<tr>
<td>Investments carried at adjusted cost</td>
<td></td>
<td>2,532,156</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>50,974,702</strong></td>
<td></td>
</tr>
</tbody>
</table>

The Foundation reclassified net assets as of 2011 to properly reflect the allocation of investment income related to prior years.

The Corporation was organized primarily to further the educational mission of the University by developing, owning and managing housing for the students, faculty and staff of the University. On March 1, 2005, the Corporation leased the Fenn Tower building, located on the University’s campus, from the University. Annual rent is equal to the net available cash flows from the Fenn Tower project. No rent was paid during fiscal years 2012 and 2011. On March 1, 2005, the Corporation entered into a Development Agreement with American Campus Communities (ACC) to plan, design and construct housing units in Fenn Tower. In addition, the Corporation entered into a Management Agreement with ACC to manage Fenn Tower. The project was completed in August 2006. The facility has the capacity to house 430 residents.

On March 17, 2005, the Corporation issued $34,385,000 of Cleveland-Cuyahoga County Port Authority bonds (Series 2005 Bonds) to finance the costs of the Fenn Tower project. The Series 2005 Bonds are serial bonds maturing between 2007 and 2036. Interest rates are fixed and vary from 3.0% to 4.5%.

On June 1, 2008, the Corporation leased land, owned by the University and located on its campus, from the University. On August 22, 2008, the Corporation entered into a design-build agreement with the Apostolos Group to construct a 623-car parking garage on the site. On July 1, 2008, the Corporation entered into a lease agreement with the University to operate the garage once construction is completed. On July 25, 2008, the Corporation issued $14,500,000 of tax-exempt bonds with the Cleveland-Cuyahoga County Port Authority to finance construction of the garage. The Series 2008 Bonds are serial bonds maturing between 2009 and 2040. They bear variable interest rates that reset weekly. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was .15% at June 30, 2012. Construction of the garage was completed in August 2009.
On December 18, 2009, the Corporation leased land, owned by the University and located on its campus, from the University. On August 24, 2009, the Corporation entered into a development agreement with ACC to plan, design and construct 600 beds of student housing and a 300-car parking garage on this land. In addition, the Corporation entered into a management agreement with ACC to manage the student housing. On December 18, 2009, the Corporation issued $59,005,000 of County of Cuyahoga, Ohio bonds (Series 2009 bonds) to finance the project. The 2009 bonds are serial bonds maturing between 2011 and 2042. They bear variable interest rates that are reset weekly. The interest rate is set at rates based upon yield evaluations at par of comparable securities. The interest rate was .15% at June 30, 2012. Both phases of the project were complete as of August 2011.

Principal and interest payable for the next five years and in subsequent five-year increments are as follows:

<table>
<thead>
<tr>
<th>Year-End</th>
<th>Principal</th>
<th>Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>$790,000</td>
<td>$1,578,490</td>
</tr>
<tr>
<td>2014</td>
<td>1,115,000</td>
<td>1,550,932</td>
</tr>
<tr>
<td>2015</td>
<td>1,255,000</td>
<td>1,521,925</td>
</tr>
<tr>
<td>2016</td>
<td>1,410,000</td>
<td>1,491,553</td>
</tr>
<tr>
<td>2017</td>
<td>1,565,000</td>
<td>1,457,867</td>
</tr>
<tr>
<td>2018-2022</td>
<td>10,385,000</td>
<td>6,619,553</td>
</tr>
<tr>
<td>2023-2027</td>
<td>13,535,000</td>
<td>5,258,597</td>
</tr>
<tr>
<td>2028-2032</td>
<td>17,610,000</td>
<td>3,568,330</td>
</tr>
<tr>
<td>2033-2037</td>
<td>22,740,000</td>
<td>1,588,215</td>
</tr>
<tr>
<td>2038-2042</td>
<td>30,970,000</td>
<td>97,680</td>
</tr>
<tr>
<td>2043</td>
<td>3,575,000</td>
<td>4,778</td>
</tr>
<tr>
<td></td>
<td>$104,950,000</td>
<td>$24,737,920</td>
</tr>
</tbody>
</table>

Complete financial statements for the Corporation can be obtained from the Office of the Vice President for Business Affairs and Finance at 2121 Euclid Avenue, Administration Center Room 209, Cleveland, OH 44115-2214.

**NOTE 12 – SUBSEQUENT EVENT**

On August 21, 2012, the University issued general receipts bonds in the principal amount of $152,835,000. The General Receipts Series 2012 Bonds were issued as fixed rate bonds with monthly maturities beginning June 1, 2013 through June 1, 2037. Interest is payable monthly at the rate of 5.0%. The proceeds of the bonds will be used to (1) pay costs of constructing a new building on the University’s campus, rehabilitation of existing buildings, campus-wide upgrades of electrical, mechanical and security systems and improvements to campus walkways; (2) refund portions of the Outstanding Series 2003A Bonds, Series 2004 Bonds and Series 2008 Bonds; and (3) pay costs relating to the issuance of the Series 2012 Bonds.
MEMORANDUM

TO: The Faculty

FROM: Ad Hoc Committee (Professors Patricia J. Falk, David F. Forte, Stephen W. Gard, Sandra J. Kerber, Kenneth J. Kowalski, Lloyd B. Snyder, and student members Paul Deegan and Catherine Reichel)

DATE: May 8, 2007

RE: Moot Court Course Credits and Grading

Over the spring semester, the Ad Hoc Committee met regularly to discuss issues related to credits and grading of the Moot Court Program, the Cleveland State Law Review, and the Journal of Law and Health. We devoted the first part of the semester to fact-finding. We invited Karin Mika and Steve Werber to tell us about the current moot court program and its origins, including the awarding of credits and grades. In addition, we invited Greg Jolivette, the Chair of the Moot Court Board of Governors, Joe Mieskowski, editor-in-chief of the Cleveland State Law Review, and Austin McGuan and Anupriya Krishna, co-editors of the Journal of Law and Health to discuss students’ perceptions of the importance of these activities and the academic credits associated with them. At the end of the semester, we invited Katie McFadden, the new Chair of the Moot Court Board of Governors, to review the following proposals and provide feedback on them before presenting them to the faculty. The second part of the semester we discussed various aspects of the proposals in this memorandum.

The Moot Court program serves three different primary functions:

1. It is an academic program for which students receive academic credit;

2. It is a competition program which serves institutional purposes;¹ and

3. It is a student organization with its own by-laws and some degree of self-governance.

These three functions are not necessarily inconsistent. One of our goals was to resolve, to the greatest extent possible, the inherent tension between these functions.

¹ The Moot Court program also potentially serves various other institutional functions, including but not limited to alumni relations, admissions, fund-raising, and first-year orientation. The most prominent ancillary function is the annual Moot Court Night event.
I. Academic Credits

At present, students receive a maximum of six credits for participating in the Moot Court program, as follows:\(^2\)

- Moot Court Tryout – 1 credit (pass/fail)
- Competition – 3 credits (graded)
- Moot Court Board – 2 credits (graded)\(^3\)

The Ad Hoc Committee proposes that Moot Court students would receive a maximum of six credits,\(^4\) typically three credits in their second year and three credits in their third year of law school.\(^5\) The courses would be called simply:

- Moot Court I – 3 credits (graded)
- Moot Court II – 3 credits (graded)

Thus, “Moot Court Board” would be eliminated as a course. The one-hour credit for Moot Court tryout also would be eliminated and the second-year competition would be changed so that students wanting to join Moot Court in their second year would simply hand in their brief for Advanced Brief Writing to try out for the team.

**Gradual Implementation.** If the faculty approves these changes, the Ad Hoc Committee recommends that the new system be gradually phased in over the next few years and that students, who are currently enrolled in the Moot Court program, receive credits in accordance with the system as it existed prior to these proposed changes. Thus, for example, a student in her second year of law school, who has competed but not received credit for that competition, should be allowed to sign up for the five credits in her third year that she would have earned under the old system.

**Rationale:**

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\(^2\) Advanced Brief Writing is not part of the Moot Court program, just as Scholarly Writing is not part of the law review program. Both courses are third semester courses that are part of the legal writing program. All students are required to take three semesters of legal writing and may choose between several offerings, including Advanced Brief Writing and Scholarly Writing.

\(^3\) The references here are to the sequence followed by full-time students. Everything herein applies equally to part-time students except that the timing of the sequence is somewhat different.

\(^4\) Under no circumstances may a student earn more than six credit hours for any moot court-type of activity. Thus, for instance, a student might sign up for Moot Court I and Moot Court II or Moot Court I and the Jessup competition, but not Moot Court I, Moot Court II, and the Jessup competition.

\(^5\) Some students may take only one of these courses, depending upon when they join the Moot Court Board (i.e., after their first year or after their second year of law school.) Also, part-time students may sign up for these classes in their third and fourth years of law school.
Our fact-finding disclosed that virtually all students on Moot Court compete two times during their academic careers: once in their second year, for which they currently receive no academic credit even though they do work that has academic character and value, and a second time in their third year, when they receive 3 credits for a competition and 2 credits for being on the Moot Court Board of Governors. This system of credits is upside down, giving students credits (and grades) for the non-academic function (Moot Court Board) and expecting students to perform the academic work (second-year competition) for “free” without credit.

The Ad Hoc Committee’s proposal, chiefly authored by Steve Gard, is quite simple. We propose that students receive credits and grades for the two times they prepare for and participate in a moot court competition. This will ensure that students are earning law school credit for real academic work—the research, writing, and oral advocacy skills that are needed for a strong competitive effort. After hearing from the two previous advisors, moot court participants, and others, we believe that Moot Court competitions have considerable academic value. The skills that students develop, practice, and refine during their two-year association with the Moot Court program are skills that good lawyers should possess: the ability to write well, to communicate effectively both in writing and orally, the ability to advocate for a particular position, and the ability to work with others in achieving an intellectual goal. In reality, Moot Court is a specialized skills training course, not simply preparation for an appellate practice.

Moreover, the Ad Hoc Committee believes that participation in two separate competitions, one in the second year and one in the third year, has academic merit. In-depth legal research and writing on different legal issues has academic value that is only enhanced by oral defense of the ideas contained in the legal writing. In addition to the academic soundness of giving students credits for developing and perfecting both written and oral advocacy skills in a second competition, awarding credit for a second competition also serves greater institutional goals. Cleveland-Marshall’s success as a Moot Court program relies upon an experienced cadre of students participating in national competitions. Without experience, our students will not be able to effectively compete with the experienced students who come from other schools. This system, then, will encourage students to compete in both their second and third years.

Finally, to promote and preserve the high quality of the Moot Court program as an institutional endeavor, the second function of our Moot Court program, we propose that the course descriptions of Moot Court I and Moot Court II include, in addition to the competitions themselves, activities traditionally associated with being a member of the Moot Court Board of Governors, such as the preparation of problems to be used in competitions, the grading of briefs, and the judging of moot court oral rounds. These activities may be viewed as the equivalent of attendance or class participation points in a traditional law school class, which are a necessary part of the course but do not serve as the principal basis upon which the grade is based. Other activities performed by the Moot Court Board are clearly non-academic in character and involve the third function of our Moot Court program—as a student organization. These activities include Moot Court Night and the Moot Court Banquet planning and execution, publicity, and fund-raising.
We propose that these non-academic activities by the Moot Court Board be supervised by and coordinated with the law school administration and staff to the greatest possible extent.

II. Grades versus Pass/Fail

Based on our investigation, the Ad Hoc Committee believes that traditional academic grading of academic work is entirely appropriate and proper. Therefore, we propose to retain graded credits for Moot Court I and Moot Court II rather than to change these credits to pass/fail. We also believe that the advisor for the Moot Court program, who works closely with the students on their briefs and their oral arguments, is the appropriate person to award these grades. Steve Gard, the new advisor for the Moot Court program, believes that it is possible to grade fairly and accurately the academic work of each student in the Moot Court program. For many years, grading by faculty members has been subject solely to administrative oversight and should continue in that fashion.

As noted earlier, the Ad Hoc Committee met with representative of the Cleveland State Law Review and the Journal of Law and Health to discuss with them academic credits and grading in connection with those activities. The Committee came to two conclusions as the result of these conversations. First, it is extremely difficult to make comparisons between the Moot Court program and the two Cleveland State law reviews/journals because they perform very different functions. The Committee came to believe that we were doing a disservice to both activities by trying to equate them. Second, the clear message that we received from students in law review/journal-related activities is that they wish the system to remain as it is currently configured. Currently, students get academic credit for writing their law review/journal notes and receive pass/fail credit for various administrative activities. Therefore, the Ad Hoc Committee recommends that no changes be made in the grading procedures for the two law review/journal activities.

III. Unresolved Issues—the Ad Hoc Committee’s Work Continues

Unfortunately, the Ad Hoc Committee did not have sufficient time to resolve two additional issues related to the Moot Court program: (1) whether the Jessup International Moot Court Competition should be subsumed under the umbrella of the Moot Court program or remain as a separate course/activity and (2) whether students wishing to compete in a subject-specific “moot court” event not under the auspices of the Moot Court program should receive academic credit for those efforts. Currently, a system exists for these students to obtain financial support from the administration for participation in these “unofficial” or extramural moot court activities, but not academic credit. The Ad Hoc Committee has agreed to continue its work next fall to resolve these additional issues. In the meantime, Steve Gard will have greater experience as the Moot Court advisor and may have insights helpful to the resolution of these issues.