

THE UNIVERSITY OF TOLEDO COLLEGE OF LAW

TRANSCRIPT

FALL 2009



**Celebrating 38 Years of Service:
Professor James M. Klein**

WINNING WAYS: TOLEDO ALUMNI IN THE COURTROOM



As I write this column, the state of our economy continues to create challenges for our profession, our University and our law school. I think you will be pleased to learn, however, that every element of our law school community has responded to these challenges in ways consistent with the values that have made Toledo Law a special law school and a special experience. Members of our faculty have responded to funding cuts by expanding the number of courses they offer and broadening their expertise. The Faculty and Staff Notes section of this magazine gives you a snapshot of their new books and articles and the significant leadership they provide within the profession. In addition, faculty members now supplement our excellent first year legal writing program by requiring each student to complete two significant upper level research papers under individual faculty supervision. The personal attention and feedback given on each outline and draft provide a learning experience that will prepare our graduates to excel in the profession.

As an institution, we have redoubled our efforts to prepare our students, not only for the current job market, but for careers of professional success as well. As detailed in the story on pages 2-3, we now offer, through our Office of Professional Development, an expanded curriculum of training outside the classroom to help them develop the people skills, perspectives and insights necessary for lifelong career success.

Our students, too, are stepping up to make a difference. They have responded to the needs of our community by embracing our new Pro Bono Volunteer Legal Services Program, providing thousands of hours each year of volunteer legal services to the poor under the supervision of legal aid and pro bono attorneys. Our student organizations are constantly involved with community service projects and sponsor numerous charity fundraisers throughout the year. They also collect canned goods and clothing to help those in need. You will be proud to welcome them into the profession.

Our alumni and friends have also joined in to help our students meet the challenges of the legal job market. Locally, members of the Toledo Bar Association welcome our students and provide countless mentoring, internship and externship opportunities and participate in mock interviews, job fairs and other supportive efforts. Nationally, almost 500 alumni have joined our National Online Alumni Network, volunteering to serve as resources to law students seeking information about opportunities and job markets. They provide informational interviews, telephone and e-mail mentoring, and help students begin to build networks in their regions of choice. Most importantly, we appreciate all of you who look first to Toledo Law graduates to fill your hiring needs. We have some wonderful and talented students and graduates to recommend.

We also thank all of you who have made or will make donations to further the mission of the law school. Your contributions matter more than ever in an era of budget cutbacks. They indicate that the law school made a difference in your life and that you think something important happens here. (You may donate online at www.utlaw.edu/give.)

Finally, I hope you will enjoy this issue of the Transcript. At pages 41-43, we honor the career of valued colleague and friend, Jim Klein, and our lead story features the role of the trial lawyer, profiling six of our graduates in a variety of practice settings. As a former labor lawyer and labor arbitrator, I have come to appreciate that the examination of witnesses by skilled trial lawyers is our most reliable way of finding truth and a central part of our justice system. I hope you enjoy their stories. They are but a few of the many outstanding trial lawyers among our graduates. In Toledo alone, we have dozens who distinguish themselves daily.

Sincerely,

A handwritten signature in blue ink that reads "Douglas E. Ray". The signature is written in a cursive, flowing style.

Douglas E. Ray, Dean and Professor of Law



COLLEGE of LAW

THE UNIVERSITY OF TOLEDO

FALL 2009

The Toledo Transcript is published once a year by the College of Law Office of Alumni Affairs.

Dean

Douglas E. Ray

Associate Dean for Academic Affairs

Daniel J. Steinbock

Associate Dean for Student Affairs

Lee A. Pizzimenti

Assistant Dean for Law Alumni Affairs and Career Services

Heather S. Karns

Assistant Dean of Admissions

Carol Frendt

Contributing Writers

Kathleen M. Amerkhanian '04

Ann Elick

Heather S. Karns

Shannon Wermer

Jim Winkler '86

Editor

Douglas E. Ray

Graphic Designer

Joni Bishop

Photographers

Terry Fell

Daniel Miller

Project Manager

Angie Jones



4



12



24



37

College of Law News	2
Speakers	21
Cover Story	24
Graduation	37
Honoring Professor Klein	41
Faculty Notes	44
Class Notes	51
Important Message	57

Developing the Professional

Douglas E. Ray, Dean and Professor of Law

Heather S. Karns, Assistant Dean for Alumni and Career Services

University of Toledo College of Law Office of Professional Development



The transforming process of professional development is something we take seriously. Our law courses stress professional responsibility and often include exercises in drafting, negotiating and advocacy. In clinics and public service externships, students represent real clients under attorney and faculty supervision and work with judges and public agencies.

Beyond the classroom and courses for academic credit, our professional development curriculum begins another phase of students' education. Through a series of programs and opportunities for professional engagement, we complete their preparation for the profession.

An Orientation to the Profession

From their first day, students are exposed to the values and expectations of the profession. At First Year Orientation, they meet in small groups with judges and lawyers to discuss real world problems in the context of professional ethics. These

alumni and other friends of the law school are tremendous role models who bring home the reality of practice.

We then present an Introduction to the Legal Profession Program and discuss what lawyers do, how they obtain their jobs, and the variety of practice settings.

“Alumni involvement is key to our success in professional development. The career programs and mentoring opportunities mentioned are just a few of the ways in which they demonstrate their commitment to the success of our students. Toledo Law alumni appreciate the value of their education and the aspects of our school that set it apart and are our enthusiastic partners in educating the next generation of leaders.”

Heather Karns

We then provide a blueprint for acquiring in law school the skills and abilities needed for successful careers, benefiting from the advice of successful local and national alumni and the hiring partners who visit our law school.

Throughout the year, distinguished alumni visit to discuss specialties and career paths. A Public Service Job Fair also gives students the opportunity to meet government and public service lawyers.

Mentoring

Mentoring opportunities provide students another way to learn about the profession. Our Office of Professional Development, in coordination with the Toledo Bar Association, pairs local alumni judges and lawyers with first year students who meet with their mentors, visit their offices or chambers and often have the opportunity to accompany them in practice settings. We thank these alumni who share their pride in the profession with our students.

The mentoring program gave law student Jeff Reusch the opportunity to work with the Hon. Jeffrey Keller '88, Judge of the Oregon Municipal Court. They met in chambers, Jeff attended court proceedings and had the opportunity to discuss them with Judge Keller. In the process, he met court personnel, prosecutors, and public defenders and learned about the roles a judge plays in our society. He says, “It really helped me to see the real life application of the legal process.”

Another aspect of mentoring is our extensive Online National Alumni Network. Almost 500 alumni across the country have volunteered to make themselves available for students' e-mail and phone questions, office visits and other forms of mentoring related to specialty practice areas and how to do a successful job search in their region. Having the list available online makes this an immediate resource for students with questions. Alumni have also volunteered for our new Pathways to Success Job Shadowing Program. This program gives a student

the opportunity to visit a lawyer for a day or two over any break to learn about practice in a particular region or a practice specialty.

Attributes of Success

Our Professional Development programs are designed to help students develop the skills and awareness necessary for career success. We also want them to know we care about helping them reach their potential and be their best.

Program topics include networking, professional courtesy, business etiquette and effective presentation techniques to equip students with the people skills necessary to succeed in a professional environment. In November, we present a program that merges professional development with the job search process. Based on input from alumni, we identify the attributes and competencies sought in new lawyers and provide a blueprint for obtaining and demonstrating these competencies. If a candidate is personable and can demonstrate that he or she understands the profession, can work well with clients, and can have an immediate impact, an interview will go well. Early participation in bar activities, involvement in law clinics, externships and student organizations and developing good networking skills are just some of the ways we recommend they begin building their skill sets. We stress outreach and developing the people-friendly and service-oriented attitudes and practices shared by most successful people. (An essay based on our November program is published at 40 U. Tol. L. Rev. 403-409 [2009], D. Ray & H. Karns, Job Search Skills for the New Economy.)

Career Services

In a way, all of our programs combine professional development and successful career search strategies. The heart of our career search programming is conducted by the Law Career Services Office with the help of Assistant Director Jessica Mehl, Esq. The Office organizes more than a dozen programs designed to help students make their best impression. Resume and cover letter workshops, training in interviewing, training to use online job posting and career search technology, and programs on specialty and non-traditional careers are among

“The professional development programs offered advice and tips about interviewing skills, resume construction, and networking that will serve me for years to come. The programs epitomize the personal career attention that Toledo law students receive and appreciate.”

Joshua A. Boggioni '09
Hinkhouse Williams Walsh LLP
Chicago Illinois

the important features offered. Special programs are put on for evening students and to prepare students for summer work opportunities.

An active on-campus interview program features public and private employers from across the country, and hundreds of employers solicit job applications by posting their openings with us. In addition, we host hiring partner

meetings to ensure we are up to date on how best to prepare students to meet the needs of law firms.

Students participate in mock interviews throughout the year. The fall interview season begins with a mock interview program in which alumni from practice give students practice interviews. In addition, our Law Career Services Office provides countless mock interviews throughout the year.

Public Service and Pro Bono

A final and important component of our professional development effort is learning the profession's commitment to serve those who cannot afford representation. In January 2007, we launched our Pro Bono Volunteer Legal Services Commendation Program to encourage students to develop the habit of pro bono legal service. Working with volunteer lawyers from the Toledo Bar Association's Pro Bono Program and with lawyers from local legal aid agencies, our students provided more than 7,000 hours of unpaid legal services to the poor in 2008 alone. Each spring we host a Public Service Recognition reception and award Commendation certificates to students who have performed a significant amount of service, and each Commendation winner is listed in the Honors Booklet for his or her law school graduation. This program gives students the opportunity to work with wonderful role models, develop their skills and learn what a difference a lawyer can make in a person's life. The participation by hundreds of our students in this program demonstrates that the future of our profession is in good hands.

Conclusion

Professional development is central to our mission. It perfectly complements the classroom and clinical experience and prepares our graduates to add value to any practice or business setting.

For these law graduates, service to law school, community is the watchword

By Jim Winkler '86

Nine University of Toledo College of Law students were honored for outstanding service and student involvement during two awards ceremonies in April. The students, who received their law degrees at May commencement exercises, were recognized for outstanding work in a range of areas, including the clinics, Moot Court competitions, and leadership in student organizations such as the UT Law Review and Student Bar Association.

Presenting the Outstanding Service awards during the April Student Recognition Banquet, Dean Douglas Ray stated: "These student leaders have distinguished themselves in helping make this a better law school through their service, their initiative, and their leadership." **Joshua Boggioni, Ryan Engle, Adam Gedling, Rebecca McCarty, Laura Monroe, Jessica Ramos, and Lynn Taylor** received these awards.

Boggioni, Engle, Gedling, Monroe, Ramos, and Jordan Grant also received Student Bar Association Student Involvement Awards. Monroe and Ashley Lynn Meyers received the Outstanding Public Service Volunteer Award and the Patrick M. Burns Memorial Outstanding Clinical Student Award, respectively, which were presented at the April 2 Public Service Recognition Program.

The following profiles offer some of the reasons for these awards.

Joshua Boggioni: The Sylvania, Ohio, native was responsible for the UT Law Review's content and quality as its editor-in-chief during the 2008-2009 school year. Boggioni said he was honored to hold the position and added that he was fortunate to have had such dedicated classmates as colleagues.

His duties included leading discussions to determine which articles to print from the submissions from lawyers, law school professors and others; supervising the

thorough editing of each issue's contents by associate members and associate editors; and reading every article many times, including a final reading once it was considered ready for publication.

"It has been a great experience," said the University of Evansville graduate, who spent six years producing and directing works off-Broadway before enrolling in 2006. "You are essentially managing 50 very opinionated and smart people, so a lot of it is keeping the associate members and other editors interested, motivated and inspired. Respect is key."

During Boggioni's tenure, articles in the review addressed the tax code, Supreme Court desegregation cases, and seat-belt safety in vehicles. One issue, the Leadership in Legal Education Symposium, featured essays by law school deans; another will contain papers presented at a symposium on the historic *Ex Parte Young* case; and a third explores the law passed in 1808 that outlawed slave importation.

Ryan Engle: As Student Bar Association president, the Westlake, Ohio, native and graduate of Xavier University led the organization that oversees the school's 20 student organizations. His duties also included serving as a liaison for students and chairing the School Student Senate. "The SBA does a lot for students outside the classroom," he said.

As a second-year student, Engle participated in the Philip C. Jessup International Law Moot Court competition. This past year, Engle coached a team that defeated teams from Illinois, Wisconsin and Michigan at the competition.

"I like to say that we swept the Big Ten," he deadpanned.

Moot Court competitions help students develop practical skills, he said, because they must conduct extensive research, master legal principles, and learn the art of oral advocacy.

Adam Gedling: With both a B.A. and an M.B.A. from Ohio University, the Hamilton, Ohio, native served as president of the school's Phi Alpha Delta chapter. He

reactivated the chapter by aggressively recruiting new members, expanding its membership from one to 60 members. In line with its motto, "Service to the student, the school, the profession, and the community," the chapter organized programs to help students adjust to law school's rigor, prepare for exams, learn appellate advocacy, write briefs and compose resumes.

The fraternity collected more than 1,400 cans for Toledo food pantries and helped sponsor a winter clothing drive and a "Kiss the Pig" contest that raised funds for the Seneca County Humane Society. Gedling also served as Moot Court Chairman, coordinating the Law School's eleven Moot Court teams. Among other duties, he helped pick

coaches, create budgets and schedule practice sessions.

As a second-year student, he represented the law school on the Environmental Law Moot Court team. This year, he coached the sports law team and competed with the labor and employment team.



Laura Monroe: The Fort Wayne, Indiana, native strongly believes in a lawyer's obligation to serve the public good.

She was president of UT's Public Interest Law Association, which coordinates student public interest efforts and raises money for fellowships that allow students to work throughout the country in otherwise unpaid public-interest positions.

As a law student, she earned the law school's Pro Bono Commendation Award five times by completing more than 30 hours of pro bono work in each semester. The law school's Pro Bono Legal Services Program involves students in helping meet the legal needs of low-income people in Toledo and its surrounding communities.

Between her first and second years, she worked on the 21st-Century Government Committee, which issued in 2007 a report, "Reinventing Lucas County Government: A Strategy for Our Future," and she spent the summer of 2008 working in the Cook County (Ill.) Prosecutor's Office as a participant in the Reinberger Honors Program in Prosecution.



Front left: Lynn Taylor, Jessica Ramos, Dean Douglas Ray, Rebecca McCartney, Adam Gedling, Ryan Engle, Josh Boggioni, and Laura Monroe.



Lucas County Prosecutor Julia Bates, Assistant Lucas County Prosecutor Dean Mandross, Dennis Parish, Esq., Professor Robin Kennedy, and Dean Douglas Ray with members of the 2009 Reinberger Honors Fellowship Class. A generous grant from the Reinberger Foundation supports law students working as Reinberger Fellows each summer in federal and state prosecutors' offices all across the country.

2009 Alternative Dispute Resolution Awards and Fellowships

This year, the College of Law was very pleased to have the opportunity to recognize student achievement in the field of Alternative Dispute Resolution. **Brent J. Hartman, 2L**, was the recipient of the **Joel A. and Shirley A. Levine Public Interest Fellowship in Alternative Dispute Resolution** and **Jennifer Rumschlag, 3L**, was the inaugural recipient of the **Levison Alternative Dispute Resolution Award** sponsored by Kathie Levison '79. We thank these donors for their generous contributions to the experience of our students in this field.

Lynn Taylor: Practice, practice, practice: that was the Worthington, Ohio, native's mantra as she prepared for Moot Court competitions. A graduate of Northwestern University, Taylor competed in the Robert Wagner Labor and Employment Law Competition at New York Law School in her second year. She coached the team this year.

She says the rigorous writing, oral training and practice sessions helped her analyze difficult questions, write persuasively and gain the ability to anticipate questions and provide thoughtful responses. "Moot Court was one of the best experiences I had here at the law school," said Taylor.

Taylor was extremely active in Phi Alpha Delta, coordinating some of its most successful events. She is proud of the fraternity's outreach efforts, networking opportunities and sense of social obligation.

Ashley Meyers: The recipient of the Patrick M. Burns Memorial Outstanding Clinical Student Award calls her two years of work at the Civil Law Clinic "eye opening."



For the Hopkins, South Carolina, native, involvement with the clinic represented more than just course work. It expanded her knowledge of the law, exposed her to a range of legal issues, and helped her develop her confidence as she worked with people involved in housing, adoption, custody and domestic violence issues.

She also assisted in a project to encourage Ohio courts to develop user-friendly systems for pro se divorce litigants.

“Ashley received the award because of her intelligence, advocacy skills, compassion and her pursuit of justice,” said Clinical Professor Robert Salem, director of the law school’s civil legal clinic. “Ashley represented people in need and got great results.” He added that her empathy, compassion, work ethic and problem-solving abilities made her work more effective.

Rebecca McCarty: The Luther, Michigan, native and president of UT’s Women’s Law Student Association said that the increasing presence of women in American law schools is a remarkable success story.

A half a century ago, female attorneys were almost nonexistent, but today women comprise almost half of law students.

The organization, which promotes gender equality in the law, holds social and mentoring events with the Toledo Women’s Bar Association. It also sponsors clothing drives to provide poor women with professional interview attire, fundraising events for scholarships, and discussion panels concerning work-life balance.

McCarty, who worked her first summer at Legal Aid of Western Ohio Inc., originally planned to attend law school at the University of Miami but decided to attend Toledo because of its smaller classes and “personable” professors.

“When I came here, the atmosphere was so much more welcoming,” she said.

Jessica Ramos: Unsurprisingly, the Parkersburg, West Virginia, native and Ohio State graduate, who is fluent in Spanish and served as the International Law Society’s president, is considering a career as an immigration attorney.

“Immigration law is a very direct way that I can use my language skills and my legal education,” she said, adding that more multilingual lawyers will be needed to serve the needs of a growing Hispanic population.

Ramos also taught beginning and intermediate Spanish to law students, faculty and staff, calling it “very informal and just for fun.”

Ramos co-coordinated the Charles W. Fornoff Appellate Advocacy Competition by pairing students, scheduling rooms and recruiting judges. This competition starts in the spring and culminates with a final round each fall that often draws large crowds. Its panels frequently include federal judges and state Supreme Court justices.

Jordan Grant: The Wauseon, Ohio, native and BGSU graduate was vice president of the Student Bar Association and president of UT’s Federalist Society, which promotes conservative legal thought and works to stimulate awareness and intellectual curiosity about current issues. Through seminars, the group works to popularize a legal method of legal analysis called textualism, which holds that the Constitution should be interpreted

as it is written, not as judges think it should have been written.

The Society sponsored a number of events and speakers, including Professor Richard Garnett from Notre Dame University. It also held two debates concerning the definition of torture and constitutional interpretation, and hosted Federal District Court Judge Steven Murphy’s lecture on the judicial nomination process.

At the start of the fall semester, the Society put on the inaugural Supreme Court Preview, in which UT law professors discussed upcoming Supreme Court cases and their implications for the law. “The society’s events this past year were a great success in the law school community,” Grant said.

As SBA vice president, Jordan was in charge of producing the annual student directory, assisting with Orientation, and overseeing several committees and SBA-sponsored events.

Law dean recognized for continuing education of bar

By Shannon Wermer



Dean Douglas Ray with Mark Smith

College of Law Dean Douglas Ray received a special award from the Center for American and International Law in April for his “extraordinary commitment to the continuing education of the bar.”

The Center for American and International Law is an international nonprofit educational institution dedicated to improving the quality of justice through continuing education to lawyers. Headquartered in Texas, the Center has provided continuing education to thousands of lawyers from all 50 states and 130 countries.

The dean has served as chair and been a featured lecturer for the Center’s Program on Labor Law and Labor Arbitration for the past 10 years. The program is

attended by lawyers from across the nation and taught by many of the country’s leading experts in labor law.

Ray is the co-author of *Understanding Labor Law*, the text used in the program. Early in his career, Ray was in private practice in labor law, and has served as a labor arbitrator.

Mark Smith, vice president for the center, said, “Doug is a good friend of the Center and an important contributor to the continuing education of the bar. We appreciate the opportunity to bask in the glow of his good work and were pleased to recognize his contributions to the Center and the bar with a commemorative plaque.”

Barbara Greely Given Staff Appreciation Award



The College of Law honored one of its own this year as it presented the first annual Staff Appreciation Award to Barbara Greely, Assistant Director of

Admissions. She received a plaque and a gift basket at the annual Staff Appreciation Lunch in December.

The award was created to recognize the key roles played by non-faculty staff members of the law school community. Nominations were made by both faculty and staff, based on effort, attitude and helpfulness.

“When they said my name, I thought ‘Wow’”, said Greely. “I am a person who very much appreciates kindness, and I try to be kind in my work. I saw this as a major kindness.”

For Greely, the award was a wonderful way to end her career at the law school. She retired in February after more than 30 years of service to the University.

Dean Douglas E. Ray presented the award. “The several people who nominated her praised her positive attitude, the cheer and caring she brought to every conversation and her help to everyone, whether visitor or staff,” he said. “Barbara Greely is a friend to all and someone who truly is irreplaceable.”

Carol Frendt, Assistant Dean of Law Admissions, also had high praise for Greely. “She is a rare individual who exemplifies the very best in academic performance, interpersonal skills, moral development and work ethics,” Frendt said.

Why We Support Legal Aid Services



Jeff and Kathy Bixler

Our interest in supporting legal aid and related causes grows out of the belief that lawyers understand far better than the community at large the importance of quality legal representation for poor, low-income, disabled and disenfranchised persons in our society. In our experience, many in the non-lawyer community do not fully appreciate the growing need for legal representation among those who cannot afford such services. Nor do they appreciate that legal aid services are most often focused on assisting with basic daily needs — food, clothing, shelter, safety, employment, medical care, etc. And like many others, disadvantaged individuals need legal

In 2007, Jeff '72 and Kathy Bixler established an endowed fund to support the College of Law Legal Clinic and the College's other activities on behalf of the underprivileged.

They have graciously agreed to share their thoughts on the importance of such programs.

assistance with basic family law issues, bankruptcy, foreclosures and immigration. Resources are often available from government programs, or relief can be obtained through the court system or law enforcement. Persons of limited means, however, often find access to these services particularly difficult for a variety of reasons. Lawyers, by reason

of their legal training and experiences, certainly understand that landlord-tenant issues, domestic abuse situations and denial of government benefits may have a resolution in a legal forum or can benefit greatly from legal assistance. Quality legal representation to the poor often prevents bad situations from becoming worse and helps promote a fairer and more just social environment.

Our belief that lawyers do have a greater understanding of the value of quality legal representation for the poor has motivated us to respond in a number of ways. First, we have assigned a

higher priority in our charitable giving to organizations providing free legal services. We believe that qualified legal aid organizations, which employ full-time attorneys dedicated to providing legal services to those who cannot afford them, are particularly deserving of our financial support. In addition, we support local bar pro bono programs, which offer significant opportunities for practicing lawyers to provide free services to low-income persons. Second, our support of the College of Law's Legal Clinic and its Pro Bono Legal Services Program has been inspired by our desire to encourage education and training of law students regarding the legal needs of the poor and the opportunities to assist them. And third, we have volunteered our services to help educate others regarding the benefit to society in ensuring quality legal representation to all persons in the community.

“Conflicts of interest: Duties to former clients could be described as it ain’t over til it’s over, panel advises”

CHICAGO — In his hit single *Breaking Up Is Hard to Do*, Neil Sedaka could just as well have been describing the process of ending the attorney-client relationship. Professor Susan R. Martyn joined three other panelists at the May 28 discussion titled “Where Does It End? Duties to Former Clients,” presented during the ABA National Conference on Professional Responsibility.

Professor Martyn reviewed the case law of screening and its impact on lawyers’ duties to former clients. According to Martyn, courts evaluating the effectiveness of a particular ethics screen in the lateral-hire scenario look at several factors, including these:

- How deeply was the lawyer involved with the former client? The more substantially involved, Martyn said, the less likely the court will uphold the attempted screen as a means of preventing the firm’s disqualification.
- What was the time lapse between the matters in dispute? According to Martyn, screens tend to be upheld if there is more space between the two matters.
- How large was the firm and how was it structured? Courts look at screens with more skepticism if the firm is small, she said.



Professor Susan R. Martyn, John W. Stoepler
Professor of Law and Values

- What was the timing of the screen? Did the new firm put procedures in place the instant the new lawyer walked in the door, or did it wait? “Even delaying a couple of days can be fatal,” Martyn stated.
- What were the firm’s internal procedures for setting up screens? Courts take a hard look at these, Martyn said. Accordingly, law firms ought to have in place policies prohibiting the discussion of certain matters and restricting access to or circulation of sensitive documents and files. “There must be a formal mechanism,” she cautioned, “not just some ad hoc approach.”
- How does the firm react to cracks in the conflicts wall? “Increasingly, courts

are impressed by law firm discussion of hard sanctions for breaches—including dismissal of any lawyer who breaks a rule or attempts to break a rule,” she noted.

There should be no fee sharing between the firm and the disqualified lawyer, Martyn continued, and written notice of the screen should be given both to the tribunal and to the former client. That notice, she said, should mention the specific procedures used.

Martyn pointed to two cases as instructive on the issue of effectiveness. In *Norfolk S. Ry. v. Reading Blue Mountain & N. Co.*, 397 F. Supp.2d 551 (M.D. Pa. 2005), she said, the screen was declared ineffective even though it arose in a jurisdiction considered liberal on the subject of screening. The court cited the following factors as critical: the former lawyer had a substantial relationship in the prior matter because he was lead counsel with a significant role in the case; there was virtually no time lapse between the two matters; and the 10-person firm was viewed as too small for an effective screen.

By contrast, Martyn said, a firm’s screen was upheld in *Intelli-Check Inc. v. Tricom Card Tech.*, 2008 U.S. Dist. Lexis 84435 (E.D.N.Y. 2008), where the lawyer had separated from his old firm almost two

years before the conflict arose, which the court reasoned made it unlikely that his knowledge would be key to any ongoing strategies of the former client. And, Martyn said, the court stressed that the firm's size — 420 lawyers — and geographic separation of the screened lawyers mitigated in favor of finding that the screen was effective.

by *Lance J. Rogers*

Reproduced with permission from ABA/BNA Lawyers' Manual on Professional Conduct, Current Reports, 25 Law. Man. Prof. Conduct 305 (Jun. 10, 2009). Copyright 2009 by the American Bar Association/The Bureau of National Affairs, Inc. (800-372-1033) www.bna.com

Support the Annual Fund!

A gift is a way of saying that the law school made a difference in your life and supports:

- Scholarships that make an education possible
- Faculty excellence
- Moot court, student government, law review and other student engagement
- Law clinics and public service fellowships for law students

Our online donation program provides an easy, fast and secure way to support our mission and our students through an Annual Fund contribution. Visit our law school Web page and click Alumni/Giving or go to www.utlaw.edu/give.

If you wish to mail a gift, please make checks payable to the UT Foundation, indicating Law School Annual Fund on the memo line, and mail to:

The University of Toledo Foundation
P.O. Box 586
Toledo, Ohio 43682-4000

Annual Fund gifts make a tremendous difference for our students. Every gift matters.

LAW CAREER SERVICES: HELPING YOU MEET YOUR NEEDS

We can help you find highly qualified students and graduates to meet your full-time, part-time or project needs. As Toledo Law alumni, you know how well they have been taught.

Our intensive curriculum, writing programs, clinics, skills courses, pro bono legal services program and new professional development programs have prepared them to have an immediate impact. They also do well on bar exams all across the country. For example, Toledo ranked first in Ohio for first-time taker bar pass rate on the July 2006 exam (94%) and first in Michigan for the July 2008 exam (93%). Ninety-five percent of the students from the class of 2008 had jobs within nine months of graduation.

They went to AZ, CA, CO, CT, DC, DE, FL, GA, IL, IN, KY, MA, MD, MI, MN, MO, NC, NJ, NV, NY, OH, PA, SC, TN, TX, UT, VA, VT, WA, WI and WV.

Our Law Career Services Office, under the direction of Assistant Dean Heather Karns and Assistant Director Jessica Mehl, will help you schedule on-campus interviews, collect resumes targeted to your needs, post jobs on our Symplicity system, and help you find just the right student for part-time and project work. We look forward to hearing from you.

For information, contact lcs@utoledo.edu or call 419.530.2851.



UT Law Review celebrates 40th birthday

By Jim Winkler '86

One of The University of Toledo's most enduring publications is set to blow out some candles.

This year, The University of Toledo Law Review observes its 40th birthday. It is a publication that has become a revered and important part of life at Toledo Law and participation is a sought-after honor for the college's top law students.

Edited entirely by students and published approximately four times a year, the Law Review publishes articles and notes by professors, judges, practitioners and students on many areas of legal scholarship, including constitutional law, criminal law, international law, corporate law and legal education. For the past 10 years, it also has published the annual Leadership in Legal Education Symposium, featuring essays by law school deans. To date, more than 160 deans have participated.

"It was my hope that the Law Review would endure. And it has," said Toledo native Richard S. Walinski, a founding partner in the Toledo law firm of Cooper & Walinski, who served as the Law Review's first editor-in-chief. "I invested a lot of myself in it during the 16 months I was editor-in-chief."

Walinski says the Law Review's inauguration was closely tied to the arrival in 1963 of a new dean, Karl Krastin, and to the school's rapid growth in the turbulent 1960s.



From the beginning of Dean Krastin's 13-year tenure, the law school expanded dramatically. There was an influx of young, bright faculty members. Like other law schools during the early years of the Vietnam War, the school received applications from an increasing number of good students. Planning started for a new, modern, four-story building to house the law school. Back then, the school was located on the third floor of what today is Gillham Hall. The new Law Center eventually was built and dedicated in 1972.

"In those days, there was something of a 'go-go' reputation about the law school at Toledo," recalled former law school faculty member Lester Brickman in a 1976

article praising Krastin that was published in the Law Review. "It was looked upon as a place where much was happening; where there was intellectual ferment and movement toward excellence; where a new dean had just taken over and was leading an emergent institution into a distinguished future."

It was only natural then that the faculty wanted a college-sponsored law review to replace the intramural Student Law Journal as part of a larger plan that would help spread the word about the law school and advance its prestige. As Walinski puts it, "A law review was essential for any law school seeking respectability."

When Walinski was selected as editor-in-chief in early 1968, two things stood out on his resume — he was an outstanding student, and he had experience in editing while a graduate student in philosophy at Pittsburgh’s Duquesne University. He said he returned to Toledo to attend law school after deciding that he didn’t want to teach philosophy and that he was not likely to become “the next Immanuel Kant.”

Walinski was responsible for the administrative, business and editorial aspects of the fledgling Law Review. Theodore M. Iorio, today a prominent Toledo-based labor lawyer, served as executive editor. Fifteen other students served on the editorial board in various other capacities. Faculty members Samuel A. Bleicher and James D. Johnson served as the first two faculty advisers to the review.

Walinski spent the first few months sending out solicitations for articles and organizing a program to produce publishable writing by students chosen for membership on the review. He also spent time just getting familiar with the law-review trade. “Remember, we had to build it from the foundation. Besides obtaining manuscripts for possible publication, we had to select a printer, design the cover, and set the myriad features that would become the publication’s style and

appearance for years to come.” During the 1968-69 school year, he and other editors spent countless hours each week on Law Review business in a tiny office shoe-horned among just-as-tiny faculty offices. “My seat in class was usually empty. Another editor, Ron Keaton, tutored me before exams.”

and editorial board, recalls Walinski.

Former Ohio governor Michael V. DiSalle, who practiced law in Washington, D.C., at the time, authored the lead article — a piece on trends in the abolition of capital punishment. Another author, University of Iowa professor and civil procedure

authority Allan Vestal, wrote on procedural aspects of res judicata/preclusion. “He was a catch for our up-start review,” according to Walinski. Other articles were on formulations and the IRS, stare decisis in an era of judicial activism, and racial and economic segregation in zoning.

Topical commentaries, written by the student members of the review, discussed such legal issues

as states lending textbooks to students in sectarian schools, causation in cardiac cases arising under the Ohio Workman’s Compensation Act, the continuing erosion of parental immunity, constitutional protection for the use of drugs in religious rituals, and appeals to race in union representation campaigns.



Jacqueline M. Boney and Richard S. Walinski

In the foreword to the first issue, Walinski listed several purposes for the new publication: to serve as a tool for refining students’ research and writing, to aid practicing attorneys and to advance legal scholarship. The first issue had 302 pages, the product of meticulous researching, writing, editing, rewriting and cite-checking on the part of the authors



“The board of editors was proud to have met and exceeded the college’s and University’s first-year expectations for the publication,” Walinski recalled. The original publishing schedule called for two issues in the first year, but the board published three. The review began publishing four issues per year in 1978.

After he graduated, Walinski went into private practice and formed a career-long partnership with another editor on the first board, Cary Cooper. But he continued to follow the Law Review’s progress closely. For several years, he hosted an annual dinner to introduce the newly elected editor-in-chief and executive editor to their predecessors.

“The purpose of those gatherings was to instill in the incoming editors a sense that there was a history to the review and that the people who went before them still cared about it, were interested in what

succeeding boards were doing, and dearly wanted them to succeed,” he said.

According to Assistant Professor of Law and LaValley Law Library Director Rick Goheen, the Law Review has published some 39,814 pages through Volume 40, Issue 1. The 1,677-page Volume 15, published in 1983-1984, is the longest, while the shortest is the 627-page Volume 4, which was published in 1972-1973. The volume mean length across 39 volumes is 1,014 pages. Its articles have been cited and relied on by hundreds of courts and scholars.

Jacqueline M. Boney, an attorney with Cooper & Walinski, was the first female editor-in-chief. She oversaw Volume 7, commencing in fall 1975.

Looking back, Walinski takes great pride in the success of the review and that he played a part in its establishment.

“It gratifies the first board of editors,” he says, “that so many editors who followed us invested as much of themselves in the review as we did.”

Participating on Law Review, Walinski says, is hard work, but it is perhaps the single most important educational activity for a law student. “No other activity—curricular or extracurricular—focuses so intensely and in such varied ways on sharpening the lawyer’s defining skill: the ability to articulate the law accurately, clearly, and succinctly.”



Board of Editors, Volume 1: starting left: Stuart Radick, Vincent Scamell, Eric Silverberg, David Ruedlin, Jack Straub, Ted Iorio (executive editor), Cary Cooper, Richard Walinski (editor-in-chief), Robert Scheer, Michael Schlesinger, Wolfgang Drescher, Ronald Keaton, Roger Ballinger. Not pictured: Norman Zimmelman, Frederic Gray, Marvin Feingold, Steven Davis, Gene Gates, James McNeil.

Law school faculty member nominated for national Jefferson award



Gabrielle Davis, clinical professor of law, was one of three Toledoans who received Jefferson Awards earlier this year in honor of their community work.

The trio will be the city of Toledo's nominees for the national award. Their names will be sent to the American Institute for Public Services, and one will be invited to the National Jefferson Awards dinner in Washington, D.C.

The others were James R. Findlay and Dr. Richard Rupert.

Davis is the director of the College of Law's Domestic Violence Clinic, which offers legal assistance to low-income and minority victims of intimate partner violence. She has secured civil protection orders, provided pro bono legal representation in court, conducted safety planning and advocacy, and led a number of community and court-based research projects.

In 2006, Davis and the Domestic Violence Clinic received a \$197,446 grant from the U.S. Department of Justice to conduct a yearlong study on domestic violence-related deaths in the region. The research revealed deaths from domestic violence tripled in northwest Ohio from 2003 to 2006, and domestic violence was the No. 1 cause of local murders in 2007.

Her published research has been cited in journals, law texts and government reports. Her grant proposals have raised funds to maintain operations at the Domestic Violence Clinic and research victim access to the local court system.

As a member of various boards, Davis has provided leadership to other anti-violence initiatives, including the Bethany House in Lucas County, the Cocoon Shelter in Wood County and the Take Back the Night Collective.

Kelly Moore to join faculty



We are pleased to welcome Assistant Professor Kelly Moore to the faculty this fall. He will specialize in tax, trusts and estates, and tax planning courses. A graduate of Washington University School of Law, where he was an associate editor of the Law Quarterly (law review) and was elected to Order of the Coif, he later received an LL.M. in tax. After several years in private practice, he began teaching at Washington University School of Law, including courses in trusts and estates, estate and gift tax, estate planning, and fiduciary income tax. Moore also served in administrative positions in the school's LL.M. Program, including as program director. He has taught at St. Louis University, as well. Moore, who arrived at UT this summer, has several publications in the area of estate tax.

Law school conference commemorates 200th anniversary of federal slave import prohibition

The same country that elected a black man as its president in 2008 took a first tentative step toward equality with a quiet clause written into the U.S. Constitution that enabled lawmakers to pass a statute prohibiting the importation of new slaves, beginning in 1808.

Two hundred years later, The University of Toledo College of Law commemorated the enactment in 1808 of the 1807 Act to prohibit the importation of slaves, a small step for African Americans toward equality, during a conference titled “Commemorating 1808: Fighting for the Right to Dream,” held Oct. 24, and 25.

New Jersey Congressman Donald Payne gave the commemoration’s keynote address. Last year, Payne sponsored a resolution in the U.S. House of Representatives pushing for a commission to recognize the 200th anniversary.

The Act stated, “That from and after the first day of January, one thousand eight hundred and eight, it shall not be lawful to import or bring into the United States or the territories thereof from any foreign kingdom, place or country, any negro, mulatto or person of color, with intent to hold, sell or dispose of such negro, mulatto or person of color, as a slave, or to be held to service or labor.” The Act also attacked the commercial structure that underpinned the slave trade, ordering forfeiture and penalties against vessels fitted for the slave trade, expeditions,

importing and buying, among other aspects.

“The commemoration of this event is important because it makes us aware of just how deeply slavery and the slave trade impregnated the country — not just the South — and how painful was and is the process of extracting slavery and its legacies from the American body politic,” said Ben Davis, associate professor of law, who coordinated the event.

The conference featured speakers tracing the history of these persons. From colonialism and the capture and imprisonment of Africans to the lives slaves lived, speakers’ topics included the “Cycle of Optimism and Despair” and the legal and political underpinnings of the American slave trade.

“Slavery was intertwined with every aspect of society,” Davis said. “The sugar on a dining room table in the colonial period had its source in slavery. The money given to create Harvard Law School came from the sale of slaves.



This conference explored the legal, political, social and human triumphs and failures that occurred as America came to recognize what might be termed the ‘right to dream’ of African Americans.

“All of us understanding and integrating our intertwined history is an important part of charting America’s future,” he said.

Progress to protect Great Lakes addressed at conference



Significant progress continues to be made to keep the waters of the Great Lakes clean and healthy, but they still face a host of threats, a member of the International Joint Commission (IJC) in Washington, D.C., told some 150 people who attended The University of Toledo College of Law's eighth annual Great Lakes Water Conference Nov. 14, 2008.

Sam Speck, conference keynote speaker and former director of the Ohio Department of Natural Resources, said the Great Lakes-St. Lawrence River Basin Water Resources Compact is an important proactive measure, but warned of hazards still to be faced: pollution from industrial, urban and agricultural runoff; low water levels; urban sprawl; sewage overflows; diversion of water to support large cities around their shores; and harmful invasive species such as the Asian carp and the zebra mussel.

Speck was one of 13 participants at the conference, where the new Compact,

groundwater rights and cross-boundary pollution were discussed. The College of Law and its Legal Institute of the Great Lakes, which is directed by Professor Kenneth Kilbert, sponsored the program. The Compact was approved by governors in all eight Great Lakes states in 2005 and later by state lawmakers. Congress approved the Compact and it was signed by President Bush. Ontario and Quebec adopted similar policies.

In addition to limits on water diversions out of the Great Lakes basin, the Compact regulates withdrawals within the basin, requires each state to develop a conservation plan, and establishes a council made up of the eight governors, with broad authority to conduct research and plans for the future.

"This conference brings together leaders in law, policy and science to tackle some of the toughest issues facing the Great Lakes," said Kilbert, associate professor of law, who organized the conference. "Attendees hear insights from experts on such diverse topics as Ohio's new constitutional amendment regarding water rights, mercury emissions from power plants, and wise management of our water resources. Plus, the panelists learn from each other, which facilitates interdisciplinary problem solving."

Other speakers were from the UT Department of Environmental Sciences, Florida A&M College of Law, Waterkeeper Alliance, National Wildlife Federation, Ohio Department of Natural Resources, the Michigan State Senate and DTE.

Conference addresses *Ex Parte Young* decision

None of the country's leading scholars on the Supreme Court's historic *Ex Parte Young* decision, which authorized private individuals to sue state officials who violate their federal rights, spoke at a symposium, "Ex Parte Young: The Font of Federal Rights Enforcement," on March 20, 2009.

Participants discussed the historical significance of the case and its role in maintaining the system of federalism, explored recent developments and suggested strategies to use *Ex Parte Young* to enforce federal rights in light of recent Supreme Court rulings.

"We celebrate the 100th anniversary of a landmark legal decision and the role of lawyers and the law in protecting individual rights," said College of Law Dean Douglas Ray in his introductory remarks.

Rebecca E. Zietlow, the Charles W. Fornoff Professor of Law and Values, gave an overview of the case.

Speakers were from National Senior Citizens Law Center, the New York Lawyers for the Public Interest and law schools at Santa Clara University, the University of Miami, the Cumberland School of Law, Emory University, the University of Alabama, New York Law School and the University of Cincinnati.

Participants' papers will appear in Volume 40, Issue 4 of The University of Toledo Law Review.

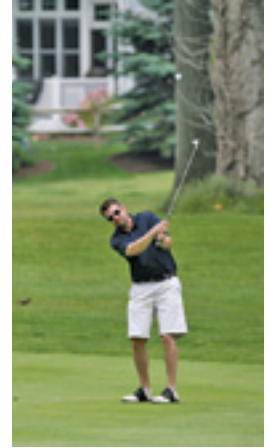
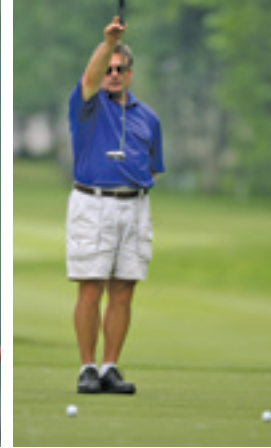
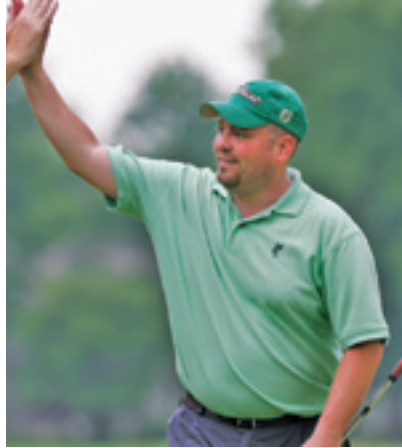
John W. Stoepler Golf Classic

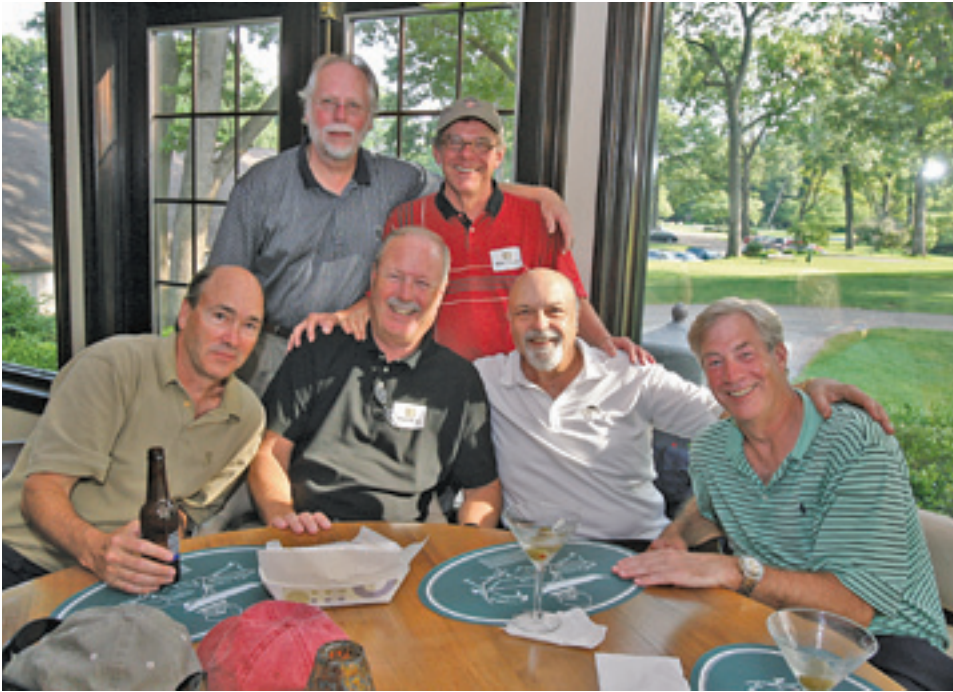
The John W. Stoepler Scholarship Fund was established in 1990 following John Stoepler's retirement as Dean from the College of Law. Since that time, 23 scholarships have been awarded. John Stoepler passed away in January 1998. In 1999, the College of Law Alumni Association named the golf outing in Dean Stoepler's memory. Over the last 10 years, the annual golf outing has raised more than \$85,000 toward student scholarships, with this year's event contributing almost \$9,000 toward that total.

This year's 10th anniversary golf classic took place on Monday, June 8, at Stone Oak Country Club in Holland, Ohio. It began amidst threatening weather reports, but proved to be a good day on the course for the winning foursome of Paul Croy '89, John Schaeffer '89, Mike McGrail '87 and Andy Kasle '89.

A number of John Stoepler's family members were in attendance at the dinner where Law Alumni Affiliate President and Golf Committee Chair Chad Tuschman served as master of ceremonies. Opening remarks were provided by Dean Douglas Ray, who thanked all participants and all who donated to the John W. Stoepler Scholarship Fund. He said, "This event helps us keep alive the memory of a person who was a friend, a teacher and a mentor to so many of us. The Scholarship Fund helps us, through the careers of our scholarship recipients, to keep alive John's values and his commitment to service." Professor Doug Chapman shared memories and humorous moments from his years of working with Dean Stoepler, and a toast to the memory of John Stoepler was presented by Thomas Pletz '71.

Recent Stoepler Scholarship recipients joined the dinner to share their appreciation for the support of this scholarship fund. Lead sponsors were Robison Curphey and O'Connell; Diane French; LaValley, LaValley, Todak & Schaefer Co. L.P.A.; Nick Hetzer; Eastman & Smith; and Williams DeClark & Tuschman. We hope you will plan to join us for next year's event on Monday, June 14, 2010.





Professor Ron Brown '68 outlines labor law reforms in China



As China's economic and social boom continues, protecting workers' labor rights remains a top priority for its top governmental leaders, Ronald C. Brown, a professor at the William S. Richardson School of Law at the University of Hawaii and a 1968 graduate of the UT Law School, told an audience during a June 23 Distinguished Speaker Series lecture.

Two years ago, China's legislature, the National People's Congress, passed a set of broad new labor laws that strengthen protections for workers. The laws require employers to provide written contracts to their workers and make it more difficult to terminate employees without proper justification, according to Brown, a leading authority on Chinese law and author of a new book published by the Cambridge University Press, *Understanding Labor and Employment Law in China*. A 1995 Labor

Law and the new Employment Promotion Law also prohibit discrimination against applicants and employees because of their ethnicity, race, gender or religious beliefs. Migrant workers were particularly targeted for protection.

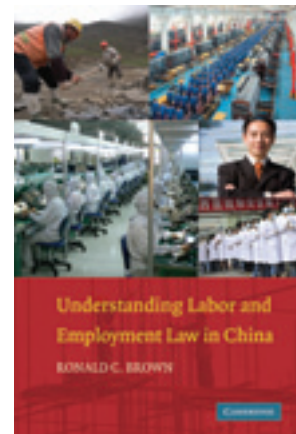
"Things have gotten better for Chinese workers, while at the same time China has maintained its competitive advantage in the international community," Brown said. He noted that China has benefited from the experiences of European countries and the United States in constructing and strengthening their labor laws, while at the same time it continues to develop its socialist market economy and its rule-by-law system. "They have studied and taken the best of the laws from countries around the world, discarded the bad, and created their own laws with Chinese characteristics," he added.

He also noted that the new mediation and arbitration law has improved workers' rights and established an easier process for dispute resolution. There also have been positive developments on wage levels, social security laws including worker's compensation, unemployment insurance, maternity and medical insurance, as well as enactment of a law preventing sexual harassment in the workplace.

Even though China has moved closer to international labor standards, Brown

noted the country is still working hard to improve labor law enforcement and eliminate corruption.

The global economic downturn has adversely affected the availability of manufacturing jobs, especially in southern China. The phenomenon has hit migrant laborers the hardest, displacing millions of workers and putting additional pressure on the social security safety net. Mine safety and product safety also are currently under increased government scrutiny, Brown said. Nevertheless, the Chinese government continues its labor



reforms and has a predicted 2009 growth rate of 7.5 percent.

Brown, a former faculty member at the College of William and Mary Law School, has been a visiting professor at Peking University, a Fulbright Distinguished Lecturer at Peking University and Tsinghua University and has served as director of the University of Hawaii Center for Chinese Studies. He has lectured throughout Asia on comparative labor law topics.

Speaker series brings outstanding attorneys, scholars to law school

The UT College of Law Speaker Series hosts jurists, law professors, legal scholars and other public figures to spark discussion and augment the law school's intellectual life. The 2008-2009 school year saw speakers address topics ranging from public interest law to prison overcrowding.

D.C. attorney: Public-interest legal careers are rewarding, bring social justice



Jennifer Klar
Relman & Dane
Washington, D.C.

Public-interest law is a rewarding career that can make a huge difference in the lives of the powerless and downtrodden and provide great personal satisfaction.

That was the message Jennifer Klar, an attorney who was part of a legal team that won nearly \$11 million in an Ohio discrimination case, gave students and faculty members at a talk on Sept. 17, 2008.

Klar, an associate of the law firm of Relman & Dane in Washington, D.C., outlined the case to highlight how attorneys can put their legal skills to use on behalf of the helpless and pursue social justice. She was introduced by Stephen Dane, Esq. '81, who helped direct the litigation.

The class-action case involved 67 African-American residents of Coal Run, a rural predominantly black neighborhood area just outside the city of Zanesville, Ohio, who had to collect water from their roofs, gutters, or in rain barrels because of the city's and Muskingum County's refusal over nearly 50 years to supply

them with running water while their white neighbors had city water for years.

In the end, plaintiffs were awarded \$15,000 to \$300,000, depending on how long they had lived in the Coal Run neighborhood, to cover both monetary losses and the residents' pain and suffering between 1956, when water lines were first laid in the area, and 2003, when Coal Run got public water.

"While I can't change people's attitudes, I can make it damn expensive to discriminate," Klar emphasized. "My clients deserved the money. They went through horrible deprivation."

Former FBI head: Balance between liberty, security is delicate



Louis Freeh
FBI director 1993-2001

Seven years after the greatest single attack on the continental United States, the nation continues to wrestle with the balance between civil liberties and safety, former FBI director Louis Freeh told a law school audience on Oct. 6, 2008.

Freeh, a former federal judge who led the FBI from 1993 to mid-2001, said it is time for the country to re-examine its assumptions about dangers posed by terrorist groups like al-Qaeda and have a discussion about the balance between liberty and security and how to protect its citizens from terrorists while upholding Americans' fundamental liberties.

"We have seen a large expansion of executive power since 9/11," he said, noting that over the years the pendulum between liberty and security has moved as threats to the country changed. "We must understand that there is a critical balance. It is never perfectly calibrated and continues to be adjusted and readjusted. Democracy has the ability to calibrate and recalibrate that balance."

Immediately after the terrorist attacks on Sept. 11, 2001, the Bush administration pressed to increase the power of the executive branch. Congress quickly passed the Patriot Act, giving law enforcement broader powers to combat terrorism and allowing greater intrusions into Americans' lives with electronic surveillance, wiretapping and heretofore unlawful detentions.

However, Freeh cautioned that extraordinary powers given to the government in times of crises always must be temporary and subject to the supervision of the courts and the legislature.

"Our liberty interests are critical," Freeh underscored, cautioning that constitutional checks and balances still cannot be circumvented. "They make the country strong and durable and allow the country to endure crises."

Prison overcrowding undermining criminal justice system, says Greenleaf



Stewart J. Greenleaf
Pennsylvania Senate

Stewart J. Greenleaf, a 1966 College of Law graduate who has been a member of the Pennsylvania Senate for 30 years and chaired its Judiciary Committee for the past 22 years, warned a College of Law audience on Oct. 21,

2008, that prisons increasingly are holding pens for nonviolent drug dealers, addicts and parole violators instead of being reserved for violent criminals.

The featured speaker in the College of Law's Distinguished Alumni Speaker Series, Sen. Greenleaf said that in the last two decades Pennsylvania has seen its inmate population jump from 7,000 to 48,000 people convicted of nonviolent offenses, including drug crimes and minor parole violations. Mandatory sentences are also responsible for the increase.

"The system is broken and very expensive," said Greenleaf, recipient of one of the College of Law's Distinguished Alumni awards last year.

"We don't have greater security, we have a revolving door."

To reduce the prison population, he recommended reforms such as drug and alcohol-treatment programs, job training in lieu of incarceration, getting rid of mandatory sentencing minimums, and expanding community correction options.

"Punishment isn't increased by the thickness of the prison wall," he said. "Punishment without rehabilitation is worthless."

FLOC head discusses value of migrant guest-worker programs



Baldemar Velasquez
American labor movement

Providing millions of illegal immigrants now living and working in the United States as guest workers the protections and "human rights" afforded citizens under U.S. labor laws will help

bring them out of the shadows and also help companies find workers they need to keep the nation's economy strong, the president of the Toledo-based Farm Labor Organizing

Committee (FLOC) told a College of Law audience Wednesday, Feb. 18, 2009.

"What is driving immigration are the laws of supply and demand," said Baldemar Velasquez, "When people migrate north from Mexico, they come to harvest the crops and fill a labor void. They're doing jobs most Americans don't want. It's a simple exercise of the laws of supply and demand."

In his talk, titled "Human Rights of Guest Workers in Immigration Policy," he criticized regulation changes by the Bush Administration to the U.S. Labor Department's H-2A Temporary Agriculture Worker Program, which allows agricultural employers to hire temporary foreign workers if not enough domestic workers are able or willing to fill farm jobs. He said the changes undermine worker protections and exploit immigrants.

"When we fight for workers, we send a message that we believe in liberty and justice for all," he said.

Introducing Mr. Velasquez, Dean Douglas Ray described him as "one of the true heroes of the American labor movement," citing the many health and safety protections obtained by FLOC under Mr. Velasquez's leadership.

"Day After" Speaker Recounts Supreme Court Argument



Jim Leven
Chicago attorney

Should the presence of an ineligible juror make the jury's conviction invalid, or is the wrongful seating merely a harmless error unlikely to affect a jury's verdict?

That was the issue Jim Leven, a Chicago attorney took to the United States Supreme Court Feb. 23, 2009, and the issue he

discussed March 2, 2009, at the law school's "Day After" Speaker Series, a series in which attorneys are invited to share their Supreme Court experiences immediately following their appearances before the high court.

Leven, a solo practitioner who worked on the case, *Rivera v. Illinois*, for seven years, wanted to use one of his peremptory challenges on a female juror candidate who became jury forewoman, but a state judge refused to let him.

The Illinois Supreme Court ruled she should have been dismissed, but that the error was harmless. Leven argued that the seating of

an illegal juror should have required an automatic reversal. His client was convicted of murder. Leven appealed to the Supreme Court, which in late March refused to reverse the Illinois Supreme Court decision.

"A state trial court's good faith but erroneous denial of a criminal defendant's peremptory challenge, we hold, does not require automatic reversal of the defendant's conviction, provided that all persons seated on the jury are qualified and unbiased," the court said.

Speaker issues call to tackle domestic violence

Esta Soler, president of the San Francisco-based Family Violence Prevention Fund

Even though women who are victims of domestic violence are leaving abusive relationships in record numbers, the problem and its devastating consequences are far from over, according to Esta Soler, president of the San Francisco-based Family Violence Prevention Fund (FVPF).

Soler, one of the country's foremost experts on violence against women and children, gave the Joseph A. Cannon Lecture, "From O.J. Simpson to Sexting: Completing the Work to Stop Domestic Violence in America," and reviewed the progress the country has made in the last 30 years to stop domestic, dating and sexual violence.



Photo courtesy of Tim Kershner

For too long domestic violence was not discussed publicly, but now, the topic has come slowly out of the closet because of high-profile cases involving O.J. Simpson, Rihanna and Chris Brown, and grade-school children "sexting."

Strong laws and public policies are crucial to curbing domestic violence, Soler said.

"If we can end domestic violence, we can have more peaceful homes, schools and communities," she said. "The violence does not have to be part of the human condition."

Under Soler's leadership, the FVPF was instrumental in the 1994 passage of the Violence Against Women Act. Renewed in 2000 and 2005, the legislation imposed penalties for violent actions; trained police, prosecutors and judges; and gave grants to shelters that needed more beds and better programs. It established a 24-hour national domestic violence hotline to help women get emergency help and counseling, find a shelter and report abuse to authorities.

Stranahan lecturer discusses price of life



W. Kip Viscusi
Law and Economics at
Vanderbilt University

How much are we worth?

That was the question W. Kip Viscusi, University Distinguished Professor and co-director of the PhD Program in Law

and Economics at Vanderbilt University and the College of Law's Stranahan Lecturer, discussed at a public talk titled "What Is a Life Worth?"

Federal and state governments assign monetary values to human life as an analytical tool in weighing the benefits of administrative regulation vs. their costs. Professor Viscusi

discussed the ramifications of this analysis and explained the ways in which public policy and administrative decisions can be affected by such valuations.

Viscusi has held professorships at Duke, Northwestern and the University of Chicago. He also served as deputy director of the Council of Wage and Price Stability in the Carter White House.

The Stranahan National Issues Forum is a joint program of The University of Toledo College of Law and its chapter of the Federalist Society and is supported by a grant from the Stranahan Foundation.



Winning Ways: Toledo Alumni in the Courtroom

By Kathleen M. Amerkhanian '04

Jim Winkler '86

Trial lawyers are first drawn to the courtroom for a variety of reasons. They like the pageantry, the formality and the decorum. They like the challenge of moving a jury to a decision that furthers the cause of their clients, and also the cause of social justice. They like the strategy, the drama, the feeling they get when the juries come back with their verdicts.

The six lawyers profiled in these pages are just a few of the trial attorneys who, before they made an indelible mark on the juries who've heard them, first made their mark at Toledo Law. Collectively, they've done it all—from civil rights to criminal defense to employment discrimination to products liability. What many of them have in common is a belief in what they do as one of the highest callings. They're participating in a centuries-old method of resolving disputes, sustaining a forum where even the little guy has a voice, and where, at its best, results are determined not by the strongest or the richest or the fastest, but by whose words are most persuasive and truthful. They may have already possessed the skills to affect the hearts and minds of jurors before ever hearing of hearsay or of Rule 12(b)(6). But they all learned the language of the law at Toledo Law. And many of the alumni profiled here, now highly regarded and polished professionals, attribute their first hesitant steps into a courtroom, or their first shaky words to a judge or jury, to Toledo faculty members who helped them hone their skills in the classroom and encouraged them to find their voices in the courtroom. From there, these six attorneys have gone on to change many minds and affect many lives.

Bruce S. Bailey '70

Sheer numbers make it the largest-ever civil suit in California and perhaps one of the most noteworthy cases in American jurisprudence.

Veteran trial attorney Bruce S. Bailey, a 1970 College of Law graduate, is directing a lawsuit that has thousands of residents of the largest state in the Union hoping for a victory to let them rebuild their lives and government agencies hoping to recoup the massive costs associated with fighting three devastating southern California wildfires in 2007.



It's a fascinating case," Bailey says, "and I am very blessed because I can't wait to get into the office every morning and get to work."

Bailey is overseeing a civil lawsuit by the City of San Diego against San Diego Gas & Electric Co. (SDG&E), its parent company, Semptra Energy, and Cox Communications, that blames them for three destructive fires because the firms improperly maintained power and communications lines. The city is seeking damages of more than \$45 million.

According to Bailey, the utility and Cox face up to \$2 billion in damages for their alleged role in starting the Guejito, Witch and Rice canyon fires that burned more

than 200,000 acres, destroyed more than 1,300 homes, caused several deaths and forced the evacuation of an estimated 300,000 people.

The utility also is being sued by homeowners, government agencies such as the City of San Diego, San Diego County and the California Department of Forestry and Fire Protection, and by insurance companies trying to recover millions they paid out in claims to fire victims. The cases have been consolidated and are being dealt with by one judge. All told, more than 77 law firms, including some powerful Los Angeles and San Francisco defense firms representing the utility and cable companies, are involved.

Joining the San Diego City Attorney's Office last July as deputy city attorney to specifically lead the litigation, Bailey has spent hundreds of hours becoming a wildfire expert. He is engaged in exhaustive pre-trial planning and research — gathering evidence, reviewing documents, engaging experts, filing motions and learning about such arcane subjects as electrical line transmission, power grids, California's notorious Santa Ana winds, forensic photography, post-fire tree mortality and fire behavior. It is the highest-profile case he has ever handled.

When Bailey, who has tried more than 80 civil jury trials and loves the excitement of the courtroom, was hired last year as



and natural-resource damage assessment, we can put values on aesthetics, scenic use, wildlife habitat, soils

deputy city attorney, his boss, San Diego City Attorney Michael Aguirre, emphasized his trial skills, calling Bailey “an exceptional litigator who brings a level of experience that is unsurpassed for a public law firm.”

The complicated, technical case promises to test Bailey’s legal acumen to the fullest. Given the huge pool of plaintiffs, the judge ordered lawyers representing thousands of clients, government agencies and insurers to organize the cases into seven “master complaints.”

Bailey, who has tried product liability and medical malpractice cases, heads the plaintiffs’ coordinating committee gathering data about the fires’ origins, causation and weather conditions. The committee has more than 27,000 computer files of maps, videos, aerial views and NASA satellite images showing the fires’ progression, vast plumes of smoke and haze and the scarring of land. Fire progression is important because the defendants are “pointing fingers” and claiming it was the other defendants’ fires that damaged most of the homes prior to the fires ultimately merging.

As a trial lawyer, Bailey knew the case was the opportunity of a lifetime.

“This is a very unique case because of its size—it’s the largest ever in California—and because of the new environmental damages that are now available to us,” he said. “By using natural resource economics

and sediment management, reservoirs, archaeological and ecological resources.”

Last year, a California federal district court ruled that agencies can recover environmental losses and not just fire-fighting suppression costs and loss of property.

In many ways, the case is one for which the Fishkill, New York, native has prepped his entire life.

A 1967 graduate of Denison University in Granville, Ohio, with a degree in biology, he studied pre-law and also enrolled in the ROTC program, receiving a three-year deferment while attending law school at Toledo Law. He went on active duty as a captain in 1971 for four years and then served 26 years as a reservist with the U.S. Air Forces’ Judge Advocate General’s Corps, retiring as a colonel.

With a career that spans four decades and includes stints at several Air Force bases and California law firms, Bailey has definite views about trial work.

A lawyer’s style does matter, he says, emphasizing that trust and credibility with a jury, excellent communication skills and a confident demeanor are the three most important skills. From voir dire to the start of jury deliberations, Bailey says he wants jurors’ attention. The theory of the case really should be introduced during

jury selection, he says, and continued throughout the proceedings.

“You need to communicate your client’s case right from the start,” said Bailey, who learned a good communication skill when he worked for the Riverside, California, law firm of Thompson and Colgate from 1978 to 1984 from a senior partner in the firm and mentor, Arthur W. Kelly. Kelly advised him that during voir dire, he should call each prospective juror by name using no notes. Since then, Bailey stands in front of the jurors and calls each by name with no notes. His personal best stands at 35 jurors. Post-trial, jurors always comment to him about his ability to personalize the case. Bailey also follows another piece of advice from Kelly—he never has anything in his pockets when appearing in front of jurors.

A member of the American Board of Trial Advocates, Bailey attended law school when it was located in what today is Gillham Hall and recalls his law school days with fondness, easily rattling off names of classmates and professors such as Charles Fornoff, who told Bailey and his classmates that civil procedure was “as easy as falling off a log,” and the late law librarian Janet Wallin, who Bailey says “was a savior to me, very helpful to someone who wanted to learn his way around the library.”

Bailey met his future wife at law school—Judy Roberts ’70, a Toledo native who today has a private practice in La Jolla, California. While Bruce Bailey was in Germany in the 1970s, she was a member of the law firm of Bellen, Belli and Bailey—whose partners were flamboyant attorneys Melvin Belli and F. Lee Bailey—in Frankfurt, where she became the first woman attorney to defend Army soldiers in courts-martial throughout Europe.

The Baileys reside in La Jolla.

Lynne Haddad Buck '84

As a law student, **Lynne Haddad Buck '84** always envisioned she'd be in a courtroom. As a result of encouragement from professors on faculty at the time, she also hoped one day to become an assistant U.S. attorney.

The Toledo native and now assistant U.S. attorney in Cleveland, recalls recognizing early on in her law career that her skills were a natural fit for the requirements of trying cases. She always knew she'd enjoy standing up in the courtroom, and also discovered along the way that she enjoyed the process of developing a case and bringing it to fruition.



"I enjoyed the 'on your feet' part of law school," Buck recalled. "I was a communications major in undergrad, involved in student government in high school, so I knew in law school that I wanted to one day stand up in court. I also always loved research as an undergraduate. For me, becoming

a litigator was a result of my love of researching issues and facts and using that to craft a persuasive argument. Litigation just required the right cluster of skills."

Buck's skills were impressive enough to earn her a federal appellate clerkship out of law school with The Honorable Paul C.

Weick, United States Court of Appeals for the Sixth Circuit, in Akron, Ohio. It was there that she further honed her ideas on what kind of lawyer she wanted to become and it's an experience she strongly encourages law students to pursue.

"In that year of clerking, you get to see what every litigator who comes through that

courtroom is like,” she explains. “You get to see what the big firm lawyers are like and what their briefs are like. You’re still detached as you’re not advocating for one side or the other, so you can gain perspective on how you’d like to be as a lawyer.”

Following her clerkship, Buck pursued her dream of working for the Department of Justice by interviewing for its Honors Program. She didn’t get the job, but she credits a Toledo alumnus for helping her to get a position with Jones, Day, Reavis & Pogue. In Jones Day’s Cleveland office, she joined a team of lawyers working on major litigation involving R.J. Reynolds. Her experience at Jones Day was diverse. She eventually moved into ERISA litigation, and even tried her hand at transactional work, which she enjoyed.

“I really enjoyed the work, but I still always had in the back of my mind that I just wanted to be an assistant U.S. attorney for a couple of years,” she recalls.

After four and a half years at Jones Day, Buck got the job as an assistant U.S. attorney with the Office of the United States Attorney for the Northern District of Ohio. The “couple of years” she originally envisioned spending as an assistant U.S. attorney has turned into almost 20 years and counting.

Buck specializes in *Bivens* cases, named after the U.S. Supreme Court case that ruled that individuals can bring a cause of action when federal agents violate their Fourth Amendment rights, as well as employment discrimination.

Although most of the time, as an assistant U.S. attorney, Buck is advocating for the legal position of a federal bureaucracy, the *Bivens* cases tend to make the case more personal. “When it’s a cop you’re defending, it’s really very personal to them,” she says. “It’s very satisfying if you win because it’s their career, their bank account on the line.”

The most challenging cases of her career, Buck says, are the cases that teach you the most. One such case was *Beck-Wilson v. Principi*, a sex discrimination case brought against the Department of Veterans Affairs (VA) by a group of 17 nurse practitioners who claimed that, as predominantly female nurse practitioners, they were paid at a lower rate than the predominantly male physician assistants even though they performed jobs of equal skill, effort and responsibility under similar working conditions.

The district court granted summary judgment to the VA, holding that the VA had established its affirmative defense that “a factor other than sex,” i.e. the separate statutory-based pay scales, was responsible for the difference in pay. But the Sixth Circuit Court of Appeals reversed the summary judgment and sent the case back to the district court, essentially holding that the plaintiffs had raised a genuine issue of material fact regarding the reason for the pay differential.

Nonetheless, Buck considered it a victory that the case was ultimately resolved to the parties’ satisfaction. The case also

highlighted some of the reasons Buck went into litigation in the first place. The process of ferreting out the facts and applying the facts to the law under the Equal Pay Act was extremely challenging in a situation with 17 plaintiffs and an area of law that was unclear. Adding to the challenge was the fact that the case had wide-ranging ramifications and could potentially affect the entire country.

Buck, who is married to fellow Toledo Law alum Mike Buck ’83, a partner at Benesch in Cleveland, advises law students and young lawyers to follow their dreams of becoming the kind of lawyers they’d like to be. Although traveling around the country to work on nationwide discovery requests during her first year at Jones Day was not necessarily a sustainable lifestyle for someone who wanted one day to have a family, Buck says it would be a mistake for other attorneys with the same desire for time with family to shy away from litigation if that’s what they really want to do.

“Don’t be afraid to go into litigation. Let’s make everybody figure out how everybody can have a life,” she says. “One of the things I always tell law students is that there’s a self-selection process. If you think you’re a courtroom lawyer and you’re trying to pretend you’re not, you won’t be happy.”

Stephen M. Dane '81

Stephen M. Dane, '81, still remembers the classic 1973 movie, "The Paper Chase," where actor John Houseman portrayed Charles W. Kingfield Jr., the brilliant, sarcastic Harvard law professor, and actor Timothy Bottoms the struggling student Hart.

"I saw the movie and thought it was fascinating," recalled Dane, who will serve as Toledo Bar president in 2010-2011. "There were no lawyers in my family, and so I think the movie triggered a curiosity to learn more about the law and legal work."



The movie may have piqued Dane's interest, but it was a passion for fairness, social justice and service to society instilled by his mother and father, a public servant, and by lessons learned from teachers at Toledo's St. John's Jesuit High School and the University of Notre Dame and a summer as a Glengarry home missionary in Appalachia, where he helped build homes for the rural poor, that propelled him to pursue a career in civil rights law.

These days, Dane, a partner in the Washington, D.C., civil rights law firm, Relman & Dane, has rightfully earned a national reputation as one of the country's best civil rights attorneys. Thanks to his activist roots, a belief in using the law to help correct society's wrongs, and courtroom successes, millions of Americans enjoy equal access to housing and the right to own, sell, purchase or rent housing without fear of unlawful discrimination.

When the Perrysburg, Ohio native graduated from Toledo Law, he wanted to be a legal aid lawyer, but President Reagan severely cut funding for many federal programs, including the Legal Services Corp., and few jobs were available.

So he went to work as an associate at the Toledo law firm Cooper, Straub, Walinski & Cramer, where he worked for 25 years, became president, and developed

his civil rights practice. Back then, he recalls, mortgage lenders and insurance companies allowed discriminatory practices to creep into their businesses, particularly the practice of “redlining,” which made home mortgages or insurance coverage scarce in largely minority or low- and middle-income neighborhoods regardless of individuals’ creditworthiness.

It took federal legislation and more than two decades of lawsuits to force banks and insurers to lend and write homeowners policies in neighborhoods they once avoided, he says.

Dane points to the federal fair housing law passed as part of the Civil Rights Act of 1968 as a powerful tool because it provides for both compensatory damages to the victims of housing discrimination and punitive damages to deter illegal practices. The law was amended in 1988 to prohibit housing discrimination against people with disabilities and against families with children under 18.

He sat in the first chair in 1999 for a class of plaintiffs in *Toledo Fair Housing Center v. Nationwide Mutual Insurance Co.* that won a \$4.5 million settlement. That case caught the attention of a Richmond, Va., fair housing group, and Dane ended up as co-counsel for the plaintiffs in *Housing Opportunities Made Equal, et al. v. Nationwide Mutual Insurance Co.* HOME won a \$100 million jury verdict judgment. Nationwide and HOME later settled on appeal for \$17.5 million. The case’s lead counsel was Timothy Kaine, now Virginia governor. Both cases involved allegations of homeowners insurance redlining against blacks.

He also served as lead counsel for plaintiffs in a 1987 case, *Old West End Asps’ v. Buckeye Federal Savings & Loan*, which set forth the elements of a prima facie case of mortgage redlining, and

in a 2002 case, *Preferred Properties, Inc. v. Indian River Estates, Inc.*, which established the standard for punitive damage awards in the Sixth Circuit.

Dane acknowledges that more subtle forms of housing discrimination exist today.

His partner, John P. Relman, a gifted, veteran civil rights litigator who is no stranger to high-profile cases, currently represents the city of Baltimore in a lawsuit against Wells Fargo Bank that contends its lending practices discriminated against black borrowers and led to a surge of foreclosures in black neighborhoods. The suit alleges the bank steered black borrowers into sub-prime loans they could not afford, a practice called “reverse redlining.”

Dane’s practice today focuses on multifamily housing design and construction cases. He currently represents the National Housing Alliance in a lawsuit that charges that the A.G. Spanos Companies, of San Diego, built apartment complexes that aren’t accessible to the disabled. Federal law requires housing to be built in a manner that’s at least minimally accessible to people with disabilities, including adequate sidewalk ramps for wheelchairs, accessible building entrances, and properly sized interior doorways, light switches and countertops, Dane says.

Much of Dane’s courtroom success rests on preparation and mastery of the facts in a case. Knowing the facts and the law, having the ability to present the facts and make the arguments in a professional manner, and projecting a confident, engaging courtroom persona are all crucial to developing good relationships with juries, he says.

“Juries are very good, very attentive and do their jobs,” he says. “They are influenced by the judge and are influenced by the lawyers. If you get a good judge and two good lawyers trying a case, the jury will come to the right conclusion without question.”

Good trial lawyers draw upon different styles, he notes. “Some are intellectual, some are street fighters, some are funny, and some are straightforward and serious. All these styles work, but you have to be prepared.”

With the firm’s offices located in Washington’s DuPont Circle, Dane stays in touch and confers about cases with his laptop computer — he says he gets 50 or 60 daily e-mails — numerous conference calls and once-a-week day trips to the nation’s capital. Dane and longtime friend Relman discussed the possibility of joining forces in the early 2000s, but at the time it would have required him to move his family to Washington. Relman approached him again in 2004, and the two agreed that they could build and sustain a national practice and Dane could still live in Perrysburg.

Dane grew up in Perrysburg and was valedictorian of St. John’s High School’s 1974 graduating class. After graduating from the University of Notre Dame in 1978 with a bachelor’s degree in mathematics, he enrolled in UT law school, graduating magna cum laude in 1981. He also was executive editor of The University of Toledo Law Review. He enrolled in Toledo because of the personal interest shown by former dean Francis X. Beytagh and because he received a full tuition scholarship. After graduation, he served as a law clerk to the Honorable Pierce Lively of the U.S. Court of Appeals for the Sixth Circuit.

Dane has testified before both houses of Congress on mortgage lending discrimination and regularly speaks to lenders, private fair housing groups, and to state and federal investigators on the topic.

Author of many articles in the field and recipient of numerous awards and honors for his civil rights and fair housing advocacy, Dane also has served as an acting judge in the Perrysburg Municipal Court.

Mike Piccarreta '74

Mike Piccarreta '74, criminal defense lawyer, is used to how it feels to walk into a courtroom with the deck stacked against him.

After all, his clients are often on the wrong end of accusations made by a formidable opponent – the government. Some of his clients have already gained notoriety before the first piece of evidence is submitted.



Mike Piccarreta, left, with client Damon Stoudamire, an NBA basketball player accused of possession of marijuana. Piccarreta negotiated a resolution that permitted Stoudamire to make a donation to a charity and all charges were dismissed.

But for Piccarreta, once the trial begins, it's anybody's game. Going against the government may seem intimidating, but in the courtroom, the state only gets as much time as he does to make its case. "The jury trial to me is the great equalizer," he says. "At the end of the day, no matter how powerful the state or the U.S. is, they only get one person to speak. All of their power ends in the courtroom."

As a criminal defense attorney in Arizona for most of his 34-year career, Piccarreta calls it an honor to speak for the accused in the courtroom and enjoys the job of helping his clients through some of the

most stressful times of their lives. That's why musicians, entertainers, politicians and controversial religious figures who find themselves charged with a crime have all sought Piccarreta out as the one man they'd like to represent them.

In one sense, it's a job he's not surprised to have. The upstate New Yorker came to Toledo for undergrad and for his law degree, then packed his car and drove out West, leaving Midwestern and Eastern winters far behind him. What he took with him was the drive he had from the very beginning of law school to work to further civil liberties. His first job was with

the Maricopa County Legal Aid Society. Eventually he became a federal public defender, followed that with criminal defense work in private practice, and now describes criminal defense work – the act of speaking on behalf of his clients against the charges against them – as "one of the highest callings."

"The job is funny because it's part social worker, part psychologist and part persuader," he reflects. But in order to persuade a jury, Piccarreta says, he first has to believe in the merits of his case. "I have to be able to speak from my heart as well as my mind, so that the jury realizes



Piccarreta, left, with Bobby Sutton, the mayor of Marana, who was accused, in the U.S. District Court, of extortion.

that I'm not there just trying to pull a fast one on them," he says. "I'm there to tell them that what I truly believe."

In criminal defense work, a lawyer also has to

be prepared to be thrust into the media spotlight. Because of the media interest in his cases, Piccarreta has appeared on "60 Minutes," "The Today Show," "Good Morning America," "CBS News," "NBC News," "CNN," "CNBC," "MSNBC," "National Public Radio" and "Inside Edition," and has been quoted in most major American newspapers. The media spotlight continues now that Piccarreta has taken on the case of Warren Jeffs, the head of the Fundamentalist Church of Jesus Christ of Latter Day Saints, who is awaiting trial on multiple sex-related charges pertaining to the marriages of two teenage girls to their adult male relatives.

Piccarreta has defended clients against a range of charges, from simple speeding to complicated white-collar cases to murder. He can now afford to be choosy about the types of cases he takes and sometimes picks a case because of the interesting story behind it, a likable client, or a complex legal issue. One of the most

fascinating cases he's ever handled, he says, was a fraud trial that spanned all of nine months. It was the defense of William Crotts, the former president of the Baptist Foundation of Arizona, who was accused of bilking investors out of about \$585 million. Out of 29 counts against him, Crotts was convicted of two in July 2006.

Through it all, Piccarreta, also has found time to give back to the profession as a bar leader. He served as president of the State Bar of Arizona in 1996-1997 and was state chair of the American College of Trial Lawyers from 2007 to 2009. He also teaches Advanced Criminal Trials at the University of Arizona College of Law.

In addition, Piccarreta keeps busy on the home front. Like many of the alumni profiled in these pages, he's part of a two-lawyer household. His wife, Marie, is a lawyer and family law mediator, and the two have twin 15-year-old sons, Ben and Eli.

Piccarreta's shortest trial was his very first. Through the UT Law Legal Clinic, as a law student, Piccarreta found himself on the side of the prosecution in a consumer fraud case against a Toledoan making basement waterproofing guarantees. According to Piccarreta, the accused showed up at the trial, saw all of the witnesses gathered to testify against him, and gave up before the trial even began. The newspaper account, published in *The Blade*, is now framed and hangs in his office today.

Although he didn't get a chance to strengthen his trial skills in that first case, Piccarreta has seen enough of the courtroom to describe what it takes for young lawyers to make the courtroom a second home. "If you want to be a trial lawyer, you have to go into the courtroom. You have to not be afraid of losing because no one wins all of their cases. You have to take every opportunity you have to question witnesses. If you have the opportunity to address groups, you have to get your comfort level up by standing up in front of people."

"The other part of being a trial lawyer that there's no way around – hard work. Preparing for trial is akin to preparing for exams in law school. You go over things again and again and again. And then when you get into the courtroom, you have to be prepared to put your outline aside, trust your knowledge and your instincts, and go with the flow."

Thinking about how you could've responded to a witness after the trial's over won't help. "You've gotta get it when there's a judge and jury all staring at you," Piccarreta says. "When you're a criminal defense lawyer," he says, "you like the roar of the crowd, the smell of the peanuts."

James Thomas '87

When James Thomas '87 says life as a trial lawyer is a life of continuous learning, he has the experience to back it up. After serving as U.S. magistrate judge for the Northern District of Ohio for four years and re-joining a global law firm handling complex matters requiring him to interact with witnesses with dense financial backgrounds, he decided it wouldn't hurt to brush up on accounting principles. So, he signed up for a college accounting course.

Today, as head of the Litigation Practice Group at Squire, Sanders & Dempsey, L.L.P., a firm with 32 offices worldwide, lawyers who are fluent in more than 40 languages and admitted to practice in more than 140 jurisdictions worldwide, Thomas says a willingness to continually learn and lots of hard work are among the hallmarks of successful trial lawyers.



Thomas has modeled those attributes from the very beginning of his career. His interest in civil procedure and constitutional law while at Toledo Law laid the groundwork for his future career, but he says he first “caught the bug” for trial work while serving as law clerk to U.S. District Court Judge David D. Dowd Jr. Judge Dowd was a great teacher and mentor, Thomas recalls. “He wanted the law clerks in the courtroom with him all the time,” Thomas says. “That’s really what caught my interest. I saw what not to do, what was effective and what wasn’t.”

Following the federal clerkship, in his first years as an associate in Squire Sanders’ Columbus office, Thomas says his drive to return to the courtroom compelled him to speak up early on to a mentoring partner, who in turn presented Thomas with opportunities to develop courtroom skills. Now, as one who oversees the development of younger attorneys in the litigation practice group, he often observes specific characteristics in younger attorneys that can signal future success. The first is a tremendous work ethic, and the second is the ability to learn from experience.

"I have seen folks come in who might have the resume that would knock your socks off, but if they don't have the work ethic they're not going to make it," Thomas says. "The ability and desire to continue to learn and to improve and to listen is also essential. The lawyers that I've seen really excel are ones that go into the courtroom, have an A day or a B day or maybe even a C day, then come out and say, 'I think I just had a B game. What do you think I can do to improve?'"

In Thomas' career, he seems to have played the role of student and teacher, sometimes simultaneously, quite comfortably. He also has played both the role of advocate and judge. After clerking with Judge Dowd from 1987 to 1989 and working as an associate with Squire Sanders from 1989 to 1995, Thomas remained in the courtroom, but switched roles. At the age of 33, he accepted an appointment as U.S. magistrate judge for the Northern District of Ohio. Although some of his peers worried that such a move could potentially slow down a big firm career, Thomas says the experience of overseeing trials falling under his purview due to "consent jurisdiction" (when the parties consent to have their case heard by a U.S. magistrate judge rather than a U.S. district judge) was not only fun for him, but gave him valuable insight he still calls upon today.

"I ended up having a fairly significant consent docket over the four years on the bench," Thomas recalls. "I'm glad I went on the bench. Some people thought

I'd be giving up a career in a big law firm. I thought it was a great learning experience."

In the end, though, the experience also helped Thomas to learn which role he most enjoyed in the courtroom. A judge must sometimes play a rather passive role in a proceeding, and Thomas realized he still had the desire to play the role of advocate.

"It wasn't out of my system, so to speak," he says. "I wanted to go back to trying cases myself."

So, in 1999, he returned to Squire Sanders, where he assumed leadership of the Litigation Practice Group in the Cleveland office in 2003, then in 2007, moved down to Miami, Fla., to take the helm as chair of the Global Litigation Group, overseeing a practice group with more than 200 attorneys.

He would never say he doesn't have anything else to learn, but now is in a position to teach others, a leadership role he relishes. While he still maintains a formidable case load, describing two-thirds of his work as "straight complex litigation" and the other third as complex bankruptcy restructuring, and often leads teams of up to a dozen lawyers or more, he also has smaller cases where he works with young lawyers in developing as a trial lawyer.

"I have a case now where it's me and a senior associate," he says. "It's a lot of fun for me because all I'm doing is carrying his bag. I help on strategy issues, but he's

done it all, and he's developing into a fine trial lawyer. He's doing all the stand-up work and I'm just tagging along—and learning as I am watching this young lawyer develop."

And yet in true form, Thomas admits that he's thrilled by the fact that "I'm 22 years out of law school and I am still learning."

Kirk Warner '83

Kirk Warner wanted to head to medical school like his brothers, when an uncle, a former Toledo Law professor and Ohio Supreme Court Justice, changed his course: “Wouldn’t you rather use your brain to do something that is different and exciting every day?” he asked.

The pre-med zoology major promptly switched gears and Warner, now a veteran of countless courtroom battles, is glad he did. The head of the products liability group at Smith Anderson, the largest Research Triangle-based business and litigation law firm in North Carolina, Warner gets to “use his brain,” as his uncle put it, and also satisfy the intellectual curiosity that first led him to the sciences. Since graduating from law school in 1983, he’s been able to play doctor, scientist, pharmacist and engineer, the exact role depending on the type of product his client makes.



“Every day there’s a new challenge, a giant chess match,” Warner says, describing life as a trial lawyer. “Whatever’s going on in the case, you have to become an expert, and you have to translate the issues into terms that a lay jury understands.”

The courtroom is a stage he enjoys immensely, describing the feeling he gets upon hearing the knock at the door announcing that the jury’s come back with a verdict, “an absolute adrenaline rush.” A sense of humor and the ability to connect with the jury are keys to success on this stage. The abilities to listen and to adapt are also essential, he says, describing how his approach to an

examination of a witness in the courtroom has evolved. As a young lawyer, he says, he may have over-prepared a bit, a lengthy and detailed outline in hand. As a more experienced lawyer, he describes his “best tool” as a blank legal pad, waiting to be filled with notes of whatever comes his way.

“You can’t be rigid because you have to listen. You have to react and examine witnesses based on what they’re saying, not on what you imagined they would say,” Warner explains.

Over the course of his career, Warner has represented all major automotive manufacturers as well as pharmaceutical, medical and insurance companies,

including many Fortune 500 companies, in complex litigation in more than 20 states and in Guam. The stakes have been high, often involving claims for hundreds of millions of dollars. But perhaps the stage where the stakes were the highest was not in front of a judge in a courtroom in a quiet rural part of the South, but rather as a lawyer in a war zone, as Col. Kirk Warner, deputy staff judge advocate for the Coalition in Baghdad.

"I was preparing for a trial in February of '03 and got orders and the call to deploy and lead a team of eight lawyers to Kuwait to prepare for the attack on Iraq," he recalls. "They called on a Monday and I had to report to [Fort] Bragg on Sunday and ship to Kuwait as part of the Coalition Forces Land Component Command preparing to launch Operation Iraqi Freedom."

Warner had served in the U.S. Army Reserves since graduating from college, and was one of the first Coalition lawyers into Iraq with the Early Entry Command Post. As deputy staff advocate judge of Combined Joint Task Force-7, he remained there through October, where his many duties included leading the Special Prosecution Task Force, helping to set up the Central Criminal Court of Iraq, boarding ships to prosecute oil pirates, and trying Article V tribunals of former regime leaders cross-examining them to determine their detainee status. The experience gave him some perspective on some of the battles he had fought back home.

"It's a different heat of battle; it made the courtroom seem like a pleasure palace," he recalls. "You become a lot tougher and things don't bother you as much in a courtroom back home because there was nothing worse than what we were seeing."

Throughout his career, Warner says he's had great mentors and great experiences that have served to make him adaptable and nimble in the courtroom. Fresh out of law school, he was thrust into the courtroom as an associate at Dinsmore & Shohl, where he had the opportunity to serve on national defense teams on major cases such as the Rely Tampon Toxic Shock Syndrome litigation. While at Dinsmore, Warner also served as an assistant special prosecutor for the state of Ohio in the investigation of the Ohio Savings & Loan crisis and the resulting prosecutions. From Dinsmore, he moved to North Carolina and joined the firm of Yates, McLamb & Weyher in Raleigh, where he was a partner for 12 years prior to joining Smith Anderson. Over the course of his career, he's also found time to be active in his community. Among many other leadership and membership positions, he has served as deputy legal counsel to the chairman of the Joint Chiefs of Staff, chairman of the North Carolina March of Dimes, vice chairman of the USO of NC and more than 25 years as a high school football official "which is just another form of courtroom or battlefield drama."

In fact, one of the most important lessons about being a trial lawyer came in a pro bono matter. It wasn't a complex matter, but it was Warner's first courtroom appearance, and it introduced him to the importance of adapting quickly to the task at hand. "I walked over to help out an employee at city hall in Cincinnati and realized I'd literally walked into a trial setting," he recalls. "I had to put out a case within ten minutes." It was a good experience for the second week of a career.

He's come a long way since walking into his first courtroom in Cincinnati, but some things remain the same. "I still get excited going into the courtroom because you're walking onto a stage. As time passes, you've become more adaptable to things. You don't get shaken when things don't go your way."

And as for what it takes to win?

"It doesn't take beating on the table to do it," Warner says. "It takes logic, common sense, and appealing to the intellect of the jurors. I'm a big fan of the jury. On the main, they get things right. Never, ever, underestimate them."



Col. Warner and leaders of the Iraqi Union of Lawyers

Commitment to clients, professionalism is key to success, law graduates told at commencement

By Jim Winkler '86



Jacob E. Cohen '09, valedictorian of the Class of 2009

A commitment to clients, the legal profession and to professionalism is one of the keys to building a successful, rewarding legal career, James D. Thomas, a partner with the prestigious international law firm of Squire, Sanders and Dempsey and a 1987 College of Law honors graduate, told 161 graduates at the College of Law's 2009 commencement on May 9.

More than 1,000 family members, spouses and friends attended the program and watched as graduates draped in black robes with purple trim filed into the Student Union Auditorium.

Practicing law is a privilege that must be used wisely in the aid of others, Thomas stressed, urging the graduates to be mindful of the effects of their legal counsel and advice and to use the intellectual gifts they developed in school.

"You will be licensed by a state bar to do what few people are authorized to do," he said. "That is to take on important matters for your clients. And as a true professional, clients will look to you to carry their burden. Clients will look to you to take on their problems. It is a burden and a responsibility that you should never forget. It is a responsibility in which you can not falter."

Being a professional "is a label you must earn and you want others to use when referring to you," he underscored. "If you lose that label, it is difficult to get it back. Professionalism suggests the highest standards. And I suggest that it is about core values. It means treating people like you would want to be treated, keeping your word and maintaining a sense of your self. Remember where you came from and understand where others may have come from."

Thomas' practice focuses on complex business litigation, business restructuring-related litigation and white-collar

corporate investigations. He leads the firm's litigation practice group, a team of more than 200 trial lawyers.

He told the graduates that they should be proud of having graduated from Toledo. He told the graduates their learning is not over, and they should strive to improve themselves continuously.

"Every day, every new case, matter or deal will present you with new learning opportunities," he said. "Be attentive, be a sponge. Expanding your knowledge and skill sets throughout your career will set you apart."

Thomas also urged the graduates to seek out mentors as they begin their legal careers, to always ask for help and advice, to learn from their mistakes, and to seek out new opportunities.

"Seize them, get out of your comfort zone every so often," he told the graduates.

"Take a chance, take a leap."

"Just like the start of undergraduate studies, just like the start of law school, today is the beginning of another clean slate," said Thomas, who earned his undergraduate degree from Adrian College

Congratulations to the Class of 2009



and was editor-in-chief of The University of Toledo Law Review. He leads the litigation practice group, a team of more than 200 trial lawyers, for Squire, Sanders, and Dempsey, which has lawyers in 32 offices in 15 countries around the world. "The world is wide open for each of you. You can do whatever you choose to do."

College of Law Dean Douglas Ray applauded the class for going into the community and giving back through service as well as its role in providing a new direction for the law school.

"We celebrate a special class," said Ray in his introductory remarks. "You have made a difference."

During the last three years, members of the class worked to strengthen student organizations, conducted food and clothing drives to help the needy, worked with Habitat for Humanity to build a new home, held fundraisers to raise money for students working in unpaid public-service positions, and focused on public-interest law issues through the SBA's Pro Bono Committee and Public Service Externship Program, which offer students the opportunity to assist attorneys and their clients with issues such as bankruptcy and divorce.

Fostering an attitude of social commitment among students was strengthened in 2007, when the law school launched its Public Service Commendation Program that allows students to earn a Public Service Commendation for each semester in which they perform 30 or more

documented hours of unpaid, law-related public-service work as identified by law school administrators.

Dean Ray told the graduates that they are destined to be leaders, noting that law is a profession that will provide a lifelong learning experience and the chance to make a difference in people's lives.

"The graduates here today will be the peacemakers and communicators in society who will make things happen," Dean Ray said.

Professor James M. Klein, who retired at the end of the school year after 38 years on law school faculty, also thanked the graduates for their extraordinary commitment to public service. He and his wife, Heide, are moving later this year to Charleston, S.C., where Klein will serve as a Distinguished Visiting Professor at the Charleston School of Law.



Ryan Engle '09, SBA President

"It has been a great 38 years," Klein said. "I couldn't have picked a better place to work."

Jacob E. Cohen, a graduate of George Washington University and Class of 2009 valedictorian, also addressed the graduates, congratulating them on their achievements and wishing them well in the future. Cohen will be joining the prestigious New York City law firm of Sullivan & Cromwell.

Beth A. Eisler, professor of law and a member of the faculty since 1987, received the Outstanding Professor Award from the graduating class.

Joshua Boggioni, a University of Evansville graduate and past editor-in-chief of the Law Review, received the Dean's Outstanding Student Award, while Michael Wehrkamp, an Ohio State University graduate, received the American Legal Institute-American Bar



Joshua Boggioni '09, Dean's Award

Association Scholarship and Leadership Award presented to a graduating student who best represents the combination of scholarship and leadership. With the award, he received a copy of "Red Flags: A Lawyer's Handbook On Legal Ethics," authored by Susan Martyn, the Stoepler Professor of Law and Values, and Lawrence J. Fox, a partner and former managing partner at Drinker Biddle & Reath LLP in Philadelphia. Student ABI-ABA award winners at every law school in the country received a copy of the book.

Ryan T. Engle, immediate past president of the Student Bar Association, gave student greetings.



*Distinguished University Professor
James M. Klein*



Michael Wehrkamp '09, ALI/ABA Award



Robert P. Soto '09 with his father, UT Law retiree Steve Soto



Prof. Beth Eisler receives Outstanding Professor Award.

End of an era: Professor James M. Klein retires, leaving a 38-year legacy of teaching, scholarship



In 1971, the College of Law resided on the third and fourth floors of Gillham Hall.

After 38 years of service to The University of Toledo College of Law, Professor James M. Klein has retired and is moving with his wife, Heide, to Charleston, S.C., where he will

be a Distinguished Visiting Professor at the Charleston School of Law.

Since joining the faculty in 1971, Klein has played a pivotal role in the law school's growth, direction and stature, particularly in the field of clinical legal education, and has had a major impact on generations of students.

Earlier this year, Klein recounted his experience as a law student, legal-aid attorney and faculty member who served under six deans.

"It has been a great job," said Klein, "I've loved the school. I could love it here for another 10 years. It's just that 38 years is a good number. It's time maybe for a change."

Born and raised in Ottawa Hills, Klein attended the University of Michigan, where he was a pre-dental major and originally planned to follow in the footsteps of his late father, Alex, and other brother, Dick, both dentists. Instead, he chose law school and attended Case Western Reserve University, where he graduated in the top 15 percent of his class and was an editorial board member of the law review.

After graduating in 1969, he received a Reginald Heber Smith Fellowship from the University of Pennsylvania Law School. Smith fellows, known as "Reggies," were talented young lawyers committed to

Thirty-eight years of milestones during UT Law teaching career

U.S. SOCIETY: Vietnam War | The Watergate Investigation Years 1972-1974 Birth of Feminism, Ecology, Global Warming Years 1975-1979 Reagan Star Wars Years Era 1980-1985

1971

United States Supreme Court Landmark Rulings: 1972 - 2009

1972 FURMAN V. GEORGIA STATE DEATH PENALTIES UNCONSTITUTIONAL (CRUEL & UNUSUAL PUNISHMENT)

1972 WISCONSIN V. YODER - AMISH CHILDREN COULD NOT BE PLACED UNDER COMPULSORY EDUCATION PAST 8TH GRADE, AS IT VIOLATED THEIR PARENTS' FUNDAMENTAL RIGHT TO FREEDOM OF RELIGION.

1973 ROE VS. WADE A WOMAN HAS A CONSTITUTIONAL RIGHT TO AN ABORTION DURING THE FIRST SIX MONTHS OF PREGNANCY.

1978 BAKKE V. REGENTS OF THE UNIVERSITY OF CALIFORNIA PUT AN END TO RACIAL QUOTAS IN THE ADMISSIONS PROCESS AT PUBLIC UNIVERSITIES

1978 FEDERAL COMMUNICATIONS COMMISSION V. PACIFICA FOUNDATION - DEFINED THE POWER OF THE FEDERAL COMMUNICATIONS COMMISSION (FCC) OVER "INDECENT" MATERIAL AS APPLIED TO BROADCASTING.



1972
Equal Rights
Amendment
(ERA) passes



1972
Nixon was re-elected
in one of the biggest
landslide election
victories in US political
history, garnering over
60% of the popular vote



1972
Nixon takes US
off the gold
standard

1973
747 Jumbo Jet



1973
Space Station
Skylab



1975
Jimmy Hoffa
disappears



1976
Jimmy Carter
elected



1978
Louise Brown
test-tube baby



1978
Apple computer



1980
Ronald Reagan
elected



1981
Sandra Day
O'Connor
first woman
Justice of the U.S.
Supreme Court

using the law to aid the poor by working in legal-services offices throughout the country. One member of his fellowship class was a brash Brooklyn Law School graduate — Jerry Rivers — today better known as Geraldo Rivera.

After a month of training, Klein moved to Berkeley, Ca., where he was placed with Contra Costa Legal Services Foundation in nearby Richmond. He represented dozens of clients and community action groups on cases in areas such as education, evictions, government benefits, welfare rights and employment. The focus of his work was on law reform and impact litigation.

His most memorable case came in 1970, when he and another lawyer, Stephen Berzon, tried a case, *California Department Human Resources Development v. Java*. Klein represented unemployment insurance claimants in a class action and argued in front of a three-

judge federal court panel. The case was appealed, and his position was ultimately upheld by the U.S. Supreme Court.

After the Supreme Court case argument, he visited his Case law professor and mentor, Lewis Katz, who recommended he apply for a new faculty position at The University of Toledo, which was just starting a law clinic.

Klein took the advice, applied and was offered the job by Karl Krastin, then law school dean.

From the beginning, Klein and UT were a perfect match. He immediately immersed himself in law school affairs, and he enjoyed the challenge and excitement of helping to strengthen the school's educational offerings, particularly the Legal Clinic, where students represented clients under the supervision of professors. Klein and former faculty member Thomas Willging were architects

of the clinic, which started in 1971, and it is one of his proudest accomplishments. The program has allowed generations of UT law students to gain practical experience handling legal cases. This was the law school's second clinic; the first was a prosecutor's clinic started in 1970. The law school hired James Carr, now a federal judge, as a professor to direct the program.

"The legal clinics were a challenge because the program was not pedagogically the same as the traditional programs we were all used to in law school," he recalled. "It was a challenge to the comfort zone of the traditional teachers. We were doing things that were unheard of in law schools at the time — we were teaching lawyering skills."

In 2000, he founded the law school's Public Service Externship Clinic, which provides students the opportunity to do public service work under the supervision of judges and lawyers across the country.

Moral Majority Era 1980-1985

1980s "War on Drugs" Jails 1/5 of Young Black Men

1991 The Gulf War Begins

1982 **PLYLER V. DOE** - PUBLIC SCHOOLS HAVE TO ALLOW THE CHILDREN OF ILLEGAL ALIENS TO ENROLL, AND STATE AND LOCAL TAX BODIES HAVE TO PAY THE COSTS.

1988 **HAZELWOOD SCHOOL DISTRICT V. KUHLMER** - SCHOOL OFFICIALS CAN CENSOR NON-FORUM STUDENT NEWSPAPERS WHEN THEY CAN JUSTIFY THEIR DECISION BY STATING AN EDUCATIONAL PURPOSE.

1989 **TEXAS V. JOHNSON** INVALIDATED PROHIBITIONS ON DESECRATING THE AMERICAN FLAG IN FORCE IN 48 OF THE 50 STATES (FLAG BURNING IS CONSIDERED PROTECTED SPEECH UNDER THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION)



1980
John Lennon is shot outside his New York apartment



1987
Robert Bork Supreme Court disputed nomination



1988
Salmon Rushdie: Satanic Verses published



1988
George Herbert Walker Bush elected



1990
The fall of the Berlin Wall paved the way for German reunification



1990 - 1993
Apartheid dismantled



1990
Hubble Space Telescope launched



1990
Cell phone introduced



1992
William Jefferson Clinton elected

Looking back, Klein says UT has been a good place to be an academic in terms of providing a lot of freedom in teaching, scholarship and public service. He has loved being in the classroom and clinic and will miss teaching students and working with colleagues.

“Law teaching is work, but it is also a privilege,” he said. “It’s a treat because you have the opportunity of being around goal-oriented, hard working, relatively experienced young people every day. They want to succeed. You have to engage them and find out the best way for them to learn.”

During his years of teaching and working in law, Klein has seen the complexion and gender of law school faculty and student body change, a trend he applauds.

“The more diversity you have in the classroom, the better you can teach,” he said. “How can you teach a gender rights or a civil rights case, or any

case for that matter, if you don’t have students in the class who represent different races, genders and ethnic and socio-economic backgrounds?”

Klein served six years as a member of the ABA Accreditation Committee and has participated in more than 20 law-school accreditation inspections. He was the University’s NCAA faculty athletics representative for 17 years and was an associate dean from 1992 to 1993 and the interim dean from 1993 to 1995.

He was a member and former president of the local chapter of the American Inns of Court.

He received the Access to Justice Distinguished Service Award in 2001 for his role in overseeing the merger of ABLE and Legal Services of Northwest Ohio, and in 2008, the University named him a Distinguished University Professor, one of only 12 faculty members in the University so honored.

He has written articles and books on Ohio civil practice, unemployment insurance, employment law, and the laws of China and Australia. He was a visiting professor at the University of New Mexico, Florida Coastal School of Law, University of San Diego, University of Western Australia and Charleston School of Law.

To honor Klein for his service, the Law School is establishing an endowed fund with earnings going to support law students’ summer employment in programs providing legal representation to indigent clients such as legal services and public defender programs. People may donate online or send a check made payable to The University of Toledo Foundation to:

Office of the Dean
The University of Toledo College of Law
Mail Stop #507
The University of Toledo
2801 W. Bancroft St.
Toledo, Ohio 43606-3390

1996 Welfare Reform

1997 Robust Economy Creates Longest Prosperity in U.S. History

2000 War on Terror

2009

1990 EMPLOYMENT DIVISION V. SMITH - THE STATE COULD DENY UNEMPLOYMENT BENEFITS TO A PERSON FIRED FOR VIOLATING A STATE PROHIBITION ON THE USE OF PEYOTE, EVEN THOUGH THE USE OF THE DRUG WAS PART OF A RELIGIOUS RITUAL.

1997 PRINTZ V. UNITED STATES: ESTABLISHED THE UNCONSTITUTIONALITY OF CERTAIN INTERIM PROVISIONS OF THE BRADY HANDGUN VIOLENCE PREVENTION ACT AND WAS AN IMPORTANT RULING IN SUPPORT OF LIMITS ON FEDERAL POWER AND STATES’ RIGHTS.

2003 WYATT V. STICKNEY CREATED MINIMUM STANDARDS FOR THE CARE AND REHABILITATION OF PEOPLE WITH MENTAL ILLNESS AND MENTAL RETARDATION THAT HAVE BEEN EMULATED THROUGHOUT THE NATION.



1994
Discovery of ozone increase in the upper troposphere



1998
Stem cells derived from the human embryo, were first isolated to find cures of disease and illnesses



2000
Mad-Cow Disease found in UK cattle

Concerns over Y2K pass without the serious, widespread computer failures that had been predicted



2000
Republican challenger George W. Bush defeats Vice Pres. Al Gore, but the final outcome is not known for over a month because of disputed votes in Florida



2001
Mars Odyssey is launched

1996-2003
Dolly, first successfully cloned mammal



2001
Terror attack alerts America



2009
Toledo Law bids farewell to faculty icon, Jim Klein



Professor Emeritus Roger Andersen

continues to teach an online course in Drafting Wills & Trusts. This past year, he updated *Understanding Trusts and Estates*,

now in its 4th edition, and co-authored, with Professor Karen Boxx of the University of Washington, *Skills & Values: Trusts and Estates*. The *Skills & Values* book is part of a new series that presents practical problems and resources for solving them, both in hard copy and online.



Associate Professor John Barrett assumed office as President of The University of Toledo Faculty Senate in May 2009. In this position, he leads the body that acts

as the voice of the approximately 1,000 faculty members at The University of Toledo and plays an active role in University administration. He continues to teach in the international, business, and transactional areas and taught Introduction to the Common Law at the law school's program in Szeged, Hungary. Last winter, he visited his seventh continent, Antarctica, where he was mistaken for a polar bear.



Associate Professor Benjamin Davis published *No Third Class Processes for Foreigners*, 103 *Nw. U. L. Rev. Colloquy* 88 (2008), on the proposed military

commissions. He organized the only law school conference in the U.S. on the bicentennial of the prohibition of the slave trade into the U.S. He published an introduction for some of the papers on the Commemorating 1808: Fighting for the Right to Dream Conference at 40 *U Tol L Rev* 577 (2009). Davis served on the Program Committee of the ABA Section on Dispute Resolution, Annual Meeting, April 15-19, 2009, New York City, where he also spoke on current developments in international commercial arbitration. He assisted the Section's work on proposed modifications to the Federal Arbitration Act. He was appointed chair of the Arbitration Competition Subcommittee of the Competitions Committee of the ABA-Law School Division. He was elected a board member of the Society of American Law Teachers and is co-chair of the Human Rights Committee, with whom he helped issue numerous statements on torture, criminal prosecution, and immigration law. He is a member of the Robert Jackson Steering Committee and coordinated the December 2009 holiday's 11 students post-exam work helping with the drafting of a criminal complaint on torture for Human Rights USA. He has spoken frequently at local and national conferences. He has published numerous opinion pieces and been interviewed for worldwide radio and television programs on issues related to torture, military commissions, and international law.



Clinical Professor Gabrielle Davis completed a follow-up study to her U.S. Department of Justice-sponsored research on domestic violence-related fatalities in

northwest Ohio. The community-based study was undertaken in collaboration with the Lucas County Domestic Violence Task Force Fatality Review Team, which Davis chairs. Davis was appointed to Governor Strickland's Campus Safety Task Force on Intimate Partner Violence and Stalking, as well as The University of Toledo Sexual Harassment Task Force. In addition, Davis delivered a paper entitled *Pragmatism in Coordinated Domestic Violence Intervention Systems* at the annual conference of the National Organization for Women in Indianapolis. Davis was recognized with a prestigious Jefferson Award for Public Service from the American Institute for Public Service, as well as the 25th Sr. Ann Joachim Award, from her alma mater, Siena Heights University, for her work in the field of domestic violence.



During the 2007-2008 academic year, **Professor Beth Eisler** taught as a Visiting Professor of Law at Michigan State University College of Law. Last summer,

Eisler, with a co-author from The University of Toledo College of Business Administration, completed the second of two grants for the State of Ohio Department of Commerce. In October 2008, she taught International and Domestic Sales of Goods

to Hungarian law students as part of the American Law Certificate Program of the University of Szeged. During the 2008-2009 academic year, Eisler served as chair of the College Faculty Appointments Committee and as a member of the Faculty Committee on Renewal, Promotion, and Tenure. Recently, Eisler was elected to the University Committee on Academic Personnel and was selected by the 2009 law graduating class to receive the Spring 2009 Outstanding Professor Award.



**Clinical Professor
Maara Fink**

continues to serve as the president of the Ohio Mediation Association, a statewide organization for mediators and mediation

advocates. She was also elected to a second term as vice president of the Toledo Women's Bar Association and appointed to the Leadership Council for Planned Parenthood of Northwest Ohio.

Fink presented to several groups and organizations on various topics in alternative dispute resolution, including a presentation to graduates of Capital University's Mediation & Dispute Resolution Certificate Program on the topic of the Promotion of Mediation by Government Agencies and Private Mediators.

In addition, Fink continues to encourage law students to explore and promote the use of alternative dispute resolution methods in our legal system by serving as the advisor to the College of Law ADR Society.

Fink returned from maternity leave to resume full-time teaching duties after welcoming her third child in July 2008.



After spending the past two springs in China as a Fulbright lecturer, **Associate Professor Llew Gibbons** has enjoyed returning to teaching at the College of Law. In

the past year, he wrote a short article, *Law and the Emotive Avatar*, 11 VAND. J. ENT. & TECH. L. ____ (2009), a book chapter on U.S. intellectual property law for Chinese legal scholars and students, and spoke or presented papers at Drake University School of Law, Des Moines, Iowa, 2009 Intellectual Property Scholars Roundtable; Vanderbilt University School of Law, The Vanderbilt Journal of Entertainment and Technology Law, Virtual Worlds, Social Networks and User-Generated Content Symposium; and University of Turku, Finland, Conference on Innovation and Communications Law. Building on his Fulbright experiences during summer 2009, Gibbons gave lectures or presented papers at the Intellectual Property School and the Law School of South China University of Technology, Guangzhou, China, 2009 International Workshop on the Copyright Industries and Intellectual Property (CIIP'09); University of Hong Kong, Journalism and Media Studies Centre, The Age of Digital Convergence: An East-West Dialogue on Law, Media and Technology; Northwest University of Politics & Law, Xi'an, China; 2009 IPR Nanhu Forum - National IPR Strategy Implementing Measures and Performance Evaluation (Guangzhou, China). Gibbons anticipates spending next year cleaning his office, working on a book, and staying a bit closer to home.



**Assistant
Professor Melissa
Hamilton**

published a book entitled *Expert Testimony on Domestic Violence: A Discourse Analysis*. In addition to her

regular teaching in the law school, Hamilton also taught a short course on American criminal law and criminal procedure at the University of Szeged College of Law in April 2009, and assisted in team teaching a spring 2009 undergraduate course in UT's Law & Social Thought program on the death penalty. She presented her empirical work on police decisions to arrest in domestic violence calls at the May 2009 Law & Society Association conference.



In May 2009, **Professor Robert Hopperton** presented a program on the "Legal Framework in the U.S. Housing Sector" to a delegation of housing officials

from the Central Asian nation of Uzbekistan. The officials were in the U.S. as part of a three-week program sponsored by the U.S. Agency for International Development and the Great Lakes Consortium of The University of Toledo. This year, Hopperton presented his most recent seminar in the area of negotiation to College of Law graduates as part of the College's Alumni Weekend Continuing Legal Education Program. His topic for the October program was Effective Negotiation Preparation.



In April, **Assistant Dean for Law Career Services and Alumni Affairs Heather Karns** presented “Best Practices in Law Student Professional Development,”

which she highlighted professional development practices from The University of Toledo College of Law and other law schools at the 2009 National Association of Law Placement (NALP) conference in Washington, D.C. This annual conference is attended by law school career services professionals, law firm hiring partners, and government hiring officials from across the country. The focus of this year’s NALP conference was the changing economy and its impact on the legal profession. Many law firms are looking for law schools to provide more help in preparing students to meet the professional demands and expectations of law as a business. As a co-presenter for this program, Karns compared how The University of Toledo College of Law delivers information and training with ways in which other law schools seek to meet this need. She states, “Preparing the professional has been our mission for a number of years. Our Office of Professional Development focuses on professional growth and professionalism training as key elements that will drive student and graduate success. I was excited to share some of our program highlights as well as learn what other schools are doing. Our goal is not only to stay competitive but to be innovative as well.” Karns is also the co-author of a recently published essay on how professional development enhances hiring and career prospects, *Job Search Skills for the New Economy*, 40 U. Tol. L. Rev. 403 (Winter 2009), and, with Dean Douglas Ray, made an April 27 presentation to the Lucas County Bar Association on “Professional Development Programs at the College of Law.”



Professor Bruce Kennedy spoke on *Universal Citations: A Short Historical Narrative* at the 2009 annual meeting of the American Association of Law Libraries in

Portland. Kennedy was also the recipient of a Fulbright Lecture grant to teach classes on U.S. Property Law and U.S. Legal Research Methods at Zhongnan University of Economics and Law (ZUEL) in Wuhan, China. While in China, he appeared as a Fulbright guest lecturer at ZUEL, Huazhong University of Science and Technology (HUST) School of Law (Wuhan) and Northwest University of Politics and Law (Xi’an). Kennedy also attended the inaugural China – United States Conference on Legal Information and Law Libraries (Beijing). Kennedy has been named a Fellow of the HUST School of Law Common Law Research Center.



Associate Professor Ken Kilbert was named “Outstanding Newsletter Editor” for 2007-2008 by the ABA Section of Litigation. He and his two co-editors were honored for

their work on *The Environmental Litigator*, which is published quarterly by the Section’s Environmental Litigation Committee.

Professor Kilbert organized the 8th annual Great Lakes Water Conference in November 2008 at the College of Law, where he chaired a panel discussing the new Great Lakes – St. Lawrence River Basin Water Resources Compact. The Compact also was the subject of a public lecture Kilbert gave in

August 2008 at UT’s Lake Erie Center and of a presentation he gave in May 2009 at the International Association of Great Lakes Researchers Conference, which was hosted this year by The University of Toledo.



Distinguished University Professor James M. Klein co-authored (with Prof. Stanton Darling) the 2009 *Annual Service to Baldwin’s Ohio Civil Practice*

(Thomson West Publ Co) and chaired an ABA site inspection team regarding the application for full accreditation of Thomas Jones School of Law, Faulkner University, Montgomery, Ala. Please read the feature story on Klein on pages 41-43.



Assistant Professor Jessica Knouse presented papers at the 2009 Annual Meeting of the Law and Society Association in Denver, and the January 2009 Ohio Legal Scholarship

Workshop in Columbus, Ohio. She gave a talk on abortion law at an *American Medical Women’s Association* meeting at The University of Toledo College of Medicine, and participated in a Supreme Court Preview panel at the College of Law. Her new article, *From Identity Politics to Ideology Politics*, will be published in The Utah Law Review in fall 2009.



In the past year, **Stoepler Professor of Law and Values Susan Martyn** has taught an innovative new course, offered half a dozen national legal ethics programs, served

as one of 10 members of the American Bar Association Standing Committee on Ethics and Professional Responsibility, and published two articles, a book chapter, and three books. Her books, all with co-author Lawrence J. Fox, include:

1. The second edition of her casebook, *Traversing the Ethical Minefield: Problems, Law, and Professional Responsibility* (Aspen 2008)
2. A book for lay persons, *How to Deal With Your Lawyer: Answers to Commonly Asked Questions* (Oxford 2008) and
3. A book for practicing lawyers, *The Ethics of Representing Organizations: Legal Fictions for Clients* (Oxford 2009).

Martyn's new course offered a two-week clinical rotation to fourth year medical students, and was taught with Dr. Catherine Marco, Professor of Surgery, and Daniel Hickey, Associate Professor of Family Medicine. Twelve medical students joined 12 law students at the College of Law to study the law of informed consent. All read court decisions and debated the merits of various points of view, as well as participating in clinical rounds at UPMC observing informed consent interactions in the Emergency Department and in pre-op. Martyn hopes to include medical students in next year's Bioethics and Law class, as well.

Her articles describe her experience in offering another innovative course at the law school with Clinical Professor Robert Salem, *The Integrated Law School Practicum: Synergizing Theory and Practice*,

68 Louisiana L. Rev. 715 (2008), and a commentary on legal ethics, *Screening? Consider the Clients*, (July 2008 The Practical Litigator). She has also published a book chapter, *Back to the Future: Fiduciary Duty Then and Now*, in Celebrating the ABA Canons of Legal Ethics Centennial (Forthcoming, ABA Litigation Section 2009).



Associate Professor Nicole Porter placed her article, *Why Care About Caregivers?: Using Communitarian Theory to Justify Protection of "Real" Workers*,

with the Kansas Law Review (forthcoming 2010). She presented this article at the Third Annual Labor & Employment Law Colloquium in San Diego in October 2008, as well as at the Ohio Legal Scholars Workshop in January 2009. Her previous article, *The Perfect Compromise: Bridging the Gap Between At-Will Employment and Just Cause*, was selected for republication in Matthew Bender's Defense Law Journal. In September 2008, she was the keynote speaker for *The First 100 Years of Women at Saint Louis University Speaker Series*, speaking on "Work/Life Balance and Its Challenges."

Porter was the guest speaker at the Toledo Bar Association Labor and Employment Law Committee's annual dinner in June.



Associate Professor Geoffrey Rapp's article, *The Wreckage of Recklessness*, appeared in a summer 2008 issue of the Washington

University Law Review. In the article, he critiqued legal treatment of the tort doctrine of recklessness, demonstrating that courts do not render consistent and predictable decisions in dividing recklessness from the other two dominant forms of tortious conduct, negligence and intentional misconduct. Rapp suggested that while doctrinal articulations of recklessness have contributed to this problem through linguistic imprecision, the legal concept of recklessness suffered a more serious flaw in that it failed to account for the actual behavioral and cognitive processes humans employ in the face of risk.

Rapp was also invited to contribute a symposium essay to the *Journal of Criminal Law and Criminology*, published by the Northwestern University School of Law, to appear in summer 2009. In his essay, "Blue Sky Steroids," Rapp contended that the traditional approach to performance enhancing substance use in professional sports was misguided and suggested that sports leagues adopt a model based on federal and state securities laws, which impose disclosure obligations on corporations and punish fraud or omission but do not impose substantive restrictions on behavior.

Rapp was sought as a commentator by several national and international media outlets during the academic year. He was interviewed and quoted in three articles published in *The New York Times* in July and December 2008 and January 2009, in two articles published in the Toronto newspaper

The National Post in May 2009, and by the *Toledo Blade* in September 2008. In addition, he was interviewed for the BBC World Service Radio program "World Have Your Say" in March 2009.



Dean and Professor Douglas E. Ray, with co-authors Professors Chris Cameron of Southwestern Law School and Bill Corbett of Louisiana State

University, published the 126-page 2008-09 Supplement to their book, *Labor Management Relations: Strikes, Lockouts and Boycotts* (Thomson West) and, with Assistant Dean Heather Karns, an essay titled *Job Search Skills for the New Economy*, 40 U.Tol. L. Rev. 403 (2009).

In April, he was a speaker at the ABA Section on Dispute Resolution Annual Meeting Program in New York City, speaking on the topic of compulsory arbitration and civil rights, and was a speaker and chair for the Course on Labor Law and Labor Arbitration conducted by the Center for American and International Law in Plano, Texas (see story on page 8). He joined Karns in a presentation to the Lucas County Bar Association on professional development. In addition, he served as a member of the Toledo Bar Association Board of Trustees.



Distinguished University Professor William Richman

completed his 33rd year at the College of Law, teaching Conflict of Laws, Evidence, and Civil

Procedure. He also taught Jurisdiction and Choice of Law at the University of Michigan as a visiting professor. He is finishing his work on a book, to be published by the Oxford University Press, dealing with the appeals-expediting procedures that the United States Circuit Courts of Appeals have instituted to help them cope with their steadily increasing caseloads.

Capping decades of research, the book's thesis is that the appellate shortcuts have transformed the circuit courts into de facto certiorari courts, and thus represent a very unusual example of "judicial activism," which has been motivated not by any altruistic political agenda but rather by the judges' own concerns about their prestige and lifestyle. Richman also read a paper before the Conflicts Section of the Association of American Law Schools comparing American choice-of-law practice with practice under the European Parliament's recently promulgated Rome I and II Regulations governing choice of law in contract and tort cases.



Clinical Professor Robert Salem

co-authored an article with Julie Sacks entitled *Victims Without Legal Remedies: Why Kids Need Schools to Develop*

Comprehensive Anti-Bullying Policies, 72 Albany L. Rev 147 (2009). He presented his work on the prevention of peer harassment at the New England Conference on Multicultural Education in Hartford, Conn., in October 2008, the Northwest Ohio School Counselors Association in January 2009, and the Ohio State of the State Conference in March 2009.

Salem and several law students also researched and drafted anti-bullying legislation for the Ohio General Assembly. The legislation was introduced by Senator Theresa Fedor in May 2008 and will be considered by the assembly in fall 2009.

Salem was also a faculty member for the Magistrate Practice: 2008 Probate Seminar sponsored by the Supreme Court of Ohio Judicial College. His presentation was entitled *Gender and Sexual Orientation Issues in Probate Court*.

Salem was recently appointed to serve on the board of the National Gay and Lesbian Task Force, one of the nation's largest LGBT organizations. He continues to serve on the boards of the Ohio American Civil Liberties Union, the Ohio Drug Assistance Program and Equal Justice Works in Washington, D.C.



Balk Professor of Law and Values

Joseph Slater has been working on two casebooks: *Public Sector Employment: Cases and Materials* (2nd ed.) (with Marty Malin

and Ann Hodges) (West Publishing); and *Labor Law in the Private and Public Sectors: Cases and Materials* (with Seth Harris, David Gregory, and Anne Lofaso) (LEXIS). He also worked on the following publications: *Working Group on Chapter 1 of the Proposed Restatement of Employment Law: Existence of Employment Relationship*, 13 Emp. Rts. & Emp. Pol'y J (2009) (with Theodore St. Antoine, Dennis Nolan, and Alvin Goldman) (forthcoming); Book Review, John F. Lyons, *Teachers and Reform: Chicago Public Education 1929-70 American Historical Review* (forthcoming, 2009); and Book Review: James B. Jacobs, *Mobsters, Unions, and Feds: The Mafia and the American Labor Movement*, 26 *Law and History Review* 224 (2008). He gave the following papers at conferences: *Recent Supreme Court and Appellate Court Decisions in Labor Law*, Region 8 NLRB/Ohio State Bar Association Labor Law Seminar, Toledo, September 2008; and *A Unified Theory of the Meaning of Collective Bargaining in the Public Sector*, Law & Society Annual Meeting, Montreal, May 2008. He chaired the panel *Work, Discrimination, and Human Rights*, American Society for Legal History Annual meeting in Ottawa in November 2008.

He has also served as an outside peer reviewer of book manuscripts for New York University Press and University of Michigan Press.

Slater continues to teach torts and various classes in the field of labor and employment law. Along with Nicole Porter, he coached two Labor & Employment Law Moot Court

teams. In the 46-team national competition held in New York, both teams advanced to the round of 16, and one team advanced to the round of eight. Slater is the advisor to the Student Bar Association and the Labor and Employment Law Association. He serves on the Faculty Committee for Renewal, Promotion, Tenure, the Library Committee, and the University Committee Outstanding Teaching Award Committee. A highlight of his year was kissing a pig in the forum as part of a charity fundraising event, much to the amusement of his son, Isaac.



Associate Dean Daniel Steinbock, Harold A. Anderson

Professor of Law and Values, spoke at a U.S. State Department Conference on the Protection of

Unaccompanied and Separated Children at George Mason University in October. He continues to serve as a member of the Ohio Commission on the Rules of Practice and Procedure and its Evidence Rules Committee.



Associate Professor Lee J. Strang completed his first year at the College of Law. His most recent publication, *Originalism and the Challenge of Change*, is in the

Hastings Law Journal and addresses the relationship between societal change and constitutional interpretation. Strang is also editing a constitutional law case book for LexisNexis.

Strang presented papers on constitutional interpretation and property law at a number of conferences including *An Originalist Theory of Precedent* at the Law and Society annual conference. Strang frequently engaged in debates and gave talks on constitutional interpretation at law schools across the country. For example, he debated *Originalism v. Living Constitutionalism* at The Ohio State University. Strang also regularly commented in the media.

As faculty advisor to the Federalist Society, Strang organized numerous speakers and debates including federal judge Stephen Murphy, who spoke on the nomination and confirmation process for federal judges. Strang also initiated a Student Jurisprudence Reading Group, that selected readings on jurisprudence and then discussed them over food and drink.



Charles W. Fornoff Professor of Law and Values Rebecca Zietlow published *The Rights of Citizenship: Two Framers, Two Amendments*, 11 U. PA. J. of Const.

L. 1269 (2009) and *Belonging and Empowerment: A New "Civil Rights" Paradigm Based on Lessons of the Past* (Review of *The Lost Promise of Civil Rights* by Risa Goluboff), 25 *Constitutional Commentary* 353 (2009). She gave several talks based on her scholarship, including *The Promise of Congressional Enforcement at Slavery, Abolition, and Human Rights: Interdisciplinary Perspectives on the Thirteenth Amendment*, at the University of Chicago, April 2009, *The Promise of Congressional Enforcement of Section Two of the Thirteenth Amendment* at the 2008 Annual Meeting of the Law and Society

Association, May 2008, and *The Original Meaning of the Privileges and Immunities Clause and James Ashley: The Man Behind the Thirteenth Amendment* at the 2009 Annual Meeting of the Law and Society Association in May 2009. In addition, Zietlow served as a moderator of the panel, *The Privileges and Immunities of Citizenship* at the American Constitution Society Second Founding Conference, University of Pennsylvania Law School in November 2008, and presented *The Roberts Court: Present and Future* at the Annual Convention of the National Association for the Advancement of Colored People, July 2008. Zietlow is a regular blogger at www.essentiallycontestedamerica.org.



As I am sure happens with each of you, schedules get moving, days flow into weeks, and weeks turn into months. Before you know it, another year has gone by – and when you look back, it is hard to believe how much you packed in! That is true of your law school, as well. As we look back at another successful year, I am impressed by how important alumni involvement is to so many aspects of our program. We are fortunate to have such engaged and enthusiastic alumni and an equally committed local Bar. We could not do all that we set out to do without your support!

Thank you for your involvement in our mock interview programs, classroom presentations, moot court competitions, professional development programs, CLEs, social events, student organization activities, annual bar association alumni events and alumni events held “on the road.” All of these provided opportunities to educate students, meet with colleagues, learn what is going on at the law school and build networks for the future. Our gratitude also goes out to the almost 500 alumni across the country who have signed up for our Online National Alumni Network. Alumni in this network have provided invaluable advice to our students, as have all of you who have agreed to take their calls, respond to their e-mails or meet with them when they visit your area.

Networks are growing increasingly important as we face the challenges of today’s economy. We want to reinforce the networks you already have and encourage you to remain connected to each other and the College of Law. These networks provide referrals, business resources and important contacts for our students; they provide ways to continue professional growth and open doors of opportunity.

We appreciate, too, the many who have shared their stories with us. We enjoy hearing of your fond memories of law school days and of the interesting experiences you had that shaped your lives and careers. We look forward to hearing more about those experiences and helping each of you share your stories with the law school, with each other and with current students who seek guidance from those who have gone before them.

Toledo Law is a unique place that transforms students into lawyers, professionals and alumni with whom you will be proud to associate. We take great pride in learning how your time here has shaped your life. We look forward to seeing you on September 12 for our Law Alumni Gala. Finally, we hope that you take the time to review the year, just as we have done in preparing this issue. You will be glad you did!

Heather S. Karns
Assistant Dean for Law Career Services and Alumni Affairs



Go online to utlaw.edu/alumni/merchandise.htm to view Toledo Law logo wear.

1959

The Hon. J. Ronald Bowman was the Community Service Award recipient at the Toledo Bar Association Annual Meeting in June 2009.

1960

Andy Douglas, a former Ohio Supreme Court Justice, has returned to his law practice at Crabbe, Brown & James in Columbus, Ohio, after serving five years as executive director of the Ohio Civil Service Employees Association.

1967

Patrick J. Johnson was recognized by *Law & Politics* as a 2008 Ohio Super Lawyer. Patrick is a partner in the Toledo law firm of Eastman & Smith.

1968

J. Patrick Downey was appointed to the Glassy Mountain Fire Service Area Board of Commissioners. He previously worked as vice president, human resources, and legal counsel for Commercial Intertech Corp. in Youngstown, Ohio. He is now retired and living in Travelers Rest, S.C.

1969



Cary Cooper has been named by Best Lawyers as Toledo's best "Bet-the-Company Litigator of the Year" for 2009. He is also a 2009 Ohio "Super Lawyer."



Richard S. Walinski, a Best Lawyer for more than 10 years, was recognized in 2009 for "Bet-the-Company" Litigation and Commercial Litigation. He is also a 2009 Ohio Super Lawyer.

Martin W. Williams has been named 2009 Toledo personal injury litigator of the year. He is a partner in the Toledo firm of Williams, DeClark & Tuschman.

1972

Jeffrey Bogart was selected in 2008 by Georgia Trend as one of Georgia's Legal Elite and by *Atlanta Magazine* as a Georgia Super Lawyer. In 2006, he was recognized by *Atlanta Magazine* as one of the Top 100 Attorneys in Atlanta.



John Czarnecki, a Best Lawyer for more than 10 years, was recognized in 2009 for First Amendment Law and Criminal Defense. John is also a 2009 Ohio Super Lawyer and a past recipient of the Law Alumni Distinguished Alumnus Award.

1973

Peter R. Casey III was recognized by *Law & Politics* as a 2008 Ohio Super Lawyer. He is a partner in the Toledo law firm of Eastman & Smith.

Alan B. Dills received the Robert A. Kelb Award, presented to him by Toledo Bar Association President **Dick Malone '77** at the TBA annual holiday luncheon in December 2008. Dills is the current chair of the Bar Admissions Committee and has been active for many years in TBA committees and projects.

1974

Darrell Heckman, Richard Meyer and **William Denkewalter '95** opened the partnership in Urbana, Ohio. Heckman served as county prosecutor for eight years, and is now concentrating on civil and criminal trials, as well as appeals in state and federal courts. Denkewalter handles real estate, probate, estate planning and general civil matters, while Meyer, a former domestic relations magistrate, is taking on family law, child support, custody and parenting issues, as well as juvenile traffic and delinquency cases.

1975

Robert J. Gilmer was recognized by *Law & Politics* as a 2008 Ohio Super Lawyer. He is a partner in the Toledo law firm of Eastman & Smith.

S. Daniel Pace has joined the labor and employment firm of Ogletree, Deakins, Nash, Smoak & Stewart in its new Cleveland office, as the managing shareholder. Prior to this move, he was at Spieth, Bell, McCurdy & Newell for 30 years.

Thom Sheets has joined the Las Vegas firm of McDonald, Carano & Wilson as a partner practicing primarily in energy and administrative law. He is also chairman of the Nevada Tax Commission, a commission appointed by the governor to oversee the fair administration of taxes on all individual and corporate taxpayers in Nevada. After spending more than 32 years in the energy industry, he retired from his position of vice president and general counsel at Southwest Gas Corp.

1976

Mark R. Boyd was named by the 2008 South Florida Legal Guide as one of the Top Attorneys of South Florida. He practices in general civil litigation, insurance and construction related litigation.

1977

Judith A. Lanzinger, Ohio Supreme Court Justice, has published an article entitled "What Have You Done for Me Lately? Lessons Learned from Judicial Campaigns" 38 U. Bal. L. Rev. 11 (Fall 2008). She has served as a member of the adjunct faculty at the College of Law, teaching several courses in trial practice and appellate advocacy.

Howard Malovany has been appointed vice president, corporate general counsel and secretary of Green Mountain Coffee Roasters, Inc. in Waterbury, VT. He was formerly Senior vice president and general counsel of Wm. Wrigley Jr. Company of Chicago.

The Honorable Mary Grace Trimboli is a newly appointed member of the Board of Regents of Canisius College in her native Buffalo, N.Y.

1978

James D. Caruso, of Williams, DeClark & Tuschman was appointed by Ohio Supreme Court Chief Justice Thomas Moyer to the Task Force to Review the Ohio process for discipline of lawyers and judges. He was also awarded the Distinguished Toledo Lawyer Award at the Annual Law Day luncheon in May 2009.

James Goranson, of Goranson, Parker and Bella, was elected to a three-year term on the Board of Directors of the Toledo Bar Association.

Robert C. Meyer, a partner at the Canton, Ohio, firm of Buckingham, Doolittle & Burroughs, is a certified specialist in worker's compensation and has been named to the Best Lawyers in America 2008 and 2009 and Ohio Super Lawyers 2009.



Joseph Thacker was named a Best Lawyer in 2009 in the areas of commercial litigation and insurance law. He is also a 2009 Ohio Super Lawyer.

1979

Patricia Intagliata was presented the Outstanding Public Service Volunteer Award by The University of Toledo College of Law at its spring award ceremony. Pat is the director of the TBA's Pro Bono Legal Services Program.



Gerald R. Kowalski was named a Best Lawyer in 2009, recognized in the areas of commercial, personal injury, and product liability litigation. He is also a 2009 Ohio Super Lawyer.



James E. Yavorcik was installed as president of the Toledo Bar Association for 2009-2010.

1980

Gary M. Harden was recognized by *Law & Politics* as a 2008 Ohio Super Lawyer. He is a partner in the Toledo law firm of Eastman & Smith.

1981

Gary Byers, Maumee Municipal Court Judge, has been appointed chairman of the Supreme Court of Ohio's Commission on Technology and the Courts. The commission advises the Supreme Court on statewide technology issues, including the delivery of technology services to courts, the exchange of data between courts and justice system partners via the Ohio Courts Network, and the technology related education and training provided for judges and court personnel.

Stuart F. Cubbon has been named to the Ohio State Bar Association's Diversity Steering Committee that will focus on the Supreme Court of Ohio's Racial Fairness Taskforce Report and its implementation.

1982

Edsel M. Brown, Jr. recently testified at a hearing of the House Small Business Committee in Washington, D.C. The hearing focused on the reauthorization of the Small Business Innovation Research Program.

Kevin Joyce was appointed by Ohio Governor Ted Strickland to the Great Lakes Compact advisory board. The advisory board was established to make recommendations to the General Assembly on legislation to implement the Great Lakes Compact.

1983

Kelley A. Bosecker has been designated a 2009 Florida Super Lawyer. Only five percent of Florida attorneys are selected as super lawyers, an exclusive list of outstanding lawyers in more than 70 practice areas.

Patrick M. Glenn, a partner in the San Francisco law firm of Hanson Bridgett, focuses on labor relations counseling, collective bargaining negotiations, proceedings before the National Labor Relations Board and other administrative agencies.

Philip J. McAndrews serves as managing director and head of real estate portfolio management for Teachers Insurance and Annuity Association in New York City. He oversees a real estate portfolio that was valued at over \$25 billion at the end of 2008. He and his wife, Sharon, have three children, Tara, Philip and Ryann, currently attending the University of Notre Dame.

1984

Denise Hasbrook of the Toledo office of Roetzel & Andress has been named one of Ohio's Rising Stars 2009 by *Law and Politics* magazine.

Michael D. Kirby and **Cindy M. Voller '92** were married in November 2008. Kirby is a magistrate with the Lucas County (Ohio) Common Pleas Court, Domestic Relations Division, and Voller is a sole practitioner for the past 16 years concentrating in the area of family law.

Christopher Parker of Goranson, Parker & Bella is among the 18 members of the Ohio Supreme Court's disciplinary task force.

1985



Ernest Auciello has been elected partner of the firm Tucker, Ellis & West of Cleveland. He focuses on medical malpractice, long-term care, and pharmaceutical litigation.



Gerald M. Griffith, a partner of the Chicago office of international law firm Jones Day, has been elected by the Board Nomination Committee for the American Health Lawyers Association as their president-elect designate/

treasurer for the 2009-2010 term. He will serve as president-elect in 2010-2011 and as president in 2011-2012.

Melissa Kurtzman has joined the Philadelphia office of Littler Mendelson, a national labor and employment firm.



Anthony J. LaCerva has joined the firm of Collins & Scanlon LLP as partner focusing on business and litigation.

1986

Lester W. Armstrong has joined the Cleveland firm of Meyers, Roman, Friedberg & Lewis as Of Counsel continuing to practice labor and employment law.

Bill Childers and **Avery Goodrich** attended the 2009 Presidential Inauguration in Washington, D.C., with their sons.



Janis E. Susalla Foley was named a 2009 Ohio Super Lawyer.

David L. Harrison received the First Decade Award from the National Association of College and University Attorneys and was elected to serve on its Board of Directors commencing in June. He is an associate vice president for legal affairs at The University of North Carolina in Chapel Hill.

1987



Helen M. MacMurray, a partner at the New Albany, Ohio firm of MacMurray, Cook, Petersen and Schuster, was named one of Ohio's Super Lawyers.

consulting services in North America, Europe and Asia with Blackbaud Inc. a leading provider of software solutions for nonprofit companies across the globe.

1990

James J. Jaros is general counsel and CFO of SSOE, Inc. Toledo.

1991

Gabrielle Davis was the 2009 recipient of the Toledo Jefferson Award – known as the Nobel Prize of community service. She is a clinical professor at UT Law and the Director of the Domestic Violence Clinic. She represents clients pro bono, has sought civil protection orders and referred victims to social-service groups so that they might live in violence-free homes. She also received the Sister Ann Joachim Award from Siena Heights, her undergraduate alma mater, in recognition of her work in domestic violence.

Thomas B. Boutall and his wife, Anna, announce the arrival of Michael Thomas on January 29, 2009.

1992

Matthew D. Harper, a partner in the Toledo firm of Eastman & Smith, has been named by *Law & Politics* magazine as a rising star.

David B. Levin is a partner in the Beachwood, Ohio, firm of Luxenburg & Levin concentrating in the areas of consumer litigation, unfair debt collection, lemon law, warranty law, unfair and deceptive business practices, credit reporting violations and other general litigation. He and his wife, Karen, live in Solon, Ohio, with their two children, Zachary and Dina.

1993

Eileen Wilson Bensen was named city manager of the northern Dayton suburb of Huber Heights, Ohio, in October 2008, after having served as the safety/administrative services director of the City of Findlay (Ohio) for the previous four years.

Michael W. Regnier, a partner in the Toledo firm of Eastman & Smith, has been named by *Law & Politics* magazine as a rising star.

1994

Gayle Girod has taken a position as grants counsel for World Vision Inc. in Washington, D.C. World Vision is a humanitarian aid organization that has food, education, health and other humanitarian programs in almost

100 countries. Her job has taken her around the world to places like Thailand, Mozambique, Afghanistan and Sierra Leone.

Robert J. Muller has formed Cypress, LLP in Los Angeles, specializing in domestic and international intellectual property and entertainment litigation. He is licensed in New York, Washington and California.

1995



Jenifer A. Belt, a partner in the Toledo law firm of Shumaker, Loop & Kendrick, has been elected to the Toledo Bar Association's Board of Trustees for a three-year term.

The Hon. Michael R. Goulding was invited by the Ohio State Bar Foundation to serve as a member of the 2009 Fellows Class. Membership in the Foundation is an honor extended to lawyers and judges who adhere to the highest ideals of the legal profession and are dedicated to serving their communities. Over the next 18 months, the class works on a project that promotes the Foundation's mission of promoting public understanding of the law and improvements in the justice system throughout Ohio.

Bruce Lazar, partner in the Toledo law firm Eastman & Smith, was a speaker at Northwest Ohio CPE Day on the topic of entity selection in Ohio, comparing tax advantages, disadvantages and consequences among business entities used in business.

Michael R. Merlino II joined Sedgwick CMS as director of Medicare compliance. In this newly created role, he will be responsible for planning and leading a new Medicare compliance department to assist Sedgwick CMS clients whose workers' compensation, general liability, and professional liability claims involve medical and personal injury matters with potential Medicare dimensions.

1997



Jennifer M. Grieco has been named a shareholder of the Southfield, Mich. law firm of Maddin, Hauser, Wartell, Roth & Heller. She is a member of the firm's Defense Practice and Insurance Coverage Group concentrating on

litigation defense, professional and commercial disputes.

1988

Shane Farolino of the Canton office of Roetzel & Andress has been named one of Ohio's Rising Stars 2009 by *Law and Politics* magazine.

The Hon. Linda J. Jennings and **The Hon. Nancy A. Miller** were invited by the Ohio State Bar Foundation as members of the 2009 Fellows Class. Membership in the Foundation is an honor extended to lawyers and judges who adhere to the highest ideals of the legal profession and are dedicated to serving their communities. Over the next 18 months, the class works on a project that promotes the Foundation's mission of promoting public understanding of the law and improvements in the justice system throughout Ohio.

Lane D. Williamson, partner of the Toledo law firm of Eastman & Smith, was recognized in March for his leadership of the Wood County (Ohio) Economic Development Commission. He served as president of this organization during the Bass Pro Outdoor World Store construction, Federal Express relocation, and expansion and the relocation of the Owens-Illinois world headquarters projects.

1989

James Abernethy Cobb Jr. was recently elected to the Broward County Bar Association Board of Directors at its annual gala in Fort Lauderdale, Fla. He is an assistant statewide prosecutor in the Florida Attorney General's Office, specializing in racketeering and organized crime cases. He was also recently appointed chairman of the Florida Bar Grievance Committee in the 17th Judicial Circuit. Jim lives in Hollywood with his wife, Mariza, an attorney, and their two children.

Michael Packard has joined the firm of RDM Associates, located in Clarkston, Mich. RDM provides outsourced accounting, technology solutions and business consulting to a variety of businesses, specializing in the health-care and nonprofit industries. Prior to joining RDM, he provided enterprise resource planning and customer relationship management systems



Chad M. Tuschman '95

From Your Alumni Association President

It is with great honor, and much humility, that I come to you as the President of the College of Law Alumni Affiliate for 2009-2010.

Following in the footsteps and vision of recent past presidents, Pete Casey, Jennifer Belt and the Honorable Connie Zimmelman, the College of Law Alumni Affiliate is excited to announce that we have agreed to have The University of Toledo Alumni Association, with Dan Saevig as the point person, oversee and coordinate the Law Alumni relations activities. We, as a Board, feel this will substantially improve our activity level, as well as attendance in these difficult economic times. I want to commend the Board and the leaders at the Law School, who are always looking out for the best interests of our alumni.

Even with the changed status, our identity and commitment will remain strong to our law school alums with the additional funds that we anticipate being raised, which will allow us to support other activities, as well as retain our traditions of which we are so proud.

Planning is underway for a number of new events and venues. I look forward to seeing old friends and meeting new ones.

Should anyone have suggestions or like to speak directly with me, I can be reached through the College of Law Alumni office at 419.530.2628 or at ctuschman@wdtlaw.org.

Very truly yours,

Chad M. Tuschman,
President, Law Alumni Affiliate

Join The University of Toledo Alumni Association and become part of one of the largest and most progressive alumni associations in the country! By becoming a member of the Law Alumni Affiliate you can support programming for law alumni and your University. To join, log on to www.toledoalumni.org or call 800.235.6766.

Jill V. McIntosh, head of third party financial services and corporate secretary of Kroger personal finance, was presented with the Ohio Bar Foundation Community Service Award for attorneys 40 and younger.

Beth A. Wilson has accepted an in-house counsel position with HCR ManorCare in Toledo.

1998



Jeanne Gordon has joined Weston Hurd in Cleveland, as an associate. She focuses on all aspects of ERISA and employee benefits matters, specifically the design, development and implementation of various retirement and welfare benefit plans.

1999

Stephen S. Keller of the Maumee, Ohio, firm of Weber & Sterling has been designated on the 2009 list of Ohio Super Lawyers as an Ohio Rising Star in the area of estate planning & probate.

Denise A. Mueller, an associate with the Toledo firm of Eastman & Smith, served as the president of the Toledo Women's Bar Association for 2008-2009.



Nicole Schwieterman has become a shareholder in Cooper & Walinski, LPA of Toledo. She is co-chair of the firm's Litigation Management Practice Group and was named a 2009 "Rising Star" by Ohio Super Lawyers.

2000

Angelita Cruz Bridges received the District Community Service Award from the Ohio State Bar Foundation.

Judith Fornalik Phillips has been promoted to director of the equal opportunity and diversity management division at NASA headquarters in Washington, D.C.

2001

Heidi N. Eischen, partner at the Toledo firm of Eastman & Smith, has been named by *Law & Politics* magazine as a rising star.

Stephen D. Hartman was the Trustees Award recipient at the Toledo Bar Association Annual Meeting in June 2009.



Jodi D. Spencer has become a shareholder in Cooper & Walinski, LPA. She works in the firm's Cleveland office. She is a co-chair of the Insurance Recovery Practice Group. She was named a 2009 "Rising Star" by Ohio Super Lawyers.

Michael A. VanNiel has joined the Baker Hostetler Cleveland office as a member of the Business Group and concentrates in bankruptcy, restructuring and creditors' rights.

Andrea C. Csomos Wall has joined the Baker Hostetler Cleveland office as a member of the Business Group and concentrates in real estate law.

2002

Amy Butler of the Toledo office of Roetzel & Andress has been named one of Ohio's Rising Stars 2009 by *Law and Politics* magazine.

Gerald L. Trepkowski, associate general counsel, Acquisitions Department of the Air Force, Office of General Counsel, Washington, D.C., has published an article in the June 2009 edition of the *NCMA Contract Management* magazine entitled Driving a Hard Bargain.

2003

Kristine Kober received the "All Star" Team award given by LexisNexis in recognition of her work both in the law schools as well as at the national level. Kober and fellow UT Law graduate, Jared Schmidt '06, will wed this October.

Connie S. Swemba, partner at the Toledo firm of Eastman & Smith, has been named by *Law & Politics* magazine as a rising star.

Phillip Heebsh was invited to be a partner of the Toledo firm of Reminger. Co. LPA. His practice consists mainly of general liability, commercial transportation, insurance coverage and workers' compensation defense.

Brock A. Wanless has recently relocated his political consulting firm from Columbus to Chicago.

2004

Michael David Adams is now an associate with the law office of Kelly G. Lambert III PC in Grand Rapids, Mich. The firm handles a variety of legal disciplines including criminal, family and bankruptcy.

Kathleen Amerkhanian and her husband, Steve, welcomed Anna Rose on January 26, 2009 to join sister Clara Jane, age 7, and brother Isaac, age 5.

James C. Hall and his wife, Corrine, of Newburgh, Ind. welcomed a baby boy into their family on May 21, 2009.

Thomas Sullivan has been promoted to senior associate at the Kitch, Drutchas, Wagner, Valitutti firm in Toledo. He focuses on medical malpractice.

2005

Geoffrey B. Davis has joined Due, Doyle, Fanning & Metzger in Indianapolis as an associate.

Amy Ducat and her husband welcomed a son, Mason Dean Ducat, in April of 2007.

Emily Henry is working at Medical Mutual in Cleveland as a contract negotiator.

Jessica Heilmann Mehl and her husband, Andy, welcomed baby Charis Lela on June 4, 2009. She is the assistant director of law career services and public service coordinator.

Richard A. Nouza has accepted a position with Central Mutual Insurance Company in Van Wert, Ohio. His specialty is insurance and corporate law.



Andrew J. Samocki recently joined Dressman, Benzinger, LaVelle as an associate. He will focus on taxation, business formation, sales and purchasing transactions, estate planning and real estate transactions.

Cheryl Slotterbeck has joined the Sylvania, Ohio, firm of Brady, Coyle and Schmidt.

Brandon Steenson and Julie Geltmaker were married June 28, 2008.

2006

Daniel Henry is an account manager at Thomson Reuters in Cleveland.

Jared Schmidt is an associate at Johnson & Associates in Toledo.

2007

Thomas Ervan Puffenberger has joined the Holland, Ohio, firm of Wagoner & Steinberg as an associate.

Dana Quick welcomed a baby boy, Stuart Nicholas, on March 30, 2009.

Kurt Wicklund joined the Toledo law firm of Manahan, Pietrykowski, DeLaney & Wasielewski as an associate.

2008
Nicholas R. Barnes has accepted an associate position at Allen, Kuehnle, Stovall & Neuman in Columbus. The firm handles all aspects of business bankruptcy, creditor/debtor, commercial law and real estate law.

Michael J. Farnan has joined the law firm of Saul Ewing in Wilmington, Del. focusing his practice on litigation.

Kyle B. Gee and his wife, Kirsten, welcomed baby Brooklyn on June 15, 2008.

Heather Kestian has accepted a position as an administrative law judge/staff attorney for the Department of Child Services in Carmel, Ind.

Jeanne M. Moloney joined the Bloomfield Hills, Mich., office of the Dykema Law Firm, focusing on corporate matters with an emphasis on technology transactions.

Lindsay and **Michael Riesen** welcomed little Karolyn Bethany, "KB," on April 19, 2009, a mere 4 lbs., 2 oz.

Boyd White III has joined Miller Canfield in the Detroit office. He is involved in all areas of business and commercial litigation.

Todd M. Williams is the founding partner of Williams & Moser in Toledo, specializing in energy issues, practice at the Public Utilities Commission of Ohio and government relations.

In Memoriam

Raymond D. Baldwin '40
Paul Wingart '50
Edward A. Stowell '51
Jack B. Franklin '52
William R. Conklin '53
The Hon. Robert G. Wilson '53
Paul F. Stutz '56
The Hon. Harry J. Rigdon '66
Harry Behrendt '67
Robert B. Williams '67
Michael F. Jilek, Sr. '69
Lawrence M. Pidgeon '69
Vincent A. Scamell, Jr. '69
Charles P. Wasovich '72
Jerry A. Jewett '73
Donald O. Nickey '75
Virginia L. Ware '75
Terrance L. Whitting '75
Nicholas T. Adrahtas '76
Harald F. Craig III '77
H. James Dear '77
John Howard Wright '80
Harold L. Wood '81
Barbara E. Herring '84
Richard D. North '84

Send Us Your News!

Highlight your personal and professional achievements. Tell us where you're going and what you're doing. Send information to ann.elick@utoledo.edu.



THE UNIVERSITY OF
TOLEDO
1872

College of Law
Office of the Dean

Mail Stop 507
2801 W. Bancroft Street
Toledo, Ohio 43606-3390
419.530.2379
Fax: 419.530.4526
www.utlaw.edu

An Important Message for our Alumni

Through no fault of their own, many competent and qualified lawyers, including some of our alumni, have found themselves thrust into the job market due to law firm dissolutions and mergers, client bankruptcies, and disruptions in the housing and credit markets. If you are among those currently employed, we hope you will be a resource to your friends and fellow alumni seeking positions. If you have a job opening to report, we gladly accept job postings for experienced lawyer positions as well as those aimed at recent graduates. To list a job, e-mail lcs@utoledo.edu. To search our job postings, use your *Symlicity* username and password or e-mail lcs@utoledo.edu for access to the *Symlicity* system.

If you have recently entered the job search market, we provide the following suggestions, which we hope you will find helpful:

Identify your interests.

What did you enjoy and do well in prior positions? Think broadly so you will not overlook opportunities. For example, lawyers develop skills that make them most effective in business, government and administration. Many former practicing lawyers have moved up to leadership positions by shifting their careers into these fields.

Craft two messages.

Prepare a 30- to 45-second summary of your experience and capabilities to give people enough information to pass your name on to others. Also prepare a two- to three-minute presentation for times when you meet someone who might have an interest in you. Messages must be positive, upbeat and optimistic. Be ready to make the first impression an excellent one.

Renew your personal community.

Reach out to friends, classmates, former colleagues and business acquaintances through breakfast, lunch, phone calls, e-mail, and electronic means such as LinkedIn. Tell them what you are doing and that you are in the market. These contacts work best if you can also offer to help them in some way. Everyone you know, including your extended family, may have a helpful introduction to make.

Ask current contacts to help you meet others and get involved.

Attend meetings of bar groups, professional business associations, industry groups and community service organizations. Getting involved in your community will enhance your credibility and help you meet others. Relationships that lead to jobs arise out of shared experiences between people who work together in a common cause. Attending merely to pass out business cards and share that you're looking for a position will not build relationships.

Enhance your public profile.

Find groups to which you can make presentations. Write short articles for local or state bar publications and industry or trade newsletters or publish an op-ed piece in your local newspaper. Share your news with your college and law school alumni offices for their publications.

Volunteer.

Although you may feel short of time already, now is a wonderful opportunity to do volunteer work. You can assist public service organizations and other groups in need of the help and guidance you can provide. This is a way to use your skills, meet new people, create a larger network and do something you believe in. It will pay dividends for you and others.

Be Positive.

Most importantly, maintain a good attitude. Positive and nice people are the ones hired. Today's market requires patience and persistence, but your belief in your abilities and passion for what you want to do will carry you through.

We wish you the very best for the future.

Douglas E. Ray
Dean and Professor of Law

Heather S. Karns
Assistant Dean, Office of Professional Development



COLLEGE of LAW

THE UNIVERSITY OF TOLEDO

College of Law
The University of Toledo
2801 W. Bancroft St.
Toledo, OH 43606-3390
www.utlaw.edu

Non-Profit
Organization
U.S. POSTAGE
PAID
Toledo, OH
Permit No. 161

Make plans to join us this fall for Distinguished Speakers, CLEs and more!

Check our website for details <http://www.utlaw.edu/news/speakers.htm> or call 419.530.2628.
All speakers will begin at noon at the College of Law unless otherwise indicated.

September 10: Distinguished Alumni Speaker, San Diego trial lawyer, **Bruce Bailey, Esq. Law Class of 1970**

September 12: Law Alumni Awards & Recognition Gala, special seating for Class Reunion years ending in 4 and 9, Inverness Country Club

September 12: 40th Anniversary Law Review Celebration following Gala dinner, Inverness Country Club

September 29: Stranahan National Issues Forum: **P.J. O'Rourke, Satirist, Journalist, and Writer**

September 30: Distinguished Speaker Series; **Dennis W. Archer, Esq., former Detroit Mayor, ABA President and Michigan Supreme Court Justice**

October 22: Annual Fornoff Moot Court Competition Finals

October 29: Cannon Lecturer, **Susan N. Herman, President of the American Civil Liberties Union and Centennial Professor of Law, Brooklyn Law School**

November 13: Annual Great Lakes Water Conference – full day program, details available soon