

THE UNIVERSITY OF TOLEDO COLLEGE OF LAW

TRANSCRIPT

FALL 2017



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THEN AND NOW**

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We are off to the start of another great year at the College of Law. For the second year in a row, we dramatically outperformed the national admissions trends. We had double-digit increases in both applications and enrollment in an environment where both measures were flat nationally and regionally. We grew our entering class while maintaining our entering credentials, which we had increased significantly last year. Assistant Dean of Admissions Jessica Mehl '05, and her team continue to do a great job informing prospective students about the wonderful education they will receive if they join us at the College of Law.

We also are pleased that we increased the percentage of women in our first-year class to 48 percent. Consistent with the overall theme of this issue of the Transcript, we have made progress on this measure, but we still have room for improvement. To help us make progress on diversity more

broadly, I appointed Prof. Jelani Jefferson Exum to the newly created position of associate dean for diversity and inclusion. In this new position, Prof. Exum will undertake a number of initiatives, including the development of a new pipeline program focused on minority undergraduates in our region.

In March, we learned we had improved 12 spots in the U.S. News & World Report law school rankings, from 144 to 132. This step up in the rankings was due largely to improvement in our entering student credentials and in our graduate employment rates. The U.S. News rankings are fickle, and we may move down again a little bit next year due to a decrease in the employment rate of our 2016 graduating class.

Improving graduate employment is one of our highest priorities. We understand that students come to law school to get a good job. We will continue to work hard to improve the employment outcomes for our students because it is at the core of our mission as a law school. Improving employment outcomes will have the additional benefit of helping with our U.S. News ranking. One of the greatest things you can do to aid the College of Law is to help one of our graduates land a job. If you can contribute in this way, please get in touch with Kelly Tomlinson '06, the director of our outstanding Office of Professional Development.

We have been able to brighten up the Law Center with several facilities projects. Last summer, we created a new reading room on the 4th floor of LaValley Law Library and renovated the Chris '83, and Peggy '82, Bussert Classroom. This summer, we completed a renovation of the Cubbon Courtroom that included a technology update. This will allow our students to learn cutting-edge techniques on the electronic presentation of evidence. We also replaced the ceilings and lighting in the second floor hallways. If you haven't been in the Law Center for awhile, please stop by to see our new look.

To continue to make progress, we need your support. Your donations to the College of Law help us with the work we do every day. Many of our improvements were funded by generous alumni gifts. The library reading room, for example, was funded in significant part by a gift from the estate of Charles F. Buck '51, and the Cubbon Courtroom renovation was funded from funds set aside with admirable foresight from the original naming gift made by Frank '54, and Barbara Cubbon. Your support also helped us purchase a course from BarBri that allowed our third-year students to get a jump on their bar preparation. We are in the process of implementing a comprehensive bar success program for our students. Having your financial support allows us to do new and innovative things quickly, as needs arise.

Our fundraising efforts will be greatly aided by our new director of development, Andria Dorsten Ebert. Prior to joining us in July, Ms. Ebert was regional director of Advocates for Basic Legal Equality, Inc. She knows the Toledo legal community well, and we are glad to have her on our team.

As always, we would be delighted to see you if you would like to stop by for a visit, or to hear from you if you have any thoughts or suggestions you would like to share. Together, we will continue to build on our great history, and make the College of Law even better than before!

Sincerely,

D. Benjamin Barros
Dean and Professor of Law

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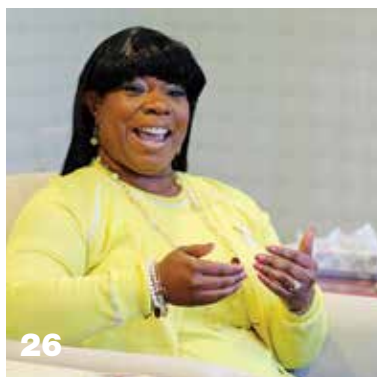
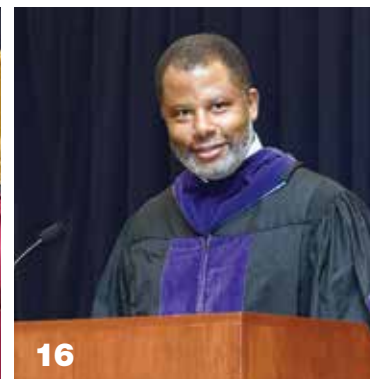
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TOLEDO LAW CLIMBS 12 SPOTS IN U.S. NEWS RANKING

In one year, Toledo Law has climbed 12 spots in the annual U.S. News & World Report ranking. U.S. News & World Report ranked Toledo Law No. 132 of 196 schools as part of its 2018 Best Graduate Schools edition. Last year's ranking was No. 144.

Indicators that helped this increase included higher selectivity of incoming students and higher employment rates at both graduation and 10 months after graduation.

Dean D. Benjamin Barros said, "I am glad to see the rankings reflect some of the fundamental improvements we have made. We significantly increased the entering credentials of our first-year class, and our job placement numbers also moved up.

"We will continue to work on improving our fundamentals, especially in areas of crucial student outcomes like job placement."

PROFESSOR PORTER PUBLISHES DISABILITY LAW CASEBOOK

Toledo Law Professor Nicole Porter published a new textbook, *Disability Law: Cases and Materials*, with co-author Stephen Befort of the University of Minnesota Law School. It was released in November 2016 as part of West Academic's American Casebook Series.

The casebook's topics are wide-ranging and include disability law as related to employment, government services, public accommodations, and education. Readers will become acquainted with both the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (special education services).

The text is unique in that it includes many cases decided after the ADA Amendments Act of 2008 dramatically increased the ADA's coverage. It also provides a more robust coverage of disability discrimination in employment, so much so that the book could be used either in a general disability law course or a specialized course focused on disability discrimination in employment.

"We're thrilled to have Professor Porter join the ranks of our faculty casebook authors," said Geoffrey Rapp, Toledo Law associate dean for academic affairs and Harold A. Anderson Professor of Law and Values. "Her scholarly work on disability law has generated great interest among judges, lawyers, and teachers of the subject, and I expect the book will be very well-liked by students."

"I am glad to see the [U.S. News] rankings reflect some of the fundamental improvements we have made. We significantly increased the entering credentials of our first-year class, and our job placement numbers also moved up."

— Dean D. Benjamin Barros

PROFESSOR ZOLDAN CO-AUTHORS AMICUS BRIEF UTILIZED BY U.S. COURT OF APPEALS FOR THE 6TH CIRCUIT



Evan C. Zoldan, an associate professor at Toledo Law, recently co-authored an Amicus Brief that was relied on by the U.S. Court of Appeals for the 6th Circuit. His co-authors included fellow law professors Sonja Starr of the University of Michigan Law School, Corey Rayburn Yung of the University of Kansas School of Law, and Douglas Berman of the Ohio State University Moritz College of Law.

In its decision, *Does v. Snyder*, No. 15-1536 (6th cir.), the 6th Circuit held that provisions of Michigan's Sex Offender Registration Act (SORA) unconstitutionally imposed retroactive punishment in violation of the Constitution's Ex Post Facto Clause. Michigan's SORA, like many states' sex offender registry statutes, imposed registration requirements on convicted sex offenders. SORA imposed these registration requirements retroactively; that is, they were applied to individuals who had already been convicted and even those who had completed their sentences. However, while Michigan maintained that its registration requirements served a non-punitive purpose, the court held that SORA imposed restrictions that have traditionally been considered punishment, such as public shaming and

onerous restrictions on where registrants can live and work. Because the Ex Post Facto Clause prohibits punishment imposed retroactively, the court of appeals invalidated Michigan's SORA.

“The purpose of the clause is to ensure that people have notice of the consequences of unlawful conduct and the opportunity to conform their conduct to the law.”

– Evan Zoldan

The court of appeals drew heavily on the Amicus Brief filed by these four law professors, including Zoldan, to determine that SORA's registration requirements rose to the level of punishment, noting that SORA's restrictions meet widely accepted definitions of punishment.

“The Constitution's Ex Post Facto Clause does not prohibit the government from punishing crimes, but it does prohibit the government from imposing punishment for crimes that have previously been committed,” said Zoldan. “The purpose of the clause is to ensure that people have notice of the consequences of unlawful conduct and the opportunity to conform their conduct to the law.”

In addition to his work on the 6th Circuit Amicus Brief, Zoldan has previously argued for a more expansive interpretation of the Ex Post Facto Clause.

The 6th Circuit's opinion is significant because its broad definition of “punitive” under the Ex Post Facto Clause suggests application outside the context of sex

offender registries. The state has already indicated that it intends to petition the U.S. Supreme Court for review of the court of appeals' decision.

FOUR LONGTIME TOLEDO LAW STAFF MEMBERS RETIRE



Toledo Law said goodbye to four longtime staff members who retired during the 2016-2017 academic year. All were feted at a retirement party April 21, 2017, by friends and Toledo Law colleagues. We thank them for their service and wish them all the best in retirement!

Judy Cobb began her service at The University of Toledo Jan. 21, 1986, as a part-time employee in the Purchasing Department. After spending a short time in the Toledo Law Registrar's Office, she became an administrative secretary and remained in that position for 27 years. At the time of her retirement on April 28, 2017, she was working with Geoffrey Rapp, associate dean for academic affairs.

Peggy Ery joined UT June 22, 1987, beginning at William S. Carlson Library. She came to Toledo Law as a faculty secretary before assuming the position of publications editor for *The University of Toledo Law Review*, a title she held for 23 years until retirement. She was honored with UT's Outstanding Staff Member Award in 2016. Her last day at Toledo Law was May 31, 2017.

Terri Lewandowski started working at UT July 9, 1984, as an account clerk in the Payroll Department. She transferred to LaValley Law Library as a secretary a year later. Terri was promoted to business services officer in August 1997 and served in that capacity until her retirement March 31, 2017.

Beverly Mayo began her UT career Sept. 13, 1982, at Carlson Library. From there, she came to LaValley Law Library in 2007 as the circulation supervisor, staying until her retirement Oct. 31, 2016. She was honored with UT's Outstanding Staff Member Award in 2014.

SECOND-YEAR STUDENTS TEACH SOCIAL MEDIA SAFETY TO LOCAL MIDDLE SCHOOL STUDENTS



Toledo Law students Adam Borgman '18 and Nancy Magginis '18 presented on social media safety to middle school students in grades 5-8 at Longfellow Elementary School in Toledo April 8, 2017. Specifically, they focused on cyberbullying, privacy, and the do's and don'ts of online activity. The presentations were part of a community outreach initiative to educate teens and pre-teens about safe social media use.

"The Longfellow students were pretty savvy about the risks of posting too much information online, but they seemed surprised to learn how serious the consequences of cyberbullying can be," said Agnieszka McPeak, the Toledo Law professor who supervised Borgman and Magginis.

McPeak spoke to Longfellow parents about social media trends and potential liability for both children and parents arising from online conduct. "A lot of my scholarly research involves the legal boundaries of social media use, which naturally flows into tips for avoiding legal or other problems," continued McPeak.

"The Longfellow students were pretty savvy about the risks of posting too much information online, but they seemed surprised to learn how serious the consequences of cyberbullying can be."

– Agnieszka McPeak

As part of this initiative, Borgman and Magginis researched Ohio law on cyberbullying and other topics, crafted age-appropriate presentations, and met with four groups of students. "It was rewarding to see the students so engaged in the presentation," remarked Borgman. "Although the sixth graders' social media concerns were vastly different from the eighth graders' concerns, all of the students seemed shocked by the severity of the punishments for cyberbullying."

Magginis, an alumna of Longfellow Elementary, stated, "It was such a great experience presenting to the Longfellow students, especially because I was in their shoes not so long ago. I really enjoyed teaching students about how social media can help them in their future, especially with the college admissions process."

Hoping to build from the work Borgman and Magginis have done, McPeak would like to offer similar presentations in other schools. "We're seeing interest in social media education from other local schools, and it's a great opportunity for Toledo Law students to do good work in the community, learn more about law and technology issues, and gain public speaking experience," she said.

TOLEDO LAW STUDENTS WIN TOP TWO AWARDS IN OSBA ENVIRONMENTAL LAW WRITING COMPETITION



Since 2010, the Ohio State Bar Association (OSBA) Environmental Law Committee presents its annual Environmental Law Award to the best law student paper submitted on environmental, energy, or natural resources law. This year, Toledo Law students wrote both the winning and runner-up papers. Rachel Hammersmith '17 was named winner and received a prize of \$1,000 from McMahan DeGulis. Florianne Silvestri '17 was named runner-up, taking home a prize of \$250.

Winning papers are to be of law review or higher quality, and all papers were scored on criteria including quality of legal research, analysis, and writing; relevance to Ohio legal practice; and importance and timeliness of the topic. The awards were announced March 30, 2017, at the OSBA Environment, Energy, and Resources Seminar, and both papers were published in seminar materials.

"Rachel wrote a terrific paper on a timely issue of legal, practical, and environmental import."

– Ken Kilbert

Hammersmith's paper was entitled "The Power Struggle Between Local and State Authorities to Control Oil and Gas Drilling and Fracking in Ohio." She takes issue with a 2015 Ohio Supreme Court decision, *Morrison v. Beck Energy*, that struck down certain municipal ordinances regulating oil and gas drilling on the basis they were pre-empted by state law. Notwithstanding *Morrison*, she argues, Ohio municipalities can use their zoning powers to regulate oil and gas drilling and fracking within their borders.

Silvestri's paper was titled "Ohio Wind Power and the Legal Challenges with NEPA and the ESA."

Ken Kilbert, professor of law, supervised both papers, which were written as part of Toledo Law's Advanced Research and Writing course work. "Rachel wrote a terrific paper on a timely issue of legal, practical, and environmental import," said Kilbert. "We are very proud of both Rachel and Florianne."

This marks the third time in eight years that a Toledo Law student has won the OSBA's Environmental Law Award. Hammersmith joins previous Toledo Law winners M. Zach Hohl '12 and Alex Vogelpohl '15. Silvestri joins previous Toledo Law runners-up Alex Savickas '15 and James Madeiros '10.

PROFESSOR GIBBONS NAMED UT DISTINGUISHED UNIVERSITY PROFESSOR



The University of Toledo Board of Trustees confirmed Professor Llewellyn Gibbons as a new Distinguished University Professor in late March 2017. The rank of Distinguished University Professor is the highest permanent honor that can be granted to a faculty member at The University of Toledo.

Professors appointed to the rank of Distinguished University Professor have received international or national recognition for scholarship that has transformed their fields, made a difference in the lives and careers of their students, and produced a track record of professional service on both the national and international levels.

The nominating committee cited Gibbons' work as an outstanding mentor and teacher, as well as his internationally recognized expertise in intellectual

property law. He has spoken and taught at numerous colleges and universities around the globe, and holds titles such as legal consultant at Northwest University of Politics and Law in Xi'an, China, and distinguished lecturer at the Center for Intellectual Property Rights at Zhongnan University in Wuhan, China. Furthermore, he has completed two Fulbright Scholar Fellowships in China, published a treatise on trademark law, and written journal articles cited by federal and state courts.

"I am honored to be nominated by the dean and my colleagues."

— Llewellyn Gibbons

His professional service includes positions as an elected member of the American Law Institute, a Fellow of the American Bar Association, and past president of the Central States Association of Law Schools. Gibbons also has been involved with the American Association of Law Schools as a section chair, section secretary, and section executive board member.

"When I arrived at UT almost 20 years ago and met the amazing teachers and scholars that comprise the law faculty, I kept my fingers crossed, hoping that one day I would simply get tenure," said Gibbons. "I am honored to be nominated by the dean and my colleagues, to receive letters of support from current and former students, and to be recognized by the University Academic Honors Committee and the provost."

BLAS '18 NAMED FINALIST IN AMERICAN CONSTITUTION SOCIETY WRITING COMPETITION



Toledo Law student Ashley Blas '18 was selected in April 2017 as a finalist in the American Constitution Society's National Student Writing Competition. Named in honor of Judge Constance Baker Motley, the first African-American woman appointed to a federal judgeship, the competition seeks law student writing that takes a progressive view of the U.S. Constitution, law, and public policy.

The competition was judged by a panel of well-known law professors and deans, including constitutional law scholar Erwin Chemerinsky, as well as federal and state judges. Writing and analytical quality were paramount in the judging process.

Toledo Law Dean and Professor Emeritus Daniel J. Steinbock, who served as a law clerk for Judge Motley, commented, "This is a notable achievement, and I, especially, am proud of Ashley for doing so well in a competition named for a great person and true hero of the civil rights movement."

Blas submitted her law review article, "The Danger of Silence: How the Political Activities Prohibition Negatively Affects Nonprofit Domestic Violence

Organizations and the Case for Broader Federal Protection,” which will be published in the spring issue of *The University of Toledo Law Review*.

“Ashley points out that these restrictions also limit the speech of politically vulnerable charitable organizations, including those helping victims of domestic violence.”

– Rebecca Zietlow

She was one of just seven finalists, joining law students from Duke University School of Law, University of Virginia School of Law, University of Florida Levin College of Law, Boston College Law School, University of North Carolina School of Law, and University of Pennsylvania Law School.

Professor Rebecca Zietlow was Blas’ law review faculty adviser. “I am happy, but not surprised, that Ashley has been named a finalist for this award. Her article is well-written and original,” said Zietlow. “It is about an important issue, restrictions on the political speech of 501(c)(3) corporations. Although it is widely recognized that these restrictions impact religious organizations, Ashley points out that these restrictions also limit the speech of politically vulnerable charitable organizations, including those helping victims of domestic violence.”

PROFESSOR STRANG RECEIVES UT OUTSTANDING RESEARCH AND SCHOLARSHIP AWARD

Every spring, The University of Toledo recognizes select faculty members for their research and scholarship. This year, Lee Strang, the John W. Stoepler Professor of Law & Values, was one of just four UT faculty members honored with the Outstanding Research and Scholarship Award.

“UT has been an excellent place in which to grow as a scholar and contribute meaningfully to the legal analysis of the U.S. Constitution.”

– Lee Strang

The award honors research, scholarship, and creative activity performed while serving as a UT faculty member. Strang was noted for his prolific scholarly work at UT – presenting at more than 150 conferences around the country, co-writing a constitutional law casebook, and publishing nearly 20 articles. His work also has attracted the attention of the judiciary, with Supreme Court Justice John Paul Stevens and the U.S. Court of Appeals for the 10th Circuit citing his work.

“I’m honored that the University selected me for this prestigious award,” said Strang. “UT has been an excellent place in which to grow as a scholar and contribute meaningfully to the

legal analysis of the U.S. Constitution, especially in the areas of originalism and constitutional interpretation.”

TOLEDO LAW NAMES ASSOCIATE DEAN FOR DIVERSITY AND INCLUSION



Jelani Jefferson Exum, professor of law, has been appointed associate dean for diversity and inclusion at The University of Toledo College of Law.

As the chief diversity officer for Toledo Law, Exum will be responsible for developing and sustaining pipeline programs to increase equitable access to law school and the legal profession, particularly among diverse populations in Toledo and surrounding areas. She also will support efforts to nurture an inclusive environment at Toledo Law for students of all backgrounds.

“Programs providing a pipeline to law school are vitally important, not only in providing individuals from a variety of backgrounds with access to a legal career, but also in enhancing the legal profession itself so it better reflects the rich diversity of our society,” said Exum. “I am excited about serving in this new capacity, and thrilled that the College of Law is committed to this diversity mission and to ensuring that our students can thrive in an inclusive environment.”

APPELLATE COURT RELIES ON PROFESSOR MCPEAK'S ARTICLE IN RULING ON COMPUTER-RELATED DISCOVERY REQUEST

An Illinois appellate court recently relied upon Professor Agnieszka McPeak's 2015 article, "Social Media, Smartphones, and Proportional Privacy in Civil Discovery," which was published in *The University of Kansas Law Review*.

In its decision regarding *Carlson v. Jerousek*, the 2nd District Court of Appeals explored the question of whether a plaintiff could be ordered by a trial court to turn over "forensic images" or "mirror copies" of his computers to defendants in a personal injury case. The appellate court noted the lack of case law regarding the inspection of information found on a computer through forensic imaging.

McPeak's article was cited by the court for its proposition that privacy interests should limit overly intrusive discovery, and that the proportionality factors in the new civil discovery rules are the mechanism by which to do so. In the end, the court reversed the trial court's grant of broad digital forensic discovery and held that, under the proportionality test, the discovery sought by defendants was overly broad and invaded the plaintiff's privacy. McPeak's article was the only law review article cited by the court.

"What makes Professor McPeak's teaching and scholarship in this area so interesting is that she's looking at age-old and essential legal tools, like discovery requests, but doing so with an eye towards emerging technologies that courts have only begun to address," said Geoffrey Rapp, Toledo Law associate dean for academic affairs and Harold A. Anderson Professor of Law

and Values. "It's not surprising at all that courts – just like our students – turn to her for insights in these areas."

OUZA '17 MAKES HISTORY WITH THE U.S. AIR FORCE JAG



Even before she earned her juris doctor degree May 6, 2017, Maysaa Ouza '17 had made legal history. Just before graduation, she was selected as a new U.S. Air Force JAG Corps attorney – but with the distinction of being the first Muslim hijabi selected for this role.

Ouza's family was influential in her decision to pursue a career in the U.S. Air Force JAG Corps. Her parents immigrated to the U.S., affording Ouza and her siblings opportunities and privileges they might not have received elsewhere. They strongly encouraged her to consider the military as a career.

She also credits her Toledo Law professors and the Office of Professional Development with helping her learn about careers with the various JAG Corps, and navigating the very competitive application process. She believes she was the first hijabi applicant to even apply to the U.S. Air Force JAG Corps. "Many people that look like me fear rejection, and thus will not apply for jobs like this," said Ouza. "I want to break those barriers."

The U.S. Air Force JAG Corps appealed to Ouza for several reasons. Public service and service to her community have long been important to her, and she will now have the opportunity to serve her country as a military lawyer. Additionally, the JAG Corps provides its lawyers with opportunities to gain experience in numerous areas of law, including legal assistance, criminal law, and military operations law – to name just a few. This exposure to multiple practice areas also was of interest to Ouza, as was the fact that the Air Force is the youngest branch of the U.S. Armed Forces.

According to Ouza, there are similarities between life in the military and wearing the hijab – both require lives of structure and discipline. "My hijab is an asset to the Air Force, not a liability," she remarked. "The defining aspect of my character is my unwavering dedication to leading a life of structure and immense discipline. Capitalizing on these characteristics, it made intrinsic sense to serve our country."

"My hijab is an asset to the Air Force, not a liability."

– Maysaa Ouza '17

As a Toledo Law student, Ouza was a leader in several student organizations. "Maysaa was a quiet force during her time at the College of Law," said Kate O'Connell, assistant dean for student affairs. "She served as president of the International Law Society, vice president of the Criminal Law Society, and vice president of Delta Theta Phi. This past year alone, Maysaa was largely responsible for planning a number of meaningful, timely, and topical events at the College of Law."

Furthermore, Ouza was a student ambassador for the Admissions Office. She also made clear her desire to give back to her community, earning a Toledo Law Public Service Commendation and serving as a Law and Leadership Institute (LLI) instructor.

**PROFESSOR ZIETLOW AUTHORS
NEW CAMBRIDGE UNIVERSITY
PRESS BOOK ON TOLEDO
CONGRESSMAN'S INFLUENCE ON
13TH AMENDMENT**

After five years of research and writing, Rebecca Zietlow, Charles W. Fornoff Professor of Law and Values, completed her book *The Forgotten Emancipator: James Mitchell Ashley and the Ideological Origins of Reconstruction*. Edited by leading legal historian Chris Tomlins, the book will be published by Cambridge University Press later this year.

For more than 15 years, Zietlow has researched Reconstruction-era American history. Due to her interest and scholarship, she helped form the 13th Amendment Project, a group of scholars and practitioners who examine the history and promise of this amendment. Despite the fact that the 13th Amendment abolished slavery, there is relatively little legal scholarship about it. This is surprising, considering that the amendment, she argues, also provides protections for workers and additional support for civil rights action by the federal government.

Zietlow's book is unique in that she examines both this critical amendment and historical period through the work of James Mitchell Ashley, a lawyer from Toledo. Ashley was a major leader in the Reconstruction-era Congress, serving

Toledo as a member of the U.S. House of Representatives and helping found the Republican Party. He was the first person to propose amending the U.S. Constitution to end slavery, and worked alongside Abraham Lincoln to secure passage of the 13th Amendment in the U.S. House of Representatives. Ashley thought beyond the abolition of slavery, promulgating ideas such as voting rights for blacks, civil rights, and protections for non-slave workers, including groups such as industrial workers in the North and Chinese railroad laborers.

“Professor Zietlow’s scholarship has consistently advanced our understanding of the 13th Amendment and Reconstruction. This book is a capstone of that impressive body of work and a valuable contribution to Toledo history.”

— Kara Bruce

Despite this legacy, many constitutional law scholars are unfamiliar with Ashley, as little has been written about him. Southern historians painted him as a “carpetbagger” intent on taking advantage of the South after its loss in the Civil War. He also left Congress clouded in controversy due to his relentless and unwavering pursuit of both Reconstruction-era ideals and the impeachment of President Andrew Johnson.

To Zietlow, Ashley's work is still relevant today. She notes the continuing need to protect minorities and workers, as evidenced by eroding civil rights, dwindling worker autonomy, and requiring covenants not to compete even for low-wage workers. She also feels Ashley deserves recognition because of the pivotal role he played in transforming our Constitution and government. “He helped change our government from one based on slavery to one that abolished slavery and created individual rights,” said Zietlow.

Ashley's legacy still lives on in Toledo. Many local attorneys and judges are familiar with the James M. Ashley and Thomas W.L. Ashley U.S. Courthouse, which houses the U.S. District Court for the Northern District of Ohio in downtown Toledo. (Thomas “Ludd” Ashley was James Ashley's grandson, who served Toledo in the U.S. House of Representatives for two decades.) Ashley's final resting place is the beautiful Woodlawn Cemetery, just a few miles from the courthouse that bears his name. Back in 2006, when Toledo Law hosted its annual Law Review Symposium on James Ashley and the Reconstruction, several Ashley family members attended the event, along with U.S. Representative Marcy Kaptur.

“Professor Zietlow's scholarship has consistently advanced our understanding of the 13th Amendment and Reconstruction,” said Kara Bruce, associate dean for faculty research and development. “This book is a capstone of that impressive body of work and a valuable contribution to Toledo history.”

TOLEDO LAW CLINICAL STUDENTS RESEARCH AND WRITE LEGISLATION ON CITY-WIDE CONVERSION THERAPY BAN – AND TOLEDO CITY COUNCIL UNANIMOUSLY PASSES IT

In February 2017, the Toledo City Council passed an ordinance banning conversion therapy for LGBT children and adults, the first city ban in the nation to cover more than just children. Toledo Law's Civil Advocacy Clinic was instrumental in researching, writing, and supporting the ordinance.

According to Toledo Law Professor Robert Salem '90, conversion therapy bans started appearing in cities and states after a connection between LGBT youth suicides and conversion therapy was noticed by both the mental health and LGBT rights communities. Equality Toledo, a local anti-discrimination organization, enlisted the services of Toledo Law's Civil Advocacy Clinic, which is directed by Salem, to help develop awareness of the dangers of conversion therapy through legal research and a panel presentation on the topic last fall.

Supervised by Salem, three Civil Advocacy Clinic students, Nick Huckaby '17, Katelyn Howells '16, and Alan Nichols '17, took the lead on drafting the ordinance over the course of two semesters. During fall semester 2016, Huckaby and Howells reviewed other cities' conversion therapy bans, including Cincinnati's first-in-the-nation ban. They researched arguments for a conversion therapy ban, as well as counter-arguments, for a month before drafting an initial ordinance, which received helpful feedback from Equality Toledo. Huckaby and Howells turned over their proposed ordinance to Toledo



City Council president and fellow Toledo Law student Steven Steel '17.

“The experience reaffirmed my interest in public policy, which was one of the main reasons I came to law school.”

– Alan Nichols '17

At the start of spring semester 2017, Nichols, now enrolled in the Civil Advocacy Clinic, learned Toledo City Council wanted to vote on the ordinance to ban conversion therapy. Nichols worked with Huckaby and Steel to learn about council member concerns and hone the ordinance so it had the best chance of being passed.

At the City Council committee meeting before the vote, Nichols testified as a proponent of the ban, explaining the legal basis and legal strength of the proposed ban and answering questions. He was joined by other proponents, including a physician, members of Equality Toledo, and someone who had undergone conversion therapy. There were a few clergy members who spoke against the ban. They were assured by City Council President Steel that the proposed ordinance had an exception for religious clergy.

The students' hard work paid off – not only did the conversion therapy ban pass unanimously with bipartisan support, but the written ordinance closely mirrored one of their early



drafts, with some wording changes, to fit City Council’s customary legislation template. The passage of the ordinance was especially important to Nichols because he believes the issue of conversion therapy will not be addressed on the federal level or the state level in Ohio due to the current political climate. He thinks it is up to local governments to do this.

Salem believes that law schools and law students have a role to play in advancing social justice. “Lawyers are leaders, and leadership is an important skill to develop in law school,”

said Salem. “Being a lawyer is not just about representing individual clients, it is about making a change in society and helping people. It is a service profession.”

Steel agreed, saying, “The development and passage of this conversion therapy ban was a good manifestation of my interest in effective, progressive public service, both as an elected representative and as a law student and future member of the legal profession.”

Both Huckaby and Nichols found their first experience with legislation to be

a positive one. “It’s nice to have an impact and help people as a third-year law student, and I will be able to look through the City Code years from now and know I had a small role to play in helping the city take a big step forward,” said Huckaby.

Echoed Nichols, “The experience reaffirmed my interest in public policy, which was one of the main reasons I came to law school.” ■

THE CHARLES W. FORNOFF APPELLATE ADVOCACY COMPETITION – AN ANNUAL APPELLATE TRADITION

Each fall, many Toledo Law students can be found pacing the halls, dressed in suits, and nervously awaiting their next oral arguments in hopes of progressing to the final round of the intra-school Charles W. Fornoff Appellate Advocacy Competition. It is a tradition that has lasted 45 years, and shows no signs of slowing down.

Peter Casey, III '73 started the Fornoff competition when, as a student, he approached then-Professor James Carr about starting an intra-collegiate Moot Court competition. In 2011, Casey served as a judge for the final round of the competition's 40th anniversary.

Named for former Dean Charles W. Fornoff, the competition honors his 31 years as a Toledo Law professor and administrator between 1939-1970. During his time at Toledo Law, he continued law school operations in spite of World War II, and encouraged women to pursue legal educations. He generously gave his time to students and even personally aided students in financial need.



This year's competition, held Oct. 20, 2016, required second- and third-year students to tackle insider trading issues. They explored questions relating to the scope of insider trading tippee liability and prior grand jury testimony admissibility when a witness is unavailable to testify in subsequent criminal proceedings.

In front of a packed McQuade Law Auditorium, Fornoff finalists Blake Padget '18 and Daniel Carroll '17 represented the United States (petitioner), while Nancy Magginis '18 and Mitchell Guc '18 represented Dana Dinofrio

(respondent). Family, friends, and the Toledo Law community were there to cheer them on. Some even sported finalist-emblazoned shirts to show their support!

“While the preparation is extensive, it is a fun experience that allows you to interact with a variety of faculty members and students.”

– Blake Padget '18

The finalists needed that support as they faced a formidable panel of judges that included Judge Kathleen B. Burke of the U.S. District Court for the Northern District of Ohio, Chief Judge Denise Page Hood of the U.S. District Court for the Eastern District of Michigan, and Judge James D. Jensen '69 of the Ohio 6th District Court of Appeals.

Magginis and Guc provided arguments persuading the judges that the respondent was not guilty of insider trading, and that evidence from prior grand jury proceedings would be admitted into testimony. The judges then named Magginis Best Oralist in the final round. Padget was the only



competitor to go undefeated during preliminary rounds, earning him the honorary title of Barrister.

Each of the four finalists enjoyed the experience, especially because they were able to explore two very diverse legal issues. Even though it was a busy time of the semester for the competitors, they worked extremely hard not just on research, but also in learning to grasp the complexities of securities regulation and evidence.

“This Fornoff competition was a great opportunity to learn about an area of law that I had never imagined I



would argue in,” said Padget. “While the preparation is extensive, it is a fun experience that allows you to interact with a variety of faculty members and students.”

The Fornoff Appellate Advocacy Competition is organized each year by Toledo Law’s Moot Court Board. Patrick Charest ’17 and Dylan Loga ’17 were the 2016 Fornoff co-chairs.

Professors Eric Chaffee and Bryan Lammon served as Fornoff faculty advisers, and helped prepare the finalists in the weeks between the tournament’s



end and the final round. Magginis noted, “Professor Chaffee helped me a lot by listening to all of my questions and helping me understand the different elements and rules of insider trading. Professor Lammon helped with questions from an outsider’s perspective, which helped me hone my argument to get the essential points across.”

Reflecting on their Fornoff competition experiences, both Guc and Carroll noted the value of the Fornoff competition experience and recommended it to

other students. Guc stated, “I think it’s uncommon to have an experience in school which so directly translates to what we might face as attorneys in a few short years.”

Carroll called the competition “a very valuable and enjoyable experience, one which I would unreservedly recommend our 1Ls to participate in when the time comes.” ■



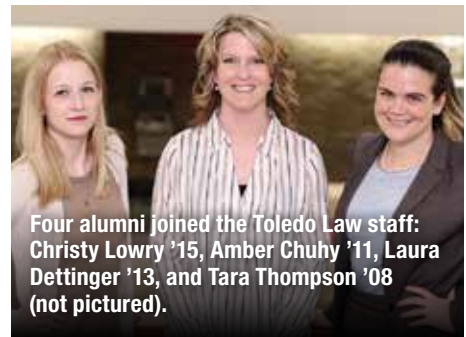
2016-2017 YEAR IN REVIEW



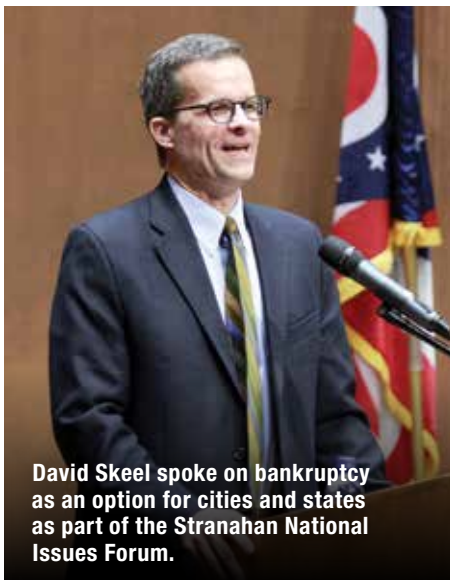
The University of Toledo Law Review's Board of 48 and Publications Editor, Peggy Ery, pose for a group photo.



The Law Forum is always buzzing with student activity at lunchtime.



Four alumni joined the Toledo Law staff: Christy Lowry '15, Amber Chuhy '11, Laura Dettinger '13, and Tara Thompson '08 (not pictured).



David Skeel spoke on bankruptcy as an option for cities and states as part of the Strahan National Issues Forum.



The Bussert Classroom was renovated and re-opened in time for spring semester.



The renovation of the fourth floor of LaValley Law Library was made possible by a generous gift from the estate of Charles F. Buck '51.



Welcome, class of 2019!



Evangeline Nketia and Sabrinne Gibson received the Torrence R. Greene Scholarship from the Black Law Students Association.



McQuade Law Auditorium hosted a naturalization ceremony for new American citizens in November 2016.



Nancy Leong discussed discrimination in the sharing economy during the Cannon Lecture.



Our second class of January start students joined us in early January 2017.



Students work with Prof. Robert Salem '90 in LaValley Law Library.



The Office of Professional Development staff oversee career services and alumni affairs at Toledo Law.

COLLEGE OF LAW COMMENCEMENT



Congratulations, Class of 2017

A packed Student Union Auditorium greeted 79 Juris Doctor and three Master of Studies in Law candidates as they arrived at Toledo Law's Commencement Ceremony the morning of May 6, 2017. Family members, friends, faculty, and staff looked on with pride, having watched their law school journeys.

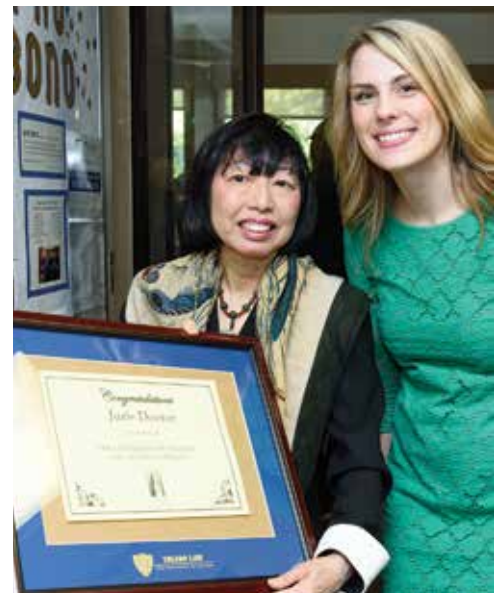
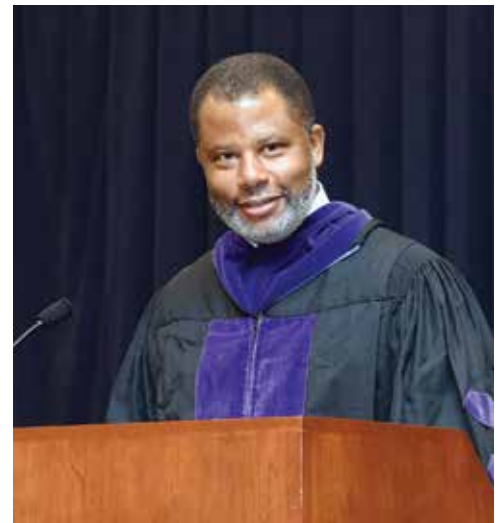
Once seated, the graduating students heard speeches from two of their peers, outgoing Student Bar Association President Kaileigh Burden '17 and Valedictorian Nicholas Huckaby '17. Judge Myron C. Duhart '96 of the Lucas County Court of Common Pleas, General Division, gave the annual address. Judge Duhart encouraged graduates to give back to the communities that shaped them, and to serve with altruism and honor.

University of Toledo President Sharon L. Gaber was on hand to confer the degrees, along with three members of the UT Board of Trustees. Graduates were

welcomed into the Law Alumni Affiliate by its president, Mui Ling Dong '92.

Later in the ceremony, Emily Morrison '17 was presented with the Dean's Award, which honors the graduating student who has made the most significant contributions to Toledo Law. Morrison was lauded for her work as a legal writing tutor, research assistant, note-taker, and teaching assistant.

Three faculty members were celebrated, as well. The first-year class selected Professor Shelley Cavalieri for the Beth Eisler First Year Teaching Award, while the graduating class presented Professor Eric Chaffee with the Outstanding Professor Award for Dedication to Legal Education for the second consecutive year. Professor Evan Zoldan received the Faculty Scholarship Award for his article "The Equal Protection Component of Legislative Generality," which was published in the *University of Richmond Law Review* earlier this year.



Commencement photos by Mary Pencheff of Mary Pencheff Photography.



WOMEN IN THE PROFESSION, THEN AND NOW



WOMEN IN THE PROFESSION, THEN AND NOW OUR ALUMNAE WEIGH IN

BY RACHEL PHIPPS '07

Betty Montgomery '76 was waiting in the buffet line at the local Elks chapter's annual summer potluck. The year was 1972, and she would enter Toledo Law as a 1L that fall. As she and her father waited for the line to snake its way past the picnic plates and napkins, her father took the opportunity to introduce Montgomery to a business law professor from the local university who was standing behind them. He beamed as he told the professor how proud he was that his daughter had decided to study law at The University of Toledo.

Without hesitation, the professor replied, "I think it's such a shame when a woman takes a spot in law school from a man who has a family to provide for."

Montgomery continued to move through the buffet line, silent, politely collecting her hot dog and coleslaw, but her ears were burning. "I chose not to engage this professor on his comment because I knew that it said much, much more about him than about me."

Luckily, women law students no longer have to regularly abide such comments. While there were only a handful of female law students in Montgomery's 1L class in 1972 (so few that "we could all fit in the bathroom at the same time"), today around half of Toledo Law's entering classes are now women. According to American Bar Association data, women now hold 31 percent of law school deanships, 27 percent of federal and state judgeships, and serve as general counsel to 24 percent of Fortune 500 companies.

Joan Bullock '83, who recently joined the Thomas Jefferson School of Law in San Diego as dean, deemed the increased diversity in the legal profession the biggest change during her three decades as an attorney. She is ecstatic to see more female attorneys and more attorneys of color in all areas of practice.

Bullock, a former ABA law practice chair, is the author of the book *How to Achieve Success After the Bar Exam: A Step-by-Step Action Plan*, which is addressed to recent law graduates and builds on Bullock's many years helping law students to graduate practice-ready.

"Diversity helps the legal profession to have a broader perspective," she said. "It helps the profession to better impact the lives of women and minorities because it gives these groups

a voice. And because the profession is now more diverse, we are increasingly talking about issues important to women and minorities – and tackling them.

"However, it is not a utopia," Bullock continued. "The legal profession's culture is still male-dominated."

"Doors have been opened for me in my career by women unknown and known to me, at firms, at the ABA, in academia. I know that I didn't get where I am alone."

– Joan Bullock '83

Montgomery, who is now at Mac Murray & Shuster LLP in Columbus, Ohio, also is pleased at the number of women judges, partners, and leaders she sees today. She led the way in Ohio as the first woman elected to many of her official positions, including county prosecutor in 1980 at age 32, and to the Ohio Senate in 1988. She became Ohio's first woman attorney general in 1994, serving two terms. She then served as the first woman state auditor. More remarks from Montgomery are on pages 30-31.

"The career options available to women when I was in college were a teacher, secretary, or nurse," said Nancy Lawson '75, a partner in the litigation group at Dinsmore & Shohl LLP in Cincinnati, where her practice includes commercial litigation and products liability litigation.

Even though Lawson graduated first in her class at Toledo Law, she struggled to find a job at a law firm following graduation. After working at Advocates for Basic Legal Equality in Toledo and a boutique litigation firm in Cincinnati, she landed at Dinsmore & Shohl in 1980, where she has been ever since.

Lawson recalls that early in her career, women were referred to as "honey" or "missy" by male colleagues and judges. "We were regularly treated like little girls, or, worse, with derision," she said. She remembers being mistaken for the court reporter on several occasions, and laughs about a "no pants in the office" practice that existed until the mid-1980s. (She didn't dare wear pants to court until a decade later.)

"It was absolutely necessary to have a sense of humor," she said. "You can't get upset at every slight."

Though women attorneys no longer regularly face such overt examples of bias, such sentiments have not disappeared.

“I think I have experienced some bias in my career,” said **Laura Boggioni ’09**, who practices landlord-tenant law in Chicago. “But when things happen, do they happen because I’m young or because I’m a woman? There’s no way to know.”

Bias – blatant and hidden – may help to partially explain the data. Even though women comprise around half of entering law school classes, the percentage of women at the top of the profession has not changed much since the ABA’s Commission on Women in the Profession started keeping statistics in 2000. That year, 14 percent of law firm partners were women. In the most recent commission report dated January 2017, the percentage of women equity partners is 18 percent.

In some practice areas, the absence of female attorneys is glaring. Boggioni started her career at the Chicago Housing Authority and now works at a firm part-time while her two children are young. Her landlord-tenant cases move quickly; she usually has a trial every other week. “It’s a gritty practice area, and you need a backbone to do it,” she said. “Everybody’s mad – both the landlords and tenants.”

Boggioni has been practicing for eight years now, and has never been supervised by a female attorney. Opposing counsel is usually much older, often a man. “I’m naturally confident, but not to the extent that I feel I need to project while in the courtroom,” she said.

The way in which Boggioni talks about her experience doesn’t sound all that different from the way in which **Cheryl Meyers Buth ’93** remembers the beginning of her career nearly 25 years ago. Now a high-profile, criminal defense attorney in Buffalo, N.Y., Meyers Buth remembers only a handful of women attorneys in the criminal defense bar when she started.

“The lack of women made it tougher to break in,” she said. “At times, it made me question whether I belonged. It was uncomfortable to go through, but I’m glad I stuck it out.”

Meyers Buth has won several awards for her legal work, including the 2017 Charles F. Crimi Memorial Award as outstanding criminal defense practitioner from the New York State Bar Association. She also was voted Lawyer of the Year in 2014 by the Women Lawyers of Western New York.

Though she certainly has more women colleagues today, Meyers Buth remains one of only a few women attorneys who represent federal criminal defendants in the U.S. District Court for the Western District of New York. She also recently jumped into another male-dominated practice area when she became an NBA-certified player agent in April 2016 and launched a sports agency, R1 Sports Mgmt., this year.

It also should be noted that the gender gap in compensation remains wide. According to the National Association of Women Lawyers 9th annual national survey on retention and promotion of women in the nation’s 200 largest law firms released in 2016, the typical female equity partner earns 80 percent of what a typical male equity partner earns, down from 84 percent in the first survey a decade earlier.

“The pay inequality issue is not going to change until there are meaningful numbers of women in management positions,” said **Katrina Quicker ’00**, a partner at Baker & Hostetler LLP in Atlanta, where she leads the patent litigation group. Quicker adds that she has seen no real improvement in this area since she was a new attorney. Moreover, she is dismayed to watch female colleagues leave firms at “alarming rates.”

“Really good junior partners and senior associates leave because they don’t feel like the firm is going to advance them,” she said. And Quicker, who has spent time at four different firms during the course of her 16-year career, gets it. “I did the same thing. I think to establish credibility, women have to jump firms more often.”

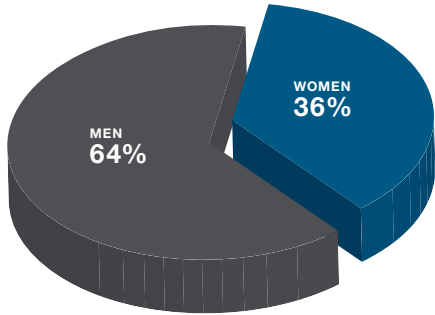
What can be done?

To be sure, women in the profession have come far since the first woman lawyer, Arabella Mansfield, was admitted to practice law in the U.S. in 1869 – indeed, even since Betty Montgomery attended that Elks potluck more than 40 years ago – but work remains to be done.

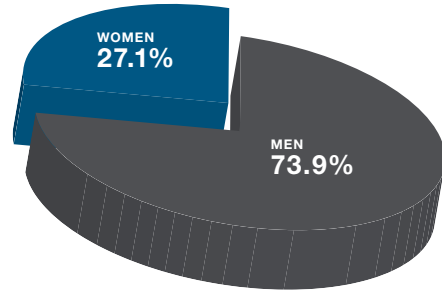
For her part, Quicker insists on being appointed to the diversity committee at each firm she joins. “I enjoy being a champion on diversity issues,” she said. “I want to make sure others have a voice.”

Meyers Buth looks to create opportunities for women attorneys. After noticing that Buffalo’s three news stations had not used a single woman lawyer as a legal expert during the previous year,

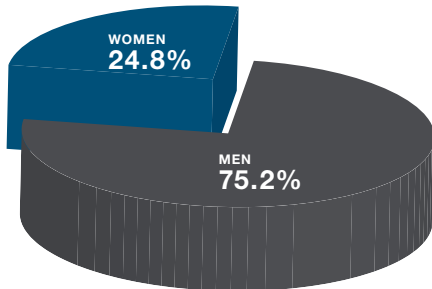
WOMEN IN THE LEGAL PROFESSION



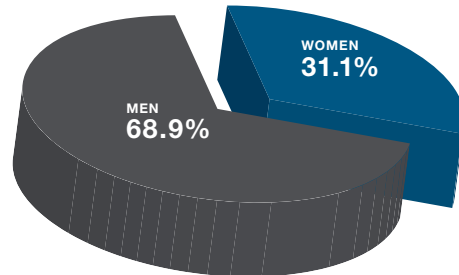
TOTAL REPRESENTATION OF WOMEN FEDERAL & STATE JUDGESHIPS



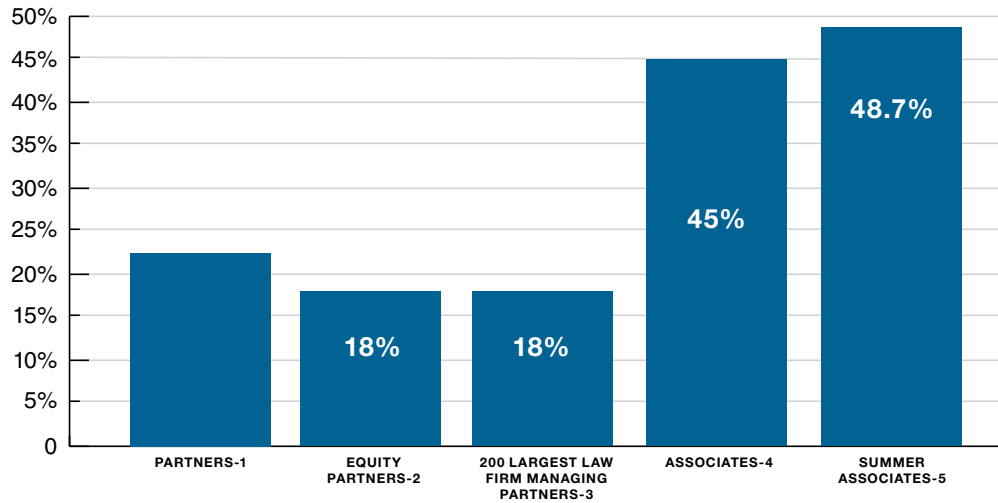
WOMEN IN CORPORATIONS FORTUNE 500 GENERAL COUNSEL



LAW SCHOOL ADMINISTRATION DEANS



WOMEN IN PRIVATE PRACTICE



WOMEN LAWYERS' WEEKLY SALARY AS A PERCENTAGE OF MALE LAWYERS' SALARY

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
77.5%	70.5%	77.5%	80.5%	74.9%	77.1%	86.6%	79.6%	78.9%	83%	89.7%

Data from "A Current Glance at Women in the Law," American Bar Association, January 2017.

Meyers Buth and the local women's bar association put together a media-training program geared toward female attorneys. Meyers Buth, with colleagues, then approached the stations and the local newspaper to point out the missing female voices. The result? Women attorneys began appearing regularly as legal experts on TV and in print.

Mary Chapin '92, vice president at the National Student Clearinghouse and its chief legal officer, seeks to hire women attorneys for her team and as outside counsel. "I'm very intentional during this process to identify qualified women candidates," she said.

Interestingly, a common thread in the conversations with alumnae for this piece was women helping women.

"Doors have been opened for me in my career by women unknown and known to me, at firms, at the ABA, in academia," said Bullock. "I know that I didn't get where I am alone."

"During my career, a true revolution in the field has been the recognition of EQ, or emotional intelligence. I find this quality to be so important for leaders and attorneys. And, in my experience, women tend to exhibit EQ more often. I find women can be more empathetic, practical, and intuitive as counsel. They listen well and make good negotiators."

– Mary Chapin '92

Mentoring is critical. Montgomery talks with young attorneys a lot about preparation as one of the keys to a successful career. She seeks to convince mentees that over-preparation, more specifically, can go far to neutralize any bias.

Quicker regularly advises younger attorneys to "Stand up for yourself. Fight for you like you fight for clients."

The attorneys interviewed for this story also overwhelmingly believe that women bring a unique perspective to the practice of law – a perspective that is necessary and important to clients and society.

Bullock thinks women attorneys are more empathetic. "We are better able to draw out issues important to the client. We are more collaborative and more consensus-oriented. We offer a different perspective and more novel solutions."

"During my career, a true revolution in the field has been the recognition of EQ, or emotional intelligence," said Chapin. "I find this quality to be so important for leaders and attorneys. And, in my experience, women tend to exhibit EQ more often. I find women can be more empathetic, practical, and intuitive as counsel. They listen well and make good negotiators."

Gayle Goldsmith Tuch '89, a solo practitioner and certified mediator in North Carolina, agrees. "All lawyers, male and female, think and analyze the world differently by training. However, I think women absolutely bring a unique perspective to the practice of law. We are more compassionate, and often are better at stepping into the shoes of our clients."

Her caseload is primarily litigation and personal injury cases, but she is expanding her practice into environmental law. She has been an environmental advocate since college, sits on several environmental nonprofit boards, and recently completed an LLM in environmental law from Vermont Law School.

Goldsmith Tuch is grateful for the flexibility and opportunity a law degree provides, and appreciates the responsibility the profession carries – a sentiment that was echoed by many of the alumnae interviewed.

"Not only can women attorneys practice law, they can also contribute significantly to the work of nonprofit organizations and in other fields," she said. "I love being an attorney. I identify as an attorney and as a counselor. I am grateful to have the skills from law school, decades of real-world experience, and opportunities to help my clients and the community."

Whether gender inequities in the legal profession will still be a topic of conversation in 20 years remains to be seen, but we can be sure that Toledo Law alumnae like Goldsmith Tuch and the others appearing in this cover section will continue to seek satisfying careers, employing their unique talents to benefit their clients and society. ■

WOMEN IN THE PROFESSION, THEN AND NOW A ROUNDTABLE DISCUSSION

MAY 5, 2017

During a rainy afternoon in Perrysburg, Ohio, a group of Toledo Law alumnae and friends gathered for coffee and conversation on the evolving role of women in the legal profession. The discussion was lively and interesting, and ran for more than an hour-and-a-half. A short excerpt of the conversation is reproduced here.

Moderator Kirsten Winek:

How has the legal landscape changed for you during your time as a practicing attorney? What have been the biggest changes you have seen during your career?

Judith Ann Lanzinger: Northwest Ohio has always been very kind to women, but I think back to 1985 when I joined the municipal bench – I was the only woman of seven judges. I then headed to the [Lucas County] Common

Pleas Court, where there was only one other woman judge. And then I sat on the [Ohio] Court of Appeals, where only one of my colleagues was a woman. But when I arrived in 2005 at the Ohio Supreme Court, where the majority of the court was female the entire 12 years I was there – it was absolutely delightful. Currently, we have a number of women who are on the bench in northwest Ohio, and many, many more who are doing well in the profession.

Julia Bates: I have an interest in history and so in my office, I have a lot of pictures from the old days. And on one wall, I have a picture of the prosecutors from 1930, and they



WOMEN IN THE PROFESSION

“I have to say that I have found many men coming up to the bench asking for extra time to, say, go to their child’s football game or take their daughter to ballet lessons. With more women in the profession, we are allowing all lawyers to be more human and to realize law isn’t a 24/7 job – family time is important, too. We are all in this together.”

– Judith Ann Lanzinger ’77

Participants:



Julia Bates ’76
*Lucas County Prosecutor
Toledo, Ohio*



Krysten Beech ’15
*Law Clerk, U.S. District Court
Northern District of Ohio,
Toledo, Ohio*



Vallie Bowman-English
*(Ohio Northern University,
Pettit College of Law)
Clerk of Court, Toledo Municipal
Court, Toledo, Ohio*



Angelita Cruz Bridges ’00
*Assistant U.S. Attorney
Northern District of Ohio,
Department of Justice,
Toledo, Ohio*



Mui-Ling Dong ’92
*Law Clerk, Domestic Relations
Division, Lucas County Court
of Common Pleas, Toledo, Ohio*



Judith Ann Lanzinger ’77
*Justice, Supreme Court of Ohio
Retired*



**Stefanie Mortensen
Schoviak ’13**
*Associate Attorney, Maloney,
McHugh & Kolodgy, Ltd.,
Toledo, Ohio*



Kirsten Winek
*Director of Communications,
Special Programs and Financial
Aid, The University of Toledo
College of Law*

Moderator:



are all white men, and they are buttoned up and they look very, very mean. The Lucas County Prosecutor's Office stayed absolutely a white male place until the '70s and '80s, when three women attorneys appear in the pictures, and one of them is me. Since my tenure as Lucas County prosecutor began, we are a very diverse bunch. Very nearly half the group of attorneys is women, and hopefully we continue to improve in the future. So the Prosecutor's Office has dramatically changed, I think.

Krysten Beech: I can tell you now at our court, [the United States District Court for the Northern District of Ohio], we have 11 law clerks and eight of them are women.

And I think that is fantastic.

Lanzinger: Even today, this afternoon, Vallie [Bowman-English], president of the Toledo Bar Association, was sitting at the head table at the Law Day Luncheon – a head table that was entirely female.

Angelita Cruz Bridges: Yeah, that was unique.

Have you experienced bias in your career?

Mui-Ling Dong: I think so, yes. [Before joining the Lucas County Court of Common Pleas], I was in private practice. When I showed up with my first DUI case at Sylvania Municipal Court, I asked for a copy of the local rules. They asked, "Well, are you a runner?" I said, "No, I'm the attorney." So that was the mentality, and I didn't know if

it was because I was female or minority, but they just didn't register that this could be the attorney representing this client asking for the local rules.

Bates: Not today, but boy, 40 years ago, for sure. A very prominent attorney patted me on the butt and said, "Run along in there, honey, and get the judge for me, will you?" I was just waiting my turn for my conference with the judge. Another judge, now deceased, very lovely fellow, called me "Legs" every single day.

Bridges: But that still happens today! I have colleagues who are federal criminal prosecutors, and they'll have defendants on the stand who call them "sweetie" or say very demeaning things that are obviously related to their gender. Personally, I think I've experienced both overt and hidden bias. Overtly, I remember as a 3L starting to interview before I had graduated and being asked by a law firm if I intended to have children any time soon. And then later when I was



practicing at ABLE [Advocates for Basic Legal Equality], at my first deposition, I was pregnant with my firstborn. The opposing counsel was an older, white male. Every single question I asked – I might be asking the witness what her name was – he was objecting. And not just objecting, but banging on the table, raising his voice, and saying really rude things like, "It's obvious you don't know what you're doing." So I took a break, and when I came back in, I said, "Look, if you're going to continue to treat me this way, we're going to call the judge." We began again, and he still continued the same kind of behavior. I stopped the deposition and called the judge to schedule another date for the deposition. With the judge at the next deposition, opposing counsel didn't act that way at all.

Bates: To show you how different things are with regard to pregnancy, about three years ago, I hired an attorney who was five months pregnant at the time. And I can remember there were a few raised eyebrows about the fact that I did that. All I said was, “Look, if one of the guys in the office was having a baby, he would be entitled to Family Medical Leave Act and he would be entitled to be gone with pay for 12 weeks. This is great, she’s the best.” And that was it. That was the end of it.

Lanzinger: What about the question that sometimes comes up about women being overly sensitive? There’s this idea that if you’re a new attorney, you’ve got to go through the hazing process, and that men go through the same thing, too. You have to make your bones, you have to show that you’re competent, and once you show you’re competent, you’re going to be taken more seriously. Do you think that’s fair or unfair?

Bates: Judy, I think that the guys still have to make their bones. Everyone does. But the thing is, they don’t pick on the guys about their shoes, the height of their heels, the fluffiness of their hair, the redness of their nail polish, the low cut of their dress. Instead, for men, it’s more about competency or their voice or their ploys or what they’re doing with their



hands, if they’re in and out of their pockets. Those kinds of little nuances. That’s, I think, the difference. Women attorneys are still picked on quite a bit about the look. The dress, the clothes, the colors. Or their weight. Or the size of the figure

or whatever. I think we have to be tough. But it is difficult at times, I think.

Bridges: I have had judges say that I come off too aggressive. That if I’m arguing for my client or arguing a point in court that I’m doing it too aggressively, which, in my mind, is code for being a B-I-T-C-H. But if a man is doing that, he’s arguing zealously for his client. He’s doing a really good job as a trial attorney...

Lanzinger: Or if you’re opinionated, then you’re intimidating. If you’re knowledgeable, then you’re...

Bridges: Overbearing, yes.

Vallie Bowman-English: It’s unreasonable. I think I’ve built it in. I just deal with it. I had a situation where there was a detective out at the counter at the [Toledo Municipal Court]

Clerk’s Office, and he didn’t have enough information in his affidavit for probable cause. And so he got angry with the clerk that was helping him, and he yelled out at the counter, “I need Vallie to get off of her ass and come out here and tell me what she wants.”



Lanzinger: Oh, whoa.

Bowman-English: And on that particular day, I was not there. But when I got back and I learned of the incident, I said, “Okay, so when he comes back, please come get me.” When he returned, I went out to the counter, and I invited him to the back, and I talked to him about it. I told him how he had embarrassed himself and his department. I told him how he embarrassed the court system because there are individuals from the public who heard him disrespecting me and the court system. And then I asked him, “If I were a man, would you have felt so comfortable saying that?” And he thought about it and he said, “I probably wouldn’t have said that.” I said, “So I’m going to give you a courtesy that you did not give me, which is I’m going to give you the benefit of the doubt and just assume you were having a tough time. But don’t you ever, ever be disrespectful, not only to me but to this court system, because this is bigger than you and me.”

Lanzinger: The beauty of that was that you gave him the out of doing it privately.

Bates: And you made an ally out of that person, as opposed to an enemy, with your compassion and sensitivity. You turned the situation around to be a positive one.

Have you ever felt the need to project a certain image while at work?

Bridges: I think sometimes as a mom, I have to put on this facade that my family life doesn't interfere with my professional life at all. That I'm willing to put in 24 hours-a-day, seven days-a-week, whatever it takes. I have my cellphone with me. I will respond to your emails immediately. It doesn't matter if it's on the weekend. And it's hard.



Bowman-English: I think, for me, it's probably less about being a woman, and more about being a black woman. I was told, on several occasions, that I acted too ethnic. And so I would change to make sure I was being professionally acceptable. But from time to time, people would come into my office and ask for the ethnic me, wanting me to interpret conversations: "What are they saying?" or "What does this really mean?" And then I'd say, "Oh, you like this part of me now?"

Lanzinger: We all wear so many hats. Is there really a lawyer personality?

Bates: I think so; you can be yourself. You can be shy. You can be gregarious. You can be super, super philosophical. There are so many different personalities.

Lanzinger: I think when somebody is trying to be something they're not, that's where the problem comes in. And maybe women are now realizing, "We can be ourselves, and still be considered professionals, and still do a good job for our clients." And there are certain people that are going to

gravitate to us, because we are women, because we have certain abilities, and certain responses to our clients that they're seeking.

Beech: I am aware of a need to strike a balance. We've talked about this idea of being aggressive versus being zealous. So, certainly, be zealous. But then there's this nagging voice in the back of my mind that says, "Well, just be aware of how this can play, so be zealous but don't cross that line. Or, certainly, keep it all about the law. Be compassionate. Be yourself. But don't be too much." And I don't like that voice, but it's there.

Lanzinger: I'm thinking about something, the idea that we are so introspective. And when you think of the male sex, you realize, they really don't worry the way we do. How many men's magazines say, "Here's the latest hairstyle, and here's what you should wear to get ahead?" But I have to say that I have found many men coming up to the bench asking for extra time to, say, go to their child's football game or take their daughter to ballet lessons. With more women in the profession, we are allowing all lawyers to be more human

and to realize law isn't a 24/7 job – family time is important, too. We are all in this together.

Dong: What concerns me is that people don't make that effort to know people that are different from them, or to go and take that extra step to explore cultures that are different from theirs. They don't explore different friendships. And I think that's a barrier that we have to cross. The other thing that bothers me is the lack of diversity in the legal profession.

Bridges: I agree with you. It is a very frustrating thing to look at. Because, obviously, as women, we look at it from a gender standpoint, but as a female who's also considered a minority, it's like a double whammy. I think the fact that women represent nearly 50 percent of incoming law school classes is fabulous. But the fact remains that our judiciary, and even our prosecutors, don't reflect the diversity found in society as a whole. When you look at people coming in contact with the justice system, how are they going to trust that system if it doesn't reflect the diversity of our community?

What should female law students know about the role and expectations of women in the legal profession?

Stefanie Mortensen Schoviak: I would tell current, female law students that I hope that they're judged equally against everybody else. I think that my work is being judged against any male counterpart on an equal playing field. And I think that it says a lot about how the legal profession has changed in the last 20, 30, 40 years, because it wasn't always like that. I don't have to fight for, let's call them basic rights – just to go to work and do your job and do a good job. That's just a given. All of the women who went before made it easier for me. Now coming up in the profession, it's not as hard, so thank you.



Beech: Absolutely. My experience has been similar. We talked about nagging voices in my head. Those are the societal expectations I've grown up with, but my expectation in my job and my reality is, I'm judged based on merit, not by anything superficial or some kind of other expectation. So you go out there and you do a good job. You may run into issues. Do you say something? Sometimes you don't say anything in the moment. You'll have to decide those things for yourselves, but you go out there and you do a good job and you be you.

Lanzinger: The change is going to continue. I think that's really an important point. Not everybody is going to have the perfect job when they come out of law school. Be ready to be flexible. Be ready to perhaps give priority to family issues, if necessary for a time. Don't feel like you have to do it all at once. Don't be superwoman. No one is superwoman. Be human. Be kind to yourself, because if you're not kind to yourself, you're not going to be kind to other people, including your family. I think that the practice of law is becoming more family-friendly. And if the practice of law becomes more family-friendly, it will percolate into other aspects of society and we will do more for other women, not just middle-class women with professions, but women who don't have the advantages that we have. ■



WOMEN IN THE PROFESSION, THEN AND NOW TOLEDO WOMEN LAWYERS HISTORY PROJECT

BY RACHEL PHIPPS '07

Judge Arlene Singer '76 of the Ohio 6th District Court of Appeals and her team have been busy since the Toledo Women Lawyers History Project unveiled its display in the LaValley Law Library in 2014.

The project has amassed more than 20 video interviews, as well as audio recordings and transcripts with various, leading,



woman attorneys in the Toledo area, including many “firsts” – first female judges, first female corporate counsel, and others.

“My favorite part of the project has been the interviews,” said Singer. “It’s always

interesting to learn why women of all generations become attorneys. That’s my favorite question to ask.”

The project has been a formal endeavor of Toledo Law and the Toledo Women’s Bar Association (TWBA) since 2011, and it seeks to discover and preserve the stories of women lawyers in the Toledo area. The genesis for the project – and its biggest champion from the start – has been Singer.

“I have always been curious about other people’s ‘stories,’ especially pioneers,” said Singer. “I look at the early women attorneys as pioneers in our profession, paving the way. I felt that it was not only important to find their stories, but to also preserve the names of all women lawyers in our area, so proper recognition is preserved.”



To acknowledge Women’s History Month, the TWBA and Toledo Law screened the film *Balancing the Scales: Women in the Law* in March. On hand to discuss the documentary was its filmmaker, Atlanta attorney Sharon Rowen.

The film features interviews with Associate Justice Ruth Bader Ginsburg, Gloria Allred, and other prominent women attorneys and judges. It explores the history of women in law and the cultural attitudes that keep women from reaching the top of the legal profession.



The film was shown in three parts, with breaks for reaction and conversation with a panel that included Rowen, Justice Judith Ann Lanzinger '77, who retired from the Ohio Supreme Court last year, and Chief Judge Denise Page Hood of the U.S. District Court for the Eastern District of Michigan. A reception celebrating the project followed in Toledo Law’s Shumaker, Loop & Kendrick Lounge.

“It was a great evening, a great success,” said Singer.

“We heard stories of mothers and daughters attending together, and the buzz in the SLK Lounge was exciting.”

What’s next for the project? Interviews continue to be conducted, and the team is working to archive the records already collected. The entire project will be housed in a searchable format on Toledo Law’s website in the near future.

“We have plenty of jobs researching and editing video for anyone who may be interested,” Singer was quick to add. “We will eagerly put all volunteers to work!” ■

Interested in rolling up your sleeves and assisting with research on the Toledo Women Lawyers History Project?

Please contact Judge Arlene Singer at 419.213.4755 or Singer@co.lucas.oh.us. Donations also are welcome! Please contact Andria Dorsten Ebert at The University of Toledo Foundation at andria.ebert@utoledo.edu.

WOMEN IN THE PROFESSION, THEN AND NOW

LESSONS I HAVE LEARNED

BY BETTY D. MONTGOMERY '76

I have been blessed. I was raised by loving parents who believed in their faith, family, and the American dream. They taught their children that there was no barrier to personal success. In a family of strong women, this meant that being a woman was clearly no barrier and no excuse to personal achievement. We had assigned reading on setting goals. We were expected to work hard and to honor the blessings we'd been given.



So, it was in this context that when, in 1973, my father took me to an Elks summer picnic, he was proud to introduce me to a local law professor, telling him that I was entering law school that fall. This was the setting of my first rule. When the professor lamented that it was “too bad” women

went to law school, taking up a man's place only to later get married, have children, and drop out of the legal profession, I decided that this said much more about him than me and I didn't engage in a fight with him.

RULE 1: YOU ARE INVITED TO A LOT OF FIGHTS. YOU DON'T HAVE TO ACCEPT ALL THE INVITATIONS.

I went to law school, working full-time during the day. When seeking a job as a court clerk, I was told that women law clerks were only hired to work for women judges. The problem was obvious: In 1973, there was only one woman judge on the nine-judge court, narrowing my opportunities considerably, which leads me to my second rule:

RULE 2: BE POLITE, BUT BE PERSISTENT.

I called the court administrator's office regularly, inquiring about available law clerk jobs until, finally, months later, a male judge had a job opening. He was converting his law clerk position to a secretary – and could I type? Of course I could type! He didn't ask how fast... so, within weeks of my being hired as a secretary, I became a criminal clerk. This leads me to my third piece of advice.

RULE 3: THE SIDE DOOR IS STILL AN ENTRANCE.

I didn't want to be a secretary, (it was the height of the women's movement and I, after all, was a law student!) but I knew that I needed the court experience. That said, once inside, I thought that I could prove my value and eventually become a clerk, while at the same time gain valuable experience. My thoughts were that,

while I may not have come through the front door, and I may have to wash the dishes (figuratively), I would eventually be able to sit at the sought-out table with the other law students serving the court. The side door was still an entrance.

In those days, it was the custom in the courts that clerks would eventually become bailiffs for their judge once the bailiff, who was also a law student, graduated and began law practice. Thus, when my judge's bailiff graduated, I expected this long-standing custom to be followed and that the judge would hire me for the coveted bailiff's position (and pay raise). He didn't hire me. This leads me to my fourth learning lesson.

RULE 4: DON'T SLAM THE DOOR, CLOSE IT GENTLY.

I was demoralized. My women law-student friends urged me to quit – to make the grand gesture. I talked to the judge and, while I didn't fully understand his explanation, I felt I wanted to prove to him that he had made the wrong decision. I wanted to prove to him through my work – not my words, not the grand gesture – that he had made a mistake. I respected him a great deal. I stayed. Five years later, I was to get a heartwarming letter from him, apologizing and acknowledging his error.

After graduating from law school, I started looking for a job. I wanted to be a prosecutor. In 1976, there were few women criminal prosecutors. I exercised Rule 2, being polite but persistent, and on my now-regular calls to the newly elected Wood County prosecutor, I caught him on the day his juvenile prosecutor had quit. He was desperate and I was available. I had the job. Mind you, I didn't really want to be a juvenile prosecutor since that was where women lawyers were traditionally relegated (as well as to child support and domestic cases). That said, I exercised Rule 3, knowing that if I got my experience as juvenile prosecutor, I was inside the office (by the side door) and had a better chance to become a criminal prosecutor. And it worked!

Two years later, I moved from juvenile prosecutor to city prosecutor of Perrysburg. I had, in those two short years, worked long hours with police departments and social service agencies from all over the county. I had been engaged in community work, and I had certainly confirmed the value of Rule 5.

RULE 5: HUMOR IS IMPORTANT.

I confirmed the value of taking the job seriously, but not myself. Humor was an important part of our family. Humor is

a universal language, and once the overwhelmingly male police community saw that I would work loyally for them, laugh with them and at myself, they came to understand – without lecture – that a woman could do the job. Which brings me to Rule 6.

RULE 6: VOLUNTEER.

In the several years after law school, I volunteered to help my state representative, Speaker of the House Charles Kurfess, run for governor. He lost that race in the primary, but became our Wood County Republican chairman.

Volunteering cannot be overvalued. I got to know officeholders, political supporters, and the general public as we stuffed envelopes, knocked on doors, and marched in parades. Most importantly, I got to know Chuck Kurfess, who was a committed public servant and soon-to-be political mentor.

One early Saturday morning, three years out of law school and just days before the candidate filing deadline, Speaker Kurfess called and asked me to run for Wood County prosecuting attorney. The incumbent had dropped out with little notice and he needed a candidate. Would I run?

I said “yes” immediately, despite the fact that there were no women county prosecutors in the state. Why? My parents were in sales, making a living without a safety net. They taught their children to be willing to try. Thus, my Rule 7:

RULE 7: THERE ARE NO GUARANTEES IN LIFE – RISK!

I won, and in the first months as county prosecutor was preparing for my first murder trial. Oh, how I wished I were silver tongued, how I wished I looked like a sleek magazine model, and how I feared losing my first major case! I am not silver tongued, and I am very far from being a size-6, runway model – which leads me to Rule 8.

RULE 8: BE YOUR AUTHENTIC SELF.

The jury will spot a phony – as will friends and colleagues. My strengths lay in solid preparation, and my abilities were in telling a story clearly. I knew the evidence – not me – was the star of any jury trial. The jury returned a guilty verdict. For the record, while I still want to be a size 6, I know that we all have been given certain gifts. Our job is to cultivate and nurture those talents – and to be the best “me” we can be.

I loved being county prosecutor when, after eight years, I was asked to run for a state senate seat that had opened unexpectedly. I gave up running unopposed for my third-term election after a

sleepless night, asking my present self what my future self would think of me if I were afraid to risk this leap. I followed Rule 7. I jumped in to a four-way primary, and served a rewarding six years before running for attorney general and, later, for auditor of state. I lived (albeit sometimes imperfectly) the rules I have discussed, but was soon to add a new one, learning the hard but valuable lesson regarding losing. The year 2006 was a devastating one for Republicans as they suffered a loss of all statewide officials as a result of an executive branch scandal. I was one of the victims of that sweep, as I lost my re-bid to become attorney general for a third term. I learned very personally the lessons of Rule 9.

RULE 9: FAILURE IS NOT FATAL.

While losing was undeniably very painful and had lingering effects (I can't deny that), it wasn't fatal: I did not die. I knew that I had been blessed with being able to serve in public office for decades. I still had a wonderful family, still lived in a great country, and still had opportunities to do meaningful work in my profession. Failure gave me a time to evaluate my blessings and my priorities (past and present), as well as to review my many weaknesses. I had observed in my years in elective office that the true mark of character is how those who win or lose handle it. Winning without recognition that it is not done alone, or losing without recognition that it should not be a scapegoating exercise is critical to growing as a thoughtful individual. The recipe for a well-lived life does not include the seasonings of bitterness or pride.

The most important of all the lessons I have learned along the way, however, is Rule 10.

RULE 10: PAY IT FORWARD.

As each of us has had opportunities given to us, we too have an obligation to help give opportunities to others. We are like the proverbial turtle on a fencepost: we did not get there ourselves. It is for us, who have benefited from the kindness of others, to share similar kindnesses with others. While this seems a hackneyed observation, this is nevertheless a universal truth. Blessings are born from kindness, and a life well-lived has many blessings. ■

Betty Montgomery is a 1976 graduate of The University of Toledo College of Law. She was the first woman elected to a number of official positions. Montgomery currently practices at Mac Murray & Shuster LLP in Columbus, Ohio.

WOMEN IN THE PROFESSION, THEN AND NOW LANZINGER '77 PORTRAIT DEDICATION

FEBRUARY 6, 2017

Dean Barros was asked to speak at the Portrait Dedication marking Justice Judith Lanzinger's retirement from the Supreme Court of Ohio. His remarks are featured here.

REMARKS BY TOLEDO LAW DEAN D. BENJAMIN BARROS



May it please the court. My name is Ben Barros, and I am dean of The University of Toledo College of Law. It is my honor and privilege to have this opportunity to reflect on the career of one of our most distinguished alumna, Justice Judith Ann Lanzinger.

Justice Lanzinger's claim to fame is to be the only person

ever elected to all four levels of Ohio's courts. This is a remarkable achievement, and one that gives her a great depth of knowledge about the workings of our state's judicial system. What I find most fascinating, though, is that throughout her career, Justice Lanzinger has been a teacher and a mentor, and has had an abiding love for the English language in its written form.

Justice Lanzinger's interest in teaching and in writing came early. The granddaughter of coal miners and daughter of a carpenter, she was the first in her family to go to college.

Beginning at age 14, she lived in the convent of the Sisters of St. Francis in Sylvania, and later attended Lourdes Junior College. She left the Order at age 20 and attended The University of Toledo, earning her bachelor's degree in education and English magna cum laude. Her husband, Bob, received his degree in engineering the same day.

She was a teacher at St. Jude Elementary School, raising Mara and Josh, when she decided to attend The University of Toledo College of Law. She went to law school at night, working

at The University of Toledo's Registrar's Office during the day. She was a member of the Law Review and graduated as valedictorian. I have a deep admiration for anyone who can get through law school at night while working and raising young children. As challenging as it must have been, their mother's experience in law school didn't scare Mara and Josh away – they are both graduates of our College of Law. They both told me of having memories of the law building when they returned as students. When Josh was elected a judge of the municipal court in 2013, it was the first time that a mother and son served together as state court judges.

After graduation, Justice Lanzinger worked as an attorney for Toledo Edison, then practiced at the firm of Shumaker, Loop, & Kendrick. She was then elected to Toledo Municipal Court (where she established the Housing Court), the Lucas County





Court of Common Pleas, the 6th District Court of Appeals, and, finally, to this court [the Supreme Court of Ohio].

She herself has remarked, “once a teacher, always a teacher.” She earned a master’s in judicial studies from the National Judicial College and University of Nevada, Reno, and served on the National Judicial College’s faculty for many years. There, she taught courses on poetry and writing. She sees “all aspects of literature as an intellectual way to show how the judicial system and the written word can join to bring comfort to those who sit on the bench, while also encouraging the highest ethical behavior.”

Beginning in 1988, she taught as an adjunct at our College of Law, teaching trial advocacy and other courses, bringing her experience and wisdom to our students. Her mentorship to young lawyers was recognized by awards from the Toledo Junior Bar Association and the Toledo Women’s Bar Association. She, in turn, is grateful for the support that the members of the Toledo Bar have shown her throughout her career. She won our college’s highest honor when she was named the College of Law’s Distinguished Alumna in 2012.

Her commitment to education is reflected in her award-winning Justice Judy blog, which has provided a valuable service, educating the public on the workings of our judicial

system. Her topics on the blog have included civic education; Law Day; the distinctions between federal and state courts; the judicial oath of office; literature; technology; and judicial education. The blog is motivated by a conviction, which I think we all share, that the independence of judiciary will only be sustained if people understand and trust the judicial system.

It is unsurprising that a former English teacher would draft her own opinions as a judge. As a justice of this court, she has written about 400 opinions, about half of them for the majority. She describes herself as the court’s “grammar lady,” and she chaired the committee that published the first Supreme Court Writing Manual in 2012. Her colleagues have told me that they value her precision in language, and her attention to detail, even to the font used by the 6th District Court of Appeals.

I am very confident that Justice Lanzinger will continue to educate, to serve the public, to be a mentor to young lawyers, and to love writing and literature in all its forms. We have not worked out the details yet, but I am delighted that Justice Lanzinger will have an ongoing role at the College of Law. We are very proud to call her one of our own, and are grateful that she will continue to educate and inspire our next generation of students. ■

ALUMNI **PROFILES: SARAH SKOW '06**

Sarah Skow '06 enjoys a quiet moment in her office at Spengler Nathanson PLL.

SKOW '06 FINDS CALLING IN TRIAL AND APPELLATE WORK, SERVICE

BY RACHEL PHIPPS '07

The career of Sarah K. Skow '06 proves that hard work plus service is a powerful formula for success for a new attorney – a formula that also can bring great personal satisfaction.

A partner at Spengler Nathanson PLL in Toledo, Skow knows the statistics about the dwindling number of jury trials in the U.S., but after identifying a passion for the courtroom during law school, she set out to develop a practice that includes plenty of courtroom time. During her first decade as an attorney, she participated in five trials, presented oral argument in state and federal appellate courts, including the U.S. Court of Appeals for the 6th Circuit, and helped write certiorari petitions to the U.S.

Supreme Court. She practices in the areas of complex business litigation, professional malpractice defense, tort litigation, landlord/tenant law, civil rights law, and criminal defense.

“It’s not just what you say and how you say it, but it’s how you listen to your client and the opposing party’s positions to develop your best position under the law.”

Skow, who has appeared on the Ohio Super Lawyers list of “Rising Stars” annually since 2012, is eager to talk about the art and importance of trial practice and what she calls “the mental exercise and finesse” involved in preparing for and executing at trial and oral argument.

“It’s not just what you say and how you say it, but it’s how you listen to your client and the opposing party’s positions to develop your best position under the law,” she said. From the outset of an engagement or matter, Skow believes in the principle of ultimate preparedness – knowing her client’s business and goals, and knowing the factual and legal issues at hand.

“Whether in written briefs or arguments at a hearing, you need to take the opportunity to succinctly and persuasively tell your client’s story and how it resonates under the law,” Skow said. “To humanize the law as applied to the facts and parties in the case is a tremendous privilege and honor.”

While at Toledo Law, Skow participated in two bench trials during her two semesters in the Legal Clinic (now the Civil Advocacy Clinic) with Professor Rob Salem ’90. It was then that she discovered she enjoyed the courtroom. Since law school, a series of mentors has provided Skow with critical instruction on trial practice and, more importantly, “a lot of freedom to fly or fail,” Skow said.

“To humanize the law as applied to the facts and parties in the case is a tremendous privilege and honor.”

One of two attorneys on a jury trial team early in her career, Skow interviewed, prepared, and questioned fact witnesses on the stand, participated in voir dire, and drafted and argued motions and jury instructions. The jury returned a verdict in her client’s favor, one of the larger civil verdicts in the jurisdiction at that time. The experience furthered Skow’s interest and passion for a career based in trial advocacy.

Skow takes the profession’s call to service seriously, serving in numerous ways. She assists the Pro Bono Legal Services Program of the Toledo Bar Association (TBA) in representing victims of domestic violence at civil protection hearings. She is past president of the Toledo Junior

Bar Association and the Toledo Women’s Bar Association. She was appointed by the Supreme Court of Ohio to serve on its Professionalism Commission, has served on several Ohio State Bar Association (OSBA) advisory boards and committees, and was a member of the inaugural class of the OSBA Leadership Academy. She also serves on the TBA’s board of trustees and pro bono advisory board.

“Through my community service, I hope I am challenging and changing what people think of when they hear the terms ‘advocate’ and ‘philanthropist.’”

“As attorneys, we have an obligation to serve our community,” Skow said. She credits her parents for instilling in her the value of service early in life.

Skow’s leadership and service go beyond the legal realm. She has a great love for the arts, and she is president of the Arts Commission of Greater Toledo. She also is president of the Children’s Theater Workshop and a past member of the Toledo Botanical Gardens Arts and Culture Committee.

“I work to make Toledo known as a great place for creatives,” Skow said. “The arts reflect a community’s values, inner vision, and dreams.”

Skow has been recognized for her professional endeavors and community service many times. She received the 2015 Toledo 20 Under 40 Award,

2015 Ohio State Bar Foundation Statewide Community Service Award for Attorneys 40 and Under, 2013 TBA Trustees’ Award, 2013 Crosby Award from Toledo Botanical Gardens, “Queen Sancha” for the 2013 Old West End Festival, and 2012 TBA Pro Bono Commendation. She also was the College of Law’s Outstanding New Exemplar in 2009.

“Through my community service, I hope I am challenging and changing what people think of when they hear the terms ‘advocate’ and ‘philanthropist,’” Skow said. “Through my professional and service endeavors, I hope that I am helping people experience and perceive Toledo in a progressive way.”

Skow became a partner at her firm in January 2016. With 10 years as an attorney under her belt, she has earned some perspective on the practice of law and how it is evolving. During the first decade of her career, the legal environment, practice, and market have already changed so much, she notes, pointing to social media evidence, electronic courtrooms, and cloud computing as examples. But Skow embraces these changes as opportunities to enhance and innovate the legal system, and increase access to justice.

“The importance of an attorney as an adviser, where you are consulted for your judgment – I take that relationship seriously,” she said. “Even with the numerous changes in the profession, there is a fundamental need for that trusted relationship.” ■



Jim Carty '10 outside the federal courthouse in Detroit.

FROM SPORTS WRITER TO U.S. ATTORNEY

BY RACHEL PHIPPS '07

Successful second careers are the stuff of dreams for some. Not so for Jim Carty '10, who headed to law school after a 15-year career as a sports journalist, where he covered everything from high school athletics to the NFL, NCAA basketball, and the Super Bowl. He also worked a three-year stint as a freelance sports correspondent for The New York Times.

Carty is now an assistant U.S. attorney in the U.S. Attorney's Office for the Eastern District of Michigan. As part of the U.S. Department of Justice (DOJ), his office prosecutes criminal cases, brings civil actions, and defends the federal government in federal court.

Is he happy with his career change?

"I love being an attorney," Carty said. "I feel very fortunate to do this work, and like I'm in an exclusive club."

"Judges have tremendous power. You're asking them to use that power for your client's interests, while someone else is asking them to use it against your client's interest. It's a very singular thing, with a lot of responsibility."

According to Carty, litigation is a lot like journalism. For one thing, he writes – a lot. There is digging and investigating. Interviews are important. But there is nothing, nothing that compares to being in court, says Carty.

"When I was a sports reporter, I was fortunate to appear live on ESPN several times, but I was never nervous. Even with millions of people watching, it was essentially fun. We were talking sports. There was nothing at stake," he said.

"Court is different. Every time you appear before a judge, there is something at stake. Your client's interests are at stake and your professional standing is at stake. Appearing in federal court for an uncontested matter

in an essentially empty courtroom still leaves me with a lot more nerves than going back on ESPN would,” he said. “Judges have tremendous power. You’re asking them to use that power for your client’s interests, while someone else is asking them to use it against your client’s interest. It’s a very singular thing, with a lot of responsibility.”

After graduating from Syracuse University in 1995, Carty began a career in sports writing “because it was fun.” He liked the travel and the people. And he was good at it. He was one of two lead writers on an investigative team entered for the 2009 Pulitzer Prize in local reporting for an in-depth examination of academics and athletics at the University of Michigan.

Carty had always played with the idea of attending law school. He started and stopped studying for the LSAT several times before finally enrolling at Toledo Law in 2008. That year, he says, “the newspaper economy was struggling worse than the actual economy – and there were no easy fixes to the newspaper problem. The web was essentially undercutting newspapers’ entire revenue model.”

Carty graduated from Toledo Law in two-and-a-half years and joined the litigation practice group at Bodman, LLP, a Detroit-based law firm of approximately 150 attorneys. He describes his former practice as the “best of both worlds at a

large firm.” He was on a team of attorneys defending claims against the firm’s largest commercial litigation client and traveled all over the country – California, Utah, New Orleans – for that client. But Carty also worked closely with smaller businesses, which meant more courtroom experience for the new attorney.

Now Carty is one of more than 100 attorneys in the DOJ office for the Eastern District of Michigan. He is in the office’s civil defensive litigation group, which means he defends suits against the federal government, typically overseeing between 15 and 25 cases. These matters range from simple automotive negligence claims to Bivens actions against federal agents to lawsuits by government employees.

“The lawyer with the better story always has an advantage. It might not win the case for you, but it makes it easier to win.”

“It is a privilege to work for the DOJ. As cliché as it sounds, I feel like a part of an organization working for justice,” he said, noting that U.S. Attorney General Loretta Lynch had visited the office just the day before as a part of her listening tour on best practices for community policing.

“This is everything I went to law school for,” Carty said.

Whatever is next in his career, storytelling will remain in Carty’s bag of tricks. It was critical in his first career, and remains important in his second.

“Judges and their clerks are balancing hundreds of cases. You need to be able to make your case stand out, preferably with a single sentence,” he said. “‘The one with the alligator,’ always stands out, but unfortunately we don’t usually have an alligator (although I did in one case in private practice. . .). Without the alligator, you need to reduce the case to simple terms that the court will remember. This is essentially storytelling.

“It’s easy to forget the story, to get caught up in legalese and try to cram in every fact,” he continued. “When you forget the storytelling, though, you usually end up with something that reads like a mix of a police report, a college English essay written by a statistics major, and a treatise. The lawyer with the better story always has an advantage. It might not win the case for you, but it makes it easier to win.”

Where Carty followed the action in his first career, he’s happy to be a part of it in his second. We’ll continue to follow career No. 2 closely, and file regular reports. ■

FACULTY NOTES



Katherine Raup O'Connell, legal writing professor, recently returned to the faculty full-time after three years of service as the

assistant dean for student affairs. In addition to teaching Lawyering Skills courses, O'Connell looks forward to developing a course on transactional drafting that she will teach – for the first time – in spring 2018. Reflecting on her time as assistant dean, O'Connell found the most rewarding part of her job to be working with the officers of the Student Bar Association and various student organizations. While she will not miss many of the day-to-day administrative tasks, she will miss working with student organizations and witnessing firsthand just how much service so many students provide to the College of Law community.

Thank you, Professor O'Connell, for your administrative service to Toledo Law!



Kara Bruce, professor of law, recently accepted a position as the College of Law's associate dean for faculty research and development.

She will serve a two-year term in this role. She published "Non-Debtor Substantive Consolidation – A Remedy Built on Rock or Sand?" in the *Bankruptcy Law Letter*. Another article,

"Closing Consumer Bankruptcy's Enforcement Gap," will appear in the *Baylor Law Review* this fall. Bruce helped organize the Ohio Legal Scholarship Workshop, which was held at the College of Law in June 2017. During the same month, she interviewed Prof. Susan Martyn for the AALS Women in Legal Education Oral History Project. Bruce currently serves as secretary to the Central States Law Schools Association, and her lectures for Themis Bar Review are now shown in nearly 30 states. Bruce is pro bono counsel for a Syrian family seeking asylum in the U.S.



Shelley Cavalieri, associate professor of law, published "Back to the Basics: What Property's First Principles Tell Us about Land Reform," in the *Denver Law*

Review, and "Linchpin Approaches to Salvaging Neighborhoods in the Legacy Cities of the Midwest," in the *Chicago-Kent Law Review*. She presented at the annual meeting of the Association of Law, Property and Society. Cavalieri continues to serve as a member of The University of Toledo's Social, Behavioral and Education Institutional Review Board. She also organized several community events regarding immigration issues, and was interviewed by local news organizations regarding immigration and land use law. The first-year class awarded her the 2017 Beth A. Eisler Award for First-Year Teaching.



Eric C. Chaffee, professor of law, published "A Call for Legislative Reform: Expanding the Extraterritorial Application of the

Private Rights of Action Under Federal Securities Law While Limiting the Scope of Relief Available," in the *Stanford Journal of Law, Business & Finance*; and "The Origins of Corporate Social Responsibility," in the *University of Cincinnati Law Review*. He accepted offers to publish his work in the *Boston College Law Review*, *Washington & Lee Law Review*, *Case Western Reserve Law Review*, and *The University of Toledo Law Review*. Chaffee presented at the Association of American Law Schools annual meeting, the Ohio Securities Conference, and the National Business Law Scholars Conference. He also presented at several universities in China. He served as chair of the AALS Section on Scholarship, and was elected to the executive committees of the AALS Sections on Business Associations and Securities Regulation. Chaffee also helped organize the Ohio Securities Conference and the National Business Law Scholars Conference.



Benjamin G. Davis, professor of law, has submitted "The Stiffer Dilemma: Some Thoughts on Contract, Remedies, and Dispute Resolution" for the

Liber Amicorum Samir Saleh organized by the Bahrain Chamber for Dispute Resolution. He spoke on the panels "International Arbitration: Expanding Your Practice" and "Consumer Financial

Protection Bureau Proposed Regulations on Consumer Arbitration” at the ABA annual meeting in San Francisco. Davis led and spoke in the roundtable discussion entitled “Online Dispute Resolution” of the Advisory Committee of the ABA Section of Dispute Resolution, participated in the council meeting, and chaired the Advisory Committee meeting. He also was named chair-elect of the section, and has participated in a number of meetings, as well as the organization of the section’s activities. Davis also co-authored a “Submission to the United Nations Committee Against Torture on the Review of the Periodic Report of the United States of America on the List of Issues Prior to Reporting” as a member of Citizens for U.S. Torture Prosecutions, which was submitted in June 2016. He was appointed by the ABA president-elect for a one-year term to the Africa Law Initiative Council of the ABA Rule of Law Initiative. Furthermore, Davis participated in the Universal Periodic Review (UPR) National Security Working Group Consultation as a member of Civil Society and a member of the ABA Standing Committee on Law and National Security with representatives of the departments of state, homeland security, justice, and defense, as well as the intelligence agencies as the U.S. formulated its responses to U.N. Treaty Body review of U.S. compliance with its human rights treaty obligations. He also reviewed a proposal for the Quebec Research Fund. Davis spoke via Skype at the Diversity and ADR Conference of New York Law School, and led the organization of the Career Interest in Law Symposium at the College of Law. In addition, he moderated a panel on resolution of consumer disputes at “Equal Access to Information & Justice Online Dispute Resolution – ODR 2017” in Paris. He continued the Guantanamo Bay Military Commissions Human

Rights Observer project for students and alumni to observe the trials at Guantanamo Bay, Cuba. Davis was awarded the Eastman & Smith Faculty Achievement Award, and served on the Graduate Council and Strategic Enrollment Planning Committee at UT.



Jelani Jefferson Exum, professor of law, published “Giving Guidance to the Guidelines” in the *South Carolina Law Review* Symposium Issue.

She also has written the following, forthcoming symposium articles: “Should Death Be So Different?: Sentencing Purposes and Capital Jury Decisions in an Era of Smart on Crime Sentencing Reform” in the *Arkansas Law Review*; and “Nearsighted and Colorblind: The Perspective Problems of Police Deadly Force Cases” in the *Cleveland State Law Review*. In addition to speaking at those symposia, she also presented lectures at a Georgia State University Symposium entitled “Overcriminalization and Indigent Legal Care,” the University of Detroit Mercy School of Law Faculty Colloquium, and the *Wayne Law Review* Symposium entitled “The Changing Face of the War on Drugs: Mass Incarceration, Overcriminalization, and Evolving Drug Policy.” Exum also gave the Martin Luther King, Jr. address at the University of Iowa College of Law. Additionally, she was a panelist in The University of Toledo’s Post-Election Forum series. She also edited the April 2017 issue of the *Federal Sentencing Reporter*, “Sentencing Then...and Now: Judicial Perspectives on Judicial Perspectives.” Exum also was appointed the College of Law’s first associate dean for diversity and inclusion.



Llewellyn Joseph Gibbons, professor of law, was promoted to the rank of Distinguished University Professor upon recommendation of

the provost and the University Academic Honors Committee. According to the University, “Appointment to the rank of a Distinguished University Professor is the highest permanent honor The University of Toledo can bestow on a faculty member. Those named Distinguished University Professor have earned national and/or international recognition and distinction for educational, artistic and/or scholarly contributions that have been transformative in their field.” This is a distinct honor because at the time, the goal of the University is to have 20 active Distinguished University Professors. Gibbons was nominated to become the Wenlan Scholar Chair Professor at Zhongnan University of Economics and Law (ZUEL) in Wuhan, China. As the Wenlan Scholar Chair, he would be required to teach and lecture at ZUEL during intersessions. Gibbons also spent several weeks during spring and summer sessions as a visiting professor at Beijing Foreign Services University, and throughout the year made scholarly presentations at conferences in the U.S. and internationally. He is leading an initiative to bring foreign law professors and legal experts to the College of Law as scholars in residence. In addition, Gibbons is working on several articles and two books: *Trademark Myths: The Law, Science, and Economics of Trademark Law* and *Legal Doctrines Built on Lies*. As always, he is hoping to see *Mastering Intellectual Property Licensing, Valuation, and Management* in print soon.



Gregory M. Gilchrist, professor of law, was recently promoted to full professor and continues to serve as director of the Online Graduate Program in Compliance. He published “Corruption Law After McDonnell: Not Dead Yet,” in the *University of Pennsylvania Law Review Online*, and accepted an offer to publish his article, “Accountability for Corporate Crime,” in the *Georgia State Law Review*. Gilchrist presented at Loyola Chicago’s annual Institute for Investor Protection, the Association of American Law Schools annual meeting, and the Southeastern Association of Law Schools annual meeting.



Rick Goheen, assistant dean for the LaValley Law Library and associate professor of law, co-presented “Building Better Collections/Library Maintenance Agreements – Should They Stay or Should They Go?” at the Ohio Regional Association of Law Libraries’ 67th annual meeting in Dayton. He was elected vice president/president-elect of ORALL after eight years as treasurer.



Kenneth Kilbert, professor of law, placed his latest article, “Instant Replay and Interlocutory Appeals,” as the lead article in the spring 2017 issue of the *Baylor Law Review*. He also organized the 16th annual Great Lakes Water Conference in November 2016. Titled “Safe Drinking Water: A Tale of Three Cities,” the conference

explored the diverse drinking water challenges faced by Flint, Toledo, and Waukesha, Wis.



Jessica Knouse, professor of law, placed her article, “Mandatory Ultrasounds and the Precession of Simulacra,” in the *San Diego Law*

Review. She spoke at a Supreme Court of Ohio Judicial College Web Conference on new trends in parentage, custody, and child support; a Federalist Society event on the U.S. Supreme Court’s current term, where she discussed the pending case of *Morales-Santana v. Lynch*; an International Law Society event on President Donald Trump’s travel ban, where she discussed constitutional issues surrounding various provisions of the executive order; and a Federalist Society event on the proposed Article V Convention of States and the “Texas Plan.” She also taught two LSAT prep sessions at the College of Law, and served as faculty adviser to the Family and Juvenile Law Society and OUTLaw.



Bryan Lammon, associate professor of law, published two articles this year: “Perlman Appeals After Mohawk” in the *University of Cincinnati Law*

Review and “Dizzying Gillespie: The Exaggerated Death of the Balancing Approach and the Inescapable Allure of Flexibility in Appellate Jurisdiction” in the *University of Richmond Law Review*. He accepted an offer to publish his article “Cumulative Finality” in the *Georgia Law Review*. He also presented a work-in-progress tentatively titled

“Qualified Immunity Appeals” at the Case Western Reserve University School of Law, and continues to work on several articles and essays about appellate jurisdiction. Lammon served as faculty adviser to the UT Moot Court program and as co-faculty adviser to the Charles W. Fornoff Appellate Advocacy Competition.



Elizabeth McCuskey, associate professor of law, was awarded tenure. Her forthcoming article, “Agency Imprimatur & Health Reform

Preemption,” will be published in the *Ohio State Law Journal*. She published a series of essays on health reform, “Access, Affordability, and the American Health Reform Dilemma,” by invitation from the Oxford University Faculty of Law. As a 2016 Health Law Scholar, McCuskey presented her work at the Health Law Scholars Workshop sponsored by the American Society of Law, Medicine, and Ethics and St. Louis University’s Center for Health Law Studies. She also presented her research on preemption and health reform by invitation at the Association of American Law Schools Section on Administrative Law’s “New Voices in Administrative Law” program during the 2017 annual meeting; at the American Society of Law, Medicine, and Ethics’ 2016 Annual Health Law Professors Conference; and as a colloquium speaker at the West Virginia University College of Law and the University of Massachusetts Law School. McCuskey was selected as the principle drafter for the National Health Law Moot Court Competition.



Agnieszka McPeak, assistant professor of law, published her article, “Sharing Tort Liability in the New Sharing Economy,” in the *Connecticut Law Review* and her

essay, “Social Data Discovery and Proportional Privacy,” in the symposium issue of the *Cleveland State Law Review*. Her invited symposium article, “Regulating Ridesharing Platforms through Tort Law,” is forthcoming in the *University of Hawaii Law Review*. An Illinois appellate court recently relied upon McPeak’s 2015 article, “Social Media, Smartphones, and Proportional Privacy in Civil Discovery,” which was published in the *University of Kansas Law Review*, for its proposition that privacy interests should limit overly intrusive civil discovery. McPeak also participated in several academic lectures and symposia. She spoke on tort liability at the University of Hawaii Richardson School of Law’s Sharing Economy Symposium, presented on privacy law at the Wilkin Chair Speaker Series at the University of Findlay, moderated an ethics panel at *The University of Toledo Law Review’s* Compliance Regulation Symposium, and served as a panelist on the “Risk, Liability, and Norms in the Digital Age” session at the Law and Society Association annual meeting. She also presented her scholarship at several conferences, including the Junior Scholars Works-in-Progress Conference at Marquette University Law School and the Developing Ideas Conference at the University of Kentucky College of Law. She organized the Fourth Annual Junior Scholars Virtual Symposium, during which she workshopped her draft article, “Social Media Spoliation.” McPeak also gave presentations to practitioners and community members. She offered tips on social media professionalism to students at the Midwest Graduate

Research Symposium, presented on social media trends at a Lucas County Bar Association luncheon, and was the guest speaker at a Northwest Chapter of the Public Relations Society of America meeting. Additionally, she taught several continuing legal education programs for the Toledo Bar Association, including the 2016 Annual Professionalism Seminar and other programs on social media evidence and discovery. Additionally, McPeak started the Social Media Safety in Schools program, which involves speaking to parents of minors about social media liability and supervising law students who give presentations to middle-school students about safe social media usage. She also offered expertise about current events involving social media for two Toledo news networks, 13abc and NBC 24.



Kelly Moore, associate professor of law, returned to the law faculty in spring 2017 after a nearly three-year absence, during which he was

The University of Toledo’s vice provost of policy and faculty relations, then interim dean of the Honors College. He taught Federal Income Tax, Trusts and Estates, and a bar-related course upon his return. He looks forward to being in the College of Law for the complete 2017-2018 academic year.



Dan Nathan '04, clinical professor of law, continued as a member of the boards of directors of three local entities: Food for Thought,

a nonprofit that feeds the Toledo area’s homeless population in a respectful and healthy way; Student Legal Services, Inc., which provides legal

services to University of Toledo students; and the Medical-Legal Partnership for Children, an organization that addresses legal issues that impact children’s health. In addition, Nathan was a volunteer CASA, advocating for the best interest of children involved in Lucas County Juvenile Court. He also volunteered for Children’s Rights Collaborative monitoring visits for parents required by court order to be supervised around their children. In January 2017, Nathan was part of a panel presenting to College of Law students on careers in family law. In February 2017, he was a panel member in the Thurgood Marshall Careers in Law Symposium for area middle-school and high-school students.



Nicole Buonocore Porter, professor of law, published *Disability Law: Cases and Materials* with West Academic (co-authored with Stephen Befort of the

University of Minnesota Law School). She also published “Accommodating Everyone” in the *Seton Hall Law Review* and had “Mothers with Disabilities” accepted for publication in the *Berkeley Journal of Gender, Law, and Justice*. She presented her work at four conferences in the fall. This spring, she presented “Deference to Whom? Courts’ Varying Levels of Deference Across the Disability Law Curriculum” to Toledo Law students and faculty to celebrate the publication of her casebook.



Geoffrey C. Rapp, associate dean for academic affairs and Harold A. Anderson Professor of Law and Values, was elected to the Executive Committee of the

Association of American Law Schools Section for Associate Deans. He also was appointed by the AALS president to the 2018 Annual Meeting Program Committee. He was a member of an ABA accreditation team that visited the Nova Southeastern School of Law in Ft. Lauderdale, Fla., in February 2017, and will serve as the AALS reporter and an ABA accreditation team member for the University of Baltimore School of Law in November 2017. One of his articles was cited in a federal district court decision, and his 2007 *Boston University Law Review* article was identified as one of the top 10 most downloaded articles from the *Management Research Network—Human Resources Issues* series. He spoke at Loyola University’s fall Investor Protection Conference (for the third time) and was quoted in Columbia, S.C.’s *The State* newspaper and in *The (Toledo) Blade*.



Rob Salem '90, clinical professor of law, presented to the Ohio Association of Civil Trial Attorneys in Columbus in August 2016 on “De-Mystifying the

Bullying Phenomenon: How Schools Can Protect Kids and Avoid Liability.” He also presented on collaborative projects among Ohio law school clinics at the Midwest Clinical Legal Education Conference in Tulsa, Okla. He served on several panels during the past year, including discussions on conversion

therapy, health-care disclosure laws, and LGBT rights under the Trump administration. In addition, Salem presented on legal and cultural barriers to quality health care for LGBT people at a continuing legal education seminar sponsored by the Medical-Legal Committee of the Toledo Bar Association. He and his students researched and drafted an ordinance that prohibits the controversial and discredited practice of conversion therapy for sexual minorities, which was passed unanimously by Toledo City Council in early 2017. This so-called therapy has been condemned as ineffective and dangerous by all leading medical, psychiatric, and psychological associations. Salem appeared on WTVG-TV’s weekly program, “Bridges,” to discuss the conversion therapy ban and related issues. In early 2017, Salem helped create the Toledo LGBTQ Bar Council, the first-ever LGBT legal group in the Toledo area. He also helped organize a free name-change clinic to benefit the transgender community at the College of Law. He was recently honored by the Toledo Junior Bar Association with its “Order of the Heel” award, which is given annually to a lawyer who has devoted time, talents, and energies to mentor young lawyers. Salem also published an article entitled “Intimate Integration: Lessons from the LGBT Civil Rights Movement” in the *Capital University Law Review*. Another article, “Victims Without Legal Remedies: Why Schools Need to Develop Comprehensive Anti-Bullying Policies” (co-authored by Julie Sacks), was recently cited in a Centers for Disease Control and Prevention info-brief to local education agencies. Additionally, Salem serves on the U.S. Commission on Civil Rights Ohio Advisory Committee as well as the boards of directors for the Toledo Bar Association, Northwest Ohio Development Association, Toledo Fair

Housing Center, Equality Toledo, and Toledo Legal Aid Society Public Defender Office. He is co-chair of the Advocates for Basic Legal Equality Development Advisory Committee and co-chair of the Toledo Bar Association LGBTQ Bar Council.



Joseph Slater, Eugene N. Balk Professor of Law and Values, was on sabbatical during the fall 2016 semester. In December, he traveled to Trier,

Germany, to take part in an international law project sponsored by the German-Israeli Foundation for Scientific Research and Development. This project will produce a book describing the right to strike in essential services in 15 countries. Slater had the following articles accepted for publication: “Will Labor Law Prompt Conservative Justices to Adopt a Radical Theory of State Action?” in the *Nebraska Law Review* and “Comments on the Restatement (Third) of Employment Law, Chapter 1,” (with Charlotte Garden) in the *Employee Rights and Employment Policy Journal*. He continues updating the two casebooks on which he is a co-author. Furthermore, he was an adviser for the Labor and Employment Moot Court team, which had a successful year (mainly due to the students): it finished in the top eight (of 42 teams) and won awards for “Best Brief” and “Best Oralist.” Slater gave talks at the annual Colloquium on Scholarship in Labor and Employment Law at the University of Washington; an invitation-only labor law scholars’ forum at Seton Hall University; an invitation-only Labor Law Group conference at the University of Indiana; and at Vanderbilt University. He also was involved in a

project for The University of Toledo's Instrumentation Center, which created a large display of the periodic table of the elements. Slater helped create the display for radium (see the play "Radium Girls" for the employment law connection). Among other media appearances, he was quoted in a story regarding the national political blog *Salon*, a segment of National Public Radio's "Marketplace," and a *Washington Post* article.



Lee J. Strang, John W. Stoepler Professor of Law and Values, was awarded The University of Toledo's Outstanding Faculty Research and Scholarship Award.

He published an updated edition of Volume 5 of his casebook, *Cases and Materials on Federal Constitutional Law: The Fourteenth Amendment* (2nd edition, Carolina Academic Press, 2017), and "How Big Data Increases Originalism's Methodological Rigor: Using Corpus Linguistics to Recover Original Language Conventions," with the *U.C. Davis Law Review*. Strang also presented at a number of domestic and international symposia, including "The Original Meaning of 'religion' in the First Amendment: A Test Case for Originalism's Utilization of Corpus Linguistics," at the first-ever conference on law and corpus linguistics at Brigham Young University Law School; "An Evaluation of Evidence for Constitutional Construction From the Debate Over the Constitutionality of the First Bank of the United States" at the University of St. Thomas School of Law; and "The Supreme Court's Attempts via its Dormant Commerce Clause Jurisprudence to Navigate State Police Power and National Free Trade: Potential Lessons for International Trade" at the University of Szeged, Hungary. Strang presented at 16 lectures,

debates, and symposia during the year, including at Washington University and Ohio State University. He also presented at numerous civic events. He served as faculty adviser to the Christian Legal Society, Law Review, and Federalist Society.



Rebecca Zietlow, Charles W. Fornoff Professor of Law and Values, published *The Forgotten Emancipator: James Mitchell Ashley and the Ideological Origins*

of Reconstruction with Cambridge University Press. *The Forgotten Emancipator* tells the story of the anti-slavery and labor movements during the pre-Civil War era and their impact on the free labor ideology of James Ashley, a member of the U.S. Congress who represented Toledo during the Civil War and Reconstruction. At the side of President Abraham Lincoln, Ashley led the fight for the 13th Amendment in the U.S. House of Representatives. Zietlow also published "James Ashley, the Great Strategist of the Thirteenth Amendment" in the *Georgetown University Journal of Law and Policy* and "The Constitutional Right to Organize" in *Labor and Vulnerability* (Martha and Jonathan Fineman, editors, Ashgate Publishers, 2017). At the annual meeting of the Association of American Law Schools, Zietlow was elected chair of the AALS Section on Constitutional Law for 2017-2018. As the 2016-2017 chair of the AALS Section on Women in Legal Education, Zietlow organized and moderated the WILE "Cultivating Empathy" panel. She also was a panelist on the Section on Legal History "Author Meets Reader" panel on Risa Goluboff's book, *Vagrant Nation*, and participated in the American Constitution Society Workshop @AALS, Commentator on Junior Scholars Public Law Workshop.

In addition, she moderated a panel, "The Long Shadow of Brown," at the American Society for Legal History annual meeting, and presented "Reconstruction and Workers' Rights" at the annual meeting of the Law and Society Association and the Colloquium on Labor and Employment Law.



Evan C. Zoldan, associate professor of law, researches and writes in the field of legislation. He published "The Equal Protection Component of

Legislative Generality" in the *Richmond Law Review* and "Bank Markazi and the Undervaluation of Legislative Generality" in the *Yale Law & Policy Review Inter Alia*. He also placed "Self-Dealing and the Solution to the Klein Rule of Decision Principle" in the *Washington & Lee Law Review*. "Self-Dealing" was selected for presentation at the Junior Federal Courts Faculty Workshop, held at Emory Law School, and the Loyola University Chicago Constitutional Law Colloquium. Zoldan also served as organizer of the Association of American Law Schools Section on Legislation and Law of the Political Process' "New Voices" program. Zoldan was re-elected to the Executive Committee of the AALS Section on Legal History and elected chair-elect of the AALS Section on Legislation and Law of the Political Process. His scholarship was cited in a number of scholarly journals and monographs, as well as in a casebook on state and local government.

ALUMNI NEWS



GOOD TO GO: BUSSERT CAREER FELLOWSHIP FUND AND CLASSROOM

Thank you to Christopher Bussert '83 and Margaret (Peggy) Bussert '82 for their generous contribution in support of Toledo Law students. The Busserts established the Christopher and Peggy Bussert Career Fellowship Fund and named the Christopher & Peggy Bussert Classroom in the College of Law. The classroom was dedicated during a private ceremony in June 2017.

PHI ALPHA DELTA CHAPTER'S FOUNDING DOCUMENTS RE-DISCOVERED AND CELEBRATED

During the summer of 2016, Phi Alpha Delta (PAD) Coke Chapter President Joshua Clark '16 was cleaning out the organization's storage cabinet in the Law Center when he came across the chapter's founding documents and photos from 1960. Clark thought the items and history deserved a more public presentation.



In November 2016, Toledo Law students and alumni from the Toledo area met to do just that – honor the chapter's founders and history. Nathan

Silverman '61, a founding chapter member, participated in the event and shared his recollections of how Phi Alpha Delta came to be.

In addition to the founding documents, a collection of congratulatory messages from other law schools



with Phi Alpha Delta chapters were among the many documents found. PAD members are working with The University of Toledo Archives and LaValley Law Library to preserve the documents, and create a better way for others to view them.

CLASS REUNIONS IN JUNE 2017

Connecting with classmates in person may not happen all that often. We graduate, take new positions, move away or move around, start families, and switch jobs. Class reunions provide an opportunity to reconnect and share law school memories that go beyond the day-to-day of keeping things moving. They can be a time to remember the struggles and enjoy the successes.



Members of the classes of 2007 and 1997 gathered in June to share stories from law school and reconnect with their classmates and Toledo Law. Dean D. Benjamin Barros provided an in-depth update on Toledo Law, while Stuart Cubbon (LW '81, BU '98), immediate past president of The University of Toledo Alumni Association, joined the reunion-goers to share insights from his time as president and remind them that great things are happening at The University of Toledo. It is time to re-engage!



Barros closed out the afternoon with a tour of the Law Center that highlighted many of the facility upgrades during the last several years. Classmates took time to locate class photo composites and update each other on the whereabouts of those who couldn't attend. They also appreciated the new reading area in LaValley Law Library, and admired the updated McQuade Law Auditorium. Reunion activities concluded with dinner in downtown Toledo.

SPEYER '85 RECEIVES 2016 DISTINGUISHED ALUMNI AWARD

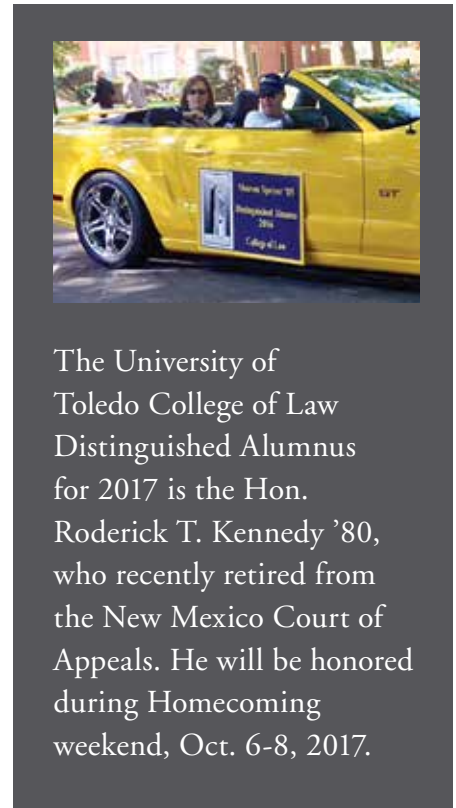
Sharon Speyer '85 received the Distinguished Alumni Award from The University of Toledo College of Law at The University of Toledo's Homecoming Gala in October 2016. The award was presented by Dean D. Benjamin Barros following a video presentation highlighting a number of her personal and career milestones.

Speyer is president of the Northwest Ohio Region for Huntington Bank. She began working for Huntington Bank's predecessors in 1992 and assumed her current position in 2007 after serving as president of the northwest Ohio region and general counsel for SkyBank before the bank merged with Huntington in 2007.

A member of The University of Toledo's Board of Trustees since 2009, Speyer is currently its chair. She also is active in the local community, serving on the

Regional Growth Partnership board, the Toledo-Lucas County Port Authority board, and the Toledo Symphony Board of Trustees, among other leadership roles.

Speyer earned her bachelor's degree in international studies at Ohio State University before graduating from The University of Toledo College of Law in 1985 with her juris doctor degree. She has remained closely connected to the law school since her graduation. After earning her JD, she assisted the Law Admissions Office with recruiting. She also served as a panelist during a professional development session for law students focused on business etiquette in the boardroom. More recently, Speyer shared reflections on her legal education and career in the fall 2016 edition of the Transcript, Toledo Law's alumni magazine. ■



The University of Toledo College of Law Distinguished Alumnus for 2017 is the Hon. Roderick T. Kennedy '80, who recently retired from the New Mexico Court of Appeals. He will be honored during Homecoming weekend, Oct. 6-8, 2017.

IN MEMORIAM *(As of Aug. 1, 2017)*

Thomas Edward McGrail '76	09/01/16	Harvey David Ginsburg '76	02/09/17
Debbie Grace Williams '86	10/03/16	Jonathan Harris Nusbaum '97	03/28/17
Gary Elmer Gabriel '55	10/13/16	Martin D. Carrigan '85	04/03/17
Robert Allen Manion '73	10/18/16	Sharon Denise Gaich '95	04/03/17
John Carnes Huffer '57	10/19/16	J. Ronald Bowman '59	04/21/17
Peter Vrahotes '64	10/19/16	John P. Stockwell '72	05/01/17
Richard Edward O'Brien '69	11/06/16	Ann Maureen Klein '94	05/04/17
Allan J. Chabler '61	11/16/16	Graham A. Teague '77	05/09/17
Cara A. Roecker '05	11/30/16	Joseph R. Scalzo '77	05/30/17
Harold M. Hanna '70	01/30/17	Glenn Norman Raitz '63	06/22/17
Dennis Paul Ulrich '69	02/04/17	Peter J. McHugh '88	8/1/2017

LEARNING FROM THE LEGACY OF JOHN W. STOEPLER

Belmont Country Club in Perrysburg, Ohio, was the host site for the 18th Annual University of Toledo College of Law John W. Stoepler Scholarship Golf Outing. Attorneys, friends, and Stoepler family members came out June 9, 2017 to support the golf outing established to honor Stoepler's memory.

When asked why memorials are important, Stoepler's daughter, Charlotte Dymarkowski, and sons, Michael and John Stoepler, shared the following thoughts:

“Heritage has a powerful effect on a person’s life; good or bad. In our case we can happily say our parents’ legacy was a good one, possibly great in some respects. John and Kathie Stoepler were honorable people and left us with a heritage for which we can be proud! Unfortunately not everyone can say that. My Dad himself could have argued the Heritage his father left him was less than stellar. He would never have done that though; he most likely would have said his father’s mistakes made him stronger, better and more resolute. Why am I telling you this? The reason I’m sharing this is we share his legacy. My Dad, who understandably is probably not known or spoken of by most of the recent UT College of Law Graduates left a great heritage for The Law School and the Toledo Community at large.”

“Thank you to those who participated in, or gave in some way to, The John W. Stoepler Scholarship Fund. We hope you allow the legacy gifted to you to benefit you and your community as you resolve to take what you have heard and apply it to your life. Noble, Gallant, Trustworthy, Unyielding, Teachable, Eager, Welcoming, Loyal and Selfless all describe the character of my Dad. I lived with him; I know! A Toledo native who grew up with an absent father and lived in public housing became wealthy in spirit by giving of himself to UT, to Toledo, to the Catholic Church, to the NCAA and many other organizations, communities and individuals.”



“He wasn’t perfect but he was all I listed and more. In this day where character tends to fail in difficult situations or when having character doesn’t benefit oneself we can all take personal inventory and strive to leave a lasting positive heritage, legacy, mark for those who follow. One of my life sayings is, ‘Do the right thing even when it hurts.’ I never heard my Dad say that but I watched him live it every day of his life! We need to remember the past so we can positively impact the present and the future. Thank you to all who continue to support the John W. Stoepler Scholarship Fund.”

In addition to being reminded of Stoepler's legacy, we are reminded of the impact people can make one person at a time. The Henry B. Herschel Commitment Award (formerly named The Commitment Award) has been presented at the dinner following the golf outing for the last few years. The award was renamed in honor and memory of Hank Herschel '67, for his commitment to the community, above and beyond his day-to-day work. It is fitting to present this award during the golf outing because of the deep friendship between Herschel and Stoepler. Richard R. “Dick” Malone was recognized with this honor for 2017. In addition, Guy Barone '72 gave a tribute to the late Judge Ronald Bowman '59, a regular supporter of the golf outing.

It was a gorgeous day for golf and support of Toledo Law and its students. To date, 78 law students have benefited from the John W. Stoepler Scholarship Golf Outing through scholarships totaling \$113,600. John and Kathie Stoepler would have been proud! ■



The Stoepler Scholarship Golf Outing is one way to honor the legacy of John Stoepler, but anyone can contribute, any time, through the “Give Now” button on the UT Foundation website: utfoundation.org/foundation/home/index.aspx.



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 Anthony Morano
 The Hon. Arlene Singer
 Law Offices of Cubbon & Associates
 Lori Olender
 Spengler Nathanson PLL
 Chad Fisher
 James Jensen



LAW REVIEW ANNUAL BANQUET INCLUDES CELEBRATION OF PUBLICATIONS EDITOR PEGGY ERY

Those who have been members of Law Review know the countless hours required for the job. The time is spent researching, organizing, editing, cite checking – not to mention facilitating the annual Law Review Symposium and all the logistics that accompany such an event. All of this is done while continuing to be a successful law student and meeting other obligations each might have. Those involved in Law Review must be committed to the organization, the publication, and each other.

With each new academic year comes a new and eager group of associate members excited to jump into the process and the marathon that begins. It also brings a “changing of the guard” as Law Review board members graduate and move on to the bar exam and life after law school. During this annual transition, Toledo Law has been fortunate to have something most law reviews and law schools around the country do not have – a nurturing force named Peggy Ery. She retired in May 2017, which means that Board 48 was her last. Although there is sadness, there is cause for celebration and gratitude for all the years she spent helping law students and the college. The result was a party that brought current and retired professors together, as well as alumni spanning decades. More than 100 guests



attended the Law Review Banquet and Celebration of Peggy Ery’s Contributions (fondly referred to as “Peggy Fest”).

Nicholas Huckaby ’17, Board 48 editor-in-chief, was master of ceremonies. As the Executive Board of the Law Review brought the Law Review business to a close, the focus quickly shifted to all things Ery. “Peggy’s role as the publications editor was to conduct the final edit on the articles before formatting them into typeset. She was the last line of defense against any typos or improper citations! Peggy cannot and will not be replaced, because there is only one Peggy.”

Dean D. Benjamin Barros offered brief remarks, and Professors Emeriti Susan Martyn and Howard Friedman were on hand to share their appreciation of working with Ery. Additionally, Prof. Rebecca Zietlow noted, “Peggy was



an indispensable font of knowledge and expertise. She is the institutional memory of the Law Review, engaged at every level and always available to answer questions and help. Peggy is also so much fun to work with. She has a great sense of humor and a caring attitude towards the students.”





Help us recognize Peggy Ery by naming the Law Review Progress Fund in her honor. With a goal of \$23,000 for her 23 years of service, we can create the Peggy Ery Law Review Progress Fund. Please give at tinyurl.com/toledolawreview.



Hundreds of students (now alumni) have been impacted by Ery's guidance, wisdom, nurturing, and candor. Many alumni sent colorful memories, wishes, and notes of thanks that were collected and presented to Ery in a keepsake book. A plaque was engraved, and hangs in her honor in the Law Review office.



As Sarah Phipps '16 and others wrote when nominating Ery for a campus-wide University of Toledo Outstanding Staff Award (which Ery ultimately won in 2016), "Peggy Ery embodies the College of Law's mission – she has been intricate in preparing our members for the practice of law as researchers, writers, and editors. She has furthered the College of Law's academic and scholarly excellence through her position with the Law Review as its publications editor." Phipps continued, "To say

that our organization is losing its heart and soul is not too strong a statement. Many members over the last 22 years have affectionately referred to Peggy as our 'Law Review mom,' as she has embodied that title by taking under her wing each and every member of Law Review, propelling them to their highest potential through her tremendous guidance and loving support."

What does Ery have to say about all of this? "I can't help but reflect on the boards I have worked with. Law Review provides Toledo Law students with the opportunity to advance their research and analytical skills. But I, too, have benefited from the students' journeys. I have grown alongside each and every one of you. At the end of each academic year, as another class graduates, some of those relationships strengthen into friendships. I consider myself blessed to know you because I do consider all of you my friends." ■

THE FORNOFF SOCIETY AND THE IMPACT OF DEAN CHARLES W. FORNOFF

The Toledo Club's Red Room, with its festive collection of trees decorated for the 2017 holiday season, was the backdrop for an elegant gathering marking a reinvention of the Fornoff Society.

The Fornoff Society is a membership giving program created by Toledo Law in October 1991. The goal was to “assure the College of a consistent and reliable base with which to meet its educational mission and its role in the profession and the community at large.”

Dean D. Benjamin Barros provided a brief update on Toledo Law, and retired Ohio Supreme Court Justice Andy Douglas '60 was asked to provide remarks about the impact of Charles W. Fornoff, for whom the society was named.

You can read his speech in this section of Transcript.

Not much has changed by way of public resources since the Fornoff Society's inception. Funding continues to decline and gifts to the Fornoff Society are essential. Barros noted, “Membership in the Fornoff Society directly supports enrollment efforts, career services, facilities, and other immediate needs to help Toledo Law grow and flourish.”

A notation from an earlier edition of the Transcript sums it up best: “The Fornoff Society embodies an untiring pursuit of excellence in legal education and a concern for the individual student – seeds planted and cultivated by the late Dean Charles W. Fornoff many years ago.”

Thank you to our Fornoff Society members. We appreciate all you do to support Toledo Law!

The list below contains donors who qualified for membership in the Fornoff Society as of June 16, 2017. For questions regarding your Fornoff Society membership, please contact Sarah Andrews, manager of donor relations at the UT Foundation, at 419.530.8420.

If you are interested in becoming a member of the Fornoff Society, please email andria.ebert@utoledo.edu.

Fornoff Society Members (As of June 16, 2017)

Mohammed Abdrabboh '99
Agnes L. Devlin Memorial Fund Inc.
Daniel J. '76 and Laraine Aharoni
Allie L. Ritter Memorial Trust
Howard G. Anderson '80
James Baehren '78
William Barkan '55
Richard W. '58 and Nora H. Bayer
Dr. Roger M. and Prof. Rhoda L. Berkowitz
Philip C. Berwick '78 and
Carol A. Fichtelman '78
R. Jeffrey '72 and Kathleen R. Bixler
John F. Jr. '91 and Leora J. Bodie
Julie Bruening
Christopher P. '83 and
Margaret M. '82 Bussert
Robert C. '92 and Jennifer Calamari
Alan L. Lapp '72 and Susan A. Carlson Lapp
The Honorable James G. and
Dr. Eileen M. Carr
James D. Caruso '78
Peter '73 and Margaret Casey
Michael Cavalier '79
Edward F. Chacker '73
Douglas K. Chapman
Richard A. and Ruth Anne E. Chase

Phillip Closius
Patricia A. Coburn '77
Spiros P. Cocoves '85 and Kyle A. Cubbon '84
Richard A. Cohen '69
Charles and Carol Contrada '78
Cary R. Cooper '69
Frank Cubbon Jr. '53
Stuart F. and the Honorable
Denise N. Cubbon '81
Thomas A. Dattilo '77
William B. deMeza Jr. '80
A. Louis Denton '83
David A. and Theresa Domzal '75
Mui-Ling Y. Dong '92
The Honorable Andrew G. Douglas '60
Daniel W. Dymarkowski '73
Edward J. Engle Jr. '67
Dale Fallat '70
Karen V. Foster
Robert Frazier '64
Bruce C. and Diane W. French
Terry L. '77 and Kathleen Gernert
Llewellyn J. Gibbons
Susan E. Gilmore '93
Rick Goheen
Michael and Jane S. Hartman

Pamela S. Herschel
Lois A. Heuerman
Kenneth P. '00 and Tonya Hicks
Arnold N. Hirsch '78
Barry J. Hockfield '73
Ellen D. Hoover '96
Professor Robert J. and
Margaret E. Hopperton
Dennis Jackson '81
Tracie Jackson '95
Frank and Lynn '85 Jacobs
James R. '65 and Kristin L. Jeffery
The Honorable James D. '69 and Lynn Jensen
Mr. and Mrs. Patrick J. '67 Johnson
Dr. and Mrs. Michael G. Kadens
Ron and Jackie Kaufman
Russell Kelm '71
Catherine H. Killam '78
Thomas P. Killam '75 and
Marsha A. '80 Manahan
Donald H. '80 and Antoinette H. Kincade
Professor James and Heide Klein
Martin S. '71 and Patricia A. Kohn
Kenneth A. Martin '90 and
Marja R. Lasek Martin '88
Daniel '84 and Kristine LaValley



Richard G. Jr. '83 and Robin A. LaValley
 E.J. Leizerman '75
 Michael J. Leizerman '94
 Jack M. '64 and Cheri A. Lenavitt
 Joel A. and Shirley Levine
 Kathie A. Levison '79
 Robert Maurer '68
 Clint '79 and Linda McBee
 Beverly J. McBride '66
 Jeffrey B. McClellan and
 Catherine A. Richards McClellan '82
 The Honorable C. Allen Sr. '72 and
 Tempie R. McConnell
 The Honorable Richard McQuade Jr. '65
 Donald F. Melhorn Jr.
 Frank S. Merritt
 Kenneth L. '65 and Lena Mickel
 Michael P. Mikkonen '87 and
 the Honorable Nancy A. Miller '88
 Matthew J. '84 and Brenda M. Mitten
 Martin E. '73 and Teresa M. Mohler
 Robert W. Morgan '74
 The Honorable Virginia M. Morgan '75
 The Honorable C. Ray '82 and
 Beverly L. Mullins
 Roger E. Murray and
 Paula M. Freeman Murray '89

Ohio State Bar Association
 The Honorable S. Dwight Osterud '74
 and Judith A. Reitzel
 Rudolph A. Peckinpaugh Jr. '80
 Thomas Pletz '71
 Reinberger Foundation
 Kenneth S. Resnick
 Jane E. Restivo
 Carol and Bill Richman
 H. Buswell Roberts Jr. '75
 Dr. Nancy C. and Mr. Marvin A. '66 Robon
 Robert J. Rogers '82
 Edward '75 and Jytte Ruckert
 Ruth A. Thomas Trust
 Richard A. Schwartz '64
 Robert M. '84 and Kimberly M. Scott
 Charley '66 and Ginny Senn
 James P. Sr. '62 and Kathryn A. Silk
 Jerry Simonelli '76
 Scott E. Spencer '79
 Steven M. Spitler '81
 Thomas R. '81 and Hilda M. Standley
 Harold (Buz) '66 and Doris Steinberg
 John '69 and Pamela Straub
 Dr. Daniel Sullivan '01
 James Swinehart '82

Ronald J. '73 and Mary L. Tice
 Michael Todak '82
 James M. Tuschman
 Marie P. Vogt
 Richard S. '69 and Shelley M. Walinski
 John R. '70 and Annette L. Wanick
 Bob Ward '68
 George C. '75 and Terri L. Ward
 Thomas G. '75 and Donna M. Weglewski
 Gerald T. '79 and Lucia A. Welch
 Kenneth White '74
 Kenneth White Sr. '61
 David W. Wicklund '74
 Martin Williams '69
 Patricia A. Wise '85 and David R. Francisco
 Robert Wisniewski
 Joseph L. '72 and Susan A. Wittenberg
 Thomas C. Wood Jr. '74
 James '79 and Barbara Yavorcik
 David W. '76 and Myra S. Zoll

JUSTICE ANDY DOUGLAS '60: REMARKS ON DEAN CHARLES W. FORNOFF

Justice Douglas delivered the following remarks at the Fornoff Society celebration.

In a speech given by U.S. President Theodore Roosevelt titled “Citizenship in a Republic” and now referred to as “The Man in the Arena,” the president said:

“It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat.”

In the fall of 1952, I first met a giant of “The Man in the Arena.” Charles Wright Fornoff came to the College of Law in 1939. In 1941, he was appointed acting dean. In 1945, he became dean and full professor of the College, which soon established a tradition of excellence in teaching, administration, and service. Under Dean Barros and our great faculty and administrative personnel, that tradition lives today – a fact for which we all need to be grateful.

History reflects that back in 1942, the College and its dean were, not unlike today, faced with serious problems. With the advent of World War II, enrollment was reduced. The dean had to recruit and promote, as well as educate and administer. But his hallmark never changed. Upon commencing his service, he inherited four classrooms and a small library. During the ensuing period of time, he kept the doors open, thereby affording the opportunity to many women and men to attend law school who would not have otherwise had the chance to become lawyers. While he didn’t suffer fools lightly, he was always fair and gave freely of his time and attention, including helping to solve students’ financial problems with compassion and ingenuity. His rich and powerful voice was never very far from every student’s hearing.

I was one of those students to whom he offered the opportunity. I came to learn of a new program he intended to start called a “combined curriculum.” If a student had enough credit hours and decent enough grades, after two years of undergraduate study, the dean could admit the student to the College of Law and permit the student to use the first two years of law school as the last two years of undergraduate study and, then, in two more years, the student would receive a law degree. My hours qualified, but my grades were not very good. I, with much trepidation, visited this giant of a man in his office. After about an hour, he told me he would take a chance on me if I agreed to stop my



“political stuff” and concentrate on being a real student. In my undergraduate years, I had been president of my class, student representative to the Student Council, and an officer in the Inter-Fraternity Council. There was, he said, no room in law school for such activities.

I agreed. I was admitted. The plan was that my first two years in law school would be, also, my last two years to obtain an Army commission through the ROTC and then, said the federal government by way of a written contract, I would have two more years to finish my law work before I would have to go on active duty to serve my agreed time. This seemed to be working out fine with the exception that, again, I wasn’t a very good student. My excuse was that I had a full-time job, a wife and child, and a house mortgage and little or no time to study. The dean would hear none of this, and he often counseled me in his office to do more – and better. He said if you want to be in the arena, you must perform. Mediocrity was not acceptable, and the word “can’t” wasn’t in Black’s Law Dictionary – or any other dictionary.

Notwithstanding all this pressure, things went OK for those two years. I passed all my courses. I also received my commission as a second lieutenant and an additional piece of paper ordering me immediately to active duty. I asked the government, "What about my contract?" No response except report to Fort Benning as ordered. I took the matter to Dean Fornoff. He just laughed at me. He knew I knew the definition of a contract – a definite agreement between two or more competent parties based upon a legal consideration to do or refrain from doing some lawful thing. He said he knew that I wasn't competent, and he knew for certain that the U.S. Government is never a competent party and, therefore, forget the contract, go do my time, and he would see me when I returned in two years. This was the time when the Korean War was ending, the Vietnam War was beginning, and Israel and Egypt (and other Arab countries) were engaged in outright warfare. The government concluded that the army couldn't run without Lt. Douglas. I was assigned to command an infantry platoon and was on my way to the Middle East when the five-day war was settled. I went, I saw, I learned, and I returned – and the dean was there waiting. He readmitted me with

a stern warning. I had to buckle down and do better. I was taking his Evidence courses, Trusts, Labor Law, Taxation, Trial Practice, Wills, Personal Property and other classes; working a full-time job with three children now; a mortgage; working in the library two nights a week (the off nights from classes) and each weekend; but none of that made any difference. He said I could do more. There were some student/faculty issues, and the dean thought I should run for president of the Student Bar Association. I said, I "can't." He said, "We don't use that word," and I guess I have never used it again.

During my term as president of the Student Bar fell the 50th anniversary of the College of Law. The dean directed that I handle the anniversary banquet in conjunction with the Toledo Bar Association, the College of Law alumni, and our Student Bar Association. I, of course, said the dean, was to be the anniversary and banquet chairman. The dean prodded, counseled, commiserated and, with his firm hand, guided me through contacts with President Truman, Governor Williams of Michigan, and Justice Eugene Black, a justice of the Supreme Court of Michigan who wrote "Anatomy of a Murder." Justice Black

became our speaker when Governor Williams had a fiscal emergency in his state. All the dean would say to me is to get used to it. It's called "life" in our profession and the world of politicians. The banquet was a huge

success except for the unveiling of an oil portrait of Judge Conn that looked nothing like him and was, in a word, hideous. My responsibilities on behalf of our students and their problems also worked out well.

The final piece of this puzzle, that typified the dean and is directly within my knowledge, came next. It was now time to get ready for the bar examination. What happened next I am not able to explain, but I have brought with me the documentary proof of the events. I received my degree on June 6, 1960. However, by machinations I am not prepared to discuss, I had taken the bar exam during the first week of March 1960 and received a letter dated May 2, 1960, informing me that I had passed the exam. I was sworn in on May 17, 1960. Thus, before I was officially graduated, I had taken and passed the bar exam and had a license to practice law. This could only have happened through the intervention of Saint Charles W. Fornoff. He had made it happen to give me a head start on my career.

The last official meeting that I can remember with the dean was on the day I received my bar results from the Supreme Court. Like I suspect many of you, I called the Supreme Court that morning to get the results. I remember being physically ill in my stomach. I gave the clerk my code number, and she gave me the result. I said there must be some mistake. While I had passed, that result could not be mine. I again gave her the number, and she gave me the same result number. I was in shock. I immediately went to my car and drove to the law school. The dean, as always, was in his office. I told him the story, and I asked him to call the court. He said he would because he was pretty sure that the very favorable result given to me was not correct. He called, received the result, and then abruptly



hung up. I then received, laced with profanity from a man I had never heard a really cross or profane word from, the scolding of my life. For the first 15 minutes, he told me about my non-study habits and what might have been if I would have fully committed myself. But that was the past, and this great man was all about the future. He then launched into a monologue about my future employment, where I should let this career take me, what my obligations were to our profession, all the things we had been through together and, of course, I better never give any effort that was not my best.

When it was finally my turn to speak, I simply said, “But Dean, I passed.” He came out from behind his desk and, this man who every time I was in his presence I was in awe, hugged me and said, “I’m proud.” We both had tears in our eyes. Now, he said, I have some other things I need you to do.

This was not unusual from this great man. He was in the arena. He forced me into the arena and taught me that it is better to try and fail than never to have tried at all. He was a source of inspiration to hundreds of law students. He was a leader in urging women to



become lawyers when most spots in law schools were reserved for men. He was always helping students become employed after graduation. He had several passions. He loved the law, he loved our beloved College, and, above all, he loved his students who aspired to be good lawyers. During my time, Dean Charles Wright Fornoff was a true giant among his peers.

In closing, just a brief personal note. Dean Fornoff made it possible for many of us here to do well professionally and

financially. He made it possible for us, each night as we lay our heads on our pillows and say whatever prayers we engage in, to thank the dean for paving our way into a profession where we can each night say: “Today, I helped somebody.” What more could any woman or man ask from a profession? Remembering this, we need to do what we can to assist, in every way, this College, its faculty and administration, all dedicated to doing for others what those who have gone before us did for us. ■

We are looking for attorneys and judges to serve as trial or scoring judges at the 2018 American Mock Trial Association Regional Tournament, Feb. 24-25, at The University of Toledo College of Law.

If you would like to participate as a volunteer judge at one or more of our rounds, please contact the Law Admissions Office at 419.530.4131 or law.admissions@utoledo.edu and identify which of the following time slots you are available to cover:

- Saturday, Feb. 24 (9 a.m. - noon)
- Free 1 hour CLE for volunteers: Ethics and Social Media for Judges and Lawyers (noon - 1 p.m.)
- Saturday, Feb. 24 (1 - 4 p.m.)
- Sunday, Feb. 25 (9 a.m. - noon)
- Sunday, Feb. 25 (1 - 4 p.m.)
- I’m not sure which date/time, but I’d like to help.

ANNUAL PILA AUCTION A FUN SUCCESS; HELPS FUND MORE FELLOWSHIPS

An annual February tradition, the Public Interest Law Fellowship Benefit Auction, once again provided a night of fun, fellowship, and funding. Held in the Toledo Law Forum, nearly 140 students, faculty, staff, alumni, and friends mingled and bid on silent auction items, including baskets featuring items from local artists and businesses, Toledo Law memorabilia, and the ever-popular Scales of Justice sculptures. The live auction, led by the always-lively Professor Ken Kilbert, featured friendly yet competitive bidding on items such as auditorium chair naming rights, the opportunity to throw the first pitch at a Toledo Mud Hens game, a Zamboni ride during a Toledo Walleye game, and dinners with professors and administrators, among other items. Approximately \$9,000 was raised to fund fellowships for law students working in summer public-interest positions across the country.



Three students received \$4,000 fellowships funded by the auction and generous donors to pursue the public-service work about which they are passionate.

- Victor Aberdeen '18 received a PILA/ Toledo Law Public Interest Summer Fellowship, which assisted him as he spent his summer working for the city of Chicago Law Department, Labor Division.

- Ariel Berger '19 received the Cooper & Kowalski Public Interest Fellowship, the Bruce Comly French Public Interest Fellowship, and a partial PILA/Toledo Law Public Interest Summer Fellowship. She spent her summer in Toledo, working with Legal Aid of Western Ohio, Inc. in the Independence and Self-Determination for Women and Children in Poverty Work Group.



- Ashley Blas '18 received a partial PILA/Toledo Law Public Interest Summer Fellowship and a partial Frank & Lynn Jacobs Excellence Fund award. Her summer was spent at the University of Michigan Human Trafficking Clinic in Ann Arbor, Mich.

“Public Interest Summer Fellowships provide our students with financial support as they support others in need of legal services,” said Kelly Tomlinson, Director of the Office of Professional Development and the PILA adviser. “Over the past five years, our students have served populations from coast to coast in places like Alaska, California,

District of Columbia, Florida, and Rhode Island, as well as throughout the Midwest.”

Toledo Law Summer Fellows have worked in areas of law where they have a significant impact, including public benefits, indigent defense, women and children in poverty, human trafficking, sustainable community development, children’s rights, farmworkers rights, and medical-legal partnerships. This year’s fellows will continue this important work.

CLASS NOTES – FALL 2017

19**69**



John L. Straub, an attorney with Shumaker, Loop & Kendrick,

LLP, has been selected for inclusion in *The Best Lawyers in America*® 2017.

Richard S. Walinski of Thacker Robinson Zinz was listed in the 2017 edition of *The Best Lawyers in America*® in the areas of commercial litigation, bet-the-company litigation, and litigation – mergers and acquisitions.

19**70**

Thomas R. Cassano of HoganWillig was listed in the 2017 edition of *The Best Lawyers in America*® in the area of family law.

19**71**

Russell A. Kelm was the recipient of the Distinguished Service Award at the 2017 Access to Justice Awards. He has volunteered more than 45 years of service to the legal community, and has generously supported ABLE for many years. His latest efforts include helping to establish the ABLE Legacy Society.



Thomas G. Pletz, an attorney with Shumaker, Loop & Kendrick,

LLP, has been selected for inclusion in *The Best Lawyers in America*® 2017.

19**74**



David Wicklund, an attorney with Shumaker, Loop & Kendrick,

LLP, has been selected for inclusion in *The Best Lawyers in America*® 2017.

19**75**

Douglas W. Densmore of CowanPerry PC was listed in the 2017 edition of *The Best Lawyers in America*® in the area of mergers and acquisitions law, banking and finance law, corporate law, and financial services regulation law.

19**76**

Hon. Arlene Singer, Ohio 6th District Court of Appeals, received the Toledo Bar Association's Robert A. Kelb Distinguished Service

Award at the December 2016 TBA Annual Holiday Luncheon.

Gary P. Tober of Garvey Schubert Barer was listed in the 2017 edition of *The Best Lawyers in America*® in the areas of tax law, international trade, and finance law.

19**77**



Jack G. Fynes, an attorney with Shumaker, Loop & Kendrick,

LLP, has been selected for inclusion in *The Best Lawyers in America*® 2017.

Joseph Humpolick retired from the Ashtabula County Public Defender's Office in April 2017 after more than 37 years of service. Humpolick will continue to work as a lawyer for "progressive" causes. He said the opportunity to work before the Ohio Supreme Court was a highlight of his career. One of Humpolick's passions includes a love of baseball, with the Cleveland Indians being his team of choice.



Ronald C. Tritschler, CEO and senior corporate counsel of

The Webb Companies, was recently elected to the Board of Directors of the Lexington, Ky., Chamber of Commerce. He also is chairman of the board of the Lexington Convention and Visitor's Bureau; a member of the Board of Directors of First State Financial Bank, where he also is a member of the Audit and Loan committees; and a member of the Board of Trustees and Audit Committee of the Unified Series Trust, a consortium of 17 publicly traded mutual funds.

19**78**



Hon. Steven P. Beathard, Fayette County, Ohio, Court of Common

Pleas, general and domestic relations divisions, was sworn in for his final term in February 2017. Beathard has served on the bench since 2005.

John H. Brandt of Beckman Lawson was listed in the 2017 edition of *The Best Lawyers in America*® in the area of family law.

Joseph Thacker of Thacker Robinson Zinz was listed in the 2017 edition of *The Best Lawyers in America*® in the areas of insurance law, commercial litigation, and bet-the-company litigation.

1979

Richard D. Topper was listed in the 2017 edition of *The Best Lawyers in America*® in the areas of personal injury litigation – plaintiffs and medical malpractice law – plaintiffs.



John K. Nelson, an attorney with Shumaker, Loop & Kendrick,

LLP, has been selected for inclusion in *The Best Lawyers in America*® 2017.

1980

Lawrence P. Burns of Varnum was listed in the 2017 edition of *The Best Lawyers in America*® in the area of health-care law.

1981



Michael S. McGowan, an attorney with Shumaker, Loop & Kendrick,

LLP, has been selected for inclusion in *The Best Lawyers in America*® 2017.

Hon. Connie Zimmelman was presented with the Arabella Babb Mansfield Award at the Toledo Women's Bar Association Annual Meeting. Additionally, in May 2017, she was the recipient of the Distinguished Toledo Lawyer Award presented during the Toledo Bar Association's Annual Law Day Luncheon.

1982

Kevin Joyce is teaching business ethics and law to MBA students in Bowling Green State University's College of Business Administration. Joyce's law practice, Kevin E. Joyce Co., LLC, in Sylvania, Ohio, is a general practice firm that focuses on preparation of conservation easements, employment law, nonprofits, administrative law, contracts, appeals, motions, and legal research and writing.



Edsel M. Brown Jr. is the assistant administrator of innovation and technology at the U.S. Small Business Administration in Washington, D.C., where he provides oversight to the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs, better known as America's Seed Fund. He maintains his

entrepreneurial interests by operating a financial services firm (Edsel M. Brown Jr. Advisors) and an entertainment law practice (Law Office of Edsel M. Brown Jr). Brown is active in the community, serving as chair of economic development of the Maryland NAACP. He also has served as a member of the boards of various chambers of commerce.

1983

D. William Vitt retired from government practice Dec. 31, 2016, and now works full-time as a greenskeeper at Rockwind Community Links. He maintains his law license and legal practice to remain active in guardian ad litem work, and resides in New Mexico.

1984

Jennifer Dawson has been elected to the Law Alumni Affiliate Executive Board, and will serve as secretary for the 2017-2018 academic year.

Denise M. Hasbrook, partner-in-charge of Toledo's office of Roetzel & Andress, LPA, has been elected as a new board member of Roetzel & Andress.

1985



Jeff Haidet was recently named U.S. chairman of Dentons, the world's largest

law firm. This appointment became effective Jan. 1, 2017, following a unanimous vote of the U.S. board. Haidet previously was U.S. co-chief executive officer. Additionally, he served with distinction for more than a decade as chair of McKenna Long, which he joined in 1985. Haidet's client practice focuses on domestic and international commercial transactions for a variety of corporate clients. He is chief outside legal counsel for several of the firm's clients, and manages numerous, internal investigations and special committee representations. Haidet has been recognized by The Legal 500 and *The Best Lawyers in America*® for his M&A expertise, specifically dealing with middle-market clients.

Kathrin E. Kudner of Dykema Gossett was listed in the 2017 edition of *The Best Lawyers in America*® in the area of health-care law.

Patricia Wise, attorney with Niehaus, Wise & Kalas, Ltd. in Toledo, is president of the boards of directors of Advocates of Legal Equality (ABLE) and Legal Aid of Western Ohio (LAWO) as of January 2017.

1986



Neema M. Bell, an attorney with Shumaker, Loop & Kendrick,

LLP, has been selected for inclusion in *The Best Lawyers in America*® 2017.



David B. Waxman has joined the Cleveland, Ohio, office of McGlinchey

Stafford, PLLC, where he will assist in an of counsel capacity. Waxman's practice focuses on advising individuals, closely-held businesses, educational and public institutions, and Fortune 100 companies on matters pertaining to real-estate acquisition, development, financing, leasing, environmental compliance, insurance, and construction. He is frequently invited to speak on real estate and environmental issues, and participates in several professional organizations, including as past chair of the Cleveland Metropolitan Bar Association's real-estate law section. Waxman was co-founder of Waxman Blumenthal, a boutique, real-estate and environmental practice in Cleveland. McGlinchey Stafford's 200 attorneys are based in 13 offices nationwide.



Kathryn J. Woodward, of counsel with Shumaker, Loop & Kendrick,

LLP, has been selected for inclusion in *The Best Lawyers in America*® 2017.

1987

Terrence S. Finn (Akron, Ohio) is a partner in the Environmental, Energy, and Health & Safety Group of Roetzel & Andress, and was recently selected for inclusion in *2017 Chambers USA: America's Leading Lawyers for Business*. Chambers has selected Finn as a leader in natural resources and environmental law every year since 2006.

Michael Mikkonen will serve as president of the UT Law Alumni Affiliate for the 2017-2018 academic year.

1988

Shane A. Farolino (Akron, Ohio) is the practice group manager of the Environmental, Energy, and Health & Safety Group of Roetzel & Andress. He has been selected by *2017 Chambers USA: America's Leading Lawyers for Business*. Chambers has selected Farolino as a leader in the field of natural resources and environmental law every year since 2004.



Joseph S. Simpson, an attorney with Shumaker, Loop & Kendrick, LLP,

has been selected for inclusion in *The Best Lawyers in America*® 2017.

1989

Glenn R. Wilson recently joined the Cleveland office of Weston Hurd LLP as partner. He oversees his intellectual property practice, along with his role as chief legal officer of the International Association of Information Technology Asset Managers, Inc. His experience includes advising on matters such as contracts, transactions, mergers and acquisitions, regulatory compliance, taxes, financing agreements, and labor and employment. Wilson also represents clients in intellectual property matters ranging from negotiating technology agreements, to the protection and use of IP rights, to privacy and other commercial matters.

1991

Janine Avila has been recognized in the 23rd edition of *The Best Lawyers in America*® for her work in the practice areas of insurance law and litigation.

1992



John R. Condren, a partner at the Buffalo, N.Y., firm of Rupp, Baase,

Pfalzgraf, Cunningham, LLC, was named a "Legal Elite for Western New York, 2016" by *Buffalo Business First/ Buffalo Law Journal*. Condren practices in the area of civil litigation and insurance, and resides in Cheektowaga, N.Y.

Cindy Kirby was appointed to a director position on the Toledo Bar Association board for 2017-2018.

1993



James I. Rothschild, an attorney at Shumaker, Loop & Kendrick, LLP,

has been selected for inclusion in *The Best Lawyers in America*® 2017.

Cherrefe Kadri was appointed to a director position on the Toledo Bar Association board for 2017-2018.

19**95**



Jenifer A. Belt, an attorney at Shumaker, Loop & Kendrick, LLP, has been

selected for inclusion in *The Best Lawyers in America*® 2017.

Hon. Michael Goulding was elected third vice president of the Toledo Bar Association board for 2017-2018.

19**96**

Hon. Myron Duhart was elected to a director position on the Toledo Bar Association board. He will serve a three-year term beginning in 2017.

20**01**



Lisa L. Nagel recently accepted a position at Owens Community

College (Toledo and Findlay, Ohio, campuses), where she is general counsel and vice president of administration. Nagel also is designated as an assistant attorney general by the Ohio Attorney General's Office.

20**02**



Jeanna M. Weaver was one of three new department leaders at

Plunkett Cooney, one of the Midwest's oldest and largest law firms. These responsibilities took effect on April 1, 2017. Weaver is a partner in the firm's Columbus, Ohio, office, and focuses primarily in the area of banking law. She has extensive experience representing special servicers and lenders in loan workouts and originations, real estate (REO sales), and receiverships and bankruptcy in Michigan and Ohio. Admitted to practice in state and federal courts in Michigan and Ohio, she is a member of the Columbus and Ohio State bar associations, the State Bar of Michigan, and Commercial Real Estate Women.

20**03**

Brad Mantel is a senior attorney at the U.S. Department of Labor, where he advises Mine Safety & Health Administration (MSHA) officials on policy and regulatory matters under the Federal Mine Safety & Health (Mine) Act of 1977 and related statutes.

20**05**

Lindsay Navarre was elected to the Lucas County Court of Common Pleas in November 2016. She is to commence this position in the fall of 2017.

Adam Nightingale was elected to a director position on the Toledo Bar Association board. He will serve a three-year term beginning in 2017.

20**06**

Zachary D. Prendergast has been promoted to partner in the real estate practice of Roetzel & Andress. Prendergast works in the firm's Cincinnati office. He joined Roetzel & Andress three years ago, and represents secured and unsecured creditors in all stages of commercial loans.

Gary Steinbauer is an environmental attorney, and recently joined the law firm of Babst Calland, located in Pittsburgh, Pa.

Kelly J. Tomlinson has been promoted to director of the Office of Professional Development at The University of Toledo College of Law. She and her husband, Corey L. Tomlinson '06, reside in Toledo with their two daughters.

20**07**

Kurt W. Bruderly received the Trustees' Award at the Toledo Bar Association Annual Meeting. This award is presented to an individual for involvement and outstanding service to the TBA.

20**08**



Kyle B. Gee has become a partner in the law firm of Schneider Smeltz Spieth

Bell LLP, effective Jan. 1. "We are thrilled to have Kyle as a Partner in the firm. His skill, judgment, and devotion to our clients are qualities that help make us a great law firm," said James D. Vail, managing partner. Gee is licensed to practice law in Ohio, Pennsylvania, and New Jersey. As a partner in the firm's Trusts and Estates Group, Gee concentrates in the core areas of estate planning and wealth transfer, administration of estates and trusts, fiduciary representation and litigation, charitable planning, business succession, family foundations, and taxation. He also writes and speaks on the potential opportunities and hazards created when traditional estate planning intersects with modern technology, such as electronic wills.



Candice Kline joined Carpenter Lipps & Leland LLP as a partner in its

Chicago office. The practice is a Columbus-based, boutique law firm specializing in litigation, with offices in Chicago, Columbus, New York City, and Washington, D.C.

Valerie Fatica was elected to a director position on the Toledo Bar Association board. She will serve a three-year term beginning in 2017.

Nicole Siller was awarded a fellowship to pursue doctoral research at the University of Groningen in the Netherlands. On Feb. 23, 2017, she successfully defended her thesis: “Trafficking in Persons under International Law and Its Incorporation within Enslavement as a Crime against Humanity.” She is now a lecturer at Deakin Law School in Melbourne, Australia.

2009

Matthew Hochstetler was elected to the membership of Day Ketterer, effective Jan. 1, 2017. On March 31, 2017, he and his wife welcomed their second child, Hans Lukas Hochstetler.



David R. Hudson of Reminger Co., LPA’s Toledo office, has been named chair of

the oil, natural gas, and energy practice groups. He also has been elected to “Who’s Who in Area Law” by the *Toledo Business Journal*, honoring the top 100 attorneys in northwest Ohio. Hudson has experience in defending complex tort litigation, class action disputes, and catastrophic injury claims. He handles litigated claims for clients in state and federal courts in Ohio, Indiana, and Michigan. Since 2014, Hudson has been recognized as one of Ohio’s “rising stars” by Ohio Super Lawyers Magazine with respect to his litigation practice.

Jessica A. Ramos was named the Ohio LULAC “Woman of the Year” by the League of United Latin American Citizens, one of the largest and oldest Hispanic organizations in the U.S. She is a Dayton-based ABLE attorney.

2010

Nicole Underwood is executive director of the ProMedica Bixby and Herrick hospitals’ foundations in Lenawee County, Mich., and is focusing on community engagement and fundraising for a new hospital in the

county. She recently gave birth to her third child, Cecilia Mae, June 3, 2017. Cecilia joins big brothers Edward, 4, and Harvey, 2.

2011

Nicholas Wittenberg accepted an attorney-advisory position in November 2016 at the U.S. Environmental Protection Agency’s Office of Pesticide Programs.

2013

Laura Dettinger was hired as assistant director in the Office of Professional Development at The University of Toledo College of Law.

2015

Bryant S. Green joined Niles, Barton & Wilmer, LLP, in Baltimore following a clerkship in Maryland’s Court of Special Appeals. He is an associate in the firm’s litigation department, and concentrates on general commercial litigation, appellate, insurance, and admiralty matters in Maryland.

Jasmine Rippy joined Bodman PLC, a mid-size law firm in Michigan, as an associate attorney in the Business Practice Group. In her practice, conducted out of the firm’s Ann Arbor office, she represents

businesses in matters involving a broad range of corporate law issues, including business formation and commercial transactions. Rippy participates in mergers and acquisitions, performing due diligence and negotiating ancillary documents. She is a board member of the east Michigan chapter of the Risk Management Association, and received a recent board appointment with the Wolverine Bar Association, a Detroit-based organization dedicated to supporting African-American attorneys.

2016



Michael Allen has been appointed to the position of assistant Montgomery

County prosecuting attorney in the state of Ohio. He is assigned to the juvenile division of the Prosecutor’s Office.

Chelsie (Lipscomb)

Camden is an attorney with the Florida Department of Children and Families. She joined the organization in June 2017.

GIVING OPPORTUNITIES

The support from College of Law alumni and friends speaks volumes. It shows that The University of Toledo College of Law, and the experiences had here, are important and valuable. Moreover, your gift sends a message that you believe in what we do and in what the College of Law and your legal education has done for you. Donations of any size or amount help support current programs, as well as new initiatives.

Various giving opportunities are outlined below. If you have any questions or would like to make a gift, please contact Andria Dorsten Ebert, director of development in the College of Law. She can be reached at andria.ebert@utoledo.edu.

Thank you for anything you can do to support the law school and current students, now and in the years to come!

THE FORNOFF SOCIETY

Fornoff Society membership recognizes those who contribute at least \$10,000, payable to the College of Law Annual Fund over five years.

Fornoff Society pledges and gifts not only provide an important source of revenue, but also provide a continuity of giving that will enable us to plan and support longer-term programs. Fornoff Society members receive recognition, and they are automatically members of the University's President's Club.

ENDOWED AND NAMING GIFT OPPORTUNITIES

Gifts or pledges of \$25,000 and higher can be used to establish endowed funds to support scholarships, graduation awards, endowed professorships, summer public-service fellowships, clinic activities, faculty research awards,

library acquisitions, student organizations, and a wide range of other valuable activities. Income from such funds is used each year, while the principal remains intact, making these gifts that keep on giving. A donor may choose to name the fund to honor a colleague, a professor, or loved one, or may allow us to name the fund for the donor.

Naming gifts provide another way to leave a legacy and are available at a variety of giving levels. Examples of naming gifts include classrooms, offices, and courtyards, just to name a few.

THE LAW ANNUAL UNRESTRICTED FUND

Unrestricted gifts to the Law Annual Unrestricted Fund can be put to work immediately, and are used to support ongoing programs and new initiatives. These gifts enable us to meet our most pressing needs so that we may continue offering our high-quality educational programs. The Law Annual Unrestricted Fund supports:

- Scholarships for students who might not otherwise attend the College of Law
- Our legal clinics
- Public-interest summer fellowships
- Moot court and trial advocacy programs
- Conferences, symposia, and the distinguished speakers series
- Office of Professional Development career and networking events
- Technology and furniture purchases

PLANNED GIVING

Did you know you can make a significant gift to the College of Law that won't cost you a cent during your lifetime? Bequests through a will or trust, or via a beneficiary designation in a life insurance policy or IRA can benefit the College of Law for generations to come. Your gift can be designated to address a purpose or program you select and value at the College of Law. Planned giving offers an array of gift options and tools to enable and empower you to accomplish charitable goals, provide for your needs, and pass assets on to loved ones.

DID YOU KNOW?

When you make a gift to the College of Law, your entire gift goes to the college.

You may make a gift online at utoledo.edu/law/alumni/give.html or send a check made payable to *The University of Toledo Foundation* to:

The University of Toledo Foundation
P.O. Box 586
Toledo, Ohio 43697-0586

QUESTIONS?

Please contact Director of Development for the College of Law, Andria Dorsten Ebert, at 419.530.2851 or andria.ebert@utoledo.edu.



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Toledo Law

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TOLEDO LAW UPCOMING EVENTS

Check our website and watch for emails about upcoming events, receptions, Homecoming activities, and reunions. You also want to watch the website for more information about attending a Toledo Law group Swearing-In Ceremony at the U.S. Supreme Court Nov. 13, 2018. This information will be sent only through email. Make sure we have yours by submitting your email and other contact information to utfoundation.org/foundation/home/child_updateinformation.aspx.