



SCHOOL OF LAW

CASE WESTERN RESERVE UNIVERSITY

v. 7 no. 1 2015

Case Global



News from the International Law Center & Institutes



Changing lives over spring break

Students, alumna journey to Dilley, TX to provide legal help to undocumented refugees in detention center

When three Case Western Reserve University School of Law students entered their immigration law class one February evening, they had no idea how much their legal education would be put to the test to help undocumented women and children detained by U.S. Immigration and Customs Enforcement in a for profit prison run by Corrections Corporation of America.

highlighted the plight of the families held at the South Texas Family Residential Center in Dilley, Texas, Madeline Jack, Harrison Blythe, and JoAnna Gavigan quickly agreed to spend their spring break assisting Peyton and her Ohio team in bringing legal representation to the detained women and children.

Dozens of mothers and children released as a result of the team's work during spring break.

But once instructor and Cleveland immigration attorney Jennifer Peyton

Thanks to the generous financial support from the Case Western Reserve

Continued on page 7

Ranked **11th** in the nation by *U.S. News & World Report*



ABOUT THE FREDERICK K. COX INTERNATIONAL LAW CENTER

We are pleased to celebrate the 25th anniversary of the endowment of our Frederick K. Cox International Law Center this year. This issue of Case Global News includes a timeline of our major milestones on the way to becoming the #11th ranked international law program in the country. The newsletter also provides an update on the activities of our international law program and its 30 associated faculty members, as well as a preview of our upcoming lectures and conferences. We invite you to view the video about our international law program at law.case.edu/centers/cox and encourage you to contact us for further information.



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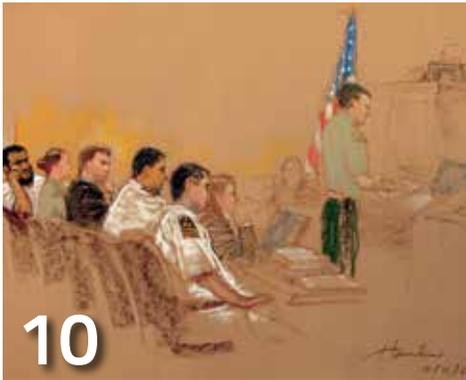
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New human rights law journal debuts

Case Western Reserve launched a new online journal, *Societies Without Borders: Human Rights and the Social Sciences*, available at scholarlycommons.law.case.edu/swb.

Edited by Professor Brian Gran, the mission of *Societies Without Borders* is to make scholarly analysis of human rights accessible to a wide audience. It is the journal's goal to engage with human rights scholars across the four corners of the globe and to shed light on the questionable practices and policies of governments and nongovernmental organizations related to human rights.

This new online human rights journal joins our print journal, *Case Western Reserve University Journal of International Law* (now in its 48th year), the *Canada-U.S. Law Journal* (now in its 40th year), and our e-newsletter, *War Crimes Prosecution Watch* (now in its 9th year) as our scholarly contributions to the field.

Case Global talk radio turns three

Case Western Reserve is the only law school with its own foreign policy radio program – "Talking Foreign Policy" – produced in partnership with Cleveland's NPR station.

The hour-long program, hosted by Dean Michael Scharf, was recently renewed by WCPN for a third year. Broadcasts in the past year included, "Russian Roulette: Ripples from Ukraine," "Responding to ISIS" and "Immigration Reform."

CWRU Law students help select topics and expert guests, and edit transcripts of the broadcasts for publication in the *International Journal of Ethical Leadership*.

The program airs live in Cleveland on 90.3 FM, and is webcast live worldwide on WCPN.org. Archived broadcasts are available for viewing in video format any time at law.case.edu/TalkingForeignPolicy.

Frederick K. Cox International Law Center

NOTABLE MILESTONES

1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004

1991

The Cox International Law Center is endowed by a multi-million gift of the Gund Foundation. That same year, CWRU **launched its LLM program for foreign lawyers**, which now enrolls more than 70 students a year.



Frederick K. Cox, Executive Director of the Gund Foundation and members of the Gund family

2001

Bruce J. Klatsky, Chairman and CEO of Phillips-Van Heusen Corporation and a member of the Board of Directors of Human Rights Watch, provided a special endowment to the law school for a **human rights lecture series** and an annual fellowship for two students at Human Rights Watch. Klatsky Lecturers have included Richard Goldstone, former Constitutional Court judge in South Africa and former Chief Prosecutor of the International Criminal Tribunals for the Former Yugoslavia and Rwanda; Justice Albert L. Sachs, anti-apartheid activist and Judge, Constitutional Court of South Africa; **Samantha Power, Pulitzer Prize-winning author and human rights expert**; David Crane, Chief Prosecutor, Special Court for Sierra Leone; Eli Rosenbaum, Director, Department of Justice Office of Special Investigations; Kenneth Roth, Executive Director, Human Rights Watch;

At right, Samantha Power, now U.S. Permanent Representative to the United Nations, chats with the Editor in Chief of the Journal of International Law after delivering the Klatsky Lecture.



Michael Reisman, former President, Inter-American Commission for Human Rights; Geoffrey Robertson QC, former Appeals Judge, Special Court for Sierra Leone; Sir Christopher Greenwood, Judge, International Court of Justice; Philippe Sands, best-selling author and human rights advocate; and Judge Christine van den Wyngaert, International Criminal Court.

2002



The **War Crimes Research Office and War Crimes Research Lab are established**. The office, currently under the co-direction of Prof. Jim Johnson, former Chief of Prosecutions of the Special Court for Sierra Leone, has provided 370 research memos to the Yugoslavia Tribunal, Rwanda Tribunal, Cambodia Tribunal, Special Court for Sierra Leone, Special Tribunal for Lebanon, the International Criminal Court, the U.S. Military Commissions Prosecuting Al Qaeda, the Iraqi High Tribunal, the Uganda War Crimes Chamber, Interpol, and Piracy Courts in Kenya, Mauritius, and the Seychelles.

2003

The **Institute for National Security Law and Policy is established**. Our *Journal of International Law* (established in 1970) moves to a double issue symposium format.



Symposium issues have included: "The Role of Justice in Building Peace" (2003), "Terrorism on Trial" (2004), "Rebuilding Nation Building" (2005), "Torture and the War on Terror" (2006), "Lessons from the Saddam Trial" (2007), "To Prevent and Punish: Commemorating the 60th Anniversary of the Negotiation of the Genocide Convention" (2008), "The ICC and the Crime of Aggression" (2009), "After Guantanamo" (2010), "Lawfare" (2011), "International Law in Crisis" (2012), "Presidential Power and Foreign Affairs" (2013), "End Game: Combating Maritime Piracy" (2014), and "International Regulation of Emerging Military Technologies" (2015).

2004

UN Under-Secretary General for Legal Affairs, Hans Corell is presented the Cox Center's inaugural **International Humanitarian Award** for Advancing Global Justice. Other award winners have included: Philippe Kirsch, president of the International Criminal Court; Judge Thomas Buergenthal, International Court of Justice; Luis Moreno-Ocampo, Prosecutor, International Criminal Court; Robert Petit, International Prosecutor, Cambodia Genocide Tribunal; Navanethem Pillay, U.N. High Commissioner for Human Rights; Brenda J. Hollis, Prosecutor, Special Court for Sierra Leone; Stephen Rapp, U.S. Ambassador at Large for War Crimes Issues; Fatou Bensouda, Chief Prosecutor of the International Criminal Court; Harold Koh, former Legal Adviser of the U.S. Department of State; Elizabeth Anderson, Executive Director of the American Bar Association's Rule of Law Initiative; and Prince Zeid Ra'ad Zeid Al-Hussein, UN High Commissioner for Human Rights."



celebrates 25 year anniversary



2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015

2005



The Cox Center War Crimes Research program, in association with the Public International Law and Policy Group, are **nominated for the Nobel Peace Prize** by the Chief Prosecutor of the Special Court for Sierra Leone for work leading to the successful prosecution of Liberian President Charles Taylor. That same year, the Cox Center establishes the **"Grotian Moment Blog,"** which is the top-ranked blog in the 2006 Weblog Awards. Also in 2005, CWRU establishes the **Case Abroad at Home program**, which has to date brought 34 foreign distinguished professors to teach at the Law School.

2006

Cox Center launches the bi-weekly **War Crimes Prosecution Watch e-newsletter**, which has 15,000 subscribers worldwide.

2007

CWRU approves semester-long foreign internships at international tribunals. That same year, **CWRU adds three LLM degree programs:** International Business, International Criminal Law, and Intellectual Property Law

2008



CWRU Jessup Team **wins the Jessup World Championship**, and CWRU student Margaux Day wins the Best Oralist Award.

2009

CWRU launches **fundraising initiative resulting in an endowment for internship support in honor the late Henry King** (1918–2009), the former Nuremberg Prosecutor who served as director of CWRU's Canada-U.S. Law Institute for three decades. Cox Center War Crimes Research Office re-named Henry T. King War Crimes Research Office.

2011

CWRU Jessup Team wins the Baxter Award for **best brief in the world-wide competition**. The Cox Center establishes a **Human Rights Documentary Film Series**, which annually brings the director/producer of an award-winning human rights documentary to present the film and lead a discussion at the law school.

2012

The Cox Center launches **"Talking Foreign Policy,"** a quarterly radio program produced by WCPN 90.3 Ideastream, Cleveland's NPR station.



2013

CWRU Law School, in partnership with Coursera, presents the **world's first international law MOOC**, which has enrolled more than 70,000 students from 137 countries. That same year, CWRU **launches its SJD program** and enrolls its first SJD candidate (degree received in 2015); there are currently 26 enrolled SJD candidates at the law school.

2014



CWRU establishes **concurrent degree programs** with Comillas University in Madrid, Middlesex University in London, and University of Paris; and expands the number of semester abroad exchange partners to 22 schools on five continents.

2015

Students in our **Immigration Law Practicum** and their faculty advisor travel to Dilley, Texas for spring break, where their work results in the release of dozens of Guatemalan and Mexican women and children from detention. CWRU international law program ranked #11 in the nation by *U.S. News and World Report*.



Law school's first foreign exchange student named Canada's Ambassador to the United Nations

TORONTO – Plan Canada announced in June that after almost 10 years as President and CEO, Rosemary McCarney will leave the organization to become the Ambassador and Permanent Representative of Canada to the United Nations and the United Nations Conference on Disarmament, as of September 2015.

McCarney was Case Western Reserve University School of Law's first foreign exchange student. She earned her law degree from Western Ontario School of Law, which co-hosts the Canada-U.S. Law Institute with Case Western Reserve. McCarney also earned her MBA from Case Western's Weatherhead School of Management in 1982.

Since McCarney's time at Case Western Reserve, the law school's foreign exchange program has expanded to more than 20 partner schools on five continents and has hosted hundreds of students from around the world.



Case Western Reserve's international law program jumps four spots to No. 11 in the nation

Case Western Reserve University School of Law's international law program climbed four places to No. 11 in the 2016 *U.S. News & World Report* rankings.

For almost a decade, the international law program has consistently ranked among the top 15.

In addition to the increase in the international law program's ranking, the law school's overall ranking also improved. It is now 59th, an increase of nine spots over the past two years. And our faculty was ranked 38th in scholarly impact by the most recent Leiter Study.

Our overall rankings increase came thanks to improvements in numerous categories, including bar pass rate, rates of students employed nine months after graduation, selectivity, and incoming students' median GPAs and LSAT scores.

"Faculty and staff have concentrated on all these categories over the past 21 months," Deans Jessica Berg and Michael Scharf said. "It is immensely rewarding to see that work recognized with measurable results."



Graduates from Case Western Reserve University School of Law's Class of 2015 received awards during an annual Case Global awards ceremony for their achievements in the field of international law.

Changing lives over spring break *Continued from page 1*

University School of Law and other donations, Peyton—a 1998 alumna—collected more than \$8,000 to cover their travel and hotel expenses.

Since providing legal assistance last August at a similar residential facility in Artesia, NM, Peyton knew the Dilley opportunity would provide invaluable immigration experience for her students. In the days leading up to departure, she advised them to be prepared for anything since the situation in Dilley was constantly evolving, that even valuable Internet connections and computers could be unavailable.

Once in Dilley, each student under Peyton's supervision quickly became immersed in meeting with detainees, performing initial client interviews to assess legal needs, and assisting the women in gathering bond documents for immigration court submission. In addition, the students observed "credible fear interviews" where each woman discussed her reason for seeking refuge in the U.S. With attorney supervision, the students also prepared the women for the interviews.

"Every woman we saw was a victim of domestic and/or sexual violence," whether from a spouse, partner, or gang in her Central American homeland, Peyton said.

"The narrative of undocumented immigrants coming up to the United States 'for work' is disingenuous. Instead of coming up 'in search of a better life,' the women are coming to the United States so that they can have any life at all," Blythe said.

After long and dangerous journeys, detention for the women and their children in a residential facility can last for months due to lack of legal counsel and hefty \$5,000 to \$15,000 bonds placed on each woman. While only in Dilley a week, Peyton and her Ohio team were able to successfully reduce many such high bonds.

"I will never forget the women's faces after the lawyers on our team helped to lower their bonds, many of them down to the \$3,000 to \$7,500 range," Jack said. "Once the women realized their families could post their bonds and that they were going to get out of the detention center and see their family and friends, they had the most incredible expression on their faces. After listening to these women tell their stories for the umpteenth time, cry as they re-lived their terrible experiences, and finally realize that they could leave, they just could not stop smiling."



(left to right) Adjunct Professor and Cleveland immigration lawyer Jennifer Peyton '98 and her students – Harrison Blythe, Madeline Jack, and JoAnna Gavigan – stand in front of the South Texas Family Residential Center in Dilley, TX.

For more details about this story, visit Jennifer Peyton's blog at immigrationpeyton.blogspot.com

Blythe related a similar experience. One detained woman "was really frustrated by the time I first spoke to her. By the end of the week, we had helped her get to a place where she could pay bond to get out of Dilley. She came to see us on our last day at the detention facility, and she looked like a different person. It was the first time I'd seen her smile, and I had seen her every day that week."

By the end of the trip, the Ohio team helped reduce bond for more than 40 mothers and children, and offered legal services to more than 90 mothers.

Without a doubt, each of the students professionally benefited from the week at Dilley and each also found the trip personally meaningful.

"At this point, the Dilley trip has impacted me by illuminating how our domestic policies directly impact (horribly impact) the lives of real life people. It was amazing to be able to take what we learned in class and try to make an impact in someone else's life, however small," Gavigan said.

Jack felt a renewed purpose after Dilley.

"I feel my passion for social justice issues back in full force," she said. "Dilley helped me to piece together everything I've learned in the last three years, and combine it with real world experience, and this has shown me that I made the right decision in going to law school and that I can make a difference in someone's life."

Peyton has been recognized for both her academic accomplishments and her fight to end family detention. In 2013, she was the inaugural recipient of Case Western Reserve's Judge Richard M. Markus Adjunct Faculty Award for Excellence in Teaching.

In June 2015, Peyton's work to end family detention was recognized by AILA (American Immigration Lawyer's Association), as she was one of the volunteer lawyer recipients of the 2015 AILA Michael Maggio Pro Bono Award. She was also included in a private meeting discussing family detention with Cecilia Munoz, the director of White House Domestic Policy Counsel.



Professor Avidan Cover meets with students in Case Western Reserve's new Civil Rights and Human Rights Clinic.

Students in new Human Rights Clinic handle immigration case, address the rights of defendants in East Africa

Students in Case Western Reserve's new Civil Rights and Human Rights Clinic handled an asylum case, analyzed counterterrorism laws in East Africa, fought for a blogger's first amendment rights, and litigated a class-action lawsuit on behalf of homeless in Akron, Ohio.

Their work this academic year marked a successful beginning to the law school's new clinic, directed by Professor Avidan Y. Cover. It kicked off in the spring semester.

Students have been working in immigration court on behalf of a Mexican family who were extorted by violent gangs and subjected to death threats and fled to the United States for safety. The students worked closely with the mother and her two sons, helping them with a number of legal issues, and ultimately finished their application for asylum.

Students also worked together with representatives from Horizon Institute, a Somalia-based consultancy firm, in addressing legal issues confronting the Republic of Somaliland. In particular, the students analyzed the country's draft counterterrorism legislation, culminating in an 80-page report examining how the proposed law comports with international

human rights law and best practices. While criticizing the bill, the report offers series of recommendations to improve the draft. The report will be provided to the Somaliland National Human Rights Commission.

In addition, third-year law students Emily Baldwin, Jon Dawson, Amanda Doom, Madeline Jack, and Malea Hetrick worked on a variety of domestic and international legal issues, from free speech in Northeast Ohio to the rights of suspected terrorists detained in East Africa.

In Ohio state court, a team of students defended a blogger and website operator's First Amendment right to publish information about a local politician's fitness for office against defamation and libel claims. Students conducted depositions and ultimately filed a motion for summary judgment, now pending before the judge.

In federal court, students have been litigating a class action on behalf of the Akron, Ohio homeless population whose tents and belongings were seized and destroyed by police and sanitation crews. Claims include unlawful seizure and violation of procedural due process. Fact-finding and discovery consumed much of this past semester.

Human Rights Internships

The law school has dedicated and preferred summer, semester-long, and post-graduate internship positions for students at human rights-related organizations, including:

- Human Rights Watch in NYC and DC
- ECPAT International
- the International Criminal Court, Yugoslavia Tribunal, Special Court for Sierra Leone and Special Tribunal for Lebanon in The Hague
- the International Bar Association Human Rights Program in London
- INTERPOL in Lyon
- the UN Office of Drugs and Crime in Vienna
- the Rwanda Tribunal in Arusha
- the International Law Institute and the Refugee Law Project in Kampala
- the Cambodia Tribunal in Phnom Penh
- Public International Law and Policy Group in Washington, DC.

Dozens of graduates have parlayed their internship experiences into permanent jobs in the field of human rights.

No day is typical for this alumnus on a small island nation

David O'Brien, '11, is Senate Legal Counsel of Palau

One day, David O'Brien is drafting an amendment to a bill. And the next, he's speech-writing or working on creating a diversion program for juvenile offenders.

On the small island nation of Palau, where lawyers are scarce, O'Brien, '11, is a legal jack-of-all-trades. As Senate Legal Counsel, O'Brien's official job duties include advising the Palau's Senate as well as acting as its General Counsel, drafting legislation, and writing committee reports and legal opinions.

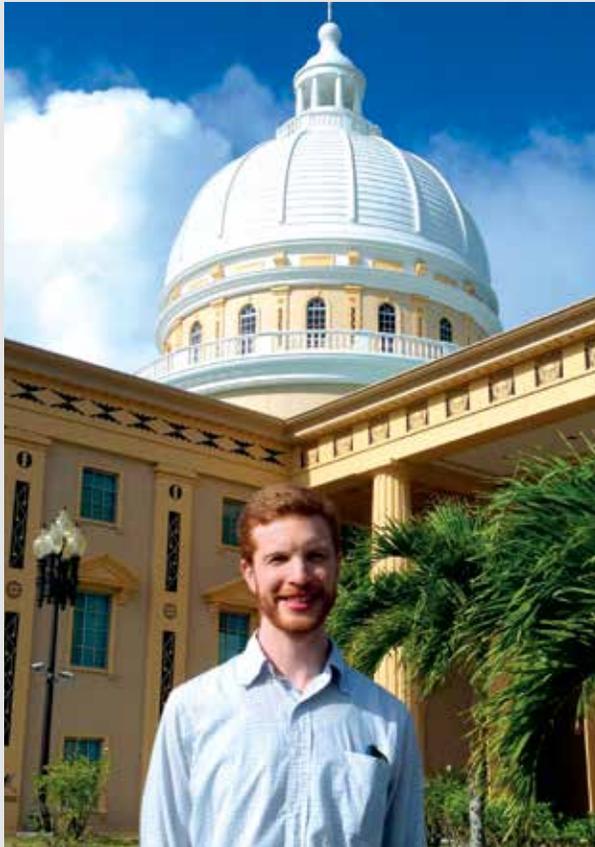
However, because of the Senate's relatively small staff compared to larger countries, he often juggles many more tasks, such as writing and editing senators' correspondence, drafting contracts and other transactional work, and, occasionally, writing a speech.

"Because I work on such varied topics, most of the classes I took in law school have proven useful to some extent," O'Brien said.

And "varied" doesn't even begin to describe it. Recently, O'Brien has devoted time to work on bills in a vast array of areas, such as creating a diversion program for juvenile offenders, creating a new corporate code, setting national standards for day-care centers, and working on anti-hate crime legislation. Other highlights from the last few months include work on committee reports for a new bill regarding privacy standards for government-stored personal information and hearings for a legislative overhaul of national credit union law.

"I have to learn about new topics constantly, which keeps things interesting," O'Brien said. "Unfortunately, I never took legislation – although Professor (Kevin) McMunigal spent a lot of time on statutory construction in my 1L Criminal Law course, for which I am grateful – but the classes I took on subjects like constitutional law, for example, have been extremely useful."

O'Brien's other legal work has proved to be useful as well. His previous work experience in research is relevant to many of his daily tasks and his litigation experiences are helpful when determining how his bills will be interpreted and applied as part of Palau law.



David O'Brien

"One of the most directly relevant experiences I had was a clerkship at the City Law Department of Parma, Ohio my 3L year. That may seem strange, considering I work for a national legislature now, but keep in mind that Parma's population is probably four or five times that of Palau's."

"One of the most directly relevant experiences I had was a clerkship at the City Law Department of Parma, Ohio my 3L year," O'Brien said. "That may seem strange, considering I work for a national legislature now, but keep in mind that Parma's population is probably four or five times that of Palau's."

If the Senate is in session, O'Brien may be called in to draft a floor amendment for bill under debate, or offer some advice as to procedural questions. Most other days, he researches and writes bills, drafts legal opinions in response to senators' questions, and writes committee reports regarding changes in legislation pending before the Senate. O'Brien's schedule is also full of meetings, whether it's with a group of senators, colleagues in other Palau governmental offices, or personnel and consultants from large non-governmental organizations like the IMF or the Asian Development Bank.

Away from the office, he serves as the Chair of the Palau National Code Commission, the national body that oversees the country's codification process once legislation has been passed and is prepared for integration into Palau code.

Dean Michael Scharf collaborated with O'Brien to create a brand new internship program with O'Brien's office and the Palau Senate. Because there are no law schools on Palau, this internship will be the first of its kind on Palau. The Senate leadership, and O'Brien's office, welcomed rising 3L Ashlyn Carroll for summer 2015. Much like O'Brien's work, Carroll's will depend on what is on the legislative agenda. O'Brien expects that she, and future interns, will work on bills and committee reports, as well as substantive research.

"We have a small office, so she will probably end up working on a little bit of everything," he said.



A courtroom sketch of Major Keith Petty delivering oral argument at a motions hearing at Guantanamo Bay, Cuba in the Military Commission of U.S. v. Omar Khadr (December 2008). Illustration by Janet Hamlin

Brigade Judge Advocate Keith Petty, '02, deployed to Liberia during Ebola epidemic

The late Professor King inspired his career in international law

During his first year of law school, Major Keith Petty attended a lecture by the late Professor Henry T. King, Jr., a former prosecutor at the Nuremberg war crimes tribunal.

He was fascinated by King's account of prosecuting Nazi war criminals, and was moved by his passion.

"He called on everyone in the audience to get out and make a difference, to achieve something great, to leave the world a better place," Petty said. "Professor King's message had a profound impact on me and served as the catalyst for my pursuit of a career in international justice."

As a former Editor-in-Chief of the *Case Western Reserve University Journal of International Law*, and with an LLM in International Human Rights Law, an LLM in Military Law, and a certificate in International Criminal Law, Petty, '02, has taken King's words to heart in a career devoted to international law and criminal justice.

Currently, he is a Brigade Judge Advocate, or General Counsel, to the 101st Sustainment Brigade, based at Fort Campbell, Kentucky. He recently returned from his second deployment, this time to Liberia, to support international efforts to contain and stop the spread of the Ebola epidemic in West Africa. As part of Operation United Assistance

(OUA), Petty served as Chief Legal Advisor to the 101st Sustainment Brigade, which was the lead military logistics organization in Liberia. He worked on matters involving international law, contract and fiscal law, foreign claims, military justice, and administrative law and ethics.

Major Petty notes that this deployment was unique in that the OUA mission was the first time the U.S. military deployed in response to a global health humanitarian crisis. Furthermore, like the nature of the Ebola virus itself, personnel were not given much notice.

"Approximately one month after the President publicly announced the U.S. would

send military forces, we were in Liberia supporting OUA," Major Petty said. Personnel returned home after a successful mission that resulted in the eradication of Ebola in Liberia by May 9, 2015. Petty also credits the work of health care professionals, UN agencies, NGOs, and USAID for this collaborative success with the military in fighting Ebola.

Petty's most recent achievements in Liberia are just the latest in his career journey that began shortly after graduation when he worked at the Trial Chambers of the International Criminal Tribunal for the Former Yugoslavia (ICTY), with assistance from the Frederick K. Cox International Law Center.

After his work at the tribunal, he returned to Cleveland as an adjunct professor teaching with Dean Michael Scharf in his War Crimes Prosecution Seminar. While teaching, Petty also co-wrote a guide for instructors to use to assist them in effectively teaching international law. His academic career continues to this day, as he has published a number of scholarly works over the years in journals such as the *Michigan Journal of International Law*, *Georgetown Journal of International Law*, *Utah Law Review*, *Seattle University Law Review*, *Loyola Los Angeles International and Comparative Law Review*, and *Elon Law Review*.

Twelve years ago, Petty commissioned in the U.S. Army Judge Advocate General's Corps (JAG) and was deployed to Baghdad a year later in the midst of the Iraqi insurgency. Petty served with the 1st Cavalry Division as a legal advisor to a combat arms brigade of over 6,000.

"I was responsible for advising commanders on the laws of armed conflict and rules of engagement during combat operations, including targeting decisions and detainee treatment," he said. "I also had the unique opportunity to serve as a liaison to a local Iraq human rights group, facilitating their preparation for Iraq's first free elections in 2005."

For the next five years after his first deployment, Petty worked first in Fort Hood, Texas, and then at the Office of the Secretary of Defense's Office of Military Commissions as a prosecutor. At Fort Hood, his prosecution work focused on felony offenses under the Uniform Code of Military Justice (UCMJ) at courts-martial, including sexual assault, larceny, and drug offenses.

At the Office of Military Commissions, Petty worked on high-profile cases against alleged al Qaeda terrorists at Guantánamo Bay, Cuba, under the Military Commissions Act of 2006. He litigated more than 100 pretrial motions on constitutional, international,



Brigade Judge Advocate Keith Petty

and military legal issues as part of the prosecution team in the case *United States v. Omar Khadr*, and directed investigations in other cases as well.

A few years later, Major Petty would work "on the other side of the aisle," as he says, in Joint Base Lewis-McChord, Washington, as the Senior Defense Counsel at the Office of Trial Defense Service. At the time, this particular courts-martial jurisdiction was the Army's busiest, Petty said, and during his two years in Washington the cases he supervised ranged from complex capital litigation to sexual assault and other felony and misdemeanor offenses.

In between this prosecution and defense work, Petty served for two years as Command Judge Advocate, or General Counsel, to the 5th Signal Command in Wiesbaden, Germany, where he was the Commanding General's legal advisor and provided staff members with advice on criminal, administrative, contract, and fiscal law. He also served as the command's Ethics Counselor and collaborated with the Office of Government Ethics in his efforts.

Major Petty is the recipient of numerous military awards for his devoted service to this country, such as the Bronze Star Medal, the Humanitarian Service Medal (Hurricane Katrina Relief Operations, New Orleans, LA, 2005), the Joint Service Commendation Medal, the Iraq Campaign Medal (Operation Iraqi Freedom I-II), and the Global War on Terrorism Service Medal, among many others.

"Looking back, the first 13 years of my career can best be described as service driven and values based," Petty said. "I remain inspired by the words of Professor King: 'Go out and make a difference!' I continue to strive to live up to that challenge."

Cox Center hosts international law essay competition

The Frederick K. Cox International Law Center is hosting the second edition of the Benjamin B. Ferencz Essay Competition. The first-place prize is \$10,000, and \$2,500 for second and third.

The winners will be notified by email and publicly announced at the opening of International Law Weekend Midwest, "The International Legal Practice of the Obama Administration," held at Case Western Reserve University on September 18, 2015, which will be webcast live at: law.case.edu/Lectures.

At the Nuremberg trial, the British Prosecutor, Sir Hartley Shawcross, famously said: "The killing of combatants in war is justifiable, both in international and in municipal law, only where the war itself is legal. But where the war is illegal ... there is nothing to justify the killing, and these murders are not to be distinguished from those of any other lawless robber bands."

In the years since Nuremberg, however, *jus ad bellum* (the legality of launching a war) and *jus in bello* (the legality of the conduct of the war) have largely been viewed as distinct and unrelated. The conventional view is that the crime of aggression (*jus ad bellum*) cannot now be tried at the International Criminal Court (ICC), whose jurisdiction is currently limited to war crimes, crimes against humanity, and genocide. But some commentators and jurists have suggested that the law of war proportionality and necessity principles may be judged in part based on the legality of the war and its military objective, thereby enabling the ICC to consider the question of *jus ad bellum* in a war crimes trial.

Individuals interested in addressing the relationship between *jus ad bellum* and *jus in bello* in the context of modern war crimes trials were invited to participate in the second edition of the Benjamin B. Ferencz Essay Competition, hosted by the Frederick K. Cox International Law Center at Case Western Reserve University School of Law. The contest is named in honor of famed Nuremberg Prosecutor, Ben Ferencz, who has devoted his life to achieving peace through justice.



International law curriculum: sequence to success

Thirty Case Western Law Professors teach in the area of international law; together, they offer more international law electives than all but a handful of U.S. law schools. We call our three-year learning arc, “Core, Concentration, Capstone.”

Core: In the first year, students who will undertake a Cox Center-funded summer internship take “Fundamentals of International Law,” a two-day course in the spring semester that introduces them to norms of customary international law, rules of treaty interpretation, basics of researching international precedents, and the principles that govern international dispute resolution and international criminal trials.

Concentration: In the second year, students pursuing an international law concentration begin to focus on one of four areas, by taking a sequence of electives that continue into the third year related to public international law, international business law, national security law, or immigration law. Altogether, we offer 40 specialty courses in these areas including our “War Crimes Research

We call our three-year learning arc, “Core, Concentration, Capstone.”

Lab” where students work on legal issues outsourced by five international tribunals, “World Intellectual Property Law Lab” where students work on international IP issues assigned to us by the World Intellectual Property Organization, and our Immigration Law Practicum, where students work on real asylum and refugee cases for real clients.

Capstone: In the third year, students take a semester-long, full-time international law capstone experience. Options include our new Human Rights Law Clinic or over 30 externships around the world. Or they can spend their third year abroad earning a foreign LLM degree at one of our partner universities while concurrently earning our JD degree in no extra time.



CWRU Law's piracy work culminates in publication of book by Cambridge University Press

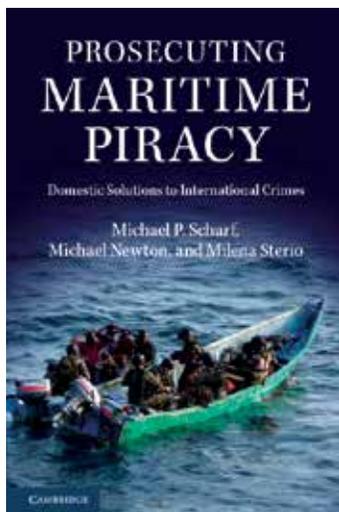
As anyone who has seen the 2013 blockbuster film, "Captain Philips," starring Tom Hanks, knows, real-life pirates are nothing like the lovable rogues portrayed by Johnny Depp and Orlando Bloom. Instead, they are sophisticated businessmen, desperate and impoverished ex-fisherman, vulnerable children, and deadly terrorists. After 200 years of quiescence, in recent years maritime piracy has re-emerged as a major economic and humanitarian problem. For the past four years, Case Western Reserve University School of Law has been at the forefront of the legal fight against piracy.

In 2011, under the auspices of the Public International Law and Policy Group (PILPG), a Nobel Peace Prize-nominated NGO

which Dean Michael Scharf co-founded 20 years ago with Professor Paul Williams of American University, Scharf convened a "High Level Piracy Working Group" devoted to addressing the numerous challenges posed by modern maritime piracy, focusing especially on facilitating prosecutions of captured pirates. Since its establishment, the working group has met at Case Western Reserve, the PILPG office in Washington, D.C., and virtually via video conference.

The piracy working group consists of more than 30 key actors in counter-piracy efforts,

including representatives of the Department of State, Department of Defense, and the Department of Justice, as well as judges, practitioners, and leading academics. The working group has been providing legal assistance to countries such as Kenya, the



Seychelles, and Mauritius, which have established UN-funded regional piracy courts and prisons. The group has also forged relationships with other regional and international partners, including the UN Office of Drugs and Crime and the UN Contact Group on Piracy.

Students in our War Crimes Research Lab have prepared dozens of research memoranda on cutting-edge issues raised by modern piracy prosecutions. In 2013-14, Scharf led teams from

the working group on missions to Kenya, the Seychelles, and Mauritius to provide copies of these memoranda and expert advice to the attorneys general, prosecutors, and judges who are actively prosecuting piracy. And together with Professor Milena Sterio, Scharf presented the working group's recommendations to the UN Contact Group on Somali Piracy in Copenhagen.

Subsequent to these missions, Rosemelle Mutoka, the Chief Piracy Court Judge in Kenya, and Duncan Gaswaga, the Chief Piracy Court Judge in The Seychelles, each spent a year

at Case Western Reserve, enrolled in our International Criminal Law LLM program and serving as our Distinguished Jurist in Residence. During their time, Case Western Reserve arranged for the two jurists to share their experience and expertise with government officials, practitioners, academics and students throughout the United States.

In September 2013, the Cox Center hosted "End Game: An International Conference on Combating Maritime Piracy," which brought together two dozen of the world's foremost counter-piracy experts to discuss the novel legal challenges and options related to the final phase in the fight against piracy.

As a culmination of the work, Cambridge University Press published a collected volume on maritime piracy, *Prosecuting Maritime Piracy: Domestic Solutions to International Crimes*, edited by Dean Scharf, Milena Sterio, and Michael Newton. The first four chapters of the book (by Sandra L. Hodgkinson, Ved P. Nanda, and Milena Sterio) explore the definition of the crime of piracy and issues related to universal jurisdiction over the piracy offense. The next four chapters (by Laurie R. Blank, Mark V. Vlasic and Jeffrey Paul DeSousa, Frederick Lorenz and Laura Eshbach, and Milena Sterio) focus on the pursuit, arrest, and pre-trial treatment of suspected pirates. The next three chapters (by Frederic Lorenz and Kelly Paradis, Michael A. Newton, and Jon Bellish) examine legal issues in domestic pirate trials. The last two chapters (by Eugene Kontorovich and Yvonne M. Dutton) discuss the sentencing and post-sentence treatment of convicted pirates. The book's introduction and conclusion were written by Scharf.

International Criminal Law MOOC goes on-demand

In 2013, Case Western Reserve became the first university in the world to offer an international law MOOC (Massive Open Online Course) on Coursera. Since then, 70,000 students from 137 countries have taken the free online "Introduction to International Criminal Law" course taught by Dean Michael Scharf.



In the past, the course was offered at three set times during the year — September, January, and May. Based on its popularity, Coursera has transformed it into one of its first "on-demand" MOOCs. Now anyone can take the course anytime, simply by clicking on coursera.org/course/intlcrimallaw

Foreign Graduate Legal Studies Update

The Office of Foreign Graduate Legal Studies enrolled close to 100 students for 2014-2015 – 86 Master of Law (LLM) degree students and 12 Doctor of Juridical Science (SJD) students. They graduated from law schools in Cameroon, China, Kuwait, Libya, Russia, Saudi Arabia, Singapore, Spain, Syria, Taiwan, Turkey, Thailand, and UAE.

First SJD Graduate

Sehmus Kurtulus, LLM '13, was our first SJD graduate in May 2015. His dissertation was titled "Prospects for and Obstacles to Turkey's Accession to the Rome Statute of the International Criminal Court."

Sehmus attended Case Western Reserve on a scholarship sponsored by the Turkish Ministry of National Education. He will teach international law at a university in Turkey.

Study Abroad

Four of our LLM students participated in spring break study abroad trips to the Netherlands and Poland.

NY Bar Exam

Eight students from the LLM Class of 2013 – one from South Korea, and seven from China – have passed the NY Bar or DC bar exams. They were encouraged to take as many classes in bar subjects as possible during the two-semester LLM degree. Congratulations to Zhen Zhou, Zhuohua Li, Qianqian Feng, Zichen Liao, Yang Luan,



Professors Avi Cover and Lewis Katz and Dean Michael Scharf celebrate Sehmus Kurtulus' successful dissertation defense.

Shanglian Zhang, Qiusha Peng, and Jung-Ho Yun. Among the graduates in May 2014 were three auspicious former LLM students who passed the NY bar exam before they graduated with their JD degrees: Tongzhou Li, Ruixin Lu, and Bei Shi.

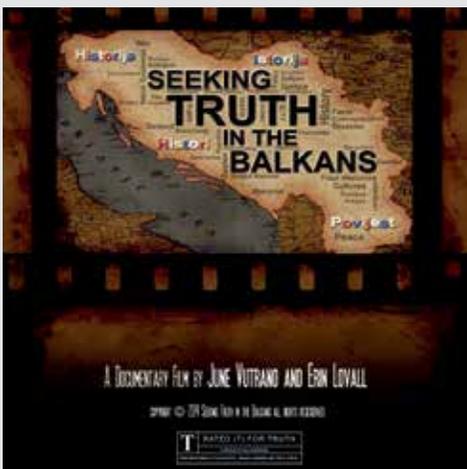
Continuing their Educations

In 2014-2015 there are 28 former LLM graduates who continue their education at our law school. Most are in the JD program, some are in the SJD program, and another stayed to get a second LLM degree in another subject.

Upcoming Recruiting and Alumni Travel

Dean Michael Scharf and Professor Timothy Webster will travel to China in November 2015, and Professors Lewis Katz and Jack Turner are planning to travel to the Middle East for recruiting and alumni relations purposes in December 2015. Their tentative stops include Kuwait City, Abu Dhabi and Qatar. On their last trip in 2013, they met with more than 30 LLM alumni and spoke to prospective students throughout the region. Turner may also travel to Bangkok, Thailand to recruit and meet with alumni as well in 2016.

Case Western Reserve Human Rights Documentary Film Series



Now in its sixth year, the International Law Society's Documentary Film Series annually brings the director/producer of an award-winning human rights documentary to present the film and lead a discussion at the law school. On March 23, 2015, June Vutrano and Erin Lovall screened and discussed their documentary "Seeking Truth in The Balkans" — a film that explores the legacy of the International Criminal Tribunal for the former Yugoslavia (ICTY) and what the tribunal has or has not contributed to justice, peace, truth and reconciliation globally and in the Balkans.

More than 70 individuals were interviewed on film for this project, including ICTY prosecutors, ICTY defense counsel, ICTY judges, academics,

journalists, human rights workers, NGOs, and others. It features a number of current and former ICTY staff and other individuals in The Hague as well as individuals in Croatia, Serbia, Bosnia-Herzegovina, Kosovo, London, New York City, and Washington DC.

The film will be the featured film at this year's International Humanitarian Law Dialogs at the Robert H. Jackson Center and will be screened this fall at Duke University School of Law. The film also won an Accolade Global Award of Merit and was a winner of the New York University Center for Global Affairs Capstone of the Year Award.

Jessup International Law and International Criminal Court Moot Court teams excel at competitions

For the seventh time in 10 years, Case Western Reserve's Jessup International Law Moot Court Team emerged victorious in the regionals in Chicago in February. After defeating Notre Dame, DePaul, Northern Illinois, and Northwestern in the preliminary rounds, the team earned the high seed for the elimination rounds. The team went on to beat Marquette in the quarters, and Ohio Northern in the semis, earning a berth to the international rounds. The team also won the Second Best Brief award and team member Steven Perrott won the award for best overall oralist in the competition. Case Western Reserve is the last U.S. team to win the Jessup World Championship in 2008, and the school won the award for the "Best Brief in the World" in 2011. In addition, Alpha Taylor, one of the four members of Case Western Reserve's International Criminal Court Moot Court team won the best oralist award for his performance at the Regional Rounds for the Americas and Caribbean in March.



(left) Coach Conor McLaughlin ('07) and the 2015 Jessup International Law Moot Court Team

Student Achievement



Estafania Sixto Seijas was a concurrent degree student from Comillas University who graduated in 2015 with Case Western Reserve's International Criminal Law LLM, including earning a semester of credit at the Special Tribunal for Lebanon.

Dean Scharf featured in International Bar Association video

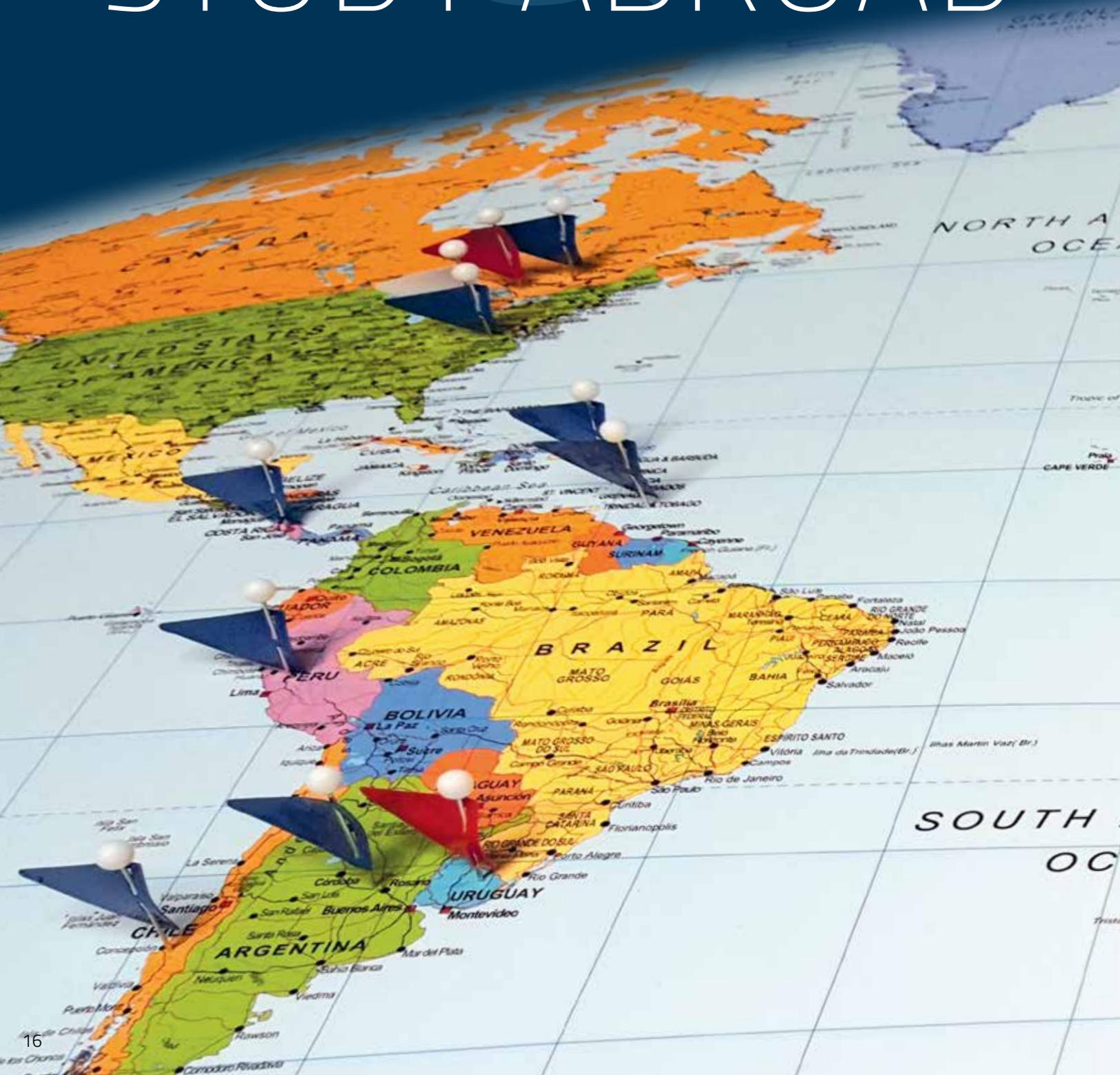
The International Bar Association Human Rights Law Working Group conducted a series of interviews with prominent human rights lawyers and advocates, and Case Western Reserve University School of Law Dean Michael Scharf, who is also Director of the Frederick K. Cox International Law Center, is among them.

According to its website, the IBA wanted to highlight the challenges of protecting human rights in the 21st century. During the 40-minute video, Scharf discusses his role as co-founder of the Public International Law & Policy Group (PILPG), an NGO that provides pro bono assistance to developing and transitioning states in peace negotiations, post-conflict constitutions, and war crime prosecutions, among other issues. PILPG was founded in 1995.



To view the full interview, visit the Human Rights Law Working Group films page on the IBA's website www.ibanet.org.

INTERNSHIPS & STUDY ABROAD



INTERNSHIPS

Argentina
Austria
Belgium
Bosnia
Cambodia
Canada
Chile
China
Costa Rica
Dominica

England
France
Germany
Ghana
Greece
Hungary
India
Israel
Italy
Japan

Kenya
Lebanon
Mauritius
Myanmar
Netherlands
Pakistan
Peru
Philippines
Sierra Leone
South Africa

St Kitts and Nevis
Switzerland
Tanzania
Thailand
Timor-Leste
Uganda
U.S.
Vietnam

CONCURRENT DEGREE PROGRAMS

Madrid
London
Paris



STUDY ABROAD

Asia:

China University of Politics and Law
City University of Hong Kong
East China University of Politics and Law
Fudan University
Jilin University
National Taiwan University
Peking University
Renmin University
Southwest University of Politics and Law
Tsinghua University
Zhejiang University

Europe:

Bocconi University
Central European University
Comillas Pontifica University
European Business School
Maastricht University
Utrecht University
VU University Amsterdam

South America:

Universidad de Montevideo

Africa:

Rhodes University

North America:

University of Western Ontario



Case Western Reserve law students intern around the world

One of the most significant aspects of the Frederick K. Cox International Law Center is that it helps students launch careers in international law by providing over \$60,000 per year in grants to support summer, semester-long, and post-graduate unpaid internships abroad or in the United States. In addition, the Klatsky endowment provides our students with two \$4,000 funded internships at Human Rights Watch. Dozens of students have parlayed their internships into permanent jobs. Internships include:

- Asia:**
 - Aide Medicale Internationale (Rangoon, Burma)
 - Ahmedabad Bar Association (Gujarat, India)
 - Albright Law Firm (Shanghai, China)
 - Asian Law Caucus
 - Chang Tsi& Partners (Beijing, China)
 - Clyde & Co. (Shanghai, China)
 - Council for Legal Aid (Bangalore, India)
 - DLA Piper (Beijing, China)
 - Document Center of Cambodia (Phnom Penh)
 - ECPAT (Bangkok, Thailand)
 - Extraordinary Chambers in the Courts of Cambodia, Prosecutor, Chambers (Phnom Penh)
 - Human Rights Commission (Pakistan)
 - International Bridges to Justice (Beijing, China)
 - King and Wood Law Firm (China)
 - Long An Law Firm (Shanghai, China)
 - Medecins Sans Frontieres (Rangoon, Burma)
 - Senate Legal Counsel (Palau)
 - Society for the Protection and Rights of the Child (Lahore, Pakistan)
 - Supreme Court of India (New Delhi, India)
 - Supreme Court of the Philippines (Manila, Philippines)
 - United Nations Development Program (Hanoi, Vietnam)
 - U.N. Integrated Mission in Timor-Leste (Dili, Timor-Leste)
 - Vinod Ministry and Company (Mumbai, India)
 - WHO in Kobe (Japan)
 - Zhoungzhou Law Office (China)
 - Zong Lun Law Firm (China)
- Africa:**
 - Abrahams & Gross, Capetown (South Africa)
 - Aids and Rights Alliance for South Africa (South Africa)
 - Constitutional Court of South Africa (South Africa)
 - Equality Now (Nairobi, Kenya)
 - Institute for the Study and Development of Legal Systems, the South African LegalResources Council (South Africa)
 - International Criminal Tribunal for Rwanda, Prosecutor, Chambers (Arusha, Tanzania)
 - International Justice Mission in Kenya (Nairobi)
 - International Law Institute (Kampala, Uganda)
 - Ministry of Justice (Ghana)
 - Ministry of Justice (Mauritius)
 - Refugee Law Project (Kampala, Uganda)
 - Special Court for Sierra Leone, Office of the Prosecutor (Freetown, Sierra Leone)
 - Uganda Ministry of Health, Foundation for Human Rights Initiative (Uganda)
- Central and South America:**
 - Center for Human Rights and the Environment (Patagonia, Argentina)
 - Ecological Association for Paquera, Lepanto, and Cabano (Costa Rica)
 - Government of Dominica, Ministry of Legal Affairs (Dominica West Indies)
 - Government of St. Kitts/IPO Ministry of Health (St. Kitts and Nevis)
 - Inter-American Court of Human Rights (San Jose, Costa Rica)
 - Peru Ministry of Health, Office of Transparency & Defense of Human Rights (Lima, Peru)
 - South American Trade Office (Santiago, Chile)
- Middle East:**
 - Clinic for Migrant Rights (Tel Aviv, Israel)
 - Shrat Ha Din Israeli Law Centre (Tel Aviv, Israel)
 - UN Special Tribunal for Lebanon, Office of Prosecution, Defense, Registry (Hague Office)
- Europe:**
 - Amnesty International (London, England)
 - Association of Defense Counsel, International Criminal Tribunal for the former Yugoslavia (The Hague)
 - Bahas, Gramatidis & Partners (Athens, Greece)
 - International Bar Association (London, England)
 - International Criminal Court, Prosecutor, Chambers (The Hague)
 - International Criminal Tribunal for the Former Yugoslavia, Prosecutor, Defense, Registry, Appeals Chamber (The Hague)
 - International Trade Center (Geneva, Switzerland)
 - INTERPOL, Office of Legal Affairs, Maritime Piracy Task Force (Lyons, France)
 - O'Connor & Co. (Brussels, Belgium)
 - Organization for the Prohibition of Chemical Weapons, Office of General Counsel (The Hague)
 - Pfizer Pharmaceutical (Hungary)
 - U.N. Human Rights Council (Geneva, Switzerland)
 - U.S. Embassy in Bonn (Germany)
 - U.S. Embassy in Sarajevo (Bosnia)
 - U.S. JAG Office in Naples (Italy)
 - World Intellectual Property Organization (Geneva)
- North America:**
 - American Friends Immigrant Services (Miami)
 - Amnesty International (Washington, D.C.)
 - Asian Law Caucus (San Francisco)
 - Canada Department of Foreign Affairs (Ottawa)
 - Canada Parliament (Ottawa)
 - Carter Center for International Peace (Atlanta)
 - Center for International Environmental Law (Washington, D.C.)
 - Council of Great Lakes Governors (Chicago)
 - Federal Trade Commission (Washington, D.C.)
 - Human Rights Watch (Washington, D.C. & NYC) (Klatsky Fellowship)
 - International Consortium for Law and Development (Boston)
 - International Monetary Fund (Washington, D.C.)
 - National Organization for Women, Immigrant Women Program (Washington, D.C.)
 - National Security Law Institute (Charlottesville)
 - Organization of American States (Washington, D.C.)
 - Permanent Mission of Thailand to the U.N. (NYC)
 - Permanent Mission of the Republic of Korea to the U.N. (NYC)
 - Political Asylum Project of Austin (Austin)
 - Public International Law and Policy Group (Washington, D.C.)
 - U.N. Office of Legal Affairs (U.N. Headquarters, NYC)
 - U.S. Army Judge Advocate General (JAG) Corps (various locations)
 - U.S. Coast Guard Office of Legal Counsel (Cleveland, Washington, D.C.)
 - U.S. Department of Justice, Immigration Review, Organized Crime Section (Washington, D.C.)
 - U.S. Department of Justice, Office of Overseas Prosecutorial Development (Washington, D.C.)
 - U.S. Department of Commerce, Office of Chief Counsel (Washington, D.C.)
 - U.S. Department of Homeland Security (Washington, D.C.)
 - U.S. Department of State, Office to Monitor and Combat Trafficking in Persons (Washington, D.C.)

← OPEN

←

IT ALL STARTED WITH A COX CENTER-FUNDED

Ashley Lee ('07) says, "My legal education at Case Western Reserve University School of Law was great preparation for my exciting legal career as International Trade Counsel for the Coca-Cola Company in Atlanta." Her primary responsibilities include managing the company's trade sanctions and export controls compliance programs as well as supporting various supply chain security initiatives. Ashley says her international and business law courses, and Case Western Reserve's rigorous legal writing program, "equipped me with the technical skills needed to draft materials to explain complex international trade matters to lay business clients [and] taught me to find creative solutions that not only comply with the law but support important business objectives."



Christopher Rassi ('03) began his international law career as an extern for the International Criminal Tribunal for Rwanda supported by a Cox Center grant. After working at a law firm for two years, he returned to the Rwanda Tribunal as a Legal Adviser to the Trial Chambers in Arusha, Tanzania. He subsequently worked as a Legal Adviser to the Tribunal's Appeals Chamber in The Hague. He was then hired in 2009 as a Senior Adviser to the Prosecutor of the Special Tribunal for Lebanon in The Hague. Most recently, in October 2012, Chris joined the International Federation of Red Cross and Red Crescent Societies, a global international humanitarian organization located in Geneva, as Senior Legal Officer. In this role, Chris works to ensure the sound legal risk management of the International Federation and works closely with National Societies around the world. Founded in 1919, the IFRC comprises 187 member National Societies, including the American Red Cross, a secretariat in Geneva, five Zone Offices, and more than 60 delegations strategically located to support humanitarian activities around the world.



INTERNSHIP

Nathan (Nate) Quick ('09) was the first Case Western Reserve student to spend a semester at an international tribunal under the law school's international tribunal externship program. These externships provide students a semester's worth of credit for interning for six months at an international tribunal under the supervision of Case faculty and a local supervisor.



Nate Quick and Case 1L intern Emily Gibbons at the ECCC.

Nate did such a great job during his externship at the Special Court for Sierra Leone (SCSL) in The Hague that he was hired immediately after graduation to be a prosecutor at the SCSL, where he played a key role in the trial and appeal of Charles Taylor, the former President of Liberia. After three years at the Special Court for Sierra Leone, Nate was hired to be a senior legal officer at the Extraordinary Chambers in the Courts of Cambodia (ECCC) in Phnom Penh, the tribunal set up by the UN to prosecute the former leaders of the Khmer Rouge regime. At the ECCC, Nate has played a role in the appeal of the Duch case, involving the commander of the notorious S21 torture center, and the ongoing trial of the four surviving leaders of the Khmer Rouge. Most recently, Quick was hired as Associate Legal Officer to the judges of the International Criminal Court in The Hague.



Margaux Day ('09) interned for a summer at the International Bar Association in London and externed for a semester at the Cambodia Genocide Tribunal (ECCC) in Phnom Penh. She was also a member of the Case Western Reserve's Jessup International Law Moot Court team that won the world championship in 2008. Day was awarded the Best Speaker Award in the World Championship Round. After graduating Day clerked for a federal district court judge for two years, then became an Associate at Jones Day law firm specializing in Foreign Corrupt Practices Cases, and is now Director of Ethics and Compliance (East Asia Region) for Diebold in Shanghai, China. She writes: "Case Western Reserve offered me amazing extracurricular and internship experiences. These opportunities introduced me to lawyers from around the world who I now count as some of my closest friends and colleagues."

Other Recent Graduates whose International Law careers began with Cox Center-funded internships.

1) Ruth Mary Hackler ('05) interned for the Special Court for Sierra Leone (SCSL) and was then hired as a full-time member of the prosecution team that prosecuted Charles Taylor at The Hague.

2) Ahran Kang ('05) interned at the International Trade Center in Geneva and then went on to work in the Office of the General Counsel of the U.S. Department of Commerce.

3) Thihan Nyun ('06) interned for the United Nations and then went on to work in Burma as a Legal Officer for the World Health Organization.

4) Chelan Bliss ('07) interned at the Special Court for Sierra Leone (SCSL), then served as Vice Consul of the U.S. Embassy in Nairobi, Kenya, and is now a member of the State Department team working on issues related to the normalization of relations with Cuba.

5) Andrés Pérez ('04) has served as Defense Counsel, Legal Officer to Chambers, and Prosecutor at the ICTR. He also served recently as Chief of Party of PILPG's Libya Office, and is currently Senior Analyst for Sahar Foundation in Kenya.

6) Kathleen Gibson ('08) interned at Human Rights Watch under our Klatsky endowed fellowship and went on to a position in the Geneva Legal Office of the International Committee of the Red Cross, and is now Counsel to an NGO in Ramallah.

7) Amanda Perrett ('08) interned at the Dominica Ministry of Legal Affairs, and went on to become Asylum Officer with the Department of Homeland Security's Refugee, Asylum and International Operations Division, adjudicating asylum cases. Amanda (R) appears with Paul Rusesabagna (L) who saved 1,268 Tutsis during the 1984 Rwandan Genocide, and was the subject of the movie "Hotel Rwanda."

8) Zach Lampell ('08) interned for a semester at the Extraordinary Chambers in the Courts of Cambodia (ECCC) in Phnom Penh and was hired upon graduation as an attorney in the ECCC Office of the Co-Prosecutors. He went on to serve as Deputy Director and Professor at the Royal University of Law and Economics in Cambodia, and is now Legal Adviser at the International Center for Non-Profit Law in Washington, D.C.

9) Alex Laytin ('08) interned at the International Trade Center in Geneva and then went on to become an Attorney in the Department of Homeland Security, Office of Chief Counsel, Trade and Finance.

10) Brianne Draffin ('08) interned at the ECCC and SCSL and is now treaty negotiator for the U.S. Social Security Administration.

11) Niki Dasarathi ('09) interned at the ECCC and is now Senior Legal Adviser, Middle East and North Africa Division, at the ABA Rule of Law Initiative, headquartered in Washington, D.C.

12) Hyder Syed ('13) interned at the UN Human Rights Council in Geneva and INTERPOL in Lyon France, and is now a Presidential Management Fellow at the Office of Conflict Management and Mitigation at USAID in Washington, DC.

13) Rachel Berman-Vaporis ('14) interned at the General Counsel's Office of INTERPOL and is now judicial clerk for the Federal Immigration Court in San Francisco under the Attorney General's Honors Program.

14) Heather Ludwig Doherty ('11) interned at the International Bar Association and ECCC, and is now judicial clerk to a judge on the U.S. Court of International Trade.

15) Malea Hetrick ('15) interned at Centro Bono, in Santo Domingo, Dominican Republic, providing legal services to vulnerable populations, and at the UN High Commission for Refugees. She is currently a judicial clerk for an immigration law judge as part of the Department of Justice's Honors Program.

16) In July 2015, **Kim Brown** ('12) began her position at the International Development Law Organization as Field Program Manager for Access to Justice and Judicial Reforms in the Kenya office. During law school, Kim interned at the International Law Institute in Kampala, Uganda.

What do the

UN Chief Mediator for Darfur,
the **Global Chairman** of EY,
the **first female head** of one of the country's JAG Corps,
the **Inspector General for Afghanistan**,
the head of the **world's largest immigration law firm**,
and the **former Chief of Protocol** of the
Obama Administration *have in common?* ▶



Mohamed Ibn Chambas

Mohamed Ibn Chambas ('84) is the joint chief mediator overseeing the Darfur peace negotiations for the African Union and United Nations. He was the international mediator who helped resolve the Liberian Civil War of the 1990s and the Ivory Coast Civil War in the early 2000s. In 2007, he was appointed to a four-year term of first president of the Economic Community of West African States by the governments of its member states. Two years later, Chambas was named secretary-general of the African, Caribbean and Pacific Group of States, a security and economic cooperation organization of 79 countries.



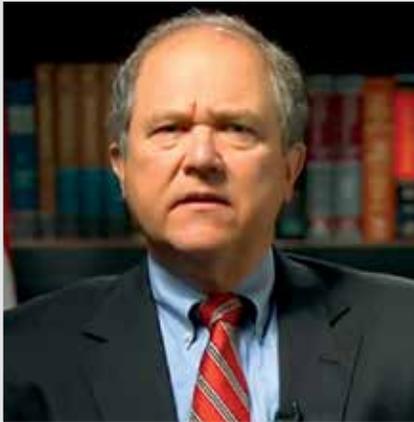
Mark Weinberger

Mark Weinberger ('87) is global chairman and CEO of EY, one of the largest global professional services organizations in the world. It provides assurance, tax, transaction, and advisory services and employs 190,000 people in more than 150 countries. He previously served as the Assistant Secretary of the United States Department of the Treasury (Tax Policy) in the George W. Bush administration and was appointed by President Bill Clinton to serve on the U.S. Social Security Administration Advisory Board. He served as Chief of Staff of President Clinton's 1994 Bipartisan Commission on Entitlement and Tax Reform.



Janet Donovan

On January 27, 2012, President Obama appointed Janet Donovan ('83) to be Deputy Judge Advocate General for Reserve Affairs and Operations with the rank of Rear Admiral. Admiral Donovan is the highest ranking lawyer in the Navy Reserve and commands more than 600 Reserve Judge Advocates and Legalmen practicing in the fields of military justice, international and operational law, legal assistance, admiralty, and other specialized areas.



John F. Sopko

On May 24, 2012, President Obama appointed John Sopko ('77) to be Special Inspector General for Afghanistan Reconstruction. The former mob prosecutor and congressional oversight sleuth is overseeing 340 ongoing probes into corruption, fraud, and waste involving the billions of dollars the United States is spending in Afghanistan.



Austin T. Fragomen

Austin T. Fragomen Jr. ('68) heads Fragomen, Del Rey, Bernsen & Loewy, the world's leading corporate immigration law firm with more than 1,100 lawyers. Over the course of his career, Fragomen has served as staff counsel to the U.S. House of Representatives subcommittee on immigration, citizenship and international law and has testified a number of times before Congress. He is also the founding co-author of a renowned series of immigration books that provide information on the best practices and latest developments in the field of business immigration, published by Thomson Reuters/West.



Capricia Marshall

From 2008-2013, Capricia Marshall ('90) served as the Obama Administration's Chief of Protocol, a State Department position holding ambassadorial rank. As such, Ambassador Marshall was the primary liaison for visiting dignitaries meeting with the President, Vice President, Secretary of State, and other Administration officials.

► *They are all* part of the network of Case Western Reserve law alumni who help our students obtain internships and jobs in the field of international law.

Eight Case Western Reserve law alums are International Law Professors

Prof. William (Chip) Carter, Jr. ('98), taught human rights law at Case Western Reserve School of Law, and is now Dean of University of Pittsburgh School of Law.

Prof. Kenneth Davis ('74), teaches International Law: Globalization of Capital Markets, and served as Dean of Wisconsin Law School from 2004-2012.

Prof. Amos Guiora ('85), Director of the Center for Global Justice, University of Utah School of Law, teaches in the area of counter-terrorism.

Prof. Greg McNeal ('06), Professor of Law at Pepperdine Law School, teaches in the area of national security law.

Prof. Bryan Mercurio ('00), Associate Dean at Chinese University of Hong Kong Faculty of Law, teaches in the area of international economic law.

Prof. Mary-Beth Moylan ('94), teaches Global Lawyering Skills at University of the Pacific McGeorge School of Law.

Prof. Charles Norchi ('86), teaches Law of the Sea courses at University of Maine School of Law.

Prof. Jack Turner ('02), Assistant Professor of Law and Associate Director, Office of Foreign Graduate Studies, Case Western Reserve University School of Law.

INTERNATIONAL LAW 2014-15 EVENTS ROUND-UP



Law School hosts Canada-U.S. Law Institute Conference “The Digital Border”

The Canada-U.S. Law Institute brings together academics, government entities, and the business communities to identify and confront issues affecting the relationship between the United States and Canada. The institute’s 2015 conference in March 2015 explored “The Digital Border.” It addressed international issues surrounding the rise of information technology, including cybersecurity, intellectual property protection, international information sharing, and privacy.

DISTINGUISHED SPEAKERS

Stewart Baker, Partner, Steptoe and Johnson, former Assistant Secretary of the Department of Homeland Security and former General Counsel of the NSA

James Dickmeyer, Consul General of the United States to Canada

David Jacobson, former United States Ambassador to Canada

Gary Doer, Ambassador of Canada to the United States

James Blanchard, former Governor of Michigan, former U.S. Ambassador to Canada

John M. Melle, Assistant United States Trade Representative for the Western Hemisphere

Jim Peterson, former Canadian Minister of Trade



James Dickmeyer



The Eighth International Humanitarian Law Dialogs: A New World (Dis)order - IHL in an Uncertain World

Sponsor: The Chautauqua Institution
 Co-sponsored by: Case Western Reserve University School of Law
August 24-26, 2014



International Regulation of Emerging Military Technologies

Organizers: Consortium on Emerging Military Technologies, Military Operations, and National Security (CETMONS), Directed by Maxwell J. Mehlman. Frederick K. Cox International Law Center, Directed by co-Interim Dean Michael Scharf. Co-sponsored by Center for Cyberspace Law & Policy and the Inamori International Center for Ethics and Excellence.
September 5, 2014

Accountability, Justice, and the Legal Response to Military Sexual Assault

Sponsor: Arthur W. Fiske Lecture Series, Institute for Global Security Law & Policy, The Frederick K. Cox International Law Center
 Speaker: Rear Admiral Janet R. Donovan ('83), United States Navy
October 7, 2014



NEW WAR CRIMES APP UNVEILED AT CASE WESTERN RESERVE

Dr. Mark Ellis, Executive Director of the International Bar Association, revealed "eyeWitness," an app that allows citizen observers to record and report atrocities from their cell phones.

When it is downloaded to a cell phone, the photos and video data it records are encrypted and verified in a secure mode and automatically sent to a secure site for use in international investigations and trials. The app also auto-downloads self-authenticating time, date, and geographic information.

Ellis demonstrated the app in-depth to the public for the first time on Oct. 14 during Case Western Reserve University School of Law's Klatsky Lecture in Human Rights. The app is currently in testing and will be released in phases in 2015.

Shifting the Paradigm – Bringing to Justice those who Commit Human Rights Atrocities



Sponsor: The Frederick K. Cox International Law Center, The Klatsky Seminar in Human Rights

Speaker: Dr. Mark S. Ellis, Executive Director, International Bar Association (IBA)
October 14, 2014

What is the Role of International Dispute Settlement Findings in Interpreting Domestic Law? A Case Study Based on Trade Laws

Sponsor: Frederick K. Cox International Law Center
 Speaker: Honorable Mark A. Barnett, United States Court of International Trade
November 5, 2014



Killer Bureaucracy: Inside America's Lethal Drone Program



Sponsor: CWRU Homecoming & Reunion Weekend Think Forum
 Speaker: Gregory S. McNeal ('06), Professor, Pepperdine University School of Law
October 17, 2014

From Transitional Justice to the Rule of Law: Lessons from the Field

Sponsor: Frederick K. Cox International Law Center, Cox Center Humanitarian Award Lecture
 Speakers: Elizabeth Andersen, Associate Executive Director of the American Bar Association (ABA), Director of the ABA Rule of Law Initiative
March 31, 2015



Probes and Bribes: Practitioners' Perspectives on the Foreign Corrupt Practices Act

Sponsor: Frederick K. Cox International Law Center
 Speakers: Kevin Barnes, Taft Stettinius & Hollister; Jim Wooley ('82), Jones Day; Colin Jennings ('97), Squire Patton Boggs; Timothy Webster, Assistant Professor of Law, Director, East Asian Legal Studies
October 22, 2014

Legal Systems Around the World: An LLM/ SJD in U.S. Legal Studies Student Panel

Sponsor: The Frederick K. Cox International Law Center, The Foreign Graduate Legal Studies Program, The International Law Student Society
 Speakers: Ali F. Alhusainan, Christian Matabaro Bisimwa, Nikita Chuprakov, Rui Xu
April 1, 2015

Issues in Post-Conflict and Small Island State Regulation of Telecommunications Markets

Sponsor: The Institute for Global Security Law & Policy Distinguished Lecture
 Speaker: Marc Lipton ('77)
April 7, 2015

UPCOMING INTERNATIONAL LAW EVENTS 2015-2016



Wading in Troubled Waters: Supporting the Work of International Criminal Court (ICC) Through Domestic Legal Institutions in Africa

Wednesday, September 2, 2015

4:30-5:30 p.m.

Location: Moot Courtroom (A59), Case Western Reserve University School of Law, Cleveland, OH

Speaker: Laurence Juma, Professor & Deputy Dean Faculty of Law, Rhodes University, South Africa

1-hour Continuing Legal Education Credit pending approval

Register at the door

Free & open to the public



USA Freedom Act: Legal Changes and the Impact on Intelligence Collection

Arthur W. Fiske Lecture Series

Institute for Global Security Law & Policy Distinguished Lecture

Co-sponsored by the CWRU Law National Security Law Society

Wednesday, October 21, 2015

4:30-5:30 p.m.

Location: Moot Courtroom A59, Case Western Reserve University School of Law, Cleveland, OH

Speaker: Catherine Lotrionte, Affiliate Visiting Professor; Director, Institute for Law, Science and Global Security; Visiting Assistant Professor, Government School of Foreign Service; Adjunct Professor, Law School

1-hour Continuing Legal Education Credit pending approval

Register at the door

Free & open to the public



How Our Fight Against ISIS is Changing International Law

Wednesday, September 16, 2015

8:30-9:30 a.m., doors open at 7:45 a.m.

Location: The City Club of Cleveland, 850 Euclid Avenue, #200, Cleveland, OH 44114

Speaker: Dean Michael P. Scharf, Case Western Reserve University School of Law

Online registration required

1-hour complimentary Continuing Legal Education credit pending approval

Continental breakfast provided



United Nations High Commissioner for Human Rights

October 2015 (exact date to be announced)

4:30-5:30 p.m.

The Klatsky Seminar in Human Rights, Cox Center Humanitarian Award for Advancing Global Justice

Location: Moot Courtroom (A59), Case Western Reserve University School of Law

Speaker: Prince Zeid Ra'ad Zeid Al-Husseini, United Nations High Commissioner for Human Rights

1-hour Continuing Legal Education Credit pending approval

Register at the door

Free & open to the public

The International Law Association's International Law Weekend/Midwest to be held at Case Western Reserve

Time: 9:00 a.m.-5:00 p.m.

Date: Friday, September 18, 2015

Place: Tinkham Veale University Center at Case Western Reserve University

When president Obama entered the White House in 2009, many believed he would make a commitment to the rule of law a centerpiece of his foreign policy agenda. As his presidency draws to a close, this conference asks to what extent has the Obama administration complied with, challenged, or sought to refashion international law? The keynote speaker for "New Beginnings, Resets & Pivots: The International Legal Practice of the Obama Administration" is Stephen Rapp, former International Prosecutor and Diplomat. Panels will focus on: Immigration Reform, Climate Change, The Pivot to Asia, Crisis in the Middle East, International Tax Policy, and International Criminal Law.



Institute for Global Security Law & Policy National Security Lecture

Thursday, November 5, 2015

Arthur W. Fiske Lecture Series

4:30-5:30 p.m.

Location: Moot Courtroom (A59), Case Western Reserve University School of Law, Cleveland, OH

Speaker: Hina Shamsi, Director, ACLU's National Security Project

1-hour Continuing Legal Education Credit pending approval

Register at the door

Free & open to the public



Forgiving the Unforgivable? The Apology to Australia’s Indigenous Peoples and Implications for the Future of Indigenous Rights

Tuesday, March 15, 2016
The Arthur W. Fiske Lecture Series
The Institute for Global Security Law & Policy Lecture

4:30-5:30 p.m.

Location: Moot Courtroom (A59), Case Western Reserve University School of Law, Cleveland, OH

Speaker: Aaron J. Hahn Tapper, Mae and Benjamin Swig Associate Professor in Jewish Studies; Founding Director, USF Swig Program in Jewish Studies and Social Justice

1-hour Continuing Legal Education Credit pending approval

Register at the door

Free & open to the public

Cooperation and Conflict: International Trade, Investment, and Cross Border Disputes – the Canada-U.S. Law Institute’s 40th Anniversary Conference

Friday, April 7-8, 2016

The Henry T. King, Jr. Annual Canada-United States Law Institute Conference

Location: Case Western Reserve University School of Law, Cleveland, OH
5.00 hours estimated Continuing Legal Education Credit pending approval

\$100 CWRU Law alumni/\$200 all other attendees

Welcome reception, lunch, dinner & CLE included in registration fee

Register online

The conference is free & open to students & faculty; dinner is \$50



The BEPS Project of the OECD: Implications for a Rational United States

Tuesday, March 29, 2016

4:30-5:30 p.m.

Location: Moot Courtroom (A59), Case Western Reserve University School of Law, Cleveland, OH
The Norman A. Sugarman Tax Lecture

Speaker: David Rosenbloom, James S. Eustice Visiting Professor of Taxation; Director,

International Tax Program

New York University School of Law

1-hour Continuing Legal Education Credit pending approval

Register at the door

Free & open to the public

Climate Change Mitigation and Trade Rules: The Opportunities and Limitations of Neutrality

Wednesday, May 18, 2016

8:30-9:30 a.m., doors open at 7:45 a.m.

Location: The City Club of Cleveland, 850 Euclid Avenue, #200, Cleveland, OH 44114

Speaker: Juscelino F. Colares, Schott-van den Eynden Professor of Law; Associate Director, Frederick K. Cox International Law Center
Online registration required

1-hour complimentary Continuing Legal Education credit pending approval

Continental breakfast provided

Can't make it to our law school for a particular event? No problem.

Events are webcast live at law.case.edu/lectures and articles by the speakers are published in the Case Western Reserve Journal of International Law.



NEWS OF OUR INTERNATIONAL LAW FACULTY

Thirty of our full-time and adjunct professors teach, practice, and write in areas related to international law. As highlighted below, this past year they have written high profile books, published cutting edge articles, argued international cases, engaged in impactful fieldwork, and won a variety of honors and awards.

Stephen Anway, Adjunct Professor of Law (International Arbitration)



Adjunct Professor Stephen Anway is a Partner in Squire Patton Bogg's world-ranked international arbitration group. He has represented the winning party in many of the largest international

arbitrations in the world over the past decade. In June 2015, *The American Lawyer* awarded him the Arbitration Award at its Transatlantic Legal Awards in London. Stephen has worked in more than 20 countries and has represented clients in some 50 international arbitration proceedings, including arbitrations brought under more than 10 different investment treaties and free-trade agreements. He is currently representing 6 sovereign nations (Croatia, Czech Republic, Ecuador, Estonia, Gabon, and Slovakia) before various international tribunals.

Michael Benza, Senior Lecturer in Law Co-Coach of the ICC Moot Court Team (International Death Penalty Seminar)



Professor Benza coached our ICC Moot Court Team, which advanced to the Semi-Final Round of the Americas Regional Competition and won the best overall speaker award.

Juscelino Colares, Schott-van den Eynden Professor of Law, Associate Director, Frederick K. Cox International Law Center (International Trade, International Business Associations, International Environmental Law)



Professor Colares published *Pleading Patterns and the Role of Litigation as a Driver of Federal Climate Change Legislation*, in the peer-reviewed JURIMETRICS in fall

2014. This article was honored at the August 2014 Southeastern Association of Law Schools Annual Meeting luncheon as one of the year's three best submissions. He presented at multiple conferences and workshops, including the American Society of International Law-International Economic Law Group Biannual Research Conference at Denver University Sturm College of Law (Nov. 2014); the 15th National Conference and Global Forum on Science, Policy and the Environment: "Energy and Climate Change," organized by the National Council for Science and the Environment, Washington, DC (Jan. 2015), and at the Texas A&M School of Law Faculty Colloquia Series (Mar. 2015). He will present his new research on the WTO-consistency of border carbon adjustments at the Emory University School of Law's Emory Center for the Study of Law, Politics & Economics (Oct. 21, 2015). Beyond the academic environment, Colares's work has sparked the interest of a wide variety of business and social organizations. In May 2015, he delivered a presentation to the United Autoworkers of Northeast Ohio, titled "The Trans-Pacific Partnership Negotiations: How Strengthening Patents and Deregulating Financial Services Misplaces U.S. Leverage by Failing to Protect U.S. Middle-Class Living Standards."

Avidan Cover, Associate Professor of Law Director of the Institute for Global Security Law and Policy (Civil Rights and Human Rights Clinic)



Professor Cover's article on the role corporations play in U.S. Government surveillance was published in May: *Corporate Avatars and the Erosion of the Populist Fourth Amendment*, 100 Iowa

Law Review 1441 (2015). Cover started the Civil Rights and Human Clinic this spring semester. His students worked on immigration and asylum, homeless rights, and free speech cases, and issued a report on Somaliland's draft counterterrorism legislation. Cover also spoke to the Cleveland City Club about the nuclear deal with Iran, to the law school's Federalist Society about the need for greater judicial activism, and to the Cleveland NAACP about police misconduct and citizens' rights.

Shannon French, Associate Professor of Philosophy and Law, Director of the Inamori International Center for Ethics and Excellence (War and Morality)



Professor French published a number of book chapters related to international humanitarian law this past year, including *Warrior Codes Revisited: Military Ethics in Variant Cultural Traditions*, in

The Routledge Handbook of Military Ethics (2015); *Dehumanizing the Enemy: The Intersection of Neuroethics and Military Ethics*, in *Responsibilities to Protect: Perspectives In Theory and Practice* (2015); *Super Soldiers: The Ethical, Legal, and Operational Implications*, in *Global Issues and Ethical Concerns In Human Enhancement Technologies* (2014) (with Lin, Mehlman, and Abney); *Why Warriors Need a Code*, in *Ethics of War and Conflict* (2014). During the past twelve months, Professor French gave presentations at Cambridge University; the International Society for Military Ethics Conference in Koblenz, Germany; the International Studies Association Annual Conference in Toronto; the Association of the United States Army annual Conference in Washington, D.C.; and the Consortium on Emerging Technology, Military Operations, and National Security Conference in Cleveland, Ohio. She is currently working to develop a new Masters in Military Ethics at Case Western Reserve University.

Peter Gerhart, Professor of Law Faculty Advisor for the Journal of International Law (Journal of International Law Seminar)



Professor Gerhart led thirteen students through the rigorous process of writing their student notes. Their proposals included the establishment of an international regime for coordinated compulsory patent

licensing, the establishment of an international corporate tax system, a review of Australia's recent legislation requiring cigarettes to be sold in plain brown wrappers, and a test to address trademark squatting.

**Richard Gordon, Professor of Law
Associate Director of the Frederick K. Cox
International Law Center
(International Tax Law)**



In March of 2015, Professor Gordon gave a presentation on key developments in international financial law to the International Law Section of the Cleveland Metropolitan Bar Association. Later

that month he spoke on developments in anti-money laundering and targeted sanctions at a conference held by the Global Business Law Review at Cleveland-Marshall College of Law. In May 2015, Professor Gordon convened a global conference on financial integrity, consisting of 12 small seminars and four plenary meetings, led by 30 experts and attended by 70 senior practitioners from financial institutions and government agencies. A White Paper, including a summary of the discussions and recommendations for research, will be published later this summer.

**Brian Gran, Assistant Professor of Sociology
and Law
(International Children's Rights)**



Professor Gran recently became editor of the journal, *Societies Without Borders*. He co-edited *Expanding the Human in Human Rights* with David Brunσμα and Keri Iyall Smith (Routledge). In July

Gran spoke to the Social Science Korean Human Rights Forum on diffusion of children's rights. He continues to serve on the Steering Committee and Council of the Science and Human Rights Coalition of the American Association for the Advancement of Science. In July he concluded his term as President of the Global Justice and Human Rights Thematic Group of the International Sociological Association.

**Justin Herdman, Adjunct Professor of Law
(International Criminal Law and Policy)**



Adjunct Professor Justin Herdman is Of Counsel at Jones Day and a member of the firm's Business & Tort Litigation and Corporate Criminal Investigations practices. He currently represents multi-

national companies with operations throughout the world in global disputes and government investigations, including internal investigations focused on potential violations of the Foreign Corrupt Practices Act. He recently authored *Revisiting My Brother's Keeper: Latest Learning and Best Practices on Dealings with Third Parties under the FCPA*. As a former federal prosecutor, he is a frequent speaker on topics of terrorism, export laws, money laundering, and white-collar crime. Most recently, he was a panelist at the Case Western Reserve School of Law's panel on the Paris terror attacks and moderated a panel for the Cleveland Metropolitan Bar Association's White Collar Crime Institute. Professor Herdman is also a Major in the United States Air Force Reserve and serves as the Deputy Staff Judge Advocate for the 910th Airlift Wing.

**Sharona Hoffman, Edgar A. Hahn Professor
of Law, Co-Director of the Center for Law and
Medicine
(Health Care and Human Rights)**



Professor Hoffman taught a course entitled "Health Care and Human Rights" in the Fall of 2014. She also taught a small paper seminar by the same title. One of the seminar papers entitled "The

Constitutionality of Solitary Confinement: Insights from Maslow's Hierarchy of Needs," written by Lindley Bassett, was selected for publication in *Health Matrix*, the Law School's Law-Medicine journal.

**James Johnson, Adjunct Professor of Law
Co-Director of the Henry King War Crimes
Research Office
(War Crimes Research Lab)**



Adjunct Professor James Johnson is the President of the Robert H. Jackson Center, located in Jamestown, New York. Before joining the Jackson Center and Adjunct Faculty of Case Western Reserve

School of Law, he was the Chief of Prosecutions for the Special Court for Sierra Leone. Students under his supervision this past year have prepared research memoranda for the Special Tribunal for Lebanon, the Extraordinary Chambers in the Courts of Cambodia, the Military Commissions for Prosecution of Al Qaeda Terrorists, and Interpol. He also organizes the annual International Humanitarian Dialog Conference in Chautauqua, New York, which is co-sponsored by the Cox Center.

**James Hagy, Adjunct Professor of Law
(International Real Estate Transactions)**



Each fall, Professor James Hagy offers International Real Estate Transactions, which explores the role of the transactional lawyer in an increasingly global marketplace. The course uses lecture

and readings to illustrate the remarkable differences in legal systems, business expectations, and cultural approaches around the world, then presents mock client simulations designed to promote skills in forming questions, identifying issues, and developing response strategies for project scenarios. The course draws from Professor Hagy's 30 years of practice experience, as well as ten years teaching this curriculum at Case, at other U.S. law schools, at Peking University's School of Transnational Law, and in workshops for *Fortune 500* business and government audiences.

NEWS OF OUR INTERNATIONAL LAW FACULTY

Lewis Katz, John C. Hutchins Professor of Law Director, Foreign Graduate Studies

John C. Hutchens Professor of Law



Professor Katz, who celebrates his 50th year on the CWRU Law faculty this year, welcomed the second SJD class in fall, 2014, of nine candidates, and taught the first SJD Seminar. Of the three second year SJD

candidates, Sehmus Kurtulus of Turkey was the first candidate to be awarded the SJD degree at the May commencement. Dr. Kurtulus returned home to Turkey to begin his teaching career. The 11 returning SJD candidates will be joined by 17 new first-year students.

Professor Kenneth Ledford, Associate Professor of History and Law (European Union Law)



Professor Ledford was appointed Chair of the Surrency Prize Committee of the American Society for Legal History (2014, 2015). He spoke on panels at the Annual Meeting of the German Studies

Association in Arlington, Virginia, and the East Asia Law and Society Conference in Shanghai. And he published *Jews in the German Legal Professions: Emancipation, Assimilation, Exclusion*, in Ari Mermelstein, Victoria Saker Woeste, Ethan Zadoff, and Mark Galanter, eds., *JEWS AND THE LAW*, 13-35 (Quid Pro Books, 2014).

Judith Lipton, Associate Dean for Experiential Education and Honorable Blanche E. Krupansky and Frank W. Vargo Jr. Professor of Law (Criminal Law Clinic)



Professor Lipton is a member of the Cleveland Municipal Court, Human Trafficking Court, Advisory Board. This inter-professional group is assisting in the establishment of the area's first court

designed to address the many needs of victims of human trafficking. She is also the principal investigator on a grant proposal to

provide direct legal services to the victims of human trafficking. Survivors often need assistance with family, housing, and creditor issues, and need help to insure that their own criminal records are sealed. Students from the Health Law and Criminal Justice Clinics as well as first-year students will be involved in both projects.

Steve Lynch, Adjunct Professor of Law (Government Procurement Law)



Adjunct Professor Lynch is an attorney for the U.S. Coast Guard who handles a broad range of civil legal matters for clients located throughout Ohio and around the Great Lakes. Students in his

government procurement class have written papers on a variety of topics, including comparisons of the U.S. government procurement system with those of Russia, Turkey, and the European Union; the SpaceX lawsuit against the U.S. Air Force for national security launches; application of the "state secrets" doctrine to U.S. government procurements; and problems arising from U.S. government procurements in war zones. Within the last year he has conducted seminars for local practitioners on the Servicemembers Civil Relief Act, and on other civil matters for military attorneys (JAGs) from around the world via webinars sponsored by the U.S. Air Force Judge Advocate General's School, and in person at the U.S. Army Judge Advocate General's School in Charlottesville, VA.

Kathryn Mercer, Professor of Law (Alternative Dispute Resolution)



Professor Mercer presented "Assessing the Non-Native English Speaker: Recognizing and Reducing Grading Bias," at the Global Legal Skills Conference X, Chicago in May 2015. The presentation

discussed research on assessment that suggests that faculty tend to assess Non-Native English Speaker (NNES) writers more harshly, even when native English speaker and NNES writers make similar errors — this is known as ethnolinguistic bias.

Maxwell Mehlman, Arthur E. Petersilge Professor of Law

Director of the Law-Medicine Center



From 2013–2014, Professor Mehlman served as Director of the Consortium for Emerging Technologies, Military Operations and National Security (CETMONS), a multi-institutional

organization dedicated to providing the basis for the ethical, rational, and responsible understanding and management of the complex set of issues raised by emerging technologies and their use in military operations, as well as their broader implications for national security. Professor Mehlman organized the Cox Center's 2014 annual conference, entitled "International Regulation of Emerging Military Technologies," and wrote the *Forward* and an article entitled *Ethical, Legal, Social, and Policy Issues in the Use of Genomic Sequencing Program in the U.S. Military*, for the *Case Western Reserve Journal of International Law's* associated Symposium Issue (vol. 47).

Dale Nance, John Homer Kapp Professor of Law (Conflict of Laws, Law of Archeological Artifacts)



Professor Nance will soon publish a monograph entitled, *The Burdens of Proof: Discriminatory Power, Weight of Evidence, and Tenacity of Belief* (Cambridge University Press), which addresses our

understanding of the idea of the burden of proof, in the course of which he illustrates the application of the ideas he develops to international litigation. He is researching a follow-up article that would apply the insights developed in his book to solving the conundrum of distinguishing between substance and procedure for purposes of private international law (horizontal choice of law).

**Craig Nard, Galen J. Roush Professor of Law
Director of the Spangenberg Center for Law,
Technology & the Arts
(International Intellectual Property Law)**



In 2014, Professor Nard was a visiting professor at the University of Strasbourg Centre d'Etudes Internationales de la Propriete Intellectuale ("CEIPI") and the World Intellectual Property

Organization's Master of Laws program in Torino, Italy. He also was invited to deliver a public lecture at the University of Barcelona's Transatlantic Intellectual Property Summer Academy.

Professor Nard has recently published *Intellectual Property Law's Institutional Players*, CEIPI IP Journal (University of Strasbourg), and *Intellectual Property's Delicate Relationship with the Marketplace*, Annali Italiani Del Diritto D'Autore Della Cultura E Dello Spettacolo, XXII.

**Greg Noone, Adjunct Professor of Law
(International Humanitarian Law)**



Adjunct Professor Noone received a 2015 Alumni Achievement Award from The Catholic University of America for his international humanitarian efforts. Dr. Noone has been teaching International Humanitarian Law at

Case Western Reserve Law School for over a decade. He is a Captain in the United States Naval Reserve and has served as the Commanding Officer of the Navy JAG International and Operational Law reserve unit.



Two faculty members receive endowed chair professorships

Professor **B. Jessie Hill** is the Judge Ben C. Green Professor of Law, and Professor **Juscelino F. Colares** is Schott-van den Eynden Professor of Law.

Colares is Associate Director of the Frederick K. Cox International Law Center. He was recently reappointed by the Office of the United Trade Representative to serve on the U.S. Roster of NAFTA Chapter 19 (Trade) Panelists. His scholarship explores inter-jurisdictional issues that emerge in litigation involving conflicts between regulatory law and international trade norms. More recently, his research has focused on demonstrating the

WTO-consistency of imposing border tariff adjustments to carbon taxes as a viable, though suboptimal, solution to the need for climate change mitigation. Colares teaches courses in civil procedure, international business law, and international environmental law. A versatile scholar, he speaks frequently at national conferences and symposia on topics related to international trade, energy, and climate change.

Hill has served as Associate Dean for Faculty Development and Research and is the law school's new Associate Dean for Academic Affairs. Hill was recently the

recipient of the University's Distinguished Research Award. Her areas of expertise include constitutional law and health law, specifically reproductive rights. In addition to her groundbreaking work in American Constitutional law, Dean Hill has published several articles on comparative law; she has served as associate director of our Institute for Global Security Law and Policy; she has taught "Religion and Terrorism" at University of Utrecht; and she has traveled to the Middle East to train judges in human rights law under a program organized by the International Bar Association.

NEWS OF OUR INTERNATIONAL LAW FACULTY

Stephen Petras, Adjunct Professor of Law U.S. National Director/Managing Director of the Canada-US Law Institute



Stephen Petras continues in the full time practice of law at Baker Hostetler LLC as a Partner in the Business Practice representing US and foreign companies in international transactions. A past

Chair of the Board of the Cleveland Council on World Affairs, he is now a member of the Board of the national organization, the World Affairs Councils of America. Further. In addition to teaching, he made the following presentations: Case Western Reserve University School of Law, "Choice of Law in International Agreements," March 19, 2014; "Medical Devices - International Sales & Distribution." Northeast Ohio International Business Network, United States Export Assistance Center, City of Mentor, presented at STERIS Corporation on September 18, 2014; "International Sales - Legal Considerations for Agents and Distributors" presented to 2014 Global target Program, The Global Business Center at Cleveland State University, November 21, 2014; "How to Navigate the Foreign Corrupt Practices Act" presented to U.S. Export Assistance Center, Northern Ohio District Export Council, May 20, 2015. "Doing International Business: Embraer and Brazil" presented at Aerospace Development Dayton Development Coalition, Embraer S.A. event, May 27, 2015.

Jennifer Peyton, Adjunct Professor of Law (Immigration Law Practicum)



In August 2014, Professor Peyton volunteered as team lead at the Artesia Family Detention Center, a detention facility operated by the federal government to house women and

child refugees fleeing violence in Central America. The Artesia center was closed in November 2014, and the remaining refugees were transferred to a detention center in Dilley, Texas. Jenna returned to Dilley to volunteer as team lead in March 2015. For her March 2015 trip, she brought a team of Ohio volunteer attorneys and interpreters, including three law students from Case Western Reserve. In June 2015, Jenna's work to end family detention was recognized by

AILA (American Immigration Lawyer's Association), as she was one of the volunteer lawyer recipients of the 2015 AILA Michael Maggio Pro Bono Award. She also took part in a private meeting on family detention with Cecilia Munoz, the director of White House Domestic Policy Counsel. In June 2015, she was appointed vice chair of Ohio AILA.

Cassandra Burke Robertson, Professor of Law, Director of the Center for Professional Ethics, Co-Coach of the ICC Moot Court Team (Conflicts of Law, International Litigation in U.S. Courts)



Professor Robertson published two articles on international law issues this past year. The first, co-authored with Charles ("Rocky") Rhodes from South Texas College of Law, is titled *A Shifting Equilibrium: Personal Jurisdiction, Transnational Litigation, and the Problem of Nonparties*. It was prepared for a symposium held by Lewis & Clark University on personal jurisdiction. In addition, she published a summary of remarks from the 2014 ASIL conference: *State Law Litigation of International Norms: Global Litigation, Local Judgment Enforcement*, 108 ASIL PROCEEDINGS 439 (2015).

Dalindybo Shabalala, Visiting Assistant Professor of Law (World Intellectual Property Lab)



Dalindybo Shabalala defended and published his PhD in October 2014, *Climate Change, Technology Transfer and Intellectual Property: Options for Action at the UNFCCC*, at Maastricht University in the Netherlands. He co-authored a book chapter with Anselm Kamperman Sanders "Intellectual Property Treaties and Development" in Daniel Gervais' edited volume *Intellectual Property Trade and Development 2nd edition* (Oxford University Press, 2014). In May 2015, he was Rapporteur for the Global Climate Policy Conference 2015 in New Delhi. He also presented and chaired a panel on "Intellectual Property and Traditional Knowledge" at the University of Pennsylvania Law School Journal of International Law 2014 Symposium *Private Actors, Global Impact: The Private Production of Regulation in Transnational Trade*.

Michael Scharf Interim Dean, Director of the Cox Center, Joseph C. Hostetler—BakerHostetler Professor of Law (International Law)



Michael Scharf's seventeenth book, *Prosecuting Maritime Piracy: Domestic Solutions to International Crimes*, was published by Cambridge University Press (2015) (with Newton and Sterio).

He also published a chapter on *The Legacy of the Milosevic Trial in Cambridge Companion to International Criminal Law* (Cambridge University Press, 2015). His co-authored *International Criminal Law* casebook was cited by the Second Circuit in *Bahlul v. United States* (June 12, 2015). Scharf spoke at the ABA International Law Section's Spring Meeting on May 1, 2015 about "Developing Experiential Programs Abroad to Broaden Law School Horizons." Scharf continues to serve as Chairman of the International Criminal Court Moot Court Competition in The Hague, and was the author of the 2015 ICC Moot Court Problem.

Tim Webster, Assistant Professor of Law Director of Asian Studies, Director of the Case Abroad at Home Program (International Business Law, International Human Rights Law, China Law Seminars)



Professor Webster published an article on China's implementation of WTO decisions in a volume edited by Colin Picker (nephew of emeritus professor Sidney Picker) and published by Cambridge University Press. He has been workshopping a new piece on anti-Asian sentiment in U.S. investment policy at law faculties around the country and the world. The National Committee on U.S.-China Relations recently selected Webster for the fourth cohort of its Public Intellectuals Program, which introduces leading young U.S.-based China scholars to experts in the academy, government, business, and various professional fields. Webster was also chosen to be a Fulbright Specialist at Symbiosis University in Pune, India.

**Margaret Wong, Adjunct Professor of Law
(Immigration Law)**



Margaret W. Wong is the managing partner of the immigration law firm Margaret W. Wong & Associates, LLC and author of *The Immigrant's Way*. She is the current co-chair of the Immigration Law Committee for the

National Asian Pacific American Bar Association (NAPABA), and chair of the Cleveland Bar Association's Immigration Law Section. In November 2014, Ms. Wong led a panel at the NAPABA Conference on the Obama administration's Deferred Action for Childhood Arrivals (DACA) program and participated in a panel discussion on U and T Visas. Ms. Wong was also selected to participate in the White House Regional Fellows Panel in Chicago and has been in lobbying for comprehensive immigration reform.

**Alum Appointed to President's
Intelligence Advisory Board**



Last October, Kevin G. Nealer, '78, was appointed by President Barack Obama as a member of the President's Intelligence Advisory Board. As a member of the Council on

Foreign Relations, he is a consultant to the U.S. government on matters involving trade and economic security issues. Nealer previously served on the Board of Directors of the Overseas Private Investment Corporation, the federal government's development finance organization. Before serving on the Board of Directors, he was a member of the Audit and Finance Committee. Formerly a State Department trade attorney and Foreign Service Officer, Nealer also advised the Senate Democratic Leadership on trade policy.

As current Principal and Partner at the Scowcroft Group, Nealer provides clients with strategic risk advisory services and direct investment support. He specializes in financial services and trade policy issues for new and growing markets, particularly China and Southeast Asia. Nealer previously advised international clients on investment issues, financing, and trade law and policy.

Steve Petras named new U.S. National Director of Canada-United States Law Institute

The Canada-United States Law Institute (CUSLI), a unique law and policy institute founded and run by Case Western Reserve University School of Law and Western School of Law in London, Ontario, is happy to announce the appointment of Steve Petras, '79, as the Institute's U.S. National Director.

Petras, a strong supporter of the law school, and in particular its international law programs, was nominated and confirmed at the CUSLI Executive Committee Meeting in Toronto, Ontario, on June 18, 2015.

Petras brings a wealth of experience and expertise in domestic and international law practice both in the private and public spheres. Currently, he practices international business transactions as a partner at BakerHostetler in Cleveland, a firm with a long history of support for both Case Western Reserve and CUSLI. At BakerHostetler, he has lead the firm's International Industry Team since 1998.

Petras is actively engaged in the international community of Cleveland and Northeast Ohio having served as the President of the Greater Cleveland International Lawyers Group, Chair of the International Section of the Cleveland Metropolitan Bar Association, Chair of the Board of the Cleveland Council on World Affairs and President of the Cleveland World Trade Association.

This new post will bring Petras even closer to the Case Western Reserve community, as he is also an adjunct professor in the LLM program. Dedicated to increasing international business in the U.S. and Ohio, he has been appointed by the U.S. Secretary of Commerce as a member of the Northern Ohio District Export Council and by Governor Voinovich as an Ohio Commodore.





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BY THE NUMBERS

\$3.7 million: Our international law program endowment

11: Ranking of our international law program

1: Jessup Moot Court World Championship

1: Nobel Peace Prize Nomination of our program



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