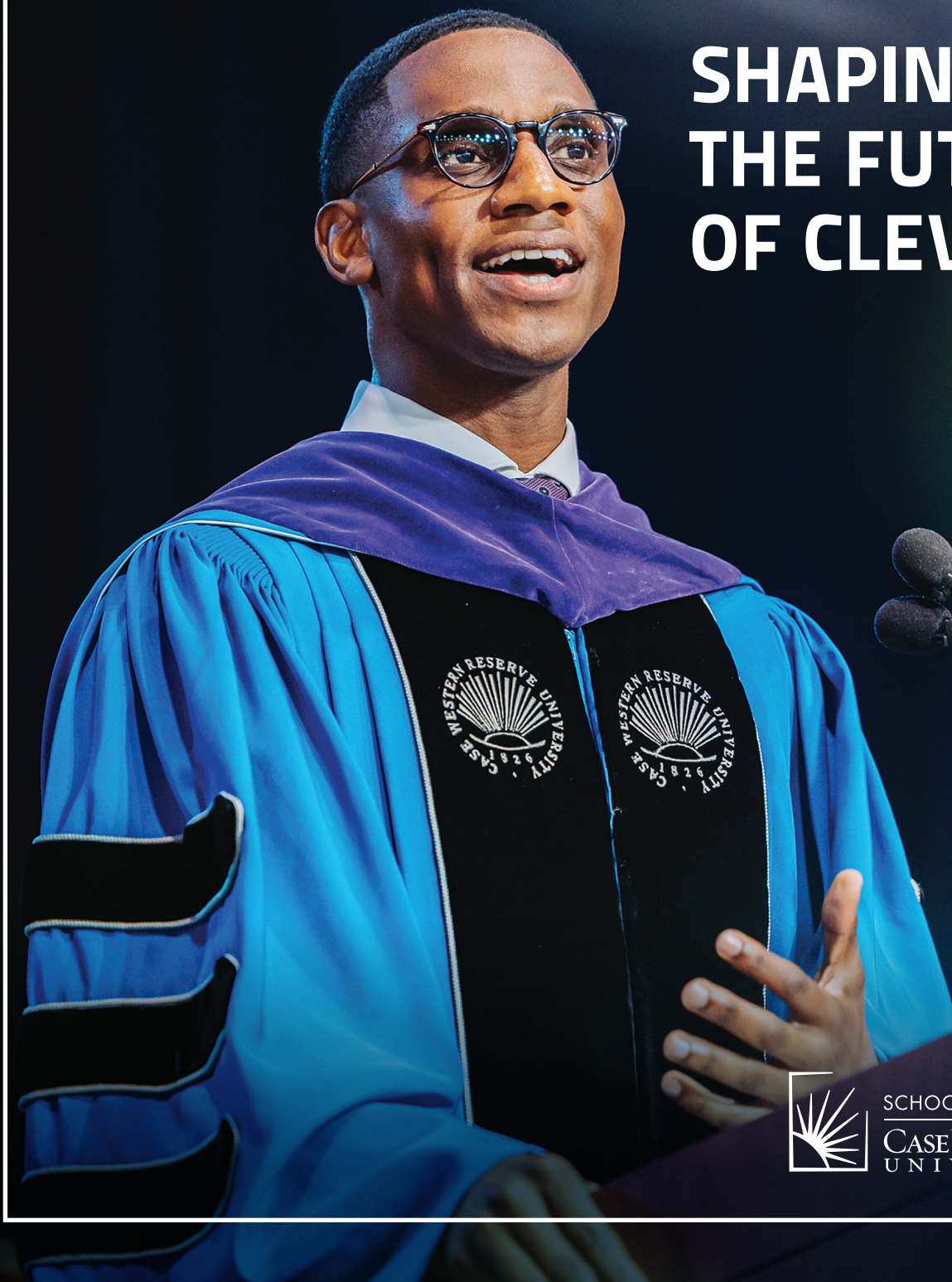


FALL 2022
ISSUE 105

InBrief

THE MAGAZINE OF CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW

**SHAPING
THE FUTURE
OF CLEVELAND**



SCHOOL OF LAW
CASE WESTERN RESERVE
UNIVERSITY

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Come back to Case Western Reserve University School of Law this fall for multiple opportunities to connect, engage and learn about our progress.

During homecoming and reunion weekend, we'll also recognize outstanding achievements, honor award-winning alumni and celebrate time-honored traditions through a mix of in-person and online events.

Please plan to join us Oct. 6-9!

Visit case.edu/homecoming for more information.
To make a gift, please visit case.edu/law/give.



Individuals attending Case Western Reserve events are expected to be fully vaccinated. Masks are strongly encouraged, but not required. Please respect each individual's choice. Campus leaders continue to monitor pandemic developments and will adjust health protocols as circumstances warrant. The university will provide updates for all major events this fall.

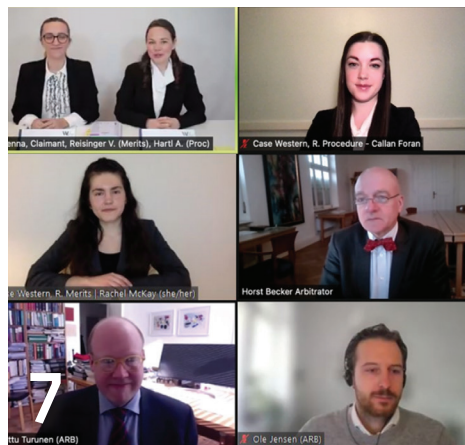


SCHOOL OF LAW

CASE WESTERN RESERVE
UNIVERSITY

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In Brief

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ON THE COVER:

Cleveland Mayor **Justin Bibb (LAW '18, MGT '18)** delivered Case Western Reserve's Commencement address in May.

Get live updates. Join our groups today.



If you've got a story to share,
don't hesitate to contact us at
lawalumni@case.edu.
We'd love to hear from you.



Co-Deans
Jessica Berg and
Michael Scharf

AN UPDATE FROM THE DEANS

Q & A

Nine years after their appointment as co-deans of Case Western Reserve University School of Law, **Jessica Berg (GRS '09, public health)** and **Michael Scharf** are the veteran deans on campus, and are also among the longest-serving law deans in the country. *In Brief* talked with them about the theme of this issue and the state of the law school.

This issue is highly focused on the law school's impact on Cleveland and beyond. Why?

MICHAEL: The election of our alumnus **Justin Bibb (MGT '18, LAW '18)** as mayor was not just a game changer for Cleveland, but also an affirmation of our law school's significant impact on our home city. It is remarkable that half of Mayor Bibb's Cabinet graduated from our law school. In addition, the two newly confirmed federal district court judges in Cleveland—**Bridget Brennan (LAW '00)** and **Charles Esque Fleming (LAW '90)**—are also CWRU law school alumni. (For more on this cover story, see p. 8.)

JESSICA: While our alumni were taking up the levers of governmental and judicial power, the students in our Community Development Clinic have been working on a number of projects that are significantly impacting the city in a variety of ways. They created a land trust for a major

development in the Hough neighborhood; obtained tax exemption status for the Edna House for Women for its newly expanded campus in the Detroit Shoreway neighborhood; drafted the foundational documents and led the organizing board meeting for *The Cleveland Observer*, a local newspaper; and prepared a template contract for the local innovation incubator, Ingenuity Cleveland, to use with the creators who share its space (see p. 20).

MICHAEL: Through our other clinics, labs, and public interest work, this year our faculty and students have submitted reports to the U.S. State Department and United Nations as well as briefs to the Ohio Supreme Court, Sixth Circuit Federal Court of Appeals, U.S. Supreme Court and the International Criminal Court. Our students don't need to wait until they graduate to make a difference in the world—they're doing it while in law school!

What would you say have been the most significant accomplishments during your tenure as co-deans?

MICHAEL: Since becoming co-deans in 2013, we've faced a national decline in law school applications, a divisive political climate and period of social unrest, a worldwide pandemic, rising inflation and a global supply chain crisis. Despite these daunting challenges, with the exceptional dedication of our incredible faculty, staff and alumni, our law school has thrived. We've been the top law school in our state in bar passage three of the past five years; at 94%, our employment numbers are the highest they have been in many years; our entering 1L median LSAT scores (160) and GPAs (3.68) are among the highest we've ever attained; we have 12 top-ranked specialty programs; and our faculty is ranked 36th in the nation in scholarly impact.

JESSICA: At the top of my list would be the transformation of our law school into a national leader in experiential education. With our 1L first client experience, expansion of our clinics and labs, the LLEAP 3 simulation course required for all 2Ls, and the clinic or externship capstone required of all 3Ls, our program has garnered national attention, and we are now ranked fifth in the nation in practical training. We've also strengthened our mock trial and moot court programs (see p. 7), which were ranked fourth in the nation this year.

MICHAEL: I would add that the generosity of our alumni—they've contributed over \$61 million since 2013—has enabled the law school to significantly increase scholarships to attract stronger and more diverse classes, to recruit and retain star faculty through new chaired professorships and endowed centers, and to undertake extensive renovations and technological upgrades to the law school.

JESSICA: The law school has also implemented a number of really innovative initiatives, from a spring start for our JD program to conditional bar prep scholarships, to a new compliance certificate and master's program. I think the most important of these is our new JumpStart program, which offers an eight-week summer experience to 35 incoming 1Ls, designed to give them the skills, tools and support for academic success. This program can be particularly attractive to first-generation students, underrepresented minority students, students with disabilities and veterans (see p. 26).

What are your goals for the coming year?

MICHAEL: We are looking forward to working with **Mark Weinberger (MGT '87, LAW '87)** and **John Majoras (WRC '83, LAW '86)** as co-chairs of our new \$20 million scholarship drive to raise transformational funding for the law school, enabling us to recruit the best and brightest law students for years to come (see p. 53). And we are excited to be working with our new deans' cabinets—one dedicated to diversity and inclusion, one for global legal studies, and one we are putting together this fall focused solely on experiential education—to help us build on the success of those programs.

JESSICA: We're eager to be back on the road, visiting alumni across the nation. We hope to see you when we visit your city, or at one of our many upcoming events when you come to campus for our reunion Oct. 6–9. We also invite you to join us for an alumni swearing-in ceremony to become a member of the U.S. Supreme Court in Washington, D.C., bar on April 3. Finally, we'll continue to make our conferences and lectures available both in person and on Zoom so you can participate in our exciting events and get CLE credits. We hope to see you at one of many of these upcoming events, but in the meantime, please stay in touch! ■

NATIONWIDE ACCLAIM

Case Western Reserve University School of Law has consistently ranked favorably among the country's elite law schools, and last year was no exception.

HERE'S HOW THE SCHOOL OF LAW MEASURED UP IN RECENT RANKINGS:

IN OHIO:*

2 LAW SCHOOL

IN THE NATION:**

5 IN PRACTICAL TRAINING

#13 IN HEALTH LAW

#21 IN INTERNATIONAL LAW

#36 IN INTELLECTUAL
PROPERTY LAW

#36 IN SCHOLARLY IMPACT***

WHAT'S MORE, THE SCHOOL OF LAW HAS BEEN RANKED AS A "TOP LAW SCHOOL" IN THE FOLLOWING SPECIALTIES:*

A+

Health Law
Intellectual Property Law
International Law
Tech Law
Trial Advocacy and Litigation

A

Business and Corporate Law
Criminal Law
Environmental Law

A-

Public Policy Law

*U.S. News and World Report, 2022

**preLaw magazine, 2021-2022

***Sisk/Leiter Study, 2022



EYEWITNESS TO HISTORY

School of Law student selected to attend Ketanji Brown Jackson hearings

Makela Hayford in front of the U.S. Supreme Court building during the confirmation hearings for Justice Ketanji Brown Jackson in March

In March, **Makela Hayford (CWR '18, LAW '22)** sat in the Senate Judiciary Committee hearing room on Capitol Hill as U.S. senators questioned Judge Ketanji Brown Jackson—the first Black woman to be nominated to the U.S. Supreme Court.

Hayford, who was a third-year student at Case Western Reserve University School of Law at the time, knew she was an eyewitness to history—perhaps one of the most consequential events she would ever experience in person. When her allotted 30 minutes in the room ended, Hayford returned to a watch party nearby, joining approximately 50 joyful Black law students from schools across the country.

Hayford, who was a member and past president of the National Black Law Students Association (NBLSA), joined other students—most of them women—in Washington, D.C., courtesy of the NBLSA, Demand Justice and Black Public Defender Association. Together, the students celebrated Jackson, inspired by hope that someone who looked like them would soon occupy a seat on the nation's highest court.

"I don't know if she saw us or if she even knew we were there. But there is something about the Black law student experience that is universal," said Hayford, who was co-president of CWRU's Student Bar Association and also served as a First Amendment Fellow at Harvard University's Berkman Klein

Center. "When you see someone having their time in the sun and in the light, the right thing to do is be part of that celebration and lift them up."

As the hearings played on a big-screen TV at the watch party, students tuned in, chatted and made colorful "Confirm KBJ" signs in preparation for a march to the U.S. Capitol building. There, they held a spirited "Have Her Back" rally, where Hayford was among those selected to speak.

Near the end of the rally, the students met briefly with U.S. Senate Majority Leader Chuck Schumer (D-NY) and presented him with a declaration of support for the nominee, signed by Black law students from across the country.

Little more than 24 hours after her arrival, Hayford flew back to Cleveland. When asked to reflect on the key takeaway moments of her whirlwind trip, Hayford said: "In school, we spend most of our time reading opinions of past Supreme Court justices, and it is not lost on me that I've never read one from a Black woman. It will probably be some time until we get to read her dissent or her opinion or her concurrences, but just thinking about the fact that this will happen in my lifetime gives me hope." ■

BIG WINS: Law school's mock trial and moot court teams bring home honors



International excellence—and best oralist in the world

After coming in third in the national competition in February, Case Western Reserve University School of Law's Jessup International Law moot court team ranked 14th in the World Championship Rounds in April, thanks to exemplary performances from team members **Michael Eckhart (LAW '22)**, **Sydney Warinner**, **Will Baker** and **Elise Manchester**.



From (left) Will Baker, Elise Manchester, Sydney Warinner, and Michael Eckhart

Then-first-year students Manchester and Baker ranked #1 and #11 oralists in the world, respectively, in the global rounds—out of more than 2,400 students from over 600 schools around the world.

The team, coached by Co-Dean **Michael Scharf** and Squire Patton Boggs attorney **Liz Safier (LAW '21)**, moved easily into the advanced rounds with a 7-1 record, but eventually lost to University of Queensland, Australia, which won the World Championship in 2018.

Their finish, however, marked one of the highest ever for a Case Western Reserve School of Law team in the World Championship Rounds. Harvard Law School ended up winning the World Championship—making it the first American team to win the Jessup World Championship since CWRU did so in 2008.

A top team at Vis International

For the first time in law school history, CWRU's team advanced to the elimination rounds of the Vis International Arbitration Moot Court virtual competition—one of only six American teams, including University of Michigan and Harvard University, to reach this level.

More than 350 teams from around the world entered the Vis competition, and only 64 advanced to the knockout rounds. Represented by co-captains **Rachel McKay (LAW '22)** and **Callan Foran (LAW '22)** in the round of 64, CWRU's team—which also included **John Schon (LAW '22)**, **Reece Disney** and **Frankie Collins**—was narrowly defeated by the home team, Vienna University of Economics and Business. Cheering from the sidelines were the remaining team members, **Elena Strelkova (LAW '22)**, **Brooke Behrmann** and **Rose Carlyon**, along with faculty coaches **Douglas Pilawa (LAW '19)** and **Katy Mercer, PhD (LAW '83; SAS '83; GRS '97, social welfare)**.

McKay received "Honorable Mention for Best Oralist"—an award given to 25 of 2,500 students. This is the second year in a row that a CWRU student has taken home a top speaking award from the prestigious competition, after Foran last year became only the second person in the law school's history to win it.

Impressing with success

Last spring, the CWRU mock trial team competed in the first in-person National

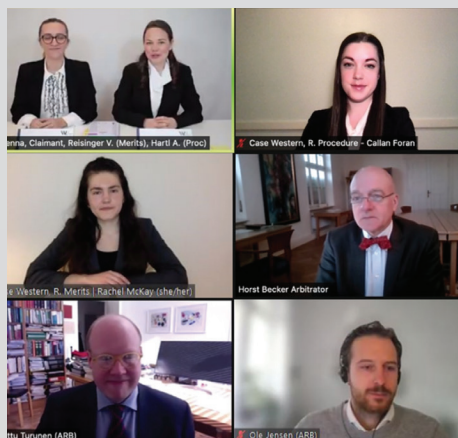
Trial Competition (NTC) since the beginning of the COVID-19 pandemic. The team sailed past hundreds of regional competitors and advanced to the national finals in Fort Worth, Texas.

Athavan Balendran (CWR '18, LAW '22), **Elena Gutbrod (LAW '22)** and **Andrew Thompson** litigated through five rounds to become one of the top four teams in the country before falling to the eventual national champions—University of California, Los Angeles, School of Law—in the semifinals.

Maddie Kelley (LAW '22), **Jake Doerr (LAW '22)** and **Dave Walters** also put forth an impressive performance, tying for eighth place and narrowly missing out on advancing to the quarterfinals through multiple levels of tiebreakers.

Case Western Reserve teams also:

- swept the top three spots at last fall's Case Classic Mock Trial Competition, which attracts teams from around the country;
- advanced to the semifinals of the National Black Law Students Association Constance Baker Motley Mock Trial Competition in Memphis, with **Makela Hayford (LAW '22)** honored as Best Advocate for the Midwest Region for the second year in a row; and
- made it to the quarterfinals of the American Association for Justice Mock Trial Competition. ■



Pictured at the 29th Vis International Arbitration Moot Court Competition: Callan Foran (top right) and Rachel McKay (middle left)

SHAPING CLEVELAND'S FUTURE

CWRU School of Law grows
leaders for a "city on the rise"

By Ginger Christ



*From left to right:
Ahmed Abonamah,
Jessica Trivisonno and
Mark Davies Griffin
(Photos by Roger Mastroianni)*

Just after midnight on a frigid night in January, a tiny library on the southeast side of Cleveland hosted a momentous event.

There in his childhood “refuge” among the shelves of books, **Justin Bibb (LAW '18, MGT '18)** was sworn in as Cleveland’s 58th mayor—the second-youngest in the city’s history.

He then took the lectern to complete his first act as mayor: swearing in fellow alumnus **Mark Davies Griffin (LAW '94)** as chief legal counsel and director of the law department.

Bibb had clinched victory after running on the platform “Cleveland can’t wait”—it couldn’t wait, he said, to address areas such as systemic racism, economic inequality, police reform, gun violence and infant mortality.

In the weeks after the election, Bibb began naming leaders to help execute his vision for a new Cleveland. And, one after another, those faces were ones who, like the mayor himself, had earned their degrees from Case Western Reserve University’s law school. In addition to Griffin, his new cabinet included **Jessica Trivisonno (LAW '17)**, special strategist for the West Side Market; **Ahmed Abonamah (LAW '08)**, chief financial officer for the City of Cleveland; **Tyson Mitchell (LAW '96, '98)**, director of equal opportunity; and **Elise Hara Auvil (LAW '92)**, chief administrative officer.



Cleveland Mayor Justin Bibb

“Normally, when you have a new mayor in a city, they’ll go out and recruit the best lawyers and public officials nationwide that they can find, especially if it’s a city that doesn’t have a really strong local law school,” Griffin said. “But Case Western Reserve University’s law school is a national law school, and it has nationally recognized areas of expertise in all of the different areas that a city needs to thrive.”



Mark Davies Griffin

Which is precisely why Bibb sought out his fellow alumni for key posts.

Case Western Reserve, Bibb said, “is a world-renowned global institution. Having it in our backyard is an asset that we need to continue ... to leverage.”

HOMEGROWN LEADERS

Case Western Reserve’s reputation draws a pool of talented students who might otherwise not have chosen Cleveland, said **Michael Scharf**, co-dean of the law school. Then, the experiences they have during their time on campus, along with the opportunities available across the city, often keep them in Cleveland after graduation.

Plus, Scharf noted, the school has proven, time and time again, to bring Northeast Ohio natives back to the area to pursue their education.

That includes Bibb, a Clevelander who earned a bachelor’s degree in urban studies from American University and studied public policy at London School of Economics; Griffin, who grew up in nearby Shaker Heights, then earned bachelor’s degrees in economics and political science from the University of Pennsylvania and a Master of Public Policy from Harvard University’s Kennedy School before joining the Peace Corps; and Trivisonno, who grew up in a suburb of Akron before leaving to earn a Bachelor of Arts at American University.

For Griffin, who has worked for Cuyahoga County, various law firms and Democratic political candidates, his reason for returning to Cleveland after college was twofold: “I came back to [CWRU] because it’s home, and it’s a premier law school,” said Griffin. “I knew

“I came back to [CWRU] because it’s home, and it’s a premier law school. “I knew [CWRU] had a commitment to Cleveland, and so did I.”
—Mark Davies Griffin (LAW '94)

continued from previous page



Ahmed Abonamah

[CWRU] had a commitment to Cleveland, and so did I.”

Abonamah, originally from Akron, moved to Washington, D.C., after graduating from CWRU School of Law. He returned to Cleveland in February to start his new role in the mayor’s cabinet after working as an attorney for the U.S. Securities and Exchange Commission. Case Western Reserve University, he

explained, set him up for professional success.

“Those three years [at CWRU] really sharpened my writing, critical thinking and problem-solving abilities,” he said. “My experience there was absolutely instrumental—it prepared me for each step of my career.”

Bibb found benefit in the dual-degree program that enabled him to concurrently earn his law and management degrees. Perhaps more importantly, though, he wanted a Cleveland-specific education.

“I wanted to focus my experience on a better understanding of the intersection of public policy and business as it relates to the future of cities,” Bibb explained. “Being able to be in Cleveland—get both degrees—and use Cleveland as my laboratory was a big selling point for me as a student.”

And for both Bibb and Trivisonno, experiential educational opportunities were critical. Trivisonno worked with community development clients in the school’s Milton A. and Charlotte Kramer Law Clinic, which primed her for her first job as an economic development director for the Detroit Shoreway Community Development Organization. She then joined Bibb’s transition team—and eventually his cabinet.

Bibb took advantage of experiential learning opportunities while at CWRU by working at Destination Cleveland and Teach for America. He also co-founded Hack Cleveland—a hackathon designed to use technology for criminal justice reform and other social justice initiatives—after the 2014 fatal shooting of 12-year-old Tamir Rice by a Cleveland police officer.

“From a civic activism perspective, from a civic leadership perspective, I was able to really get involved,” said Bibb, who is being inducted into the law school’s hall of fame, known as the Society of Benchers, alongside Griffin this fall (see p. 38).

Bibb’s experience is one Scharf wants other CWRU law school students to see as a possibility for themselves, too.

“Every time I meet a new student, I work into the conversation that our mayor is a 2018 graduate of our law school. Their eyes open wide because it says we’re a school where ambitious, successful people go to make an impact early in their careers,” Scharf said. “He embodies everything we want students to know that we can deliver.”

Bibb also epitomizes the significant effects Case Western Reserve alumni have on the city.

“Now that the mayor is a graduate of Case Western Reserve, and his cabinet is full of people from Case Western Reserve,” Scharf said, “our impact is much more visible—though it was always there.”

“COALITION OF THE WILLING”

Bibb has a vision for his hometown—a “city on the rise,” as he calls it. That vision—“to become a national model for city management, police reform and neighborhood revitalization”—will become a reality, he insists, through collaboration, communication, trust and transparency.

To that end, the mayor says he has recruited a “coalition of the willing.” Partly composed of his fellow alumni, this coalition shares his values, commitment and sense of urgency to

move Cleveland in a new direction.

“I’m very motivated by the mayor and his vision for the city,” Abonamah said. “I think the future of Cleveland is as bright as it’s ever been.”

Together, the coalition accomplished nearly half of the goals set for their first 100 days—and are in progress with the rest, according to the mayor’s online tracking system. Bibb applauded their most notable accomplishments at his State of the City address on the Case Western Reserve campus in April: amending the police reform consent decree to include a new, voter-endorsed system of police accountability; beginning talks for lakefront development; the expungement of thousands of marijuana cases; and raising more than \$100 million to eradicate lead from Cleveland’s neighborhoods.

Another priority, which Trivisonno leads: transitioning the management and operations of the West Side Market, the oldest operating public market in Cleveland, from the city—which will maintain ownership—to an independent nonprofit.

“The West Side Market is such an important thing for the identity of Clevelanders. Being back in Cleveland,



Jessica Trivisonno

“I think the future of Cleveland is as bright as it’s ever been.”
— Ahmed Abonamah (LAW ’08)

continued from previous page

where I'm doing such a 'Cleveland' job, feels very special," she said. "Under Mayor Bibb's leadership, there are just so many passionate, talented professionals who have the heart and the brains for the job."

Griffin said Bibb's leadership style "brings an energy and optimism to all of us. We just try to keep up with him to execute this vision." Now, after 10 months as mayor, Bibb still feels lucky to be leading his hometown toward change.

"It's a dream come true," he said. ■

ALUMNI ON THE BENCH

Just blocks from Cleveland City Hall sits the Carl B. Stokes U.S. Court House where, in February, two of the school's alumni—**Bridget Brennan (LAW '00)** and **Charles Esque Fleming (LAW '90)**—were confirmed as judges in the U.S. District Court for the Northern District of Ohio.

Fleming, a Clevelander hailing from Shaker Heights, remembered his CWRU law education as "intensive" and rigorous, where you had to "put in the hard work to get it right." That experience has served him well, taking him from a private law firm to an assistant federal public defender for the Northern District of Ohio to his current role as a federal district judge.

"Case [Western Reserve] helped me exponentially—it changed my life," Fleming said. "I never knew that my career path would take me to this place that I'm in now."

Like Fleming, Brennan also worked at a law firm for several years before joining the U.S. Department of Justice's United States Attorney's Office for the Northern District of Ohio. She served in the department for more than 14 years, most recently as a federal prosecutor.

When Brennan takes into account the number of her fellow alumni in leadership roles around the city, she's not surprised.



Charles Esque Fleming



Bridget Brennan

"CWRU has a strong commitment to justice, public service, and community engagement," she said. "That's why, in my opinion, so many graduates have sought careers in public service or use their positions to improve their communities."

School of Law Co-Dean **Michael Scharf** said that's exactly the message he wants people to get about Case Western Reserve University School of Law.

"What we like prospective students to know," he said, "is if they come to our law school, they have a really good chance of getting into public service in Cleveland, making an impact and being a significant mover and shaker in our city." ■

TACKLING POLICE REFORM

In 2015, **Ayesha Bell Hardaway (LAW '04)**, professor of law and director of Case Western Reserve University School of Law's Social Justice Law Center, received a cold call from Matthew Barge, a police reform expert: He had seen Hardaway interviewed in a local news story about the consent decree the U.S. Department of Justice and City of Cleveland had entered to address the excessive force endemic within the Cleveland Division of Police. Would she consider lending her expertise by joining a team vying to handle the department's reform?

Hardaway accepted, and her team won the bid. This made her the first local person on the Cleveland Police Monitoring Team, which was charged with assessing the city's progress under the federal consent decree.

At first, Hardaway served as both a subject matter expert on legal issues related to policing and as the lead team member for community engagement. Eventually, she became deputy monitor,

which requires that she and her team monitor the city's progress on reforms.

That includes various measures under community policing, search and seizure, use of force, data collection and analysis, and hiring. Every six months, the team provides a progress report to a federal judge.

"I feel like my education can stand up to anybody else in the country with what I received from CWRU law," she said. "As a faculty member, I have found the school to be extremely supportive and understanding of both the honor and the responsibility associated with this work." ■



Ayesha Bell Hardaway

INTERNATIONAL IMPACT

From The Hague to the United Nations,
the Cox Center influences justice
around the world

Since 1991, Case Western Reserve University School of Law's Frederick K. Cox International Law Center has trained lawyers while making a global impact on international law and justice. The center's students and faculty have used their expertise to change lives, grab headlines and sway decisions in foreign policy. Read on to learn about some of their noteworthy achievements from last year.





Judge Luz del Carmen Ibáñez Carranza (Peru), first vice president of the ICC, questions Dean Scharf during his Amicus argument.



Dean Scharf (bottom left in photo above) presented an amicus argument before the Appeals Chamber of the International Criminal Court in The Hague in February.

BURDEN OF PROOF

After being kidnapped and forced to become a child soldier by Joseph Kony's Lord's Resistance Army in northern Uganda, Dominic Ongwen rose through the ranks to become one of the insurgent group's top commanders—until his 2015 surrender to U.S. forces in the Central African Region, and subsequent turnover to the International Criminal Court (ICC) at The Hague.

He was charged with war crimes and crimes against humanity, including murder, rape and sexual enslavement. His attorneys sought an insanity defense, arguing that because Ongwen had been forcibly indoctrinated by the Lord's Resistance Army as a child, he suffered from a mental disease or defect that precluded culpability before the ICC. The prosecution presented its own psychiatric witnesses to counter the defense. The trial chamber ruled that Ongwen failed to meet the burden of proof in the mental disease or defect defense, and sentenced him to 25 years.

The defense filed appeals on both the conviction and sentencing. That's when the ICC Appeals Chamber invited Case Western Reserve University School of Law Co-Dean **Michael Scharf** and his colleagues at the non-governmental organization Public International Law and Policy Group (PILPG) to submit an amicus brief addressing the question: Who has the burden of proof for the insanity defense in cases before the ICC, the prosecutor or defendant?

Scharf—who co-founded the Nobel Prize-nominated PILPG 25 years ago and continues to serve as head of its international amicus practice area—traveled to The Hague, where he became one of the only U.S. citizens to present an amicus argument before the Appeals Chamber of the ICC. He argued that the ICC's statute should be interpreted as requiring the defense to produce evidence that supports the insanity defense—but then requiring the prosecution to prove that the evidence presented regarding mental illness doesn't raise a reasonable doubt as to the defendant's guilt.

The Appeals Chamber is likely to render its judgment this fall. And though Scharf did not take a position on whether the approach he advocated would alter the outcome for Dominic Ongwen, he believes it would have an important effect on the quality of international justice in future cases.

Read Scharf's amicus brief presented at The Hague at bit.ly/scharf-amicus-brief.

POWERFUL PERSUASION

When U.S. Secretary of State Antony Blinken announced last spring that the United States determined Myanmar's army has committed genocide against the Rohingya people, his declaration drew on a Case Western Reserve University-led study prepared in 2018 by PILPG for the U.S. State Department.

For "Documenting Atrocity Crimes Committed Against the Rohingya in Myanmar's Rakhine State," a team led by alumna **Margaux Day (LAW '09)**, former vice president of PILPG, and **Greg Noone**, an adjunct professor at the School of Law and senior legal advisor for PILPG, interviewed more than 1,000 Rohingya refugees in Bangladesh.

Both Scharf and **James C. Johnson**, adjunct professor of law and director of CWRU's Henry King War Crimes Research Office, also helped draft the report, which made the legal determination that—based on the findings of the PILPG investigative mission—"there are reasonable grounds to believe that crimes against humanity, genocide, and war crimes were committed against the Rohingya" in Myanmar.

Four years later, drawing on the PILPG report, Blinken said the attacks against Rohingya were "widespread and systematic" and that evidence pointed to a clear intent to destroy the mainly Muslim minority.



U.S. Secretary of State Antony Blinken announced at a press briefing on March 21 that the United States has determined that Myanmar's army committed genocide against the Rohingya people.

ONGOING ACCOUNTABILITY

The conflict in Yemen continues to be the site of some of the worst atrocities and suffering on the planet. The law school's Yemen Accountability Project (YAP)—supported by an annual grant from alumnus **Tim Geisse (LAW '84)** since its inception—is entering its fifth year this fall. Overseen by Johnson and directed by third-year law student **Sydney Warriner**, the YAP is a student-led initiative that documents and analyzes war crimes and crimes against humanity committed during the Yemen Civil War.

Over the last year, YAP's student researchers documented potential crimes occurring through 2020, updated dossiers on the conflict's most responsible parties and drafted a white paper, "Attacks on Yemen's Cultural Property," which covered religious sites, educational institutions and a number of UNESCO World Heritage Sites.

The YAP has created three white papers in total, which have been widely disseminated to governments, non-governmental organizations and international organizations. Its current research focuses on the impact of Yemen war crimes on children.

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WRONGFULLY DETAINED

Just five days after Rushan Abbas publicly spoke out against China's persecution of the Uyghurs—a majority Muslim ethnic group living in Xinjiang, China—her sister, Gulshan Abbas, was arrested, convicted and harshly sentenced for alleged terrorist acts. The medical doctor has been held for three years in incommunicado detention in a Chinese “re-education” camp—one of 1,300 across China, where more than 1 million Uyghurs have been detained for terrorism and “disloyalty to the state.” To CWRU law students **Natalie Aguilar** and **Lucas Allison**, it seemed clear that Gulshan was arrested solely because

of her association to the Campaign For Uyghurs; Rushan, her sister, is director of the campaign. With the help of **Avidan Cover**, professor of law and associate dean for academic affairs, the students prepared and submitted a complaint on behalf of Rushan to the United Nations Working Group on Arbitrary Detention and other U.N. Special Rapporteurs concerning the unlawful detention of Gulshan.

In the complaint, Aguilar and Allison detailed how they believe Gulshan's arrest and detainment violated numerous international human rights provisions, amounting to an arbitrary deprivation of

liberty, and how her mistreatment is part of the Chinese government's systematic human rights violations and crimes against its minority Uyghur population.

Allison and Aguilar expect the UN Working Group on Arbitrary Detention to soon issue an opinion supporting the complaint's contentions and recommend China release the imprisoned Uyghur doctor. As he waits for the ruling, Allison finds solace in his efforts. “Helping Rushan advocate for Gulshan's release—and contributing to the international community's understanding of the situation in Xinjiang—was a rewarding experience,” he said. ■



Students Lucas Allison (left), Natalie Aguilar (right) and Professor Avidan Cover (center) submitted a complaint to the United Nations Working Group on behalf of a prisoner they believe has been unlawfully detained.

Battle for Ohio

JESSIE HILL, LEADING LITIGATOR OF THE STATE'S REPRODUCTIVE RIGHTS MOVEMENT, MEETS THE BIGGEST LEGAL FIGHT OF HER LIFE

By Mark Oprea

The U.S. Supreme Court's June 24 ruling that abortion is not a constitutional right prompted celebration from some—and outrage among others.

Jessie Hill, the Judge Ben C. Green Professor of Law at Case Western Reserve University School of Law, is one of the latter. Besides her role as a law professor, Hill leaned into her litigation expertise the evening *Roe v. Wade* fell. Merely minutes after the decision came down, Ohio Attorney General Dave Yost asked Southern District Judge Michael Barrett to remove the injunction on 2019's "heartbeat" bill—which limits abortions to when fetal cardiac activity is detected, typically at about six weeks of pregnancy. Barrett lifted the injunction that evening at 6 p.m., and the bill was codified into Ohio law.

That's when Hill's phone started ringing.

"It was absolute chaos," said Hill. "I had to give our clients the bad news and help them figure out how to comply with the law. At the same time, I was getting nonstop press calls, as well as thoughtful, supportive texts from friends and colleagues."

While the ban didn't come as a surprise, the swiftness of it taking effect did. "We were expecting him to file that motion, but we were not expecting the judge to give us only two hours to respond to it," Hill recalled. "We thought we would have a bit more time to prepare, and for our clients to prepare."

"All these women had abortions scheduled," Freda Levenson, legal director at the American Civil Liberties Union of Ohio, said. "Perfectly legal abortions that they were relying on and planning. And they suddenly were told, 'You can't have your abortion.'"



Jessie Hill (Photo by Angelo Merendino)



Becca Kendis

Five days later, on June 29, Hill, Levenson and **Becca Kendis (LAW '19, SAS '19)**, a reproductive rights fellow at the law school since 2020, filed in the Ohio Supreme Court a lawsuit they'd been working on since last November. They were

joined by others—a team of attorneys from the national headquarters of the ACLU and Planned Parenthood, as well as the law firm Wilmer Hale—in their filing. In their 44-page complaint, the Hill-led coalition requested that the Ohio Supreme Court recognize that, as Hill said in an interview, “the Ohio Constitution protects the right to abortion, even though the U.S. Constitution does not.”

In the post-Roe era, about 14 states are mired in a political and legal battle on abortion. This is a culmination of 43 years of litigation for many. For Hill, who has counseled or co-counseled on nine

Decades before Hill adopted the lead litigator role for Ohio's pro-choice advocates, she was a student at the all-girls St. Ursula Academy preparatory school in Cincinnati, where she grew up.

This was the 1980s and, for Hill, the world of legal matters was somewhat distant. Her family was politically quiet, and her neighborhood mostly conservative. Upon graduating from high school, Hill fulfilled her goal of attending an out-of-state university and was beginning her “rebellious streak.” Twelve years of Catholic schooling, Hill recalled with a grin, contributed to her 180-degree view on reproductive rights.

“I kind of feel like Jesus would have been pro-choice,” Hill said. “I can't see how the empathetic answer to anyone's suffering is to force them to have a child.”

As an undergraduate at Brown University, Hill was intrigued by the social justice tendencies of French feminist writing and

major Ohio reproductive rights cases in the past 11 years, today's legal context represents her greatest challenge—and opportunity—to make a difference in the fight for reproductive freedom.

“Oh, she's in the fight of her life,” Levenson said, regarding the group's lawsuit, *Preterm-Cleveland v. David Yost*.

In 2019, Hill counseled in *Planned Parenthood v. Hodges*, arguing that clinics couldn't lose medical licenses due to “arbitrary transfer rules,” or patient transfer agreements with local hospitals. In 2017's *Preterm-Cleveland v. Himes*, she argued before Ohio's Sixth Circuit court of appeals against a ban on Down syndrome abortions.

After President Donald Trump took office in 2017, Hill and her colleagues knew Trump's long-promised appointment of conservative U.S. Supreme Court justices could put abortion access in jeopardy. In September 2020, a year after Hill battled Yost's support of the “heartbeat” bill, liberal Justice Ruth Bader Ginsburg died;

opted to study comparative literature. She pursued similar post-graduate work at Yale University until dropping out in 1996—having been “too removed from the real world”—and earned her Juris Doctorate at Harvard University in 1999. Hill passed the bar in both New York and Massachusetts, and litigated trial-level cases with constitutional insight for the ACLU's Reproductive Freedom Project in New York. Soon after, she relocated to Cleveland and passed the Ohio bar in 2002. The following year, she began working as an associate for Berkman, Gordon, Murray & DeVan, then started teaching at Case Western Reserve University two years later.

Jessica Berg (GRS '09, public health), co-dean of the School of Law, has observed Hill's dedication to teaching, research and litigation since Hill became an assistant professor in 2004. “We knew she was a very talented attorney, extremely smart and really had a good sense of scholarship,” Berg said. “And she had even said at the

two months later, conservative Justice Amy Coney Barrett replaced her.

That fall, with Kendis at her side, the team “immediately started researching legal theories under the Ohio Constitution.”

For a year and a half, Hill became entrenched in Ohio law, in between symposium talks, phone-call counseling, coursework and penning academic papers such as “The Geography of Abortion Rights.” By the time June 29 arrived, Hill felt herself armed to argue against Ohio's six-week abortion ban with an array of supporting evidence: the risk of death during childbirth is about “13 times higher” than with abortion, and people have “threatened to commit suicide” when “denied care,” according to data in the writ of mandamus. (One woman, according to the report, said she would “drink bleach” if forced to remain pregnant.)

“This lawsuit,” Hill said, “has been a very long time in the making.”

time she was not going to stop the practice side of things. And, well, she didn't.”

As the Ohio abortion debate intensified, Hill's writing became more philosophically complex, as did her courses. Hill highlighted the religious underpinnings in abortion law in her coursework, while writing law review articles linking Christian morality to First Amendment issues, such as 2013's “(Dis)Owning Religious Speech” and 2020's “Reconsidering the Takeover of Religious Organizations.”

There is a theme linking reproductive choice, religious liberty and free speech, Hill noted in a 2019 article. “That unifying thread,” she wrote, “is the concept of deliberative privacy.” ▶



Jessica Berg

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The goal of the astute litigator, Hill says, is to first know the defendant's argument just as well as your own. It's a well-known tactic embraced by many attorneys but Hill has perfected this strategy. "You don't want to present a caricature of the other side," Hill said. "Because if you go into court with some caricatured idea of what your opponent's argument is, then you can't respond to it effectively."

In 2016, right after earning a Distinguished Research Award from CWRU, Hill started the school's Reproductive Rights Lab—where students produce memos and briefs for, as she explained, "actual, real-life repro cases." She wanted to bring her students closer to casework. Whether examining legal theories to challenge Ohio House Bill 598—the 2021 "trigger bill" that would prohibit abortion from the moment of conception if signed—or arguing for the constitutionality of keeping a six-week ban legal, Hill's lab is intended to be a deep dive into cases playing out in state and federal courthouses.

For **Kairra Brazley**, a third-year law student, the lab was a precursor to her summer work at Friedman & Nemecek, a Cleveland law firm. Though Brazley defines herself as leaning pro-choice,



Kairra Brazley

In early August, a day after Indiana's legislators voted to ban abortion without exceptions for rape or incest, Hill sits at her desk. Around her are hundreds of books on legal philosophy next to boxed figurines of *Breaking Bad* characters and the late Ruth Bader Ginsburg. Above them are framed photos of her two teenage daughters.

It's a reality Hill said she's confronted more than ever since June: How will Ohio's future of reproductive rights in a post-Roe environment impact her family? After all,

"Your whole job as a lawyer and a law professor is to teach students to see the other side of arguments. No law school classroom should ever present just one side of an issue. And I think that's what makes you a better lawyer."

— Jessie Hill

she sees the Reproductive Rights Lab as a preparatory extension away from stiff legal theory. "She would introduce us to stuff not in the book," Brazley recalled.

Alex Brown (LAW '16),

now an associate attorney at Meyer Darragh Buckler Bebenek & Eck in Pittsburgh, remembers Hill's constitutional law class—one of his favorites—as "accessible to anyone, regardless of their views."



Alex Brown

Even when, Brown remembered, those views are the "polar opposite" of Hill's—as was often his situation. "I never felt that

Hill believes that, if the Ohio courts and legislature lean Republican in November, related reproductive healthcare issues—the legality of emergency contraception, birth control and in-vitro fertilization, for example—"are on the chopping block."

Potential bans, she suggested, that are pertinent to young Ohioans. "My daughters, they're very pro-choice, too, but I don't think that this has really hit them the way it's hit me," Hill said. "It's them that I'm doing this for, in a lot of ways. Right? It's their future."

I was treated differently because I had a different philosophical background. We could freely exchange ideas and have a dialogue without feeling like we were going to be judged for that," Brown said. "I think that is a really important lesson for society today, across the board."

And when tensions occasionally rose as students' personal perspectives seeped into classroom discussion, Hill consistently managed to calm them. "Professor Hill kept the peace," Brazley said.

Which isn't always easy for her. Anyone reviewing her resume would quickly grasp Hill's stance on issues like reproductive rights. Hill refers to herself as "very pro-choice," and says she "obviously falls on the liberal side."

But even in the midst of litigating *Preterm v. Yost*, Hill draws a clear line between her role as a strong legal advocate—and an even-handed educator. In other words, she knows the importance of providing students all perspectives on legal questions, not simply her own.

"Your whole job as a lawyer and a law professor is to teach students to see the other side of arguments," she said. "No law school classroom should ever present just one side of an issue."

"And I think that's what makes you a better lawyer."

As the legal lodestar of Ohio's pro-choice culture, Hill said she never bemoans her endless schedule—about 25 grant-funded hours a week these days—or any dread of impending legislation.

"It is a lot," she said, exhaling. "I've been exhausted and I can't even tell you—the past month has been so hard. But I also feel like I'm really lucky to be here right now doing this work, because ... if I weren't?" ■

REAL-WORLD EXPERIENCE

Through the Kramer Law Clinic, students gain hands-on practice—and change clients' lives

When an El Salvadoran citizen suffered inhumane treatment at the hands of his native country's government, he fled the country to the United States—only to eventually be detained for more than two years by U.S. Immigration and Customs Enforcement.

After enduring harsh beatings during repeated detentions by the Salvadoran National Civil Police, he feared leaving the U.S. to return home.



Alexander Cuic

Enter the Immigration Law Clinic, through which students, under the supervision of Professor **Aleksandar Cuic**, successfully argued in federal court on behalf of their client—and ended his two-plus-year detention and saved him from deportation and torture.

It's just one example of transformative legal experiences made possible through the school's Milton and Charlotte Kramer Law Clinic. ▶



Through the Health Law Clinic, CWRU law students helped people create essential legal documents like wills.

OUR CLINICS

Students can gain experience in nine specialties:

- Appellate Litigation Clinic
- Community Development Clinic
- Criminal Justice Clinic
- First Amendment Clinic
- Health Law Clinic
- Human Trafficking Law Clinic
- Immigration Clinic
- Intellectual Property Venture Clinic
- Second Chance Reentry Clinic



(Seated from left) The Cleveland Observer officers Ray Hom and Ron Calhoun, with (standing from left) Michael Bishop, Jacob Gialamas and Sierra Lipscomb of the Community Development Clinic.

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Essentially a law firm within the school, the clinic is staffed by faculty with years of practice experience. Together with law students and fellows, they represent clients who cannot afford their own lawyers—typically handling more than 350 cases per year and providing about 35,000 hours of pro bono legal work across nine different clinics.

The hands-on experience students gain is often cited as among the most rewarding and memorable parts of CWRU law students' education—and it's among the reasons *preLaw* magazine ranked Case Western Reserve No. 5 in the country for practical training.

Finding solutions

Before setting foot in a courtroom or preparing official legal documents, students in clinics conduct extensive research into a variety of areas. In the Immigration Law Clinic, for example, they pored over the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to prepare their claim for court.

Students at the Community Development Clinic recently came to the aid of the Hough Community Land Trust (HCLT), which works to ensure real estate affordability while supporting racially and

economically inclusive ownership and access in Cleveland's Hough neighborhood. With the students' guidance, the HCLT worked through the process of incorporating as a nonprofit organization.

Clinic interns skillfully led trust members through each step of incorporation, then advised on best practices, conflict of interest policies and nonprofit legal compliance obligations.

In addition to working with the HCLT, these students assisted *The Cleveland Observer* (TCO)—a community-based news media organization—by helping to establish it as a nonprofit corporation, with 501(c)(3) tax-exempt status. Clinic students led TCO's organizational board meeting, which allowed TCO to convene its prospective board of directors, elect officers and carry out other important business like adopting its bylaws, which were prepared by students at the clinic.

"This is a great way for our interns to learn about the value that capable transactional legal counsel can add," said Professor **Matthew Rossman**, director of the Community Development Clinic. "At the same time, our interns learned about unique strategies for preserving housing affordability—a growing challenge in greater University Circle."

In the Health Law Clinic, students similarly connected their studies with practice—and gave back to the community—at a "pop-up" clinic, where they helped more than 30 Clevelanders obtain wills, powers of attorney and other important legal documents.

"Our students identified an essential legal service that our clients and others in the community did not have easy access to," said former clinic fellow **Jessica Edelstein (LAW '18)**, "and rose to the occasion to address that need."



Sara Coulter

Righting wrongs

Identifying such needs and using their newly gained knowledge to benefit clients is a constant across each of the school's nine clinics. In the First Amendment Clinic, for example, post-doctoral fellow **Sara Coulter** recently argued and won a protected speech case on behalf of her client who, wearing a T-shirt bearing anti-police profanity, was ordered to leave the county fair and, after levying numerous obscenities at the police and the fairgrounds' administrator, was arrested for disorderly conduct.

Though the charges were dismissed, Coulter's client filed suit against the officers for false arrest and retaliation for his protected speech. Based on Coulter's argument, the U.S. Court of Appeals for the Sixth Circuit reversed a lower federal court's ruling that the officers were entitled to qualified immunity.

"Sara did a masterful job delivering oral argument in this complex and important case," said **Andy Geronimo (LAW '10)**, director of the First Amendment Clinic.

In the Appellate Litigation Clinic, meanwhile, students have found success for clients in rooting out surprisingly common procedural errors, particularly at the misdemeanor level.

"What we've seen is systemic," said Professor **Andrew Pollis**, who directs the Appellate Litigation Clinic. "And we're not bashful about calling it out."

Their work has paid off. In the clinic's first three years, 21 students handled 13 cases, winning 11 of them, including overturning six criminal convictions. That successful record stands in stark contrast to the 7% reversal rate in criminal appeals.

"What I did not anticipate is how profoundly impactful students' work on these cases can be," Pollis said. And for all of their success on behalf of clients, he continued, "there's nothing more satisfying about this job than witnessing those student triumphs." ■



(From left) Andrew Pollis and Joseph Shell after arguing an appeal at the Ohio Supreme Court in April.

Nothing prepared me for the feeling of speaking with my client's mother, and hearing how happy she was with my performance.

—Nadia Haile (LAW '22), part of the Appellate Litigation Clinic

THE NEWEST ADDITION

When the Environmental Law Clinic debuts this fall, **Miranda (Randi) Leppla** will serve as lead instructor, working with students to advocate for policy changes and guide clients through environmental law and policy problems, especially environmental and energy justice concerns in Northeast Ohio.

"With an ever-increasing amount of climate and environmental issues impacting our communities," Leppla said, "there has never been a greater need for attorneys to be grounded in environmental law."



Miranda (Randi) Leppla

TRIUMPH OVER TUMULT

Reflecting on success amid unprecedented events



"Now more than ever, the world needs you—it needs you to seek truth, it needs you to right society's wrongs. It needs you to ask and analyze the hard questions, and have the courage and moral compass to meet the moment we are in."

— Justin Bibb (MGT '18, LAW '18),
Mayor, City of Cleveland



In May, more than 1,000 family members and friends gathered at Severance Music Center to celebrate the Case Western Reserve University School of Law Class of 2022.

Co-Dean **Michael Scharf** opened the event by congratulating students on their success throughout their time in school, which—marked by the pandemic, racial injustice, the insurrection at the nation's capitol, contentious elections and U.S. Supreme Court confirmation hearings—was among the most tumultuous in recent history. "But rather than become distracted," he told them, "you retained your focus; rather than become dispirited, you persevered. You have made us all very proud."

Student Bar Association Co-President **Makela Hayford (LAW '22)** echoed that sentiment, noting the remarkable events that occurred during their law school years and the resilience required to get through them. "No matter how many times the so-called unprecedented, uncertain, unfamiliar—the complete, utter chaos of the past three years—flung itself between us and our commitment to building a better world," she said, "we stayed the course. We built paths for others. We helped each other along the

way. We protested. We made noise. We changed policies. We showed up."

Later, Cleveland Mayor **Justin Bibb**, a 2018 dual School of Law and Weatherhead School of Management graduate, took the stage to give the commencement address. He recalled his time on campus, and told the law school's newest alumni to embrace their newfound power as trained attorneys. "I lean on my law school education every day," said Bibb, "both in my capacity as mayor as well as a citizen of this nation."

By the end of the ceremony, 266 diplomas had been awarded to students from 23 states and 12 countries. **Jessica Berg (GRS '09, public health)**, the law school co-dean and Tom J.E. and Bette Lou Walker Professor of Law, closed the ceremony, telling the graduates that they've earned more than just their law degrees—they've learned how to navigate adversity, an invaluable lesson for the future.

"You will not choose the challenges you face," she said. "You certainly didn't choose the ones you faced these past few years! But you will choose how you react to those challenges." ■



*Scenes from Commencement 2022
(Photos by Charles "C.J." Lockett)*





Students report on social justice

Law school's Social Justice Law Center publishes new magazine

This fall, Case Western Reserve University School of Law will release the first issue of *The Social Justice Law Reporter*, a magazine published by the Social Justice Law Center (SJLC). Focusing on social justice and civil rights issues, *The Reporter* is the culmination of essays researched and written by second- and third-year law students in a yearlong seminar taught by **Ayesha Bell Hardaway (LAW '04)**, law professor and director of the law school's Social Justice Law Center, and **Ashley Everette**, an adjunct professor at the School of Law. Unlike traditional law review journals, *The Reporter* provides students with an opportunity to add their voices and growing expertise to timely legal issues.

"Through our clinics, the work of our faculty and the initiatives of our Social Justice Law Center, Case Western Reserve University

School of Law strives to be on the forefront of the pursuit of social justice," said Co-Dean **Michael Scharf**.

"*The Reporter* provides an important forum for our students to advance the cause of social justice through their writing," added Co-Dean **Jessica Berg (GRS '09, public health)**.

"Our students over the years have expressed a strong desire for an outlet to research, write and dialogue about social injustices," Hardaway said. "It has been a great honor and privilege to work with Professor Everette and the students on the first issue of *The Reporter*." ■

A "JumpStart" on law school

Extra support helps underrepresented students succeed

As a first-generation law student, **Christine Love** said she had no idea what law school would be like, apart from what she had seen on TV. Now a second-year student at Case Western Reserve University School of Law, Love credits the school's JumpStart program for her success. "It helped me learn the ropes without the stress of juggling multiple classes and worrying about multiple grades," she said.

Now in its second year, JumpStart enables 30 to 40 incoming first-year law students to begin their law school careers the summer before their first semester begins. Designed by **Bryan Adamson (LAW '90)**, the law school's associate dean for diversity and inclusion, and **Liam Dunn (LAW '14)**, director of academic support, the eight-week summer program helps students build confidence and community while easing the typical fall semester course load.

All JumpStart students enroll in the first-year criminal law course and can take advantage of programs designed to help them prepare for classes, take exams, manage their stress and time, and establish effective school-life balance. They also meet with current students, faculty and local members of the legal profession.

"There are aspiring law students who do not come from places of privilege, having the economic or social advantages that often ensure law school acclimation and success," said Adamson, who is also the David L. Brennan Professor of Law. "But these students—often from minority communities or first-generation students, veterans and those with other abilities—are indispensable to the law school classroom, and essential to the legal profession." ■





Cleveland-area high school seniors pose during a course in the Stephanie Tubbs Jones Summer Legal Academy last June.

Trial run for prospective law students

Stephanie Tubbs Jones Summer Legal Academy gives high schoolers a peek into the legal profession

This past summer, Cleveland-area high school students attending the Stephanie Tubbs Jones Summer Legal Academy at Case Western Reserve University School of Law got a look at what it's like to be a lawyer.

Established in 2005 as one of the nation's first pipeline programs, the academy seeks to build a more diverse legal community by immersing a group of rising high school seniors from underrepresented groups throughout Cleveland in a tuition-free, interactive law institute.

As part of the program, students worked on a simulated civil case involving an excessive force claim. Students studied the Fourth Amendment, interviewed their client, engaged in discovery and presented an oral argument. In addition, judges, lawyers and professors introduced the students to legal issues and career opportunities. At the end of the program, the students completed a four-week paid internship in a legal setting.

Adrik Dutta, a student at Shaker Heights High School, found the program valuable—and timely.

"It is a very immersive experience into what a career in law entails," he said. "This is the perfect time for this program, as we are just starting to apply for college, and this will give us a more informed opinion on what we want to do with our lives." ■

In the news

Case Western Reserve University School of Law faculty are often sought by media outlets for their deep expertise in legal affairs to help people understand the most complex issues of our time. From environmental, health and international law to the U.S. Supreme Court, our scholars help guide the conversations about breaking news topics around the world.

When someone dies and we're only talking about the potential of two years in prison, I think there's a strong concern, a well-founded concern, that this removes the motivation for police to be more mindful of the way they choose to use force against individuals on the street.

—**Ayesha Bell Hardaway**, professor of law, to the **Washington Post** regarding the sentencing of three former police officers in the killing of George Floyd

I think the public interest here in exploring what happened and avoiding similar tragedies in the future, that's a really big interest. That is likely to outweigh the interests of the particular outcome of the lawsuit.

—**Cassandra Burke Robertson**, the John Deaver Drinko - BakerHostetler Professor of Law, in **The Huffington Post** on the documentary Concert Crush: The Travis Scott Festival Tragedy

The court is definitely sending a signal to regulatory agencies more broadly that they only have the power that Congress delegated to them, and that agencies need to think twice before they try to pour new wine out of old bottles.

—**Jonathan Adler**, the Johan Verheij Memorial Professor of Law, to **NPR** about the U.S. Supreme Court's decision to restrict the Environmental Protection Agency's authority to mandate carbon emissions reductions

Whatever the mandate is to detain individuals, if there isn't sufficient funding to ensure that there's both sufficient capacity and, of course, humane capacity, then the executive branch needs to look for other options.

—**Avidan Cover**, professor of law and associate dean for academic affairs, to **Marketplace** on replacing the "Remain in Mexico" policy

Investors in any company that has been impacted by this can bring forth a lawsuit. The question is: do we have fraud? Do we have a billionaire that is doing this purposely to impact the markets? That is legally what needs to be answered.

—**Anat Alon-Beck**, assistant professor of law, to **The Guardian** on the withdrawal of Elon Musk's bid to buy Twitter

It may be offensive, and maybe stuff all of us hate to hear, but as a governmental entity, you have no power to regulate it just because you're offended by it. And that's where some of the tension between local municipalities and the federal government arises. In some areas, laws may have been passed before the Supreme Court clarified that offensive speech is protected and can't be regulated.

—**Andrew Geronimo**, lecturer in law and director of the First Amendment Clinic, to **VICE News** on the protected First Amendment right to use profanity toward law enforcement

[Covering travel costs for abortion is] certainly cheaper than having to pay for pregnancy care and for delivery of the child, and then to support the child for 26 years. So employers might do a cost-benefit analysis and say if the woman really doesn't want to have a child, it's cheaper for us as well.

—**Sharon Hoffman**, Edgar A. Hahn Professor of Law and co-director of the Law-Medicine Center, to **NPR** about companies covering employees' travel expenses for out-of-state abortions

There's a group that was clearly attempting to obstruct an official proceeding [referring to former Chief of Staff Mark Meadows, and President Donald Trump's lawyers, Rudy Giuliani and John Eastman]. Trump doesn't have to have joined it. If he encouraged that attempt, he's fully liable for it.

—**Kevin McMunigal**, professor of law, to **The (Toledo, Ohio) Blade** on the case against the former president for accomplice liability in the attempt to obstruct the 2020 election proceedings

The pro-choice side has been more focused on a national picture and a national strategy. The other side has been building infrastructure in the states and figuring out what works. That's what it's going to look like if there's going to be a successful pro-choice movement after Dobbs.

—**Jessie Hill**, the Judge Ben C. Green Professor of Law, to the **Washington Post** in the aftermath of the decision to overturn *Roe v. Wade*

Other than threats of using nuclear war or firing a new generation of hard-to-defend missiles, Russia's depleted military also has a big morale problem that would only get worse should Putin decide on an expanded campaign against one of Ukraine's neighboring NATO countries.

—**Juscelino Colares**, the Schott-van den Eynden Professor of Business Law and co-director of the Frederick K. Cox International Law Center, in the **International Business Times** on the potential for Russia to attack NATO countries

SCHOLARLY IMPACT

Case Western Reserve University School of Law faculty regularly publish books, chapters, journal articles and briefs. Here are some of their published pieces to appear over the last year.

Jonathan H. Adler,

Johan Verheij Memorial Professor of Law and director of the Coleman P. Burke Center for Environmental Law



- "West Virginia v EPA: Some Answers about Major Questions," *Cato Supreme Court Review* (forthcoming 2022).
- "Displacement and Preemption of Climate Nuisance Claims," 17 *Journal of Law, Economics & Policy* 217 (2022).
- "Super Deference and Heightened Scrutiny (or When Super Deference Is Not So Super)," 74 *Florida Law Review* 267 (2022).
- "A Progressive Defense of Cost-Benefit Analysis," *Regulation* (Summer 2022) (book review).
- "A 'Step Zero' for Delegations" in *The Administrative State Before the Supreme Court: Perspectives on the Nondelegation Doctrine* (Peter Wallison & John Yoo eds., AEI Press 2022).

Anat Alon-Beck,

assistant professor of law



- "Dual Fiduciaries, Corporate Law and Unicorns," in *A Research Agenda for Corporate Law* (Christopher Bruner and Marc Moore, eds.) (forthcoming 2023).
- "Mythical Unicorns and How to Find Them: The Disclosure Revolution," *Columbia Business Law Review* (forthcoming 2022) (with John Livingstone).
- "Bargaining Inequality: Golden Handcuffs and Asymmetric Information," *Maryland Law Review* (forthcoming 2022).
- "A Duty to Diversify," 75 *Vanderbilt Law Review En Banc* 97 (2022) (with Michal Agmon-Gonnen and Darren Rosenblum).

Juscelino Filgueiras

Colares, the Schott-van den Eynden Professor of Business Law



- "The Consistently Inconsistent, GATT-Violating EU Labeling of Israeli Food Imports," 57.1 *Journal of World Trade* (Winter 2022-23).

Joseph A. Custer

- "Cancel Culture Attacks on Books and Authors," 101 *Nebraska Law Review* 3 (2023).



Jonathan L. Entin, David

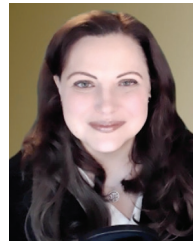
L. Brennan Professor Emeritus of Law and adjunct professor of political science



- "Court Packing and Judicial Independence: An American Perspective," in *Measuring Justice: Efficiency, Quality, and Independence* (Shimon Shetreet et al. eds., forthcoming).
- "Conservation Easements, the Internal Revenue Service, and the Administrative Procedure Act," *Journal of Taxation of Investments*, Summer 2022, at 27.
- "Introduction to Symposium on AEDPA and the PLRA After 25 Years," 72 *Case Western Reserve Law Review* (forthcoming 2022).

Shannon French,

Inamori Professor of Ethics, professor of law and professor of philosophy



- "War and Technology: Should Data Decide Who Lives, Who Dies?" *Ethics in the AI, Technology, and Information Age* (Boylan, M. and Teays, W., eds.; Rowman & Littlefield Publishers) (forthcoming 2022).

Brian Gran, PhD,

professor of sociology and professor of law



- "Disability and Human Rights: The Right to Benefit from Scientific Progress," in *Edgar Handbook on Disability Policy* (forthcoming) (with A. Bryden, J. & French, J.).
- "Researching Children's Rights in Pursuit of Social Change," in *Research Handbook on Intersectionality* (forthcoming) (with C. Ngana).

- "Disability Rights and Social and Economic Participation," in *Oxford Handbook on the Sociology of Disability* (forthcoming) (with A. Bryden).
- *Children's Rights and Independent Children's Rights Institutions*, (Brian Gran & Agnes Lux, eds., Emerald Press 2022).
- "The European Network of Ombudspersons for Children," in *Children's Rights and Independent Children's Rights Institutions* (2022) (with R. Shura).
- "Why the United States Needs a National Children's Rights Ombudsperson," in *Children's Rights and Independent Children's Rights Institutions* (2022).

Ayesha Bell Hardaway,

associate professor of law and director of the Social Justice Law Center



- "The Rise of Police Unions on the Back of the Black Freedom Movement," *Connecticut Law Review* (forthcoming 2022).

Jessie Hill, Judge Ben C.

Green Professor of Law and associate dean for research and faculty development



- "Due Process, Delegation, and Private Veto Power," 108 *Iowa Law Review* (forthcoming 2023).
- "Religious Nondelegation," 54 *Loyola University Chicago Law Journal* (forthcoming 2023).
- "Response to Wasserman and Rhodes: The Texas SB 8 Litigation and 'Our Formalism,'" 72 *American University Law Review Forum* (forthcoming 2022).
- "Look Who's Talking: Conscience, Complicity, and Compelled Speech," 97 *Indiana Law Journal* 913 (2022).
- "Uprooting Roe," 12 *Houston Law Review Online* 50 (2022) (with Mae Kuykendall).

Sharona Hoffman, Edgar

A. Hahn Professor of Law and co-director of the Law-Medicine Center



- *Aging with A Plan: How A Little Thought Today Can Vastly Improve*

Your Tomorrow, Second Edition (First Hill Books, 2022).

- "Physicians and Cognitive Decline: A Challenge for State Medical Boards," 108 *Journal of Medical Regulation* 19 (2022)
- "Cognitive Decline and the Workplace," 57 *Wake Forest Law Review* 115 (2022).
- "Professional Speech at Scale," 55 *UC Davis Law Review* 2063 (2022) (with Cassandra Burke Robertson).
- "Sharing Clinical Notes: Potential Medical-Legal Benefits and Risks," 327 *Journal of the American Medical Association* 717 (2022) (with Charlotte Blease and I. Glenn Cohen).
- "Vulnerable Populations and Vaccine Injury Compensation: The Need for Legal Reform," (with Katharine Van Tassel) in *COVID-19 and the Law: Disruption, Impact and Legacy* (I. Glenn Cohen et al., eds. Cambridge University Press 2022).

Daniel Jaffe, professor of lawyering skills

- "Ohio School Law," *Baldwin's Ohio Handbook Series* (2021-22 ed.) (with W. Hanna, R. Manoloff & M. Sharb).



Erik Jensen, Coleman P. Burke Professor Emeritus of Law

- "Tax Issues Affecting Marijuana Businesses," 67 *South Dakota Law Review* (2022).
- "What's a Tax for Bankruptcy Law Purposes?" *Journal of Taxation of Investments*, Summer 2022, at 49.
- "Recent Developments Affecting the SALT Cap, Including an Appellate Court Decision Upholding the Cap's Constitutionality," 65 *Journal of Taxation of Investments*, Winter 2022.



Charles Korsmo, professor of law

- "What Do Stockholders Own? The Rise of the Trading Price Paradigm in Corporate Law," 47 *Journal of Corporation Law* 389 (2022).



Raymond Shih Ray

Ku, professor of law and Laura B. Chisolm Distinguished Research Scholar

- "Free Speech & Abortion: The First Amendment Case Against Compelled Motherhood," 43 *Cardozo Law Review* (forthcoming 2022).



Kenneth F. Ledford, professor of history and associate professor of law

- "Review: Hugh Ridley, *Law in West German Democracy: Seventy Years of History As Seen Through German Courts* (Brill, 2020)," *Journal of Modern History* (forthcoming 2022).



Kevin McMunigal,

professor of law

- "Prosecutorial Misconduct and Mistrials," 37 *Criminal Justice* 56 (Spring 2022) (with Peter A. Joy).



Dale Nance, Albert J.

Weatherhead III and Richard W. Weatherhead Professor in Law and Criminal Justice

- "Burdens of Proof and Choice of Law," in *Evidential Legal Reasoning: Crossing Civil Law and Common Law Traditions* (J. Beltrán & C. Vázquez eds., Cambridge University Press, 2022).



Andrew Pollis, professor of law

- "The Appellate Judge as the Thirteenth Juror: Combating Implicit Bias in Criminal Convictions" *Temple Law Review* (forthcoming 2022).
- "Enforcing the Fiduciary Duties of Class Representatives: A Response to Professors Green and Kent" *Florida Law Review Forum* (forthcoming 2022)
- *Baldwin's Ohio Appellate Practice* (2021-22 ed.) (with Mark P. Painter).



Cassandra Burke

Robertson, John Deaver Drinko-BakerHostetler Professor of Law and director of the Center for Professional Ethics

- "The United States Experience," in *Research Handbook On Extraterritoriality In International Law* (Edward Elgar Publishing; Austen Parrish and Cedric Ryngaert, eds.) (forthcoming 2022).
- "Integral Citizenship," 100 *Texas Law Review* 1325 (2022) (with Irina Manta).
- "Professional Speech at Scale," 55 *UC Davis Law Review* 2063-2132 (2022) (with Sharona Hoffman).
- *Baldwin's Ohio Practice, Civil Practice* (2021-22 ed.).



Michael Scharf, co-dean and Joseph C. Hostetler-BakerHostetler Professor of Law

- "Bridging the Divide Between the ICC and UN Security Council," 52 *Georgetown Journal of International Law* 977 (2022) (with Laura Graham, PhD).
- "Foreword: The Academy and International Law: A Catalyst for Change and Innovation," 54 *Journal of International Law* 1 (2022).
- "Hugo Grotius and the Concept of Grotian Moments in International Law," 54 *Journal of International Law* 17 (2022).



Katharine Van Tassel, visiting professor of law

- *Food and Drug Administration* (2022-23 Supplements) (Thomson Reuters) (with James T. O'Reilly).
- *International Encyclopaedia of Laws: Medical Law, United States of America* (Wolters Kluwer - Kluwer Law International, 2022).
- "Vulnerable Populations and Vaccine Injury Compensation: The Need for Legal Reform," in *COVID-19 and the Law: Disruption, Impact and Legacy* (I. Glenn Cohen et al., eds., Cambridge University Press 2022) (with Sharona Hoffman). ■



Tracking progress at the environmental law center

As the Coleman P. Burke Center for Environmental Law celebrated its third anniversary last spring, the center's director, **Jonathan Adler**, also the Johan Verheij Memorial Professor of Law, noted the center has "made substantial progress toward building a national program in environmental law," he said. "This is only the beginning of what is to come."

3 YEARS OF PROGRESS TOWARD ESTABLISHING ITSELF AS A NATIONAL PRESENCE IN ENVIRONMENTAL LAW RESEARCH AND EDUCATION

1 NEW DISTINGUISHED VISITING FELLOW, VICTOR FLATT

1 NEW ENVIRONMENTAL LAW CLINIC

3 INTERDISCIPLINARY CONFERENCES ON ENVIRONMENTAL LAW TOPICS

1 NEW ENVIRONMENTAL LAW CONCENTRATION WITHIN THE LAW SCHOOL CURRICULUM

HOSTED REMARKS BY ENVIRONMENTAL OFFICIALS FROM THE LAST **6** PRESIDENTIAL ADMINISTRATIONS

\$1.5 million
IN SCHOLARSHIPS TO STUDENTS PURSUING ENVIRONMENTAL LAW

6 WEBINARS ON ENVIRONMENTAL LAW TOPICS, INCLUDING THE LAW AND ECONOMICS OF CLIMATE CHANGE ADAPTATION, WILDLIFE CONSERVATION AND ENVIRONMENTAL LAW ISSUES BEFORE THE U.S. SUPREME COURT

5 SPONSORED STUDENT EXTERNSHIPS AT THE ENVIRONMENTAL PROTECTION AGENCY, U.S. DEPARTMENT OF JUSTICE, ENVIRONMENTAL LAW INSTITUTE AND FAIR SHAKE ENVIRONMENTAL SERVICES

16 ENVIRONMENTAL LAW COURSE OFFERINGS

From child actor to chaired professor

Thirty-plus years after his big-screen debut, professor marks more than a decade at CWRU



Charlie Korsmo was 8 years old watching a Hollywood taping of the sitcom *Punky Brewster* when he decided he would become an actor.

“As I recall, I mostly wanted to get out of school and make enough money to buy a Nintendo,” Korsmo said in an interview with CWRU in 2011, noting that his parents found his first talent agent through the Minneapolis Yellow Pages. “I never saw acting as a lifelong career ambition.”

That expectation proved true: Korsmo, the Morris G. Shanker Professor of Law, is now in his 11th year on the faculty at Case Western Reserve University School of Law, where he has written extensively on stockholder litigation and corporate governance and become one of the top law faculty in the country for scholarly impact, according to the 2021 Leiter Law School Report.

But his first career—acting—saw nearly immediate success. Korsmo held a slew of leading roles in 1990s hits—including “The Kid” in *Dick Tracy*,

Siggy Marvin in *What About Bob?* and Jack Banning in *Hook*, the Steven Spielberg-directed cult classic that celebrated its 30th anniversary last fall.

But seeking the “relatively normal” life of a high schooler, Korsmo left the movie business and eventually went on to study physics at Massachusetts Institute of Technology, with a brief return to Hollywood to film *Can’t Hardly Wait*, in which he played William Lichter, alongside Jennifer Love Hewitt, Ethan Embry and Seth Green.

Still, Korsmo knew film was not his passion and, after earning his degree at MIT, went to Washington, D.C., where he worked in various positions, ranging from the Environmental Protection Agency to a post-9/11 Congressional Homeland Security Committee. After being heavily involved in the creation of bills and policy, Korsmo realized he should have a law degree to properly fulfill similar roles, so he enrolled at Yale Law School.

His first teaching stint was as a visiting assistant professor at Brooklyn Law School

before joining CWRU School of Law in 2011—the same year President Barack Obama appointed him to the Board of Trustees for the Barry Goldwater Scholarship and Excellence in Education Fund.

Recently, Korsmo has taken up acting again. “But not deliberately!” he said. Aaron Schimberg, a grade school friend who is a director and screenwriter, offered Korsmo a role in his 2018 film, *Chained for Life*. His performance in the dark comedy was critically praised. After some convincing, Korsmo ultimately accepted, and did so once again for Schimberg’s latest film, *A Different Man*, which is expected to be released next year.

While he may continue to pursue some acting opportunities, teaching and writing about the law remain his professional focus. “Now that I’m here for the long haul,” he joked, “I better decorate my office!” ■



A young Charlie Korsmo in 1991 performing with actor Dustin Hoffman in *Hook*.

TOP HONORS

CWRU boasts three of the nation's most-cited legal scholars

Three faculty members at Case Western Reserve University School of Law were recognized among the most-cited legal scholars in their respective areas of expertise, according to University of Chicago Law School Professor Brian Leiter's annual analysis of journal citations.

CASSANDRA BURKE ROBERTSON

#11:

LEGAL ETHICS

JONATHAN ADLER

#6:

ENVIRONMENTAL
LAW

SHARONA HOFFMAN

#9:

HEALTH LAW

Law faculty earn special recognition

Each year, Case Western Reserve University School of Law selects faculty members who have accomplished exceptional academic success throughout the year to receive the Faculty Achievement Awards. Honorees at the May ceremony included:

Faculty Distinguished Research Prize

Jonathan Adler, the Johan Verheij Memorial Professor of Law and director of the Coleman P. Burke Center for Environmental Law, was honored for his impressive record of recent publications—numerous articles, chapters and books—and for being regularly interviewed by the national press on a wide array of topics.

Faculty Distinguished Service Prize



Jennifer Cupar was honored for her development of the advanced litigation skills curriculum, for her roles in the new JumpStart program (page 21), the Master of Arts in Financial Integrity review committee and the judicial externship program.

Endowed chaired professorships

Last summer, the university's Board of Trustees approved endowed chairs—the highest honor in legal academia—to two law school faculty stars.



Raymond Shih Ray Ku was appointed to the John Homer Kapp Chaired Professorship, which had been held by Professor Peter Gerhart until he passed away in 2021.



Charlie Korsmo was appointed to the Morris G. Shanker Chaired Professorship of Law, which was created by a \$2 million estate gift by Professor Emeritus Morris G. Shanker, an award-winning educator and legal scholar who passed away in August 2020.



Appointed to serve

Co-directors of CWRU Law-Medicine Center recruited for national roles



Sharona Hoffman, the Edgar A. Hahn Professor of Law and co-director of the Law-Medicine Center at Case Western Reserve University School of Law, was selected as a visiting scholar at the National Institutes of Health (NIH) Department of Bioethics in Washington, D.C., during her spring semester sabbatical.

While there, Hoffman researched and wrote about the legal and ethical challenges of cognitive decline among healthcare providers, and about privacy and data security. Hoffman, who is also a professor in the bioethics department at Case Western Reserve's School of Medicine, participated in all department activities, including teaching, commenting on colleagues' works in progress and attending bioethics workshops and seminars.



Maxwell Mehlman, Distinguished University Professor, Arthur E. Petersilge Professor of Law, co-director of the Law-Medicine Center and professor of bioethics, was appointed bioethics reviewer for the Department of Defense Traumatic Brain Injury and Psychological Health Research Program. There, he reviewed research applications for nine clinical areas served by the program and evaluated their impact on study participants, how risk is minimized, and issues of privacy, confidentiality and informed consent.

According to Mehlman, the program "is a recognition by Congress that much more research needs to be done to address the mental health problems suffered by service members, veterans and their families due to traumatic brain injury and other adverse experiences while serving in the military." ■

SECOND EDITION

Sharona Hoffman recently published the second edition of her book, *Aging with a Plan: How a Little Thought Today Can Vastly Improve Your Tomorrow*, which is a comprehensive resource for readers approaching middle age and beyond who face the prospects of their own aging and of caring for elderly loved ones. It addresses legal planning, retirement savings and expenses, long-term care, end-of-life decisions, navigating the health care and insurance systems, driving, retirement communities and more.

"Everyone is going to face challenges as they age, and little in life prepares us for many of them," Hoffman said. "It is often very difficult to make good decisions when you are in the midst of a crisis that you did not anticipate. This book tries to provide people with the tools they will need to help themselves and others."

Collaborative aid

Alumnus leads humanitarian relief effort for Ukraine



(From right) Markian, Julie and their son, Matej Silecky

When Russian troops invaded Ukraine in February, **Markian Silecky (LAW '87)** watched the news in horror from his home in the United States, far from the Eastern European country where he previously lived and worked periodically throughout his life. With friends, colleagues and employees still in Ukraine, his first instinct was to help them—and all Ukrainians whose lives have been upended since the war began.

Silecky turned to his global network of friends and contacts to help raise funds and pave the way for a humanitarian corridor to deliver medical and other supplies. He said his efforts have helped raise \$30 million in donations, move over 2.5 million pounds of aid to Ukraine, and facilitate civilian security by assisting Ukrainian organizations in sourcing and providing drones, body armor, armored vehicles and other defensive items. Most of his humanitarian efforts have been coordinated through the Ukrainian World Foundation—the U.S. charitable arm of the

Ukrainian World Congress—where Silecky is the foundation board's chairman.

He also works with his contacts in the Ukrainian and Polish governments to ensure the aid gets into the country once it arrives in Poland, where truckers for a logistics company, Meest, make harrowing journeys into the besieged country.

"It's dangerous work. These truckers are running the gauntlet every day. Many are being attacked by Russian forces, but the supplies are still getting into the country," Silecky said.

In addition to getting aid to Ukraine, Silecky also helps organize immigration assistance for Ukrainian refugees in the U.S. through his work as a board member of the Ukrainian American Bar Association.

Silecky, who grew up in Lorain, Ohio, came to the United States with his parents after being liberated from camps in Ukraine

during World War II. He and his wife, **Julie Parker (LAW '87)**, who he met at Case Western Reserve School of Law, expanded their law firm to Ukraine in 1992 following the fall of the Soviet Union. One of the first five Western law firms in Ukraine, The Silecky Firm grew to over 30 employees. It then became part of the firm Salans, then Dentons—the world's largest law firm—where Silecky was a partner. In 2018, Silecky moved on to become general counsel for Advanced Development of Additive Manufacturing Inc., a biotech company created in Odesa, Ukraine, that specializes in on-demand 3D-bioprinting with a primary focus on bone implants.

Now, several months into the war, and with no end in sight, Silecky feels history is repeating itself. But that doesn't stop him from taking action.

"Recognizing and assisting in the fight against atrocities is only a small portion of what we can and should do," he said. "It's not only Ukraine's democracy and borders at stake...it's everything that the U.S. was built upon and stands for." ■

Donations to support this effort can be made to the Ukrainian World Foundation by visiting uwfusa.org.



Talking about the Ukraine crisis

Law school's radio program does special broadcast

As the crisis in Ukraine deepened last spring, Case Western Reserve University School of Law Co-Dean **Michael Scharf** gathered international law experts for a special broadcast of his quarterly radio show, *Talking Foreign Policy*. Broadcast on Cleveland's NPR affiliate, WKSU 89.7 ideastream, in March, "Responding to the Ukraine Crisis" featured experts who delved deep into the history leading up to Russia's unprovoked and brutal military invasion of Ukraine, the West's response and Russia's implied threats to use nuclear and chemical weapons.

A panel of experts on military issues, national security, war crimes prosecutions and peace negotiations joined Scharf: Milena Sterio, the Charles R. Emrick Jr.-Calfee Halter & Griswold Professor of Law at Cleveland-Marshall College of Law; **Avidan Cover**, associate dean for academic affairs, professor of law and director of the Institute for Global Security Law and

Policy at Case Western Reserve University School of Law; Sandy Hodgkinson, retired Navy captain, former deputy assistant secretary of defense and deputy to the ambassador-at-large for war crimes issues;

and Paul Williams, president of the Public International Law and Policy Group.

To listen to the full episode, visit bit.ly/talking-ukraine. ■



Milena Sterio, the Charles R. Emrick Jr.-Calfee Halter & Griswold Professor of Law at Cleveland-Marshall College of Law and CWRU School of Law Co-dean Michael Scharf in the ideastream public media broadcast studio

HOLDING RUSSIAN WAR CRIMINALS ACCOUNTABLE

Co-dean's nonprofit proposes plan to prosecute war crimes

Following numerous atrocities during the Russian invasion of Ukraine, a team of international law experts led by Co-Dean **Michael Scharf** is offering a proposal for a special court to investigate and prosecute those responsible.

Under Scharf's direction, the nonprofit Public International Law & Policy Group has been working on draft legislation with New York-based international law firm Weil Gotshal & Manges, as well as jurists and legal experts from Ukraine.

The draft—which was unveiled during a public event in July—proposes the creation of a High War Crimes Court of Ukraine, with embedded international advisers, to investigate and prosecute those allegedly responsible for atrocities committed in Ukraine since November 2013, many of which were committed in plain sight and captured on cellphones. *Foreign Policy* magazine ran a feature article about the proposal in August.

The partnership effort is essential to achieve justice, Scharf said, noting that "history has shown that without international assistance and involvement, it is inherently difficult to fairly and effectively prosecute foreign nationals and insurgents in ordinary domestic courts during and in the aftermath of an armed conflict." ■

Society of Benchers 2022

Every year, Case Western Reserve University School of Law honors the achievements of distinguished alumni, faculty and prominent members of the legal community by inducting new members to the Society of Benchers—the law school’s alumni Hall of Fame.

Established in 1962, the Society of Benchers inducts new members on the basis of extraordinary achievement and dedication to the highest principles of the legal profession, as voted on by their peers.

This year, we celebrate 12 new members of the Society of Benchers.



Justin Bibb
(MGT '18,
LAW '18)



Nancy Canary
(FSM '63)



David Elk
(LAW '64)



Jonathan Gordon



Mark Davies Griffin
(LAW '94)



Marie Grossman
(LAW '71)



Kimya Johnson
(LAW '02)



Arjun Kampani
(LAW '98)



Hon. William C. McConico
(LAW '99)



John Pendergrass
(LAW '79)



Col. Ronald Rakowsky
(LAW '69)



Joseph Sellers
(LAW '79)

LAW ALUMNI ASSOCIATION BOARD

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Richard Wortman (LAW '87)

Veronica Xu, LL.M. (LAW '08)

Diandra "Fu" Debrosse Zimmerman
(LAW '04)

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Laura Kingsley Hong (LAW '85)

Valissa Turner Howard (LAW '07)

Kimya Johnson (LAW '02)

Milton Marquis (LAW '84)

Capricia Marshall (LAW '90)

Tanya Miller (LAW '99)

Victor R. Perez (LAW '99)

Luke Tillman (LAW '11)

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Steve Anway

Craig Chapman (LAW '80)

John Eastwood (LAW '96)

Austin Fragomen Jr. (LAW '68)

Michelle Gon (LAW '85)

Steve Harnik (LAW '78)

Su He, LL.M., SJD (LAW '09, '13)

Chris Hunter (LAW '89)

Bruce Klatsky (ADL '70)

Sehmus Kurtulus (LAW '13, '15)

Swithin Munyantwali (LAW '92)

Kevin Nealer (LAW '79)

Rick Newcomb (LAW '73)

Steve Petras Jr. (LAW '79)

Laura Quatela (LAW '82)

Christopher Rassi (CWR '00; GRS '00,
political science; LAW '03; MGT '03)

Tanakrit Tangburanakij (LAW '98)

Lewis Winarsky (LAW '72)

Margaret Wong

Richard Wortman (LAW '87)

ALUMNI CLASS NOTES

Includes updates received from August 2021 through August 2022

Class of 1954

Fred D. Gray, civil rights pioneer and attorney, was awarded the United States Presidential Medal of Freedom from President Joseph R. Biden (see p. 56) and received an honorary Doctor of Laws degree from The University of Alabama.

Class of 1960

Jerry F. Whitmer received the St. Thomas More Award from the Akron Bar Association, which is presented each year at the Red Mass by the Cleveland Catholic Diocese in recognition of a member of the legal community who demonstrates outstanding personal integrity, community service and professional excellence.

Class of 1966

William A. Tenwick was recently recognized by the Florida Bar Association as a 50-year member.

Class of 1967

Stephen M. O'Bryan, of-counsel at Taft Stettinius & Hollister LLP, was named to *Cleveland Magazine's* "Cleveland 500" list of people shaping the city.

Class of 1968

Michel A. Pohl was recognized by the Florida Bar Association as a 50-year member.

Class of 1970

Richard S. Russell was recognized by the Florida Bar Association as a 50-year member.

Class of 1973

Robert D. McBride, president and CEO of Scott Fetzer Co., was named to *Cleveland Magazine's* "Cleveland 500" list of people shaping the city.

Alan P. Baden has been appointed to the MIND Technology Inc. board of directors in The Woodlands, Texas.

Class of 1975



Steven S. Kaufman, a partner at Ulmer & Berne LLP, received honors in the 2022 edition of *Benchmark Litigation*. He was also named to the 2022 Ohio *Super*

Lawyers list and was recognized in the "Chambers USA: America's Leading Lawyers for Business 2022 Report."

Class of 1976

Lee I. Fisher, dean and Joseph C. Hostetler-BakerHostetler Chair in Law at Cleveland-Marshall College of Law at Cleveland State University, was named to *Cleveland Magazine's* "Cleveland 500" list of people shaping the city.

Patrick A. Guida was elected president of the American College of Commercial Finance Lawyers, and also was honored by *Rhode Island Lawyers Weekly* for excellence in law in the "Hall of Fame" category.

Edward D. Etheredge retired after 50 years of practicing law in Northampton, Massachusetts.

Class of 1977

Frances F. Goins, a partner at Ulmer & Berne LLP, received honors in the 2022 edition of *Benchmark Litigation*. She was also named in both "Top 50 Women-Ohio"



and "Top 25 Women-Cleveland" in the 2022 edition of Ohio *Super Lawyers*. Frances was recognized in the "Chambers USA: America's Leading Lawyers for Business 2022 Report."

Class of 1978

Richard G. Hardy, a partner at Ulmer & Berne LLP in Cleveland, was named to the 2022 Ohio *Super Lawyers* list.

Howard M. Stein, a partner in Certilman Balin Adler & Hyman LLP's Real Estate Group, was named to the 2021 New York Metro *Super Lawyers* list.

Class of 1979

Martin Gruenberg became acting chair of the Federal Deposit Insurance Corp. (FDIC) in February after serving on the board of directors since 2005. This will be Gruenberg's third time leading the agency, after having been appointed by former President George W. Bush in 2005 and President Barack Obama in 2012.

Class of 1980

James A. Goldsmith, a partner at Ulmer & Berne LLP, was named to the 2022 Ohio *Super Lawyers* list and received the Distinguished Estate Planner 2022 award from The Estate Planning Council of Cleveland.

Michael Weiner joined FisherBroyles LLP as a partner in its corporate practice in Princeton, New Jersey.

Class of 1981

Alexander M. Andrews, a partner at Ulmer & Berne LLP in Cleveland, retired after 40 years. He was named to *The Best Lawyers in America* 2022 for commercial litigation, insurance law, and product liability litigation – defendants, as well as the Ohio *Super Lawyers* 2022 list.

ALUMNI CLASS NOTES

Class of 1982



Timothy A. Konieczny has joined RCO Law in Toledo, Ohio, as of-counsel.

Class of 1983

Paul J. Singerman, chairman and principal at Singerman, Mills, Desberg & Kauntz Co. LPA in Beachwood, Ohio, was named to the 2022 Ohio *Super Lawyers* list.

Class of 1985

Gary S. Desberg, principal at Singerman, Mills, Desberg & Kauntz Co. LPA in Beachwood, Ohio, was named to the 2022 Ohio *Super Lawyers* list.



David W. Leopold, a partner at Ulmer & Berne LLP in Cleveland, was named to the 2022 Ohio *Super Lawyers* list. Leopold was also recognized in the Band 1 position

of "Chambers USA: America's Leading Lawyers for Business 2022 Report."

Larry W. Zukerman was named the 2022-23 president-elect of the Cleveland Metropolitan Bar Association Foundation.

Class of 1986

Stacey Edelbaum Boretz was confirmed as superior court judge in Union County, New Jersey, in the criminal division.

Kevin Norchi, former partner of Norchi Forbes LLC, merged with Freeman Mathis & Gary LLP and opened its Cleveland office.

Shawn Riley, president of McDonald Hopkins LLC, was named to *Cleveland Magazine's* "Cleveland 500 List" of people shaping the city.

Michael S. Tucker, a partner at Ulmer & Berne LLP, was named to the "Top 100 Ohio" and "Top 50 Cleveland" lists in the 2022 edition of Ohio *Super Lawyers*, and to BTI Consulting Group's 2022 "Client Service All-Stars" list.

Michelle A. Williams, shareholder at Baker Donelson Bearman Caldwell & Berkowitz PC, was elevated to leader of its Health Care Regulatory Center of Excellence in Atlanta.

Class of 1987

Robert E. Chudakoff, a partner at Ulmer & Berne LLP in Cleveland, was named to the 2022 Ohio *Super Lawyers* list.

Lauren Sigg was elected partner at Robinson & Cole LLP in Hartford, Connecticut.



Ronald J. Teplitzky, president and principal at Singerman, Mills, Desberg & Kauntz Co. LPA in Beachwood, Ohio, was named to the 2022 Ohio *Super Lawyers* list.

Class of 1988

Timothy J. Downing, chief diversity officer and senior counsel at Ulmer & Berne LLP in Cleveland, has been appointed to the board of directors of Summer on the Cuyahoga, an internship program for a select group of regional colleges and universities. He was also recognized on the 2022 Ohio *Super Lawyers* list.

Class of 1989

Sergio I. DiGeronimo was appointed judge of the Garfield Heights, Ohio, Municipal Court by Gov. Mike DeWine.

Col. Lee L. Stockdale of Lynn, North Carolina, published a book of poems titled *Gorilla*.

Karen V. Nathan joined the Hinshaw & Culbertson Health Care practice in Chicago as a partner.

Class of 1990

Charles Esque Fleming was nominated and confirmed as a judge on the U.S. District Court for the Northern District of Ohio (see p. 11).

Class of 1992

Angela Thi Bennett was appointed digital equity director for the National Telecommunications and Information Administration in Cleveland, part of the U.S. Department of Commerce.



Class of 1993

Craig S. Denney was appointed to serve as a U.S. magistrate judge in the U.S. District Court for the District of Nevada.

William D. Edwards, a partner at Ulmer & Berne LLP in Cleveland, was named a "Labor & Employment" Star in the 2022 edition of *Benchmark Litigation*. He was also named to the 2022 Ohio *Super Lawyers* list.

John Saada Jr. was elected partner in charge of the Jones Day Cleveland office.

Reginald R. Simpson joined Shook Hardy & Bacon as managing partner and now leads the firm's new Connecticut office.

Class of 1994

Julie E. Kass, former Baker Donelson shareholder, joined Walmart Inc. as lead counsel, Public Health and Omnichannel Health & Wellness, in Washington, D.C.

ALUMNI CLASS NOTES

Raymond Miller joined DLA Piper in Philadelphia as a partner in the intellectual property and technology practice.

Michael J. Shapiro, president of the firm Michael J. Shapiro Inc. in Mayfield Heights, Ohio, was named as a 2022 Ohio *Super Lawyer* in taxation. Additionally, he was re-certified as one of 16 Ohio State Bar Association certified specialists in federal taxation.

Class of 1995

Adam Fried, a partner at Reminger Co. LPA, was named to the "Top 100 Ohio" and "Top 50 Cleveland" lists in *Super Lawyers* 2022 for trust and estate law.

Daniel R. Hansen, a partner at Shumaker, Loop & Kendrick LLP in Charlotte, was selected for the 2022 edition of *Best Lawyers in America* for litigation-construction.

Class of 1996

Kuno Bell, managing partner at Pease & Associates LLC, was named to *Cleveland Magazine's* "Cleveland 500" list of people shaping the city.

Christopher G. Keim, managing partner of Frantz Ward LLP, was named to *Cleveland Magazine's* "Cleveland 500" list of people shaping the city.

Class of 1997



Bryan Falk was appointed office managing partner of Cleveland Vorys, Sater, Seymour and Pease LLP.

Class of 1998

Stephanie E. Harley, a partner at Ulmer & Berne LLP in Cleveland, was named a "Labor & Employment Star" in the 2022 edition of *Benchmark Litigation*.

William Orth was appointed by Florida Gov. Ron DeSantis to serve as judge on the 18th Judicial Circuit Court.

Jennifer "Jenna" I. Peyton is now assistant chief immigration judge for the Chicago immigration court at the Department of Justice.

Colleen Batcheler joined Hertz in Estero, Florida, as executive vice president, general counsel and secretary.

Class of 1999

Kevin J. Lenhard, an LLM graduate, joined Wickens Herzer Panza Co. in Cleveland as chairperson of the firm's Estate Planning & Probate Department.

Steven A. Meckler, the Charlotte and Greenville, North Carolina, managing partner of Shumaker, Loop & Kendrick LLP, was selected for the 2022 edition of *Best Lawyers in America* for litigation-commercial.

Tanya Miller was elected to the Georgia House of Representatives.

Class of 2000

Bridget Brennan was nominated and confirmed as a judge on the U.S. District Court for the Northern District of Ohio (see p. 11).

Kristin L. Wedell was elected partner at Dickie McCamey PC Cleveland office.

Jodi Rich was recognized in the "Chambers USA: America's Leading Lawyers for Business 2022 Report."



Class of 2001

Skylar Sherwood was named co-chair of Fox Rothschild's Labor & Employment Department in Seattle.

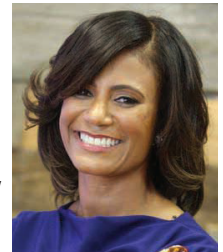
Class of 2002



Capt. Richard Ellis Batson is chief of staff for the U.S. Coast Guard Mid-Atlantic Region, where he is responsible for the Coast Guard maritime safety and security missions from central New Jersey through North Carolina.

T. John Lin was promoted to special counsel at Duane Morris LLP.

Kimya S.P. Johnson has joined national employment law firm Jackson Lewis PC in Philadelphia as chief diversity, equity and inclusion officer and principal.



Class of 2003

Michele L. Connell of Squire Patton Boggs has been appointed global managing partner for the firm's U.S. LLP, which covers 34 of the firm's 45 international offices. She is the first woman to hold the position. Connell was also selected to *Cleveland Magazine's* "Cleveland 500" list of people shaping the city.

Class of 2005

Todd E. Behrens joined Calfee, Halter & Griswold LLP in Cleveland as a partner in the intellectual property practice group.

David A. Carney, partner at BakerHostetler in Cleveland, was named a *Law360* 2021 Cybersecurity & Privacy MVP.

Sheetal Parikh was appointed associate general counsel and vice president of compliance solution for Treasury Prime in Chicago.

ALUMNI CLASS NOTES

Class of 2006



Emily (Goetz) Anglewicz, an associate at Roetzel, was sworn in as a magistrate for the mayor's court of Cuyahoga Falls, Ohio.

Class of 2007

Ndubisi A. Ezeolu has been named partner in charge at the Los Angeles office of Tucker-Ellis.

Christopher Y. Chan joined Jones Lang LaSalle (JLL) in Singapore as Asia Pacific general counsel. Chan also has been appointed to the JLL Asia Pacific executive board and global legal executive committee.

Mark A. Gorski, CEO of Sports Data Labs Inc. in Detroit, was issued a U.S. patent covering a novel remote health monitoring and biofeedback system via the use of a browser-based web application.

Class of 2008

Ahmed Abonamah has been selected to serve as the city of Cleveland's chief financial officer.

Frank Esposito Jr. joined Squires Patton Boggs in Cleveland as a principal in corporate practice.

Adam Griffin has been named a partner at Orrick in New York.

Class of 2009

Jazmyn Barrow joined Ogletree Deakins Nash Simmons Smoak & Stewart PC in Cleveland as a shareholder.

Drew D. Price has become a partner with Gallagher Sharp LLP in Columbus, Ohio.

Brendan Richard joined Freeman Mathis & Gary LLC as senior counsel in its Cleveland office.

Class of 2010

Philip G. Ammar joined Calfee, Halter & Griswold LLP in Cleveland as a senior attorney in the intellectual property practice group.

Christina Niro, a partner at Frantz Ward LLP in Cleveland, was named to the 2021 "Women Worth Watching" list by the *Profiles in Diversity Journal*.

Brian Nally, a shareholder at Reminger Co. LPA, has been appointed to the Greater Cleveland Sports Commission associate board. Nally has also been selected as one of "America's Top 100 Bet-the-Company Litigators" for Ohio in 2021 in business, commercial and securities litigation.



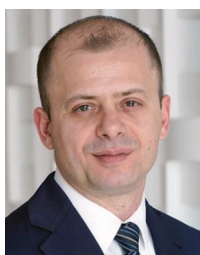
Justin Piccione has been elected as a partner with Rivkin Radler LLP in New York.

Natacha P. Simmons was elected magisterial district judge in Chester County, Pennsylvania.

Carolyn Brakey (Blake) was appointed to the Geauga County Board of Health in Ohio.

Class of 2011

Angela D. Lydon was elected as a partner with Frantz Ward LLP in Cleveland.



Iirjan "Iir" Pipa joined Ulmer & Berne LLP in Cleveland as a partner in its business law group.

LaVonne E. Pulliam was appointed chief compliance officer of University Hospitals in Cleveland.

Lindsey Sacher joined the Cleveland office of Tucker Ellis LLP.

Class of 2012

Ashtyn N. Saltz, an associate at Ulmer & Berne LLP in Cleveland, was named to the Ohio *Super Lawyers* 2022 list of "Rising Stars."

Class of 2013

Daniel T. Falk, an associate at Ulmer & Berne LLP in Cleveland, was named to the Ohio *Super Lawyers* 2022 list of "Rising Stars."

Trevor J. Hardy, an associate at Ulmer & Berne LLP in Cleveland, was named to the Ohio *Super Lawyers* 2022 list of "Rising Stars."

Ukeme Awakessien Jeter, a partner in Columbus, Ohio's Taft Stettinius & Hollister LLP's intellectual property practice, was elected to the Upper Arlington (Ohio) City Council. Jeter was also recognized as a *Columbus CEO* Future 50 honoree for 2022.

Daniela Paez, a partner at Ulmer & Berne LLP in Cleveland, received honors in the 2022 edition of *Benchmark Litigation*. Paez was also named to the National LGBTQ+ Lawyers Under 40, and *Bloomberg Law's* inaugural edition of "They've Got Next: The 40 Under 40," a highly selective award recognizing the accomplishments of outstanding lawyers nationwide. She also was named to the Ohio *Super Lawyers* 2022 "Rising Stars" list.

Vijyalakshmi (Vijya) Patel joined Tucker Arensberg in Pittsburgh, focusing her practice on litigation.

ALUMNI CLASS NOTES

Class of 2014

Wesley Cheung was promoted to assistant city attorney at the Alameda City (California) Attorney's Office and selected to lead the prosecution unit.

Ren Hatt was elected mayor of Green River, Utah.

Jeremy T. Saks was elevated to principal at Fish & Richardson PC's New York office.

Michelle F. Noureddine joined Roetzel & Andress in Cleveland as an associate in the business litigation group.

Carly A. Boyd joined Cleveland's Kohrman Jackson & Krantz LLP as partner.

Class of 2015

Jordan Palmer joined the U.S. Attorney's Office in Wheeling, West Virginia, as assistant U.S. attorney.



William Peseski joined Mansour Gavin LPA in Cleveland as an associate in the firm's civil litigation group.

Shipra K. Rege, an associate at Ulmer & Berne LLP in Cleveland, was named to the Ohio *Super Lawyers* 2022 list of "Rising Stars."

Class of 2016

Sara S. Dorland, an associate at Ulmer & Berne LLP in Cleveland, was named to the Ohio *Super Lawyers* 2022 list of "Rising Stars."

McDaniel (Mac) Kelly has joined Porter Wright's Cleveland office as an associate attorney.

Class of 2017

Bobbi Edwards joined Wood, Smith, Henning and Berman LLP as senior associate in their Portland office.

Sarah Katz joined Cleveland's Ulmer & Berne LLP product Liability practice group as an associate. She was named to the Ohio *Super Lawyers* 2022 list of "Rising Stars."

Mengxue Xie, an associate at Ulmer & Berne LLP in Cleveland, was named to the Ohio *Super Lawyers* 2022 list of "Rising Stars."

Class of 2018

Justin Bibb was elected mayor of the city of Cleveland and was named to *Cleveland Magazine's* "Cleveland 500" list of people shaping the city (see p. 8).

Dylan Mook, associate at Singerman, Mills, Desberg & Kauntz Co. LPA in Beachwood, Ohio, was named to the 2022 Ohio *Super Lawyers* 2022 "Rising Stars" list.

Class of 2019

Richard Haseltine joined Cleveland's Koehler Fitzgerald LLC as an associate attorney.

Jack Maib joined Reminger Co. LPA's Cleveland office.

Hannah Caldwell was named to *Crain's Cleveland Business'* "20 in Their Twenties" list of rising stars in the city.

Class of 2020

Lysette Roman was named to *Crain's Cleveland Business'* "20 in Their Twenties" list of rising stars in the city.

Class of 2021

Caroline Ford joined Cleveland's Minc Law as an attorney.

Michael Gibbons joined Cleveland's Frantz Ward LLP as an associate attorney.

Claire A. Grega joined Langsam, Stevens, Silver & Hollaender in the Nashville office as an environmental litigation associate.

Christine Scherer joined Kirkland & Ellis as an associate in the Chicago office.

Mrinali Sethi joined Reminger Co. LPA as an associate attorney in the Columbus office.



In memoriam



In memoriam includes names of deceased alumni reported to Case Western Reserve University School of Law between July 1, 2021, through June 30, 2022.

June L. Roth (FSM '43, LAW '45)	Thomas Raymond Skulina (LAW '59, '66)	Thomas William Stuver (LAW '73)
Clyde H. Haynes (LAW '47)	Peter C. Wykoff (LAW '61)	Janice M. Wood (LAW '73)
Edward F. Homrighouse (LAW '48)	Roger William Gilcrest (LAW '62)	James McCorkle (LAW '76)
Herbert J. Legan (LAW '49)	Byron Krantz (LAW '62)	Paul L. Tariot (LAW '76)
Patricia Anne Thomas (FSM '49, LAW '51)	Sander Schwartz (ADL '59, LAW '62)	Larry A. Jones (LAW '78)
Robert L. Musser (LAW '52)	Paul A. Mancino Jr. (ADL '60, LAW '63)	David L. McEwing (LAW '78)
Daniel Eugene Gallagher (LAW '54, '62)	I. Bernard Trombetta (LAW '63)	Kent R. Minshall Jr. (LAW '78)
William J. Miller (LAW '54)	Henry Gusky (LAW '64)	John S. Inglis (LAW '79)
Edwin Z. Singer (LAW '55)	William F. Chinnock (LAW '65)	John C. Brzustowicz (LAW '85)
Martin C. Blake (LAW '56)	John R. Climaco (LAW '67)	Jay T. Finch (LAW '85)
Alfred L. Margolis (LAW '56)	Allen Robert Glick (LAW '67)	Richard M. Moyed (LAW '85)
Edward J. Frantz (LAW '57)	William A. Shira III (LAW '67)	Mary R. Kovack (LAW '89)
Joan E. Horvath (FSM '54; LAW '57; GRS '76, communication sciences)	Ronald G. Gymer (ADL '63, LAW '68)	David John Manning (LAW '89)
Donald R. Melena (LAW '57)	Jeffrey H. Friedman (LAW '72)	Joseph Dominic Russo (WRC '85, LAW '91)
David Friedman (LAW '58)	George R. Royer (LAW '72)	Rhonda Smith Ferguson (LAW '94)
J. C. William Tattersall (LAW '59)	David B. Weinstein (LAW '72)	Robert F. Hale (LAW '96)

Remembering a trailblazer, advocate and mentor

Case Western Reserve University played a major role in **Rhonda Smith Ferguson's (LAW '94)** life: The 1994 alumna met her husband, Clayton (CWR '93; GRS '95, computer engineering) while both were students, and they later married at Amasa Stone Chapel on campus. So when she died in April after a years-long battle with cancer, her husband and two children knew a memorial service at the law school would be most meaningful.

"There's so much joy that Rhonda brought to this world and we're going to remember that joy," Clayton said during the service. "... That's going to be her legacy."

Throughout her impressive legal career, Ferguson served as executive vice president and chief legal officer of the Allstate Corp. and at Union Pacific Railroad; vice president and chief ethics officer at First Energy; litigation associate at Thompson Hine LLP; and partner at BakerHostetler LLP. She also served

on the boards of the RAND Institute for Civil Justice and Girls Inc. of Chicago.

A founding member of Corporate Counsel Women of Color, a global organization of more than 4,500 diverse in-house attorneys, Ferguson later was named one of the most powerful Black women in corporate America by *Black Enterprise* magazine.



Rhonda Smith Ferguson

"Her life was unbound with limitless opportunities to love," her family said in a statement, "to mentor and be mentored, to experience and learn new things." ■

In memoriam



A legacy of lasting impressions

Though **Leon Gabinet** retired from Case Western Reserve University School of Law in 2014, his retirement was short-lived. The longtime tax law professor returned the following fall to teach insurance law, a course he had never before taught, and, years later, was still teaching—even learning during the COVID-19 pandemic how to teach over Zoom. He officially led his last class in fall 2021 before his death in December at age 94.

Born in 1927, Gabinet lived an extraordinary life in which he was, among many other roles, an immigrant, war hero, semi-professional hockey player, medical student, lawyer, law professor, interim dean and family patriarch.

After serving in the U.S. Navy during World War II, Gabinet attended the University of Chicago on the GI Bill. He went on to attend the University of Chicago Law School, where he served as editor of the *University of Chicago Law Review* and graduated with honors in 1953.

From 1968 to 2021, Gabinet taught at Case Western Reserve University School of Law, where he published numerous important books and articles in the area of tax law. He taught thousands of students, many of whom have gone on to success as tax attorneys in the country's major law firms, consulting firms and organizations.

Don Korb (LAW '73), who went on to be chief counsel of the IRS, recalled Gabinet as "one of those very few people in my life who 'made' me what I am today. [W]e benefited immensely not only from Leon's vast knowledge of and experience with the tax code," Korb continued, "but also from his dry sense of humor and quite witty observations on the life of a law student in general and the vagaries of the tax law in particular."

In 2019, ABC News 5 Cleveland profiled Gabinet as potentially the nation's oldest teaching law professor. For hundreds



(From left to right) Leon Gabinet and the late Coleman P. Burke, CWRU School of Law alumnus and founder of the Environmental Law Center

of students like **Chris Lauer**, Gabinet's tax law course was a "must-do" at the law school. "It's like your grandfather explaining something to you—I think it resonates differently hearing it from someone who's had so much experience, who's seen so many changes in the tax code over his life," Lauer told ABC News.

A special event to honor Gabinet's legacy will be held at the law school on Oct. 13. To learn more and RSVP, visit bit.ly/cwru-gabinet-event. ■

A lifetime of good deeds

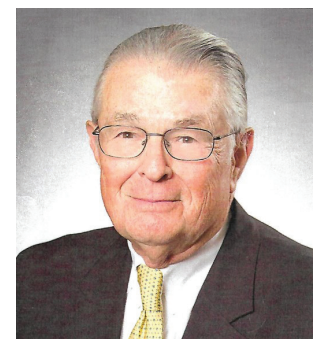
A strong believer in "tikkun olam"—Hebrew for "repair of the world"—**Byron Krantz (LAW '62)** used his long career in politics and law, paired with continuing acts of charity and kindness, to make the world more just and peaceful. Since his death in July, colleagues, friends and family members are remembering the civil rights advocate for his unwavering commitment to standing up for others.

After graduating from Case Western Reserve University, Krantz landed his "dream job" at former U.S. Sen. Howard Metzenbaum's law firm, Metzenbaum, Gaines, Finley, and Stern, before he went on to serve as chief of staff for Sen. Stephen Young (D-Ohio). Krantz had a leading role in the campaign of Cleveland Mayor Carl Stokes, who became the first Black mayor of a major U.S. city. In 1984, he moved from politics to law, co-founding the Kohrman Jackson & Krantz (KJK) law firm.

Krantz stayed engaged with CWRU as the former chair of the Dean's Visiting Committee and as the recipient of the

Centennial Award, the highest honor bestowed upon CWRU law school alumni.

Throughout his career, Krantz volunteered with the NAACP and the ACLU, working to fight racism across the city.



Byron Krantz

Matt Krantz, his grandson who is also pursuing a law career, remembered his grandfather as a hero. "Decades of stories about the man who aided civil rights protestors [...] let me know that, through the law, I could effect positive change."

After doing his part to "repair the world," Krantz requested the same of everyone else in his self-written obituary, published in *Cleveland Jewish News*: "Now I'm asking each of you to [...] please perform a Mitzvah; a good deed." ■



CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW 2021-2022 HONOR ROLL OF DONORS

HONOR ROLL BY DONOR CLUB

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David Clifford Shall (WRC '80, LAW '83)
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Michael J. Shapiro (LAW '94)
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Roger Lee Shumaker (LAW '76)
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 Arthur Wallis Shantz, Jr. (LAW '68)
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1969

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1982

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1984

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The School of Law is grateful to the law firms and alumni volunteer representatives who annually participate in the Law Firm Giving Challenge (LFGC). With the assistance of participating alumni at respective firms and firm support, the 2021–22 Law Firm Giving Challenge raised more than \$208,000 for the law school annual fund.

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"JEWEL OF OUR SCHOOL"

Law school dedicates active-learning classroom in honor of alumnus

One of Case Western Reserve University School of Law's most popular learning spaces now bears the name of one of its most well-known alumni. In May, the school dedicated the Elk+Elk Active Learning Classroom in honor of **David J. Elk (LAW '64)**.

The partners of Elk+Elk Law Firm, where David Elk is co-founder and senior partner, provided a generous gift to the School of Law to support the dedication. Together with his brother, Art, David Elk built one of the largest injury practices in Ohio, where they have represented thousands of Ohioans in injury and death claims for nearly 60 years.

"David's collaborative and mentoring spirit are reflected in this uniquely designed classroom dedicated to collaborative learning," said Elk+Elk managing partner Jay Kelley, whose eldest daughter, **Madeline Kelley (LAW '22)**, recently graduated and younger daughter, **Clare**, began her second year this fall.

At the ribbon-cutting ceremony, Clare Kelley noted that the "Active Learning Classroom is the go-to room for classes and studying—everybody loves it."

The classroom represents a pedagogical shift toward active learning, collaboration, information access, assessment and instruction delivery. Special features include movable and configurable tables, five interactive Windows touchscreen computers with web conferencing functionality and large high-definition displays, enhanced wireless Internet bandwidth, writable walls and whiteboards, zone and public address audio options, and more.

"The Active Learning Classroom is a special educational space within our law school featuring the latest in collaborative technology," said Co-Dean **Michael Scharf**. "It is one of the jewels of our school, and we are thrilled that it will now carry the name of and include a plaque honoring one of our best-known alumni leaders." ■



(From left) Co-dean Michael Scharf and David Elk, co-founder of Elk+Elk



(From left) Art Elk and David Elk

TAKING THE LEAD

Alumni spearhead new scholarship fundraising drive

This year, Case Western Reserve University School of Law will launch a \$20 million Scholarship Endowment Drive—the most ambitious scholarship fundraising initiative in its history—co-chaired by **John Majoras (WRC '83, LAW '86)** and **Mark Weinberger (MGT '87, LAW '87)**, who each made a \$1 million contribution to jumpstart the effort. Majoras is head of the business and tort litigation practice at Jones Day, where he has earned a reputation as one of America's top litigators. During Weinberger's impactful career, he served as global chairman and CEO of Ernst & Young and as assistant secretary of the treasury during the George W. Bush administration, among other distinguished positions.



John Majoras



Mark Weinberger

Recently, *In Brief* asked these two alumni leaders about their time at CWRU and why this scholarship campaign is so important.*

What were some of the biggest takeaways from your education at CWRU?

Majoras: The great education was a given, but the other formative aspects of my time here gave me a tremendous foundation upon which to build a rewarding career. It also gave me the desire to work with clients and colleagues in a collegial way that ultimately returned just as much, if not more, of the satisfaction I hope I've brought to my clients along the way.

Weinberger: CWRU law school taught me some things about law, but it taught me much more about myself. I learned about some of my limitations but also some of my strengths, the importance of building relationships with friends and colleagues to accomplish goals, and how to not see others as competition. I learned that understanding the other person's point of view was often one of the best tools to construct your own argument.

Why did you decide to volunteer your leadership to this effort?

Majoras: Scholarships present an opportunity to allow prospective students the ability to obtain the education and experiences that I have so valued from my years at CWRU. They can help attract the caliber of student who will maintain and grow the reputation of the law school as it continues to train our outstanding lawyers of tomorrow.

Weinberger: In my view, education is crucial to addressing almost all the inequities and income disparity that overwhelms society today. I was fortunate that my parents valued education and afforded me the opportunity to attend undergraduate and graduate schools. We don't know who will be the person that will become a strong and inclusive leader who will bring people together, bridge geopolitical divides, or drive social justice and inclusion to the next level. The more people who have the chance to get an education, the better the chances of us collectively benefiting from their wisdom. A scholarship, to me, is an investment with a great return for all of us. ■

**This interview has been edited for clarity and length.*

If you are interested in volunteering and/or making a contribution to the scholarship drive, please contact Associate Dean of Development Arto Woodley at arto.woodley@case.edu, 216.368.5579.

Estate gift of longtime employee to benefit School of Law

Carolyn Patricia “Pat” Ferry’s approach to life can be described in just three words: “Live life giving,” recalled her friend and former Case Western Reserve University School of Law co-worker Jennifer Hawkins.

A loyal and beloved employee of Case Western Reserve University for over 30 years, Ferry passed away last December at the age of 92—leaving behind a legacy of kindness and generosity that will extend long into the future.

Through a \$2 million estate gift to the School of Law, Ferry’s generosity will support research and scholarship in the Social Justice Law Center and through the Law Medicine Center’s Dean Lindsey Cowen Research Fellowship.

Ferry, whose giving to CWRU began in the 1970s, worked in the School of Medicine and, later, as an executive assistant for Cowen in the law school. She founded a fellowship in Cowen’s honor in 2002, making annual gifts to support it.

But her philanthropy extended well beyond Case Western Reserve. As the head of a foundation created by her parents, she often worked behind the scenes to help individuals fulfill their educational aspirations by funding charitable and educational trusts—especially benefiting those in underserved communities.

“She was one of these people who was silent about her charitable giving,” recalled William Culbertson, a longtime friend. “One of the sweetest, dearest, most generous people I’ve known. Someone you’d be proud to have as a friend.”



Congratulations

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Mark Weinberger
(MGT '87, LAW '87)

Former Global Chairman and
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President Joseph R. Biden pins the Presidential Medal of Freedom on alumnus Fred Gray at the White House in July. (Photo by Alex Wong/Getty Images)

LEGENDARY HONOR

Alumnus receives Presidential Medal of Freedom

This summer, one of Case Western Reserve University School of Law's most iconic alumni—the man Martin Luther King Jr. called the “chief counsel for the protest movement”—received one of the highest honors bestowed on a United States civilian.

Fred D. Gray (LAW '54), internationally renowned civil rights attorney, received the Presidential Medal of Freedom from President Joe Biden. The award—which honors individuals who have “made an especially meritorious contribution to the security or national interests of the United States, world peace, cultural or other significant public or private endeavors”—was presented to Gray during a special White House ceremony in July.

Gray has spent nearly seven decades as a civil rights lawyer, representing individuals such as King, Rosa Parks and John Lewis. He successfully litigated four civil rights cases before the U.S. Supreme Court and defended countless sit-in demonstrators, Freedom Riders and victims of the infamous Tuskegee syphilis experiment.

“This award means a great deal to me, an African American civil rights lawyer who was born in the ghettos of Montgomery, Alabama,” Gray said in a statement. “It speaks volumes to civil rights workers who have devoted their talents and resources

toward improving the quality of life of Americans in this country, and it speaks directly to African Americans in general.” At age 91, Gray is still a practicing attorney in Alabama.

School of Law co-deans **Jessica Berg (GRS '09, public health)** and **Michael Scharf** were among those who nominated Gray for the award in March.

“We cannot think of an individual more fitting to receive the country's highest civilian honor,” Berg and Scharf wrote to President Biden. “We respectfully submit that his life's work demonstrates that he is a leading defender of human rights and freedom.

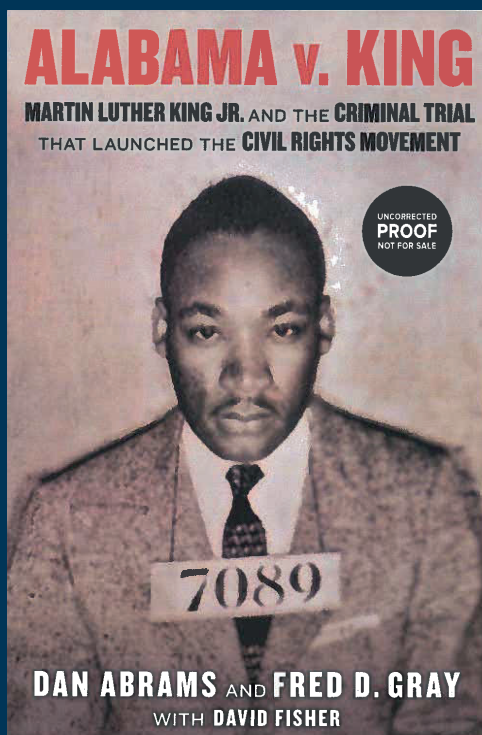
“Mr. Gray unflinchingly set out to eradicate the ills of segregation,” they continued. “We consider it a great privilege and honor to lead the institution where he chose to pursue his legal education. Most importantly, the work of Attorney Fred Gray has undeniably been essential to the pursuit of racial equality in the United States.” ■

The story behind a movement

Fred Gray isn't just an iconic attorney—he's also a published author. In 1995, he released a memoir that chronicled his fight to end segregation in Alabama, *Bus Ride to Justice: Changing the System by the System, the Life and Works of Fred Gray*. Earlier this year, in collaboration with Dan Abrams and David Fisher, he released another book: *Alabama v. King: Martin Luther King Jr. and the Criminal Trial that Launched the Civil Rights Movement*. This new book tells the story of the criminal trial that brought Martin Luther King, Jr. into the national spotlight—as told by Gray himself.

The release comes at a time when the United States is reckoning with systemic racism and social injustice. There is still so much work to do, Gray says, and to make progress, we must remember how the civil rights movement began.

“If you look at the cases and the laws that have been passed, you'll find that we've only just chipped away at it. This country has never done away with racism or inequality,” Gray said in an interview with *In Brief*. “We're all going to have to play our part.”



On well-being

Simple steps to take care of yourself

By **Kimberly Eberwine (LAW '05)**, general counsel for Canada and senior director for Canada government relations at Procter and Gamble



Kimberly Eberwine

intellect and interaction. But because we are in this high-stakes, challenging field, we have an even more critical need to prioritize our well-being.

I remember a conversation with a fellow alumna and mentor **Michele Connell (LAW '03)**, with whom I worked after graduating. She told me that I needed to draw a hard line at my desk to protect time for life outside the firm. "It's easy to draw the line," she said. "The harder part is defending it."

If I didn't, she said, I would suffer the consequences: burnout, along with weakened relationships with my family and, potentially, with myself.

I see that burnout as we try to emerge from the pandemic. We are individually overworked and collectively exhausted. But we can get some of our energy back by improving our well-being.

In my view, there are three elements on which to focus: physical well-being, mental well-being and community connection.

Hey there, alum! How are you?
No, seriously. How are you?

No, no. Don't give me that flip "yeah, I'm fine" stuff. I really want to know: How are you actually feeling?

I suspect for at least some of you, this question is a bit uncomfortable.

Well-being—how we are, and how we get to better versions of ourselves—is a tough topic, particularly for those of us in law, which is a profession that rewards distant and objective

PHYSICAL WELL-BEING

The physical body and mind are inextricably connected, and the data strongly suggest that your ability to influence one is dependent on your ability to influence the other. It doesn't matter how you move—just find something you enjoy enough to do repeatedly, and then carve out time to do it. Don't set the objective of being the best at it. Just go out and put one foot in front of the other, and give yourself the grace to fail at whatever your chosen activity is, as often as you can practically manage.

MENTAL WELL-BEING

Practicing mindfulness is simply paying attention to what is in front of you, how you feel about it and how you experience it sensorially. Eliminate distractions so you can become more aware of how you are feeling and more purposeful in your reactions. Paying attention pays extraordinary dividends in reducing stress—both in the moment and afterward, when we might have a tendency to ruminate.

COMMUNITY CONNECTION

Connecting with a community—people you can talk with about difficult topics, and who ask (sincerely) how we are doing—is absolutely crucial to our well-being. It can keep us motivated to remain physically active and gives us the opportunity to help others, which research has shown yields aggregate benefits for the helper and the helped.

So, now what?

Take a step. One step—however you want to take it. Put 15 minutes on your schedule each day to go for a walk, or to play with your children. And when you're ready, take another. Free yourself from the expectation that there is a single destination known as "well." Remember that what constitutes "well" today may be different than what constitutes "well" tomorrow.

And next time someone asks you how you are, answer them honestly. Your willingness to share may be the thing they need to do the same. ■

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MONDAY, APRIL 3, 2023

U.S. Supreme Court | Washington, D.C.

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Benefits of membership include shorter lines and closer seating at U.S. Supreme Court oral arguments and an impressive certificate commemorating your membership.

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- Complete the online registration form and bar application at case.edu/law/supremecourt.
- Obtain a certificate from the clerk, presiding judge, or other authorized official of the highest court in your state, commonwealth, territory, possession or the District of the Columbia evidencing that you have been a member in good standing of the bar of such for at least three years. Bar certificates are not accepted.
- Submit all materials, along with a \$200 check payable to "Supreme Court of the United States" and a check for \$50 (\$100 if you are bringing a guest) payable to "CWRU School of Law" to:

Eric J. Silverman

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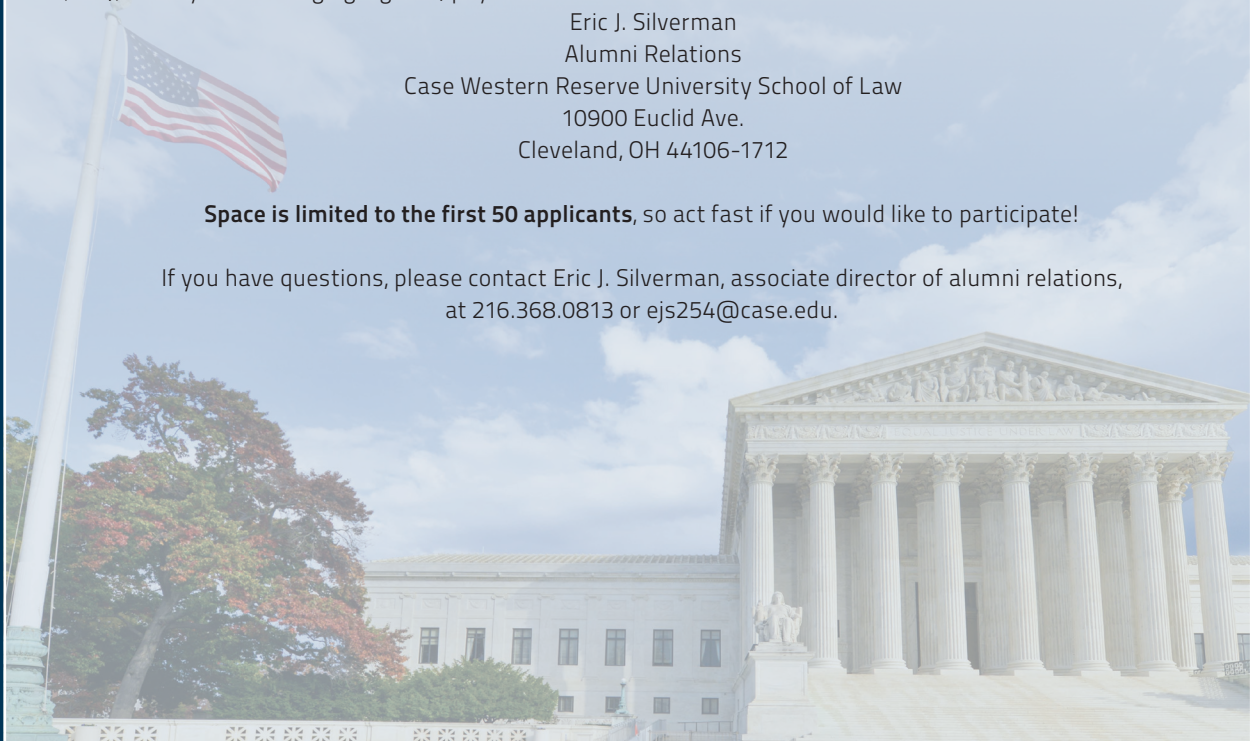
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If you have questions, please contact Eric J. Silverman, associate director of alumni relations, at 216.368.0813 or ejs254@case.edu.





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Can cover expenses for our award-winning moot court teams, including registration fees, coaching stipends, and travel costs.

\$1,000

Allows us to provide books for a 1L incoming student. 70% of our incoming class in 2021 received this book support.

\$2,500

Enables us to provide grants to support students undertaking unpaid public interest or social justice internships. More than 50 students received these grants last year.