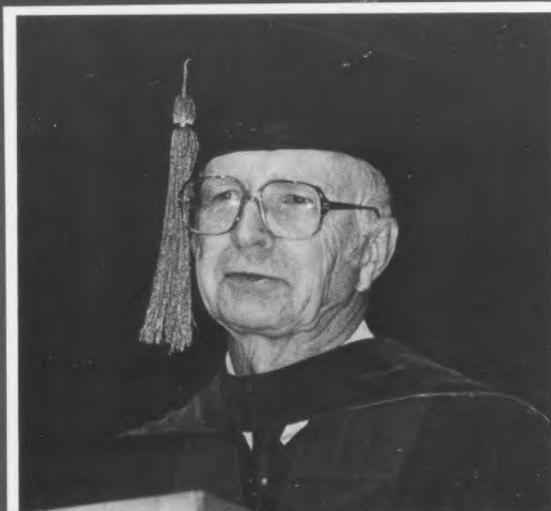




O.S.U. LAW RECORD

The O.S.U. College of Law Alumni Association Sp./Sum. 1986

Hooding Ceremonies



Class Of
1986



O.S.U. LAW RECORD

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On The Cover
1986 Hooding Ceremonies at Mershon Auditorium on May 18. See page 45.
Photography by Jo Hall

DEAN'S DESK



Dean Francis X. Beytagh

Some time ago I jokingly remarked to a law alumni gathering that the College of Law's overall objective remains having a law school of which Ohio State's athletic program can be proud. There is more than a germ of truth in that jocular observation, however. This University is on the move academically as it never has been before. The law school can, indeed should, yea must (I would add) be a significant part of this period of qualitative growth and development. If we are, everyone associated with the University, scholars as well as tailbacks, will take justifiable pride in what we contribute to the entire institution.

Like it or not, the law school is not as well regarded within the University as we would like it to be. And, in the larger context of American higher education, we are viewed as a fine, respectable public law school — a triple A outfit, like the hometown Columbus Clippers. That's not a bad spot to occupy, as most look on us as the premier law school in Ohio, and as being in the middle range among Big Ten law schools. Maybe we should be content with that reputation, and not aspire to greater prominence. Maybe being good is good enough.

Well, it isn't for me, or for most of our fine faculty and staff and students. My vision of this law school's future is easy to describe, but it will be harder to

achieve. Simply stated, there is no reason why we shouldn't seek to become regarded as one of the country's outstanding public law schools.

The foundation on which we shall build in that regard is a sound and solid one. Distinguished faculty have provided a quality legal education for generations of O.S.U. law students. Those former students now comprise a supportive and interested group, over 6,000 in number, of alumni — concentrated in Ohio, but with over 1/3 of them throughout the remainder of the country (and indeed the world). Competent teachers and scholars have followed in the footsteps of their predecessors, and constitute a great source of present strength. The Law Library, one of the College's outstanding treasures, has been cared for and nurtured over the years so that, with a collection of about 500,000 volumes, it continues to occupy a prominent place among the best law libraries in the country. Our academic program is an excellent one, both in terms of traditional course offerings, our respected clinical programs, and the like. There are other existing plusses, too numerous to mention. Thus, the potential for preeminence exists.

What do we need to do to achieve such a niche? First, we must address

physical plant needs, not just minimally or even adequately. We must expand and renovate the High Street structure that has served the College well for three decades, and do so soon and in an imaginative, yet functional way. A 90,000 square feet addition is currently in the planning process. We are simultaneously working on a refined space needs statement, while initiating the law school's most ambitious fundraising effort.

Why more space, you might well ask? Not, let me underscore *not*, for a larger student body. Our size is fine as it is, at about 600. Indeed, one distinct plus in our present situation is that Ohio State resisted the temptation succumbed to by a number of other law schools to increase enrollments significantly during the 1970's, when pressures were the greatest. We are still receiving about 1,200 applications for an entering class of a little over 200. We believe we can maintain, and perhaps even improve, the calibre of our student body at that level. We hope to diversify the student body as well, with a slightly higher percentage of non-Ohio students and with larger numbers of qualified women and minority students. But we need more space for things other than students.

"This undertaking, if we succeed, will put us as one of a handful of America's finest public law schools."

Most pressing is our need for more library space. About 15,000 volumes were stored in boxes last summer, because of lack of shelf space. Installation of compact shelving in the basement area of the library has given us a temporary respite, but it is only a stop-gap measure. Fully 2/3 of the new space we are planning will be for library and library-related (read new technology) needs. We want our Law Library to continue to be one of the country's finest. We obviously can't continue to acquire books and other materials and obtain computers and similar equipment without the space to accommodate them.

We also need more office space for faculty and staff, and especially for the host of functions engaged in by law schools that were not even contemplated 30 years ago. And we need space for future program development — an LL.M. program, expansion of our joint degree program, research centers or institutes, and the like. Our clinical

programs, now housed in makeshift spaces in the basement, need room in which to grow and prosper.

Last, but hardly least, we need student organizational and activities space badly. Our law journals are presently situated in cramped basement quarters, and we have no student lounge worthy of that description. We want our students to regard this building as their three-year home, where they learn outside as well as inside the classroom. We want this to be a showplace for distinguished visitors, for special events, and, even more importantly, for our alumni to take pride in and return to. We want our facility to be a "law center" in the full sense of that term.

The building alone won't make us great, but it will give us the opportunity to move in that direction. It will provide the physical setting to attract and keep the best teachers and scholars and to attract the top-quality student body from throughout the U.S. as well as Ohio. It will permit us to develop programs of distinction that will possess the distinctiveness and earn the acclaim they will deserve. It will be a catalyst in changing attitudes, within the law school, the University and beyond, about who we are, how good we are, and, ultimately, how well we perform our educational mission and, in a larger sense, serve society. All of us must think highly of ourselves if we seek to earn the respect of others. Pride in our building, as well as our program and people, will help engender such changed attitudes.

Do we really have a choice? I don't think so. Times are changing even as we plan our own future. Other institutions in states other than Ohio are hardly standing still. I share President Jennings' view of the future of higher education in America. The truly prominent public universities will be those who don't depend as heavily as in the past on public support, but rather those who seek to achieve a margin of excellence through greater reliance on private giving. That is the essence of our challenge — yours and mine. I can and will attempt to provide the leadership.

I hope we will merit your enthusiastic support. This undertaking, if we succeed, will put us in the position, as we celebrate the College's centennial in 1991, to look forward to a second century of greatness as one of a handful of America's finest public law schools. To borrow from the University's capital campaign theme, the College's distinguished past will be but prologue to its dynamic future.

ALUMNI SPEARHEAD CENTENNIAL CAMPAIGN

Three distinguished alumni have agreed to jointly chair the College of Law Centennial Campaign Committee. They are **Thomas E. Cavendish '53**, **Norman W. Shibley '49**, and **Jack Van Fossen '63**. Serving as the initial members of the Centennial Campaign Committee are **Frank E. Bazler '53** of Troy, **Sally Ward Bloomfield '69** of Columbus, **Jacob E. Davis, II '63** of Washington, D.C., **Robert M. Duncan '52** of Columbus, **J. Paul McNamara '32** of Columbus, **J. Gilbert Reese '52** of Newark, **Melvin L. Schottenstein '58** of Columbus, **Stanley B. Schwartz, Jr. '47** of Columbus, **Stuart A. Summit '53** of Cincinnati and **Ronald J. Zeller '67** of Miami, Florida. It is anticipated that the membership of the Centennial Campaign Committee will be increased to about 25 prior to the official campaign kickoff in September.



Thomas E. Cavendish

Dean Beytagh greatly appreciates the leadership role assumed by the joint chairs, Cavendish, Shibley and Van Fossen, and the support and guidance the membership of the Campaign Committee will give to the important



Norman W. Shibley



Jack VanFossen

and critical Centennial Campaign undertaking.

Campaign volunteers will be identified in Ohio during the fall of 1986. The alumni volunteers network will then initiate the Ohio phase of the campaign in early 1987. An extended volunteer network will carry out the personal solicitation campaign on a national basis during 1987 and into 1988.

Alumni will be asked to make multi-year pledges and gifts to the Centennial Campaign which will combine the capital goals of the Centennial Campaign with on-going support of the Annual Fund. Gifts will be allocated to these complementary goals. In addition, contributors will be able to make both designated and undesignated gifts.

It is anticipated that well over 2500 alumni and friend donors will be needed to complete successfully the campaign priorities. Such level of participation among alumni will upgrade College support comparable to support enjoyed by other Big-Ten and similarly prestigious law schools.

Campaign Kick-off

The College plans a gala event for September 26 to "Kick-Off" the Centennial Campaign, to recognize major contributors, and to begin the important "count down to centennial." The gala will coincide with this year's Annual Alumni Return.

As momentum gathers for the Centennial Campaign, confidence rises that alumni and friends will meet the challenge of this significant commitment to the College's future.

JOHN DRINKO ESTABLISHES FIRST ENDOWED CHAIR

John D. and Elizabeth G. Drinko of Cleveland have established an endowed faculty chair in the College of Law with gifts to The Ohio State University totaling \$1.25 million.

Other contributors to the endowed fund include The George Foundation, The Mellen Foundation of Cleveland, Ohio, The Cleveland Institute of Electronics Charitable Foundation, the firm of Baker & Hostetler, together with the Baker & Hostetler Founders Trust and other partners of Baker & Hostetler.

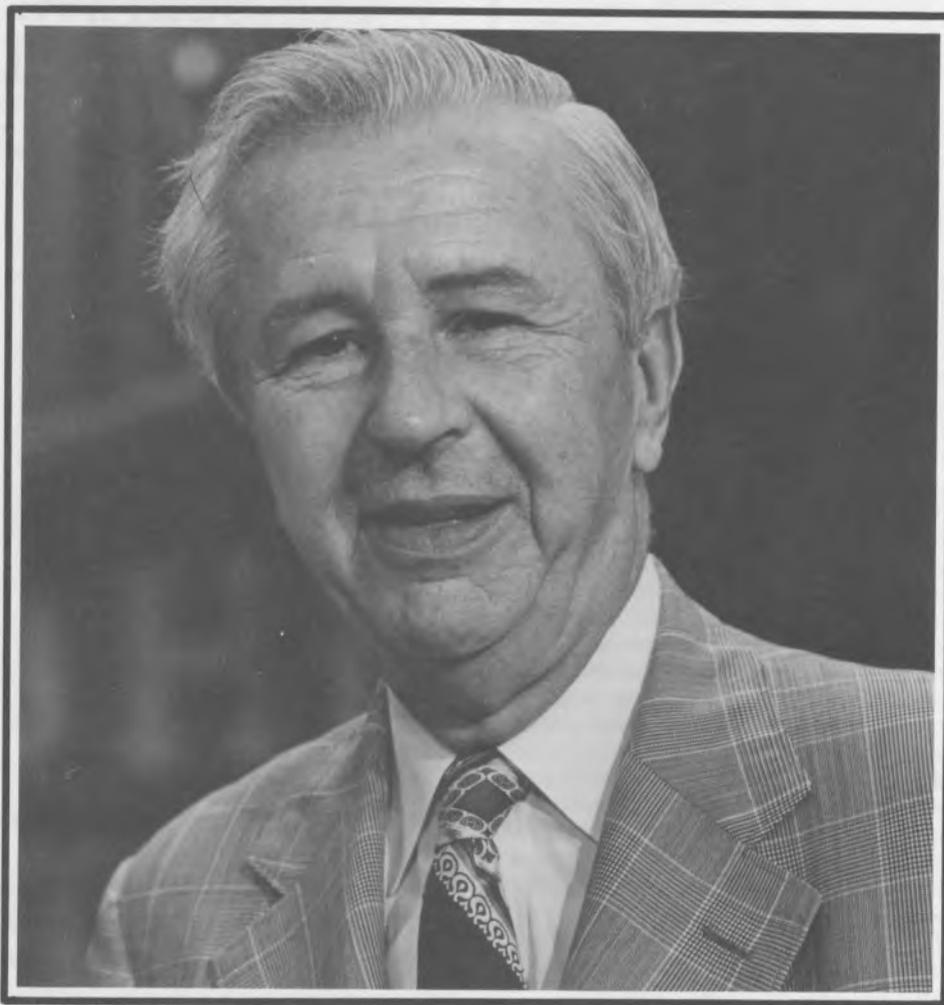
The John Deaver Drinko-Baker & Hostetler Chair in Law will provide salary and related support for a distinguished teacher and scholar in the College of Law. The Drinko Chair will be the first fully funded chair in the College and is among the first to be funded of the more than 60 endowed faculty chairs being sought in the \$350 million Ohio State University Campaign.

More than forty years of law practice, marked by dedication, competence and success, have separated John Drinko from his days as a student at Marshall University and then at the College of Law. Yet, he never moved so far beyond these ties that he has not looked back and given generously in personal leadership and financial support to the academic institutions that made his career possible. This most recent gift well demonstrates his special loyalty to his law school.

"It has always been my hope to establish and complete the funding of the first endowed chair in the College of Law. I am pleased that the partners of the firm and others have joined with me to create this chair," said Drinko upon the announcement of this gift.

In acknowledging this gift, Ohio State President Edward H. Jennings said: "We are honored that John and the members of Baker & Hostetler have chosen to demonstrate support for Mr. Drinko's alma mater so generously. He is a distinguished alumnus of Ohio State and the College of Law, and the John Deaver Drinko-Baker & Hostetler Chair will significantly enhance the college's ability to help future graduates achieve similar distinction."

College of Law Dean Francis X. Beytagh commented: "John Drinko's commitment of funding for the law school's first fully endowed chair marks a major milestone in the College's maturation into one of the country's premier public law schools. It will not only permit us to add excellence to an



John D. Drinko

already very competent faculty, it will also say to those outside Ohio State that ours is indeed a top-quality law school taking significant steps to achieve its considerable potential. However, the Drinko gift, by its sheer size, will hopefully inspire others of our alumni and friends to believe in the College's future and to do something tangible, in their own particular way, to help make that future a bright one. We are enormously grateful to the Drinko's, to the Baker & Hostetler law firm, and to the others associated with the chair."

A native of Saint Marys, West Virginia, John Drinko attended Marshall University where he received his degree in 1942. In 1944 he received his law degree from Ohio State and was elected to the Order of the Coif.

From the College of Law, John Drinko went to Cleveland where he joined Baker, Hostetler & Patterson, now Baker & Hostetler. At that time, he was one of 23 lawyers. Over four

decades with the firm, John Drinko was instrumental in guiding Baker & Hostetler to become one of the nation's leading law firms, with nearly 330 lawyers and with offices in Cleveland, Columbus, Washington, D.C., Orlando, and Denver. For many years he served as a Managing Partner of the firm and was the senior member of its Managing Committee. In January 1986, he became senior advisor to the Managing Committee.

John Drinko has earned a national reputation as a business counselor and advisor. In addition to his business-oriented practice, he provides counsel as a director of The Standard Products Co., Preformed Line Products Co., Cloyes Gear Products Inc., Orvis Inc., Double D Ranch Inc., and Jones-Zylon Inc.

Over the years he has had close ties with his alma mater institutions. He holds the distinguished alumnus award and an honorary doctorate in law from Marshall University and is a member of

The Marshall Foundation. He has established a chair in political science at that university.

John Drinko has shared his talents with Ohio State as well. He served two years on The Presidents Club Executive Committee and four years on the Development Fund Board of Directors. He currently is a director of The Ohio State University Foundation. His contributions were recognized with the University's Distinguished Service Award in 1981 and the Annual Centennial Award in 1970.

In the College of Law, Drinko helped establish the C. William O'Neill, John W. Bricker, and Newton D. Baker-Baker & Hostetler endowed professorships and the Noel F. George-Baker & Hostetler Library Fund. He is past president of the College of Law National Council.

The importance of John Drinko's current generosity to the future of the College and success of the College's Centennial Campaign is best summarized by Dean Beytagh. "Endowed chairs and a substantial library development fund go hand-in-hand with the steps we are taking to enlarge and renovate the Law Building so as to enhance and diversify our educational program. Indeed, these constitute interrelated parts of an overall package that will provide the stimulus to move the fine and respected law school into the top echelon of public law schools in the United States."

Elizabeth G. Drinko is a graduate of Westminster College in Pennsylvania. John and Libby have four children: Elizabeth D. Sullivan of Irvine, California, Dr. Diana Lynn Drinko, a graduate of The Ohio State University College of Medicine, a pediatrician in Newark, Ohio, John Randall Drinko, a graduate of The Ohio State University College of Agriculture, who is Vice President-Sales of Cleveland Institute of Electronics, Inc., and Jay Deaver Drinko, also a graduate of The Ohio State University College of Agriculture, who manages the Double D Ranch near Killbuck, Ohio. Double D Ranch, owned and operated by John Drinko, specializes in Charolais beef cattle and is well known to Charolais breeders throughout the country.

John Drinko has brought distinction to the College of Law through his outstanding career as a lawyer and business advisor. His continuing support assures this College of the assistance it needs at this important time in its history. Faculty and students of yesterday, today and tomorrow benefit and will continue to benefit from John Drinko's generosity.

CONSULTING ARCHITECTS NAMED TO BUILDING PROJECT

Dreams Begin to Emerge as Reality

The firm of Trott & Bean Architects has been hired to consult with the College of Law. They will develop initial concepts for the proposed \$14.5 million building expansion program.

The College plans to unveil these design concepts at the Annual Alumni Return in September and to share visions of the future with alumni whose support will be critical to the success of the project. The funding of the building program will depend upon private gifts to be matched by a University commitment up to \$7.5 million.

Trott & Bean is a full-service architectural firm with over 100 professional staff located in offices in

Columbus and Atlanta. The firm has many major projects in Columbus and, specifically, at this University. The philosophy of the firm projects exciting prospects of a "dynamic future" for our College. "Buildings must be sensitive to people . . . On a practical level, we have to make a building work, make it productive and affordable. But on an equally important level, we have to make a building enrich the lives of the people who use it," state the architects.

Creating an environment to enrich the professional experiences of students and faculty is the goal that excites all of us. Alumni, faculty, administration and architects begin our work of making the dreams of today a reality for tomorrow.

Campaign Goals

The total campaign goal of \$11.5 million presents a major challenge to the Centennial Campaign Committee. At the same time, the College's 100th anniversary in 1991 provides an unique incentive to prepare the College for the challenges of its second century of legal education and for the 21st century. "The Law Like the Traveler Must Be Ready for the Morrow" was inscribed on the Law Building in 1956. It aptly states the challenge of the law school today.

The cornerstone planned for the Centennial celebration will be the dedication of a major building addition. The planned \$14.5 expansion and renovation is the largest project included in the campaign, to which the University has committed, on a one-to-one basis, up to \$7.5 million in matching funds. This partnership will assure that the College's building program will meet the goals of legal education for future generations of students.

The building expansion will not only address the space crisis of the Law

Library, but will provide space for a graduate law degree program and other special programs, offices for faculty attracted by the resources of endowed chairs, expanded support services areas, and upgraded classrooms, student organization facilities, and general College environment.

Other priorities for the campaign include two endowed chairs, a \$1 million Law Library Endowment, a \$500,000 increase in endowments for merit, minority and need-based scholarships, and \$200,000 support for the Annual Fund over each of the next five years.

Through the advance leadership gifts and commitments of Elizabeth and John D. Drinko, Noel F. George, the law firm of Baker & Hostetler, and Florence and Charles Ebersold, Jr., several of these endowment priorities of the campaign have been completed. The campaign leadership anticipate announcements of other major gifts by this fall.

NATIONAL COUNCIL HOLDS SPRING MEETING

Envisioning the Future

Preparing for the future of legal education was a general focus of discussion as some thirty members of the National Council of the College of Law Alumni Association held their annual spring meeting at the College on April 25. Small group discussions around issues relating to academic programs, library, and admissions and student support services provided an opportunity for interchange among faculty and alumni about future directions of legal education and implications for planning the building expansion and renovation.

Visiting consultants, **Charles D. Kelso**, Professor of Law, and **M. Jane Kelso**, Dean of Students, McGeorge School of Law, University of the Pacific, Sacramento gave a slide presentation to describe recent building programs at various law schools throughout the country. The Kelso's discussed some of the strengths and weaknesses of various design and space utilization concepts. The presentation set out a model for organizing space needs and provided a sense of concreteness, and excitement, about the prospects of expansion and improvement of the current Law Building.



Professor Charles D. Kelso



Dean M. Jane Kelso

Professor **Howard Fink**, chair, Ad Hoc Building Committee, shared with the Council some of the work that has been undertaken and the space needs statement that is being prepared as a guide to the architects involved with the building project. Architects will begin this summer to prepare preliminary conceptualizations of the Law Building which Dean Beytagh hopes to dedicate during the 1991 centennial celebration.



Jack E. Davis, Jr.

Changing Leadership

Jacob (Jack) E. Davis, Jr. was elected chair of the National Council at the spring meeting. Davis, a partner with Vorys, Sater, Seymour & Pease, is located in the firm's Washington, D.C. offices. Davis has been a long-time member of the Council and has served in recent years as vice chair. **Robert M. Duncan**, partner with Jones, Day, Reavis & Pogue, Columbus, was elected vice chair and Joanne Wharton Murphy, assistant dean, was elected as secretary. Davis and Duncan will provide important alumni leadership to the Council and to the College.



National Council member Suzanne Higgins travels from Washington, D.C.



J. Ewing Smith

Special Recognition

Thomas E. Cavendish who guided the National Council as chair for five years was honored for his commitment to the College. He was presented a plaque acknowledging his contributions to the Council at the luncheon during the day-long meeting. **J. Ewing Smith** was elected as life-time honorary member of the Council in recognition of his many years of loyal support. Smith, a 1932 graduate, has practiced law in Bellefontaine for over fifty years.

New Members Elected

New members elected were **Martin A. Coyle '66**, Vice President, Secretary & General Counsel, TRW, Inc., Cleveland; **Charles F. Glander '59**, Partner, Bricker & Eckler, Columbus; **Kurt L. Schultz '72**, Partner, Winston & Strawn, Chicago; **Larry R. Thompson**, Special Assistant to the President, OSU, Columbus; **David A. Ward '58**, General Counsel & Senior Vice President—Law and Human Resources, Owens-Illinois Inc., Toledo; **Harry W. White '73**, Judge, Belmont County, St. Clairsville; **Dale E. Williams '65**, Partner, Eckert, Seamans, Cherin & Mellott, Pittsburgh; and **Benjamin L. Zox '62**, Executive Vice President, Schottenstein, Zox & Dunn, Columbus.

TRIBUTE AND DEDICATIONS MARK FETE

"There is nothing whatever in a fortune merely in itself or in a man merely in himself. It all depends on what is made of each . . ." James Truslow Adams, The Epic of America (1931).

On the occasion of the spring meeting of the National Council of the College of Law Alumni Association, the College invited alumni, friends, family, faculty and students to share a program to honor the contributions of the late **Senator John W. Bricker**, **Harry P. Jeffrey** and former dean, **James E. Meeks**. Appreciation was expressed in eloquent words and by gifts to the College.

Senator John W. Bricker, Distinguished Alumnus of the College of Law, died March 22, 1986 at age 93. A tribute was paid to his long and illustrious life and to his special relationship to the University and the College of Law from which he received his law degree in December 1919. Aspirations, dedication, and commitment to public service took John Bricker far from his farm home in Madison County to the high offices of

persons was **Thomas E. Workman**, partner of Bricker & Eckler, who shared in the tribute. Bricker founded the predecessor firm in 1944.

"Senator Bricker is the epitome of a loyal alumnus," stated Workman. "The Ohio State University was a central part of his life — the foundation of his public service — and he spent many years trying to pay back the benefits received from his education." Bricker served 21 years as a trustee of the University. "Senator Bricker's loyalty is an example for all alumni to strive to emulate," said Workman, who attributes his own enrollment at the College to the encouragement of Senator Bricker. Workman reflected that the Senator was especially gratified by the establishment of the John W. Bricker Professor of Law endowment created by friends and associates in 1969. Although fully-

University and great alumnus and to the human qualities of John Bricker. "He was a very charming conversationalist, deeply interested in people and events, and a generous-spirited man," reflected Professor Shipman who met with Bricker on several occasions after being named to the professorship.



Thomas E. Workman shares tribute

Harry P. Jeffrey was also honored. Like John Bricker, he received his formal education as an undergraduate and law student at The Ohio State University. He received his law degree

Dean Beytagh congratulates Harry P. Jeffrey



The late Senator John W. Bricker. This photo was taken on the occasion of his last visit to the College.

State Attorney General and Governor (three, two-year terms), and on to the United States Senate (two terms) and national prominence. He was an eminent statesman and a person highly respected by those personally associated with him. One of such

funded, the Professorship still attracts annual support from friends in honor of Senator Bricker.

Morgan E. Shipman, John W. Bricker Professor of Law, also shared in the tribute remarks. He spoke to the special reciprocity between a great

in 1926 and was elected to the Order of the Coif. His life accomplishments exemplify dedication to excellence and public service which included elected office and broad-based service to his community and profession.

For most of his 60 years of professional activity, Harry P. Jeffrey has practiced law in Dayton, Ohio. He contributed valued leadership in the founding of Wright State University



Harry P. Jeffrey displays room plaque

and to many other charitable, professional, church, and community organizations. He served on numerous governmental committees that dealt with the organization of local government, the development of civic center facilities, capital improvements and financing, and community relations. He has been involved for many years with two charitable foundations, one being the Iddings Foundation of Dayton.

In recognition of Harry P. Jeffrey's contributions to his community of Dayton, The Ohio State University, his example of leadership, and his work with the foundation, the Iddings Foundation contributed funds to the College of Law for the renovation of Seminar Room 206. The room was dedicated April 25 and named the

Harry P. Jeffrey Room. Mr. Jeffrey and his two daughters were present for the dedication. Jeffrey remains an honorary member of the National Council on which he served for many years. He received the Alumni Citizenship Award from The Ohio State University Alumni Association in 1976.

The program concluded with the presentation of a portrait of **James E. Meeks** made to Dean Francis X. Beytagh on behalf of the College as a gift from members of the National Council. The gift was presented by **Thomas E. Cavendish**, out-going chair of the Council. The Meeks portrait continues a tradition that has been uninterrupted for fifty years. Recent portraits of Deans Rutledge, Kirby, and Slagle were made possible by the generosity of C. Simeral Bunch '70.

In presenting the portrait from Council members, Cavendish stated, "Alumni, faculty and students know that today's accomplishments are made possible because of past deeds and contributions, particularly influenced by our College tradition of good leadership. James E. Meeks kept faith



John Eckler (left) and Robert W. Minor '48 were among the friends attending Bricker tribute.



James E. Meek and family at portrait dedication

with that tradition. Through his dedication, commitment and service as dean of this College from 1978-85, he built upon earlier foundations and directed the College to greater distinction . . . National Council

members . . . believe it fitting that a portrait of James E. Meeks be added to our gallery of distinguished deans."

Following the program, a reception was held on the first floor of the College.

LECTURESHIPS REINSTITUTED

Rex E. Lee, partner with Sidley & Austin, Washington, D.C. and former Solicitor General of the United States visited at the College on March 19 to give the Law Forum Lecture. It was also an occasion for a reunion with a former fellow United States Supreme Court clerk and friend, Dean Francis X. Beytagh.

The Law Forum Lecture series was established in 1958 through the initiatives of students and faculty. The lectureship was endowed by a personal gift from **Ida and Isadore Topper** and for years visiting scholars and distinguished members of the OSU law faculty presented a series of lectures on diverse and important issues of law. From 1960 until 1976 the lectures were published in book form by the *Ohio State University Press*. The Law Forum Lecture series was given in 1981 by **Professor Morgan Shipman**.

The first Law Forum lecture was given in 1958 by the then Solicitor General of the United States, **J. Lee Rankin**. It is interesting that the lecture would be reinstated by Rex E. Lee, immediate past Solicitor General.

In 1963, another lectureship was established at the College, created specifically to provide students and the public with commentary on issues of professional responsibility. The lectureship was established by **Albert A. Levin** to honor Dean Hershel W. Arant. The lectureship was funded by a grant from **John W. Galbreath**. This series was held consecutive years from 1963 to 1971. The Rex Lee lecture filled the purposes of both the Law Forum and Hershel A. Arant lectureships, and provided a revival of established lectures that Dean Beytagh believes necessary to a law school of the stature of Ohio State.

Rex E. Lee served as Solicitor General from 1981-1985. Prior to this appointment he had been the founding dean of the J. Reuben Law School at Brigham Young University. He currently holds the George Sutherland Chair of Law at that law school. He will return to teaching at Brigham Young but will also continue his relationship with the Sidley & Austin firm for the management and argument of all appeals to the United States Supreme Court.

Lee received his B.A. degree in 1960 from Brigham Young University and his J.D. from the University of Chicago Law School. During the 1963 term, Lee served as law clerk to Supreme Court Justice Byron White. Subsequently he joined the law firm of Jennings, Stouss,

Salmon & Trask in Phoenix and became partner before entering legal education. From 1975 to 1977, he was on leave of absence to serve as Assistant Attorney General, Civil Division, Department of Justice.

Preceding the evening lecture, Lee met with faculty and students to discuss informally his experiences as Solicitor General, insights about the office, various cases, and appellate advocacy. "The job of Solicitor General is a great position. It is a lawyer's job with little administrative responsibility," stated Lee. "The hardest day was the day I left," he reflected, but quickly added, "I am very glad I had the opportunity, very glad."



Rex E. Lee

"Lawyering for the Government: Politics, Polemics & Principle"

Rex Lee began his lecture by describing two basic roles for litigating attorneys: 1) as client advocate, and 2) as officer of the court. Although these objectives can be mutually supportive, Lee emphasized that there is also tension between these two roles and, "...as members of the legal profession there are few responsibilities that we have that are more important than striking just the right balance between these two roles." His theme for the evening concerned the differences between a government attorney and a private sector attorney in striking the balance.

Drawing on his experience as Solicitor General, Lee pointed out three ways in which government lawyers

have a stronger responsibility as an officer of the court than lawyers in the private sector. First, because the opponent is also a part of the general public that the government as a whole serves, the government lawyer must be more sensitive to the values on the other side of the lawsuit. Second the government lawyer must take into account the administrative costs of a lawsuit. Lee touched briefly on these two points, then spent the bulk of his time developing his third point.

Lee believes that a government lawyer should be more sensitive to his or her officer of the court responsibilities because it will help win lawsuits. To illustrate this point, Lee described the special relationship that the Solicitor General has with the Supreme Court. Either as a party or as *amicus curiae*, the office of Solicitor General participates in well over half of the cases argued before the Court, and the office's average for winning cases runs between 70 and 80 percent. About two dozen times a year, the Court asks the Solicitor General to express the view of the United States in a case in which the United States is not a party.

As Solicitor General, Lee believed very strongly in the need to preserve this special relationship with the Court, and he did so by limiting the number of *certiorari* petitions filed by his office in a number of ways. Lee resisted pressure from other government sources to increase the number of filings. He resisted the temptation to expound his views by limiting *amicus curiae* briefs. Lastly, he refused to take positions in Supreme Court filings that he knew the Court would reject.

Lee emphasized that the reservoir of credibility with the Court exists for the Solicitor General to draw upon to his advantage. He concluded on a note of caution: "...if he draws too deeply, too greedily, too indiscriminately, then he jeopardizes not only that advantage in a particular case, but also for an important institution of government."

This spring the faculty adopted the recommendation of the Administration Committee that the Law Forum Lecture return to its intended format of a series of lectures by a nationally recognized scholar which would be ultimately published, preferably by the *Ohio State Law Journal* or the *Ohio State University Press*. It is hoped that the first lecture series can be held in the spring of 1987 and annually thereafter in the fall.

PRESIDENT AND PROVOST VISIT WITH FACULTY

During the late fall, Dr. Francille W. Firebaugh, Acting Vice President for Academic Affairs and Provost and Dr. Edward H. Jennings, President, met with members of the faculty to discuss matters of interest related to the University and to the College of Law.



President Edward H. Jennings with Dean Beytagh

Dr. Jennings visited with the faculty on December 11, at the invitation of Dean Beytagh. The President shared personal insights, discussed various University issues and responded to specific questions from the faculty.

"We must look more and more to ourselves for excellence."

Law Building

Discussion with President Jennings was directed to the funding of the Law Building expansion. The President responded that the capital needs of the University far exceed public funding potential for the capital budget. He believed that the University's partnership with private giving would best assure the needed expansion of the Law Building on a timely basis. He related this decision to the general trend of state universities for greater dependency on nonpublic resources for both instructional and capital budgets.

The President stated the reluctance of the University to look to tuition increases for needed funds. This policy maintains the University's commitment, as a land grant institution, to broadbased access. "Few graduate and professional students could afford the costs of this education," he stated. He emphasized that more and more "we must look to ourselves for excellence."

On November 20, Dr. Firebaugh met with the faculty as part of her efforts during the year to become more familiar with individual academic units within the University. She openly responded to a variety of questions and initiated responses from the faculty. Among the matters discussed were the academic excellence program, funding allocated to the program, and the criteria for selection.



Acting Provost Francille W. Firebaugh

JOINT DEGREE PROGRAMS

Cooperation and Interaction Improve Attractiveness

The College of Law is fortunate to have a mechanism that allows students to establish a joint degree program with any one of 185 graduate degree programs at OSU. This is done by giving students almost a semester's worth of law credit for work done in a related graduate program. With this flexibility, the College can fashion a program to meet the most educational goals that students identify.

J.D./M.B.A.

The mechanism to establish joint degree programs currently are not integrated, defined, and easily mar-

keted. The College is now working to do so. For the joint J.D./M.B.A. degree, the College is working to establish a procedure for joint applications, so that a student can apply to the joint program with one (rather than separate) applications. In addition it is hoped that some course offerings would be jointly taught by law and business faculty.

J.D./M.P.A.

In the J.D./Masters of Public Administration degree program, a further step is being taken. The curriculum is being integrated to permit students who enroll in the program to take part

of the core curriculum in Public Administration during the first year in law school (instead of one of the traditional first-year courses.) In this way, students will be able to begin to integrate and relate their knowledge from the two fields at an early point in their careers.

The College also hopes to be able to establish a seminar in law and public policy that is jointly taught by law and public administration faculty during a joint degree student's final year.

Similar work is being done with respect to a third joint degree program — the joint degree program in Law and Health Administration.

LAW LIBRARY NEWS

Library Adds New Staff

The Law Library has confronted long-term inadequacies in staff support by the appointment of an Associate Director and a Foreign & International Law Librarian. Because of limited space, you can find both **Thomas Spaith** and **Val G. Bolen** occupying Room 218.



Thomas Spaith

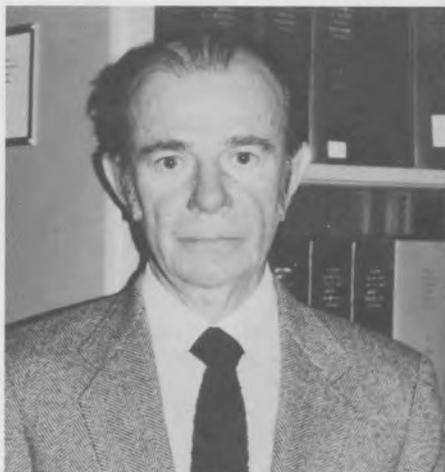
Associate Director

Tom Spaith, Associate Director, began service on June 2. He comes to the College from Akron University Law Library where he held the same position. His career has been designed to combine two loves — law and librarianship. "To be in an academic law library as that at OSU is an exciting opportunity," says Spaith.

The students to OSU have been many: a B.S. in Mathematics from Thomas More College; a M.L.S. (Masters of Library Science) from Kent State University; Engineering Librarian at the University of Missouri at Columbia; J.D. from Capital University Law School; Librarian and Assistant Manager of Technical Services at Chemical Abstracts, and Akron University Law Library. He has co-authored an article in *Electronic Library* and presently has a grant to produce a slide/tape program on how to construct case citations. He recently was named to the OHIONET Reference Services Council.

Spaith will assume responsibility for more of the day to day operations dealing with budget and personnel. He particularly looks forward to a role in planning the future expansion of the Law Library and the integration of increased computer and audio-visual support services for the College.

Spaith, however, does not expect to devote all of his time to papers and projects. For Spaith, his greatest satisfactions will come from assisting faculty, students and others in their use of the Library's excellent facilities. "Being associated with The Ohio State University and one of the nation's premier law libraries offers an extraordinary challenge which I am eager to accept. I look forward to working with a very professional staff, and contributing to the exciting research activities supported by the Library. The rapid development of informational services technology is staggering. It is an exciting time to be involved with the expansion of the Library's research support services," says Spaith.



Val G. Bolen

Foreign and International Law Librarian

Val G. Bolen brings to the College exceptional talents and knowledge. As a language specialist and a lawyer, he will assume primary responsibility for the Law Library's foreign and international law collection and related reference services. "I am very impressed by the Law Library's foreign collection, particularly the French and German materials," states Bolen. "Some areas of the collection are dated and we are working to bridge these gaps."

Val Bolen's early education began in Russian and German schools. His experience and interests combined history, language, and law as the central theme of academic pursuits. He holds a B.A. and J.D. from Wayne State University, a Ph.D. in Slavic Languages from the University of Michigan and a M.L.S. from Kent State University. He has

taught Russian at the Universities of Chicago, Denison and Ohio State and Business Law in the College of Administrative Science at Ohio State. He served for a time in the Legal Department of Lawyers Title and Insurance Company in Detroit. Immediately prior to his present association, he was the Reference Librarian at Capital University Law Library.

Bolen is comfortable working in Russian, German, French and Spanish, but quickly adds, "I do not know enough languages." Always a student, he currently is working on his language skills in Italian and Portuguese. Bolen stresses however that a great deal of foreign materials are translated into English and therefore language is no longer a major barrier to using foreign documents.

Bolen believes there is much to be learned from studying and appreciating how other legal systems deal with common problems. "We herald the international exchange of technology, but that does not seem to carry over as well to the exchange of law or social systems information," reflects Bolen.

Bolen's language facilities and his knowledge of international law materials provide a valuable resource to faculty, students and the practicing bar. With his presence, the College will be able to promote its foreign collection and services.

"More students today are versatile in language and interested in comparative research," states Bolen, who acknowledges increasing demands for use of the foreign collection. He looks forward to his new relationship with Ohio State.

Student SpooF



Newly installed compact shelving. Some (unattached) tennis shoes get attention.



Student learns new research system.

INFOTRAC

The OSU Law Library's first acquisition of the new technology laser videodisc is **Infotrac**, the data base for Legtrac, one of the indexing sources available on the disc, includes over 720 legal publications including law reviews, bar journals and seven legal newspapers. Another information source on the disc is the government Publications Index. This service offers a full cumulated and integrated index of the 7 most recent years of contents of the G.O.P. monthly catalog. This includes public

documents generated by the legislative and executive branches of the federal government.

The laser videodisc contains all abstract information in one self-contained system. The disc is updated each month, providing the most up-to-date source for current articles and documents. It has storage capacity of 800 million characters on one disc. It permits high speed searching by the use of a single word or phrase.

The print capability allows for immediate printout of a selected item or all bibliographic citations retrieved.

This system is easy to use and provides law students and faculty with references in less than 10 seconds.

ALUMNI AND STUDENTS PARTICIPATE IN STUDENT RECRUITMENT

In an attempt to personalize the admission process, various applicants admitted to the College were invited to meet with alumni, faculty, and currently enrolled students to encourage their acceptance of Ohio State for their legal study. Through the cooperation and generosity of alumni and law firms around the state, five receptions were held during late December and early January. A total of 70 to 75 applicants attended receptions in Akron, Cincinnati, Cleveland, Columbus, and Toledo.



Admitted students learn more about OSU.

Three visitation days during early spring were organized at the College. Applicants were invited to meet and talk with enrolled students and faculty and to visit classes and generally tour the building.



Law students and recruits mix at reception.

1986 Entering Class

Total applications to the College were down slightly from last year, but the academic credentials of those accepting Ohio State remain very strong. **Associate Dean Jack Henderson** believes that the College continues its competitive attraction of excellent candidates for law study. The effects of a national decrease in applications and appeal of other career options on the entering 1986 class will not be determined until the beginning of the school year.



Edward F. Whipp

Receptions & Alumni Coordinators

December 27: Toledo
Spengler, Nathanson, Heyman,
McCarthy & Durfee
David A. Katz '57

December 30: Columbus
January 3, Cleveland
Thompson, Hine & Flory
Edward F. Whipp '61

January 2: Cincinnati
Frost & Jacobs
James K.L. Lawrence '65

January 3: Akron
Buckingham, Doolittle & Burroughs
Robert W. Malone '76

WRITING SKILLS: FOCUS OF NEW PROGRAM

Despite technological advances and computer programs, a lawyer's writing skills continue to play an important role in career development. Nevertheless, employers voice concern that today's law graduates are not trained sufficiently to perform the variety of written communications involved in day to day practice and professional activities. OSU has responded.

Since the late 1970's, concern was expressed within the OSU law faculty about the writing component of the curriculum. More than moot court, law journal, legal clinic and seminars were needed to train students in effective writing, both as to content and diction. After much discussion and various proposals and counterproposals, a course in Legal Writing was adopted as a second-year elective.

Rhonda R. Rivera, Associate Dean for Clinical Programs, assumed the responsibility for designing and administering this legal writing program.



Dean Rhonda R. Rivera

Through her initiatives and contributions, the course has been well received by students, applauded by employers, and recognized as unique among law school writing programs.

The Legal Writing course was first offered in the spring of 1984 on a limited enrollment basis. With an increased commitment of financial resources for support faculty, enrollment was expanded to 160 students during 1985-86. Although the course was offered both fall and spring semesters, not all student registrations could be accommodated.

Students enroll in Legal Writing for three semester hours. Two hours each week involve specific lectures, grammar instruction and assignment discus-

WANTED: LAW GRADUATE WHO CAN WRITE!

sions. Students are divided into tutorial groups of eight and for one hour each week they meet an assigned adjunct faculty member for individualized evaluations and instruction.

Writing assignments must meet a competency requirement. This involves the student, most often, in multiple rewrites of each exercise. Writing, like any skill, is learned by practicing over and over — in this course, by writing, and writing, and writing.

Dean Rivera plans the class assignments and hires and coordinates the adjunct faculty. She delivers some of the class lectures, those on grammar and style, and she selects other lecturers from the regular faculty. Lectures focus on the purpose of the assigned writing exercise and related ethical considerations. Over the semester, students write letters, interrogatories, complaints and answers, arguments of law, argument of fact and other legal documents, such as a contract.

The tutorial relationship with a practicing lawyer provides each student with a unique learning environment and experience. Nine adjuncts were hired to work with the students for each semester.

Students generally regard the course as very worthwhile, but *lots of work*.



Susan Donofrio

Almost every week there is a new assignment to be added to assignments in progress. Additionally, the students are responsible for meeting deadlines, keeping weekly appointments, and negotiating extensions when necessary.

Adjunct faculty, likewise, devote much time and energy to the program. Adjunct faculty are required to attend the weekly lectures, review each submitted assignment, and meet weekly with each of his or her eight students to discuss evaluations.

Susan Donofrio has been with the program since its inception. Spring semester she assisted Dean Riviera and helped coordinate the adjunct faculty. Donofrio, who works for the Legal Aid Society of Columbus, has a J.D. from Georgetown University, and she also holds a master's degree in English from Ohio State.

Donofrio is a firm believer in the benefits of the course. "Students get experience doing the kind of writing



Adjunct Professors attend class.

they would do in practice, but in a protected environment, where a client's welfare is not at stake. The emphasis of the course is on practical application, and the careful process of writing and rewriting legal documents, a process significantly different from writing law school examinations," states Donofrio.

Christopher Trail, a 1981 graduate and associate with Porter, Wright, Morris & Arthur, has been an adjunct in the program three times. He enjoys teaching and working with students one-on-one. "My job is to show students how to take their legal background and apply it to everyday legal practice — to show how to communicate in writing what is learned in substantive classes."

One of his goals for the course is to convince students that writing is important. Trail does not require one particular style or one particular way of organizing each assignment. Instead, he requires that the students justify what they have done. "I think that's tougher because students have to think about what they are doing."

Carol Fey, another one of the adjuncts, has the distinction of being an alumna of the course. Fey, who is a December 1984 graduate, took the writing course when first offered in 1984. She believes the class clearly helped in obtaining her present job as clerk for Justice Clifford Brown of the Ohio Supreme Court. She is impressed everyday with the importance of good



Carol Fey '85

writing, something that she tries to pass along to her students.

In addition to teaching students good writing skills, Fey views the course as a good introduction to being an attorney. "Students must learn to take the responsibility for meeting deadlines. They also must learn to work with their adjunct, like clerks and young attorneys must learn to work with a judge or partners in a law firm," says Fey.

Donofrio, Trail, and Fey, like the other adjuncts, agree that teaching writing sharpens their own writing skills.

Few OSU graduates who have had



Christopher D. Trail (left) critiques student's writing assignment.

the course have moved into the job market. It is far too soon in the history of the course to judge any effect on hiring practices. Trail believes that "employers need to be educated about the course and informed that OSU students have had a significant, legal writing experience."

Betsey Case, a partner with Thompson, Hine & Flory, on several occasions has joined Judge **Robert M. Duncan** as guests to speak to the Legal Writing class. As a person who has been involved with the firm's hiring and as a member of the College's Placement Advisory Committee, Case is particularly enthusiastic about the value of the course to students. "The importance of writing skills cannot be underestimated. This course has a special value to students and employers of our graduates. The reactions from alumni who have heard about this program is very positive," says Case.

Second Writing Requirement

Starting with the class of 1987, students in the College must complete two significant writing requirements, including a seminar. For students who do not participate on either law journal, in clinic courses, or moot court, the Legal Writing course is a way to fulfill the additional writing requirement.

Students who are prepared to make the commitment the Legal Writing requires appreciate the valuable opportunity made available. The course prepares the students for their academic work as well as for their post degree careers. As one student states, "I found that 15 years of writing grocery lists

and PTO minutes did not prepare me for the rigors of law school writing. The course was very valuable. It took the legalese out of my writing and made it intelligible."

"Clarity of thought and clarity of language are ultimately related; clarity in one cannot be had without clarity in the other," states Irving Younger in his "Persuasive Writing" feature in the *ABA Journal*. The Legal Writing course is designed on just this principle.

The College's strong academic program, with increasing emphasis on writing skills, prepares its students for "thinking and communicating like a lawyer."

Adjuncts, 1985-86

B. Douglas Anderson
Office of the Attorney General

Keith Bartlett
Boyland, Bartlett & Teegardin

Susan Donofrio
Legal Aid Society of Columbus

Carol Fey '85
Clerk, Justice Clifford Brown
Supreme Court of Ohio

Marcia Swigart Hoyt '79
Private Practitioner

Sharon Pfancuff
Franklin County Public Defenders

Michael J. Rourke
Porter, Wright, Morris & Arthur

Michael Thomas
Michael F. Colley Co., L.P.A.

Christopher D. Trail '81
Porter, Wright, Morris & Arthur

ALUMNI BAR PRESIDENTS TALK WITH STUDENTS



James E. Readey '70



Duke W. Thomas '64

*"Get involved"
is the message
to students.*

CBA President Urges Community Service

"You need to be a well-rounded person if you want to be a better and more effective lawyer and avoid practice burnout," admonished **James E. Readey**, Class of 1970 and the 1985-86 President of Columbus Bar Association. Readey met with students on March 7 at the College. He urged students, when they become lawyers, to expand their interests and involvements beyond the office to community service. Working on committees and board with a broad spectrum of people improves your ability to deal with clients, juries and other lawyers," said Readey. "You never know when the person you work with today on a community project may turn up as an opposing lawyer. You can't put a value on the credibility you have established and how that helps your case manage-

ment," Readey related.

Readey's enthusiasm for community service went beyond professional rewards and the prospects for referrals and career advancement. His prescription for "roundedness" is involvement in the work of your local bar association. "Over 50% of our bar association members are under 35 years of age," stated Readey. "There is something for everyone in the various programs," he emphasized. Readey outlined the Association's commitment to volunteerism and special programs being sponsored, including the July 4 performance of "1776" to commemorate the 100th anniversary of the Statue of Liberty and to support the drug rehabilitation program managed through the Juvenile Court.

Although Jim Readey has contributed many hours to the Columbus Bar Association, his enthusiasm well demonstrates the actual and intrinsic value of such service.

OSBA Hosts Luncheon for Law Students

Duke W. Thomas, Class of 1964 and the 1985-86 president of the Ohio State Bar Association, spoke with OSU law students on April 3 at a luncheon sponsored by the Association. Students enjoyed the opportunity to visit at the Ohio Legal Center and to meet various alumni members of the Board of Governors and staff of the Association.

Thomas talked with students about the services of the Association and encouraged their active involvement in services and activities of the organized bar. He acknowledged the competition faced in law school today and in the job market, which has not kept pace with the increasing numbers of law graduates. He encouraged the students that there is always room in the profession for "intelligent, hard-working and responsible lawyers."

Thomas introduced participating alumni, **Thomas E. Cavendish** and **Sally W. Bloomfield**. Other members of the Association welcomed and spoke with students.

Many alumni of the College have taken leadership roles in local and the state bar associations. The College is proud that both the Columbus and Ohio State bar presidents visiting this year with the law students are alumni of the College. Their commitment and service exemplifies the meaning of "public service."

REFLECTIONS ON LAW AND PRACTICE

December graduates of the Class of 1986 invited **Professor Morgan E. Shipman** to be the guest speaker at their hooding ceremonies held December 22 at the College of Law. The remarks of Professor Shipman not only speak to the challenge facing the new lawyer, but to the practice of law generally. The *Law Record* shares these remarks with its students, graduates and alumni.

"The Virtues and Vices of a Legal Education"

Dean Beytagh, distinguished graduates, friends, spouses, and parents of graduates, and other distinguished guests — I am honored to be asked to speak here today. The graduates are to be congratulated upon

completion of a rigorous course of study. Their spouses, parents, and friends are to be thanked for their support.

I have chosen, as the topic for my brief address, the title *Virtues and Vices of a Legal Education*, a subject on my mind this fall as I taught a small section of a first-year course for the first time in many years and went over this topic at some length with my class.

The Virtues

As a first-rate law school such as this one, students learn many valuable things. They learn the basic analytical skills necessary to lawyering. This is done well here, as witnessed by, among other things, the success of our students on the bar exam. They also

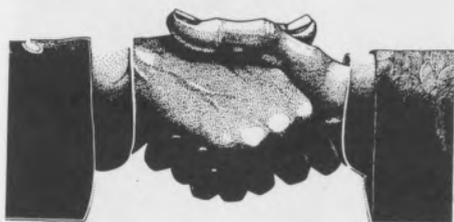
learn the importance of facts, a crucial ingredient in the law, politics or any profession. The lawyer learns so well the importance of facts and the many ways in which facts can be skillfully arranged and presented.

Perhaps the most important intellectual skill gained is the ability to spot value judgments and premises, express and implied, and to analyze and criticize those value judgments and premises. The ability to dig out and criticize implied value judgments and implied premises is an area in which lawyers excel — and it is a valuable skill, for often these implied value judgments and implied premises are wrong or questionable. Laypersons can often be bamboozled by lofty, complex, or historically honored rhetoric in a way that well trained lawyers can not.

Teamwork and Cooperation

My main concern, however, is a broader one than the effect of a legal education on personal relationships. I wonder whether traditional legal education may be destructive of teamwork and the ability to cooperate the job and in the practice of law. Teamwork and cooperation will often involve the subordination of the skills taught in law school, skills that emphasize individualism, a sharp framing of issues, and neat resolutions. Teamwork and cooperation, which are often essential in the real world, usually involve compromise, accommodation, a glossing over of differences, and basic felicitous human reactions. In short, the lawyer must know when to switch from the hard-nosed Lone Ranger type of a legal machine to a regular human being. This is not an easy transition to make. Nor is it easy to know when to function as a regular human being and give paramount weight to human factors.

Law school professors are, of course, the quintessential Lone Ranger, intellectually oriented lawyers. After all, good teaching is a solo activity, and mastery of the intellectual aspects of the law is *the* baseline legal skill without which one cannot be a good lawyer.



The foregoing virtues of a legal education are complemented by another virtue, the breadth of subject-matter coverage in the law school. Law school matter of factly deals with diverse topics such as taxation, family law, legal accounting, bankruptcy, and land use planning and identifies the rules and evaluates the validity of the implied value judgments and premises. This is no easy task in a technical subject such as taxation or in an emotionally explosive subject such as family law. Much digging and thinking is required. It is a tribute to legal education that this breadth of concern about almost all phases of life and activity is present.

Legal education also incisively emphasizes the value of sound procedure and the imaginative mastery of procedural options.

"...the finely honed legal skills you have acquired may not always provide the complete answer."

Morgan E. Shipman,
John W. Bricker Professor
of Law reflects on
teaching and practice.



Lastly, legal education teaches the necessity of good preparation, hard work, and tenacity. This virtue is not to be taken lightly, for most valuable ends do in fact require extended effort.

The virtues of legal education tend to produce a mindset and habits well suited to structured resolution of disputes and structured planning of the legal side of business and personal affairs. These are no small accomplishments. Graduates can take these skills and attitudes and put them to good use in helping people who have legal problems or who wish to avoid legal problems.

The Vices

The vices of a legal education flow from the virtues. As the mind is trained to become highly analytical, to spot inconsistencies, and to comment at length on the implied value judgments and implied premises of others, a feline quality can be developed. As a person focuses on structured dispute resolution and formal planning, there is a blockage of the ability to gain from teamwork and the synergy that comes from cooperation and felicitous human relations.

In personal relations, lawyers can be notoriously inept. Lawyers' professional thinking can easily be regarded as unfeeling by laypersons or by any person in a non-professional setting. On a personal level, for example, who really wants his or her inconsistent statements pointed out

and their implied value judgments pulled out and criticized? In short, the legal method is often best disregarded or heavily modified once one leaves the office.

One might ask why law school professors, including myself, do not do more with aspects of the law such as teamwork, client relations, and human synergy. The answers are many and if not wholly satisfactory, they are at least serious reasons. First and foremost, these topics are intellectually "soft." One spending much time on them may be regarded as "touchy — feely" or merely a bearer of "war stories." Secondly, students and professors want certainty, and these topics have no certainty to them. Thirdly, even the best lawyer is often unsure when to subordinate his or her hard-nosed legal instincts to so-called common sense. Lastly, there is a feeling that these are practice skills best acquired in practice.

In conclusion, I wish to note that I come to praise legal education, not to condemn it. It has been a genuine pleasure to teach you, and I believe you have learned a number of valuable things. The burden of my remarks is that you should realize that the finely honed legal skills you have acquired may not always provide the complete answer. The best solution to actual problems may involve some tempering or subordination of those legal skills, especially outside the courtroom.

SYMPOSIUM ADDRESSES MODEL LEGISLATION



Symposium participants enjoy lively debate.

Should mediators be immune from liability for mediative activities? Should mediation sessions be confidential? Should mediated agreements be treated differently under the law than agreements reached without the assistance of a mediator?

These issues — arising more frequently with the increased use of mediation — were the focus of the Symposium on Mediation Legislation hosted on April 10, 1986 by the College and the new *Ohio State Journal on Dispute Resolution*. The symposium was co-sponsored by several other universities and organizations interested in improving the quality of legislation dealing with mediation. Professor Nancy A. Rogers was the conference coordinator.

The goal of the symposium was to crystallize the best thinking on legislative approaches to the mediation issues identified for discussion. Harvard Professor Frank E.A. Sander moderated a lively interchange among the three presenters and nineteen other participants. The group included law faculty from ten schools, appellate court judges, practicing lawyers, and mediation program directors. They represented interest and experience in mediation as it has been used in corporate, family, labor, environmental, prosecutor-annexed, neighborhood, and court programs. Three prepared papers provided the focus for reactions, comments and debate. The presenters were:

Professor Eric Green, Boston University College of Law (confidentiality);

David Austern, Director of Education, American Trial Lawyers Association (mediator liability) presented by

Linda Singer, Director, Center for Community Justice, and

Professor Robert P. Burns, Northwestern University Law School (enforceability).

The mediation issues presented difficult choices that divided the participants, especially when discussing mediator liability and a mediation privilege. Symposium participants were particularly divided on whether to advocate legislation creating a general mediation privilege.

Professor Robert Burns noted that the normal contract doctrines and defenses would be less effective if the mediation sessions were privileged. On the other hand, mediation privilege advocates responded that legislation should be enacted to render the mediated agreement unenforceable to avoid the harsh results of having an enforceable contract while removing evidence relevant to contract defenses. Other participants argued that a statute rendering the mediated agreement unenforceable would provide fertile ground for the party operating in bad faith who might sign an unenforceable agreement, await the passage of the statute of limitations or loss of evidence, and then refuse to abide by the agreement.

On each issue Professor Sander identified two or three approaches to legislation that had substantial support among the participants, and delegated to the Journal staff the task of drafting alternative model statutes that reflect these approaches. The Journal will distribute the drafts to participants for their review and comments. The Journal expects to complete this difficult task in time to publish a symposium issue by late fall 1986.

Journal Undertakes Symposium Report

"The success of the Symposium surpassed all our hopes and expectations," reports Anastasia N. Markakis, 1986-87 Editor in Chief, *The Ohio State Journal on Dispute Resolution*. The Journal staff devoted the month of April to analyzing the issues discussed. Students drafted model legislation on confidentiality, mediation liability, and enforceability of mediated agreements, all of which were vigorously debated at the Symposium. "It was a most challenging and educational experience," adds Markakis.



Journal staff students observe.

The model legislation is presently being circulated to the symposium participants for their comments and endorsements. The Journal plans to publish one or more versions of the model legislation in the third issue scheduled for publication next fall. This issue will also feature the three papers presented at the symposium and six short response essays. "We are confident that the third issue on model legislation will benefit the legal community and hopefully encourage state legislatures and Congress to draft legislation in these currently unlegislated areas," concludes Markakis.

Joining with the College and Journal as co-sponsors of the symposium were the Capital Law School, the American Bar Association Special Committee on Dispute Resolution, the Kettering Foundation, the Kent State University Center for Peaceful Change, the Ohio State Bar Association and the National Institute for Dispute Resolution. The symposium was supported by grants from the Prudential Foundation and the National Institute for Dispute Resolution. Participants included:

Merton C. Bernstein

Walter D. Coles Professor,
Washington University Law School

Chris Carlson

Kettering Foundation

Arthur A. Chaykin

Associate Professor, Northern Illinois
University, College of Law

Larry Freedman

ABA Special Committee on Dispute
Resolution

Whitmore Gray

Professor, University of Michigan
Law School

William Hobgood

Former Director, Federal Mediation
& Conciliation Service

Earl Johnson

Justice, California Court of Appeal

Michael Keating

Tillinghaust, Collins & Graham

Michael Lewis

Deputy Director, National Institute
for Dispute Resolution

John McCormac

Judge, Ohio Court of Appeals for the
10th Circuit

Roberta S. Mitchell

Professor, Capital Law School

John Murray

Professor, Texas Tech University
School of Law

Alice Phalan

President, North Carolina
Association of Mediation Program

Michael Prigoff

Lebson & Prigoff

Eileen Pruett

Columbus Prosecutor's Office

Larry Ray

ABA Special Committee on Dispute
Resolution

Leonard L. Riskin

Professor, University of Missouri —
Columbia School of Law

Nancy A. Rogers

Assistant Professor, Ohio State
University School of Law

Josh Stulberg

Professor, Baruch College

BLSA ORGANIZES CIVIL RIGHTS CONFERENCE

"Civil Rights and Affirmative Action: The Present Struggle for the Future"

"Part of the essential mission of a University is to ensure that all the talent available to society is developed to its full potential," stated **President Edward H. Jennings** as he opened the Civil Rights and Affirmative Action Conference held at the University on April 11 and 12. Speaking to the principles of equal opportunity and affirmative action, the President continued, "this is more than an obligation of law and regulation. It is the ethical and moral obligation of this University to take a leadership role in advancing the principles of equal opportunity."

Student members of the Black Law Student Association (BLSA) assumed leadership responsibility for organizing the conference in joint sponsorship with the College of Law and the Office of Affirmative Action. The two-day conference brought lawyers and officials from throughout the country to focus on the unfinished business of equal opportunity and affirmative action. **Professors LeRoy Pernell, Nancy Erickson, David Goldberger and John Quigley** of the law faculty participated as members of various panels and as moderators. **Dean Beytagh** shared in the opening plenary session. BLSA members introduced the panel discussions and served as the hosts for the conference.

Linda Ammons, Law II, was the general coordinator of the conference and was aided by a BLSA organizing committee. Through her capable lead-

ership, the committee carried through numerous responsibilities leading to a successful conference. Ammons was acknowledged for her leadership contributions by receiving the John R. Moats Memorial Award, presented by Dean Beytagh, to a second-year student best exemplifying leadership.

Then panel discussions included Racially Motivated Violence; Employment; International Human Rights; Education; Voting Rights/Political Processes; and the Role of the Federal Judiciary. The conference concluded with a lively debate between **Dr. Mary Beery**, Professor of History and Law, Howard University and Commissioner, U.S. Commission on Civil Rights and **Steven Matthews**, Special Counsel to the Civil Rights Division, United States Department of Justice. An inspiring call to leadership was given at the Conference's Saturday luncheon by the **Honorable Henry Ramsey, Jr.**, Presiding Judge, Superior Court of Alameda County, California. Judge Ramsey spoke on the theme of Dicken's opening in the *Tale of Two Cities*, "It is the Best of Times; It is the Worst of Times." He spoke of affirmative action as a bridge, but one that must not be relied upon without the commitment of those benefitted to help those who racial barriers have left behind.

As a prelude to the conference, BLSA also organized "brown bag" discussions at the College with guests from the University and local community. BLSA undertook a major project and many benefitted and, with hope, many will continue to benefit from the discussions and inspiration of the week-long program.



BLSA organizers to right: Don Vanterpool, Jannai Goslee, Linda Ammons and Coral Watt.



Margaret Carey, Center for Constitutional Rights, participates in Voting Right/Political Rights panel.



Steven Mathews, Special Counsel, Civil Rights Division, Department of Justice debates Professor Mary Berry, Howard University and Commissioner, U.S. Commission Of Civil Rights



Student hosts at Conference



Don Day, AFSCME, (left) talks with other conference participants.



The Honorable Henry Ramsey, Jr.



Professor Taunya Banks, University of Tulsa, discusses Women's Rights.



The Honorable Nathaniel Jones, U.S. Court of Appeals for the Sixth Circuit discusses Role of the Federal Judiciary.

DEAN APPOINTS JUDICIAL CLERKSHIP COMMITTEE

Among the career options open to the nation's law school graduates, judicial clerkships are becoming an increasingly popular choice. Placement statistics from law schools demonstrate the interest and competition for clerkship appointments. The Class of 1985, University of Virginia, reported a record 54 out of 300 members were serving in clerkships. Approximately one-third of each graduating class from Yale typically seek and get judicial clerkships. In contrast, only six to seven percent of OSU law graduates pursue judicial clerkships as their first career experience. This OSU placement statistic caught the early attention of Dean Francis X. Beytagh upon his arrival last fall.

Dean Beytagh is determined that OSU graduates have a place in this increasingly competitive and significant job market. Dean Beytagh, who clerked for Chief Justice Earl Warren in 1963-64, established a faculty Judicial Clerkship Committee to help and support students in their efforts to obtain clerkships. He firmly believes that the school has an excellent basis on which to build a judicial clerkship program. "It's just something a good law school ought to do and do well," says Beytagh.



Professor Daniel C.K. Chow

The faculty is enthusiastic about the clerkship program. All members of the Clerkship Committee are themselves former clerks and all are sold on the benefits of a judicial clerkship. **Professor Daniel C.K. Chow**, the newest member of the faculty, chairs the committee. Other members include **Professors Nancy Rogers, Charles Wilson and Lawrence Herman**. As Chow puts it, "Clerking is extremely valuable for anyone who wants to be a good lawyer."

The enthusiasm of the faculty is also shared by alumni who have pursued judicial clerkships. The *Law Record* solicited the participation of former law clerks for this article and is pleased to include the responses of the following alumni:

Jack L. Evans, Jr., '58, Graydon, Head & Ritchey, Cincinnati, former clerk



Jack L. Evans, Jr. '58

from 1958-60 to the Honorable Potter A. Stewart, as he served on both the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court;

Daniel O. Conkle, '79, Indiana University School of Law (Bloomington), former clerk from 1979-80 to the Honorable Edward Allen Tamm, United States Court of Appeals for the District of Columbia Circuit;

Susan L. Simms, Simpson, Thacher & Bartlett, Columbus, former clerk from 1982-83 to the Honorable George Edwards, Chief Judge, United States Court of Appeals for the Sixth Circuit;

Michael A. Yates '83, Gevurtz & Menashe, Portland, Oregon, former clerk from 1984-85 to the Honorable R. William Riggs, Multnomah County Circuit Court.

The earliest recorded use of law clerks was in 1875, when Judge Horace Gray of the Massachusetts Supreme Judicial Court awarded a one-year appointment to an honor student from Harvard to assist in research and judicial deliberations. Today, almost all federal appellate and trial judges and state appellate judges employ law clerks to help them in their work.

Although one's clerking experience is shaped by the needs and desires of the particular judge, all judicial clerks share common activities. Clerks for appellate

judges read records and transcripts of lower court opinions, do legal research, draft opinions and memoranda, perform a variety of administrative functions, and generally serve as sounding boards as judges work through difficult legal issues. As to the last duty, **Michael Yates**, responds, "I felt enriched by the intellectual give and take characteristic of our discussions."

Bright graduates, fresh from law school, often bring new legal ideas and theories to the court. These same graduates receive from the clerkship invaluable practical experience. Clerks learn from observing how judges deal with the realities of the judicial process, and how they interpret and apply the law to special cases. "Clerking is an experience on the very cutting edge of the law. You are there when the law is being made," says **Professor Chow**.

Alumni share the same view. A clerkship is "a rare chance for a beginning lawyer to see the system from the pinnacle at which law is interpreted and made," says **Susan Simms**. **Daniel Conkle** heartily recommends the clerking experience as "an important insight into the internal workings of the judicial system."



Professor Daniel O. Conkle '79

Deferred Benefits

There are some real, though more immediate than long term, disincentives to accepting a clerkship. On the "trade off" side are lower salaries. Many bright graduates are reluctant to delay their start to partnerships and high salaries. On the other hand, courts simply do not have the resources to compete with the beginning salaries of private firms. (Salaries for all clerkships generally range from \$20,000 to \$32,000 per year with fed-

eral clerkship salaries at the upper end of this scale.) The potential clerk must weigh future benefits against immediate financial lure of starting salaries of large law firms.

Jack Evans admits that he did not consider a clerkship in 1958 because he did not feel he could afford to delay acceptance of an offer from a firm. Through the intervention, support, and encouragement of the dean, faculty and local lawyers, Evans was persuaded to accept a clerkship with Potter Stewart, then a judge on the U.S. Court of Appeals for the Sixth Circuit and later elevated to the U.S. Supreme Court. Evans followed him to Washington and became a Supreme Court law clerk, the most coveted of all judicial clerkships. He looks back on the opportunity as one that "gives a forced insight and familiarity into many more areas of the law than a person would otherwise encounter on such a short period. I feel, perhaps more from observing the clerks we have hired, that they are much better poised and trained and probably have picked up a considerable advantage over their non-clerk peers." On the matter of deferred earnings he states, "I think the money is more than offset by the experience, and by the friendships you make with other clerks and with the various judges and court staff."

Simms encourages students to see the long-term payoffs. "The amount of dollars one loses from a year clerking is minimal when compared with money earned over a lifetime career. And in fact, for this small monetary sacrifice one becomes quite sought after by the law firms. Many firms actively recruit judicial law clerks. . . . Firms seem to consider that as a judicial clerk you have contacts with the cadre of decision makers and insight into the decision making process. You may."

Increasingly, though, clerkships are being recognized as a badge of merit, an important credential in the job market and in law teaching. Private firms are recognizing the value of having an associate that has had the year of legal research experience and is intimately familiar with the inner workings of a court. Almost all firms nationwide will give credit for the time spent as a former clerk for purposes of salaries, seniority, and partnership eligibility. New York law firms have gone a step further and are rewarding former clerks for their financial sacrifice. The New York City law firm of Cravath, Swaine & Moore announced this spring that former clerks will receive a \$10,000 bonus for each year spent as a law clerk. Several other prominent New York firms quickly followed

"Increasingly, though, clerkships are being recognized as a badge of merit, an important credential in the job market and in law teaching"

Cravath's lead. **Betsey Case** of Thompson, Hine & Flory, Columbus, states that it will not be long before prominent Ohio firms match the bonuses offered by the New York firms. Case, a former clerk on the United States Court of Appeals for the Ninth Circuit, has taken an active interest in the College's clerkship program.



Susan L. Simms '82

Weighing the benefits

Law firms are not the only employer that put a high value on the clerkship experience. **Professor Conkle** sees the clerkship as "an especially important experience and credential for any person who might someday wish to become a law professor."

A judicial clerkship has many benefits aside from increasing the marketability of a young attorney. **Michael Yates** found clerking to be a good springboard into an out-of-state job market. Yates made the move west after graduation and sought a clerkship with an Oregon trial judge as an opportunity to meet and get to know the Portland legal community. Of his clerkship, Yates says, "In short, my experience as a judicial clerk covered a large gap left by my formal law school education, namely, the daily practice of law and the establishment of professional relationships. I feel that for my one year as a judicial clerk I gained three years of practical knowledge and professional contacts."

Susan Simms found that, in addition to the "unique opportunity to see the

legal system from a different perspective," a year's clerkship gave her the opportunity to reflect on the direction of her legal career. "I could take a year to consider and balance what it was I really wanted and where I wanted to be while getting great legal experience and keeping my options open," says Simms.

Quite apart from the self-improvement opportunity of a good legal education, some former clerks see the experience as a thing of value in and of itself. **Professor Conkle** expresses it this way, "[C]lerking provides an inherently valuable experience, one that is worth pursuing entirely apart from considerations tied narrowly to particular career goals. To observe and work within an important organ of government is valuable for its own sake. This is especially true when the organ of government is the judiciary, which operates in relative secrecy; no outside observer could ever learn as much about the judicial process as one who works within the judiciary itself." Simms also believes that the experience has an intrinsic value. "[M]y sense of the judicial system became keen. An appreciation that the legal system really works (albeit slowly) develops. Later this contributes a sense of value for participation in an advocacy practice, in which it is otherwise easy some days to lose the idea of law as noble justice."

Landing the clerkship

Graduates at law schools with more established clerkship programs have access advantages to some judges. But this does not discourage the Clerkship Committee, nor former clerks.

Conkle observes that "special networking, to my knowledge, is limited to a relatively few judges, leaving a larger number of judges who will consider candidates on their individual merits. Any student who has a chance to obtain an attractive clerkship is well-advised to make the effort. All it costs is a bit of time and some postage."

Yates cautions that having all the right credentials may not be enough. Timing is also important, and the successful applicant must start the process early during the second-year of law school. "I was too late to apply for a clerkship in the year in which I would be available. The state and federal courts in Oregon choose their clerks between 12 to 24 months before duties commence," says Yates. Evans agrees that "[f]aculty should seek to identify potential clerks as early as possible and work with them toward the goal of clerkships." Simms stresses that to get a successful placement program for judicial clerkships, "First, get students

interested. . . This is a foreign opportunity to most law students. Judicial law clerks never appeared on the Perry Mason show. The opportunity needs some marketing to reach all who might be interested." Heeding these suggestions is precisely what the College's Placement Office and Placement Advisory Committee have been trying to do in recent years. The new Committee adds further dimensions to these efforts by combining information with personal encouragement and timely, effective application procedures.

Committee support

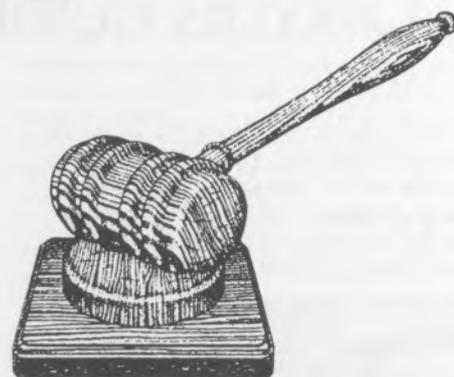
The support services of the Judicial Clerkship Committee and a formal clerkship program will help OSU students compete. Through brown bag lunches and notices, the Committee informs students about the option of pursuing a clerkship. Members of the committee meet with students individually to help them target which clerkships to pursue and to help them perfect a writing sample and resume. Faculty also provide letters of recommendation. The resumes, writing samples, and recommendations were compiled into packets in December and sent to the different judges under a cover letter from Dean Beytagh.

Student and faculty response in this first year has been enthusiastic. About 100 students attended the first infor-

mational meeting, and 29 students decided to actively pursue a clerkship. Through a coordinated effort over 500 packets were sent to different judges around the country.

The Committee's goal is to place an OSU student in a clerkship with a Justice of the United States Supreme Court. This is certainly an achievable goal since the Justices are increasingly hiring law clerks from a larger pool of law schools, including state law schools. However, Justices rarely hire a clerk who has not already clerked for a federal or state court. The Committee therefore is seeking to place students in those clerkships that serve as regular springboards to a clerkship with the Supreme Court. Evans would agree with this approach as he advises, "Some analysis of the Court of Appeals judges who regularly serve as network feeders to the Supreme Court justices should be done and attempts should be made by faculty, and where possible alumni, to gain access to these judges' clerkships."

Dean Beytagh is realistic in his assessment of the clerkship program at OSU. He realizes that establishing a support system and familiarizing more courts with the quality of OSU students will take a few years. Professor Chow also sees this year as only a beginning.



Alumni can help, as some of the former clerks have done, by making suggestions about how the College can help students seek out and pursue clerkships. Those who are judges can help by advising Professor Chow or Dean Beytagh if they are not receiving applications from OSU students.

In the end, it is the **student's** decision to pursue the clerkship opportunity that will determine the success of this program. Former clerks lend their encouragement. "When students are interested are persistent and have good credentials and good writing samples, they will get in the door," concludes Susan Simms. Once in the door, OSU law graduates quickly establish the reputation of the College's educational program and its students.

STUDENTS BENEFIT FROM GRADUATE FELLOWSHIPS

For the 1985-86 school year, two students had the distinction of being awarded National Research Fellowships by the Graduate School. **Calvin Griffith**, a second year student, received a fellowship from the Center of East Asian Studies, and **Gary Singletary**, a third year student, received one from the Center of Near and Middle East Studies. This is the first time that law students have been so recognized by the Graduate School.

The fellowships are awards based on merit; they are designed to encourage language development at the graduate and professional school level. There is no prerequisite of language ability to qualify, but recipients are required to take one 5-hour language class per quarter in the area of their fellowship. Griffith is studying Japanese and was learning Turkish. Both men share an

interest in international and comparative law, but they came into the fellowship from divergent backgrounds.

As an undergraduate at Ohio State, Griffith majored in both Japanese and Genetics, at the time thinking he might be a research scientist. He spent a year in Japan on an internship sponsored by the University of the Pacific. There he worked as a translator at a power cable company, and found time to play semi-pro basketball in Tokyo. He describes the Japanese as "very hospitable people, very welcoming to Americans."

Griffith applied for the fellowship because he wanted to maintain proficiency in Japanese. He entertains the idea of someday working in Japan, perhaps negotiating with Japanese companies or arguing for Japanese companies before the Federal Trade Commission.

Singletary, on the other hand, had no personal exposure to the Middle East, but has always kept current on the political developments in the area. He selected Turkish because he believes that Turkey is a good barometer for developments in the Middle East and because Turkish society is more accessible to westerners. Turkey has a population that is 98% Islamic, but they have a secular law system that resembles European civil codes. Turkey also uses the western alphabet; therefore, he could progress much farther in one year of language than if he had to learn a new alphabet.

Both men agree that the commitment to 15 hours of language studies is time consuming. However, both men found the year challenging and rewarding.

LAWYERS GUIDE STUDENT CASE MANAGEMENT

"Our goal is to educate the students, to teach them how to provide high quality, ethical representation," says **Marya Kolman**, supervising attorney for the civil law practica of the OSU Law School Clinical programs. For the



Marya Kolman

past four years, Kolman has been helping students learn how to handle the responsibilities of representing real clients with real problems.

The clinical programs add a practical component to educational opportunities available to law students at OSU. Typically, one civil law practicum and one criminal law practicum is offered to students each semester. The practica are co-taught by a professor and a supervising attorney as a team effort. The professor is primarily responsible for the classroom/lecture assignment and the supervising attorney is responsible for case preparation.

In the civil law practicum, students are generally assigned two to three actual cases. The type of work required depends on the disposition of the case. "We try to give the students a variety of assignments, from complex cases to routine," explains Kolman.

Cases for the civil law practicum get referred to the clinic from a variety of sources, including the Columbus Bar Association, the Legal Aid Society, the Public Defenders Office, and some social agencies. The criteria for accepting a case is that it be "educationally sound" — a good teaching device for the students.

Kolman likes the combination of teaching and practice that comes with the job of supervising attorney. She is responsible as attorney of record for

the ongoing civil case load of the clinic, which includes 25 to 30 cases at a time. She also shares responsibility for some classroom teaching. A lot of her time is spent working one on one with students as they handle all phases of case management.

Kolman views her association with the students as a partner-associate relationship. "We plan the strategy, and we carry out the case together," she explains. The final product is the student's, but edited and directed so it is as effective as possible," says Kolman. Students have the opportunity to discuss every decision in a case not only with the supervising attorney, but also with the other students. The class works together as a team to discuss issues of law involved in each case and related strategy options.



Marya Kolman reviews case with student

Students also practice the skills they will need to carry out every step of a case, from client interviewing to appellate argument. In short, students learn to think and act like practicing attorneys in a safer environment than a law office. The supervising attorney is there when needed. Kolman's goal is to help the student anticipate all possible problems and to be sure he or she is so well prepared that there is no need for back-up support.

Student Interest Presses Resources

In her four years as a supervising attorney, Kolman has seen an increasing demand for clinic programs. Each practicum can only admit 15 to 16 students, and every semester there is a waiting list for both the civil and criminal practicum.

The clinic operations, like the rest of the law school, has become very crowded. There are only two interview rooms and no reception area for the clients. File space is limited, and students often have to wait for the phones. One addition Marya would really like to see is an interview room with a one-way mirror. The supervisor needs to observe student interviews to help them improve their skills, but not be present to disrupt the dynamics. "The interview room would be very educational, and it would also be used for other purposes, such as client counseling."

Kolman thinks every student in the law school should have the opportunity to take the clinic programs. "The value comes from having a *real* case, going to a *real* court. Knowledge transfers easily from court to court and case to case," she adds.

Kolman leaves the clinic at the end of June to clerk for Judge Craig Wright of the Ohio Supreme Court. She has been a major contributor to the clinic programs and her work was highly valued by student and faculty.



Rich Curtner

Rich Curtner joined the College clinic program as supervising attorney this past academic year. He works with the criminal practica, and is a firm believer in the value of the clinic programs. "The clinic gives students a chance to actually practice what they've learned. Applying courses to real life situations helps bring things together. The lessons learned in real life are concrete, not forgotten easily," says Curtner.

Curtner is not a newcomer to criminal practice. Before coming to OSU, he

spent 10 years with the Franklin County Public Defender's Office. Five of those years, he was supervisor of the municipal staff and his responsibilities included the training of trial lawyers. Curtner has enjoyed sharing this experience with students.

Students in the criminal practica get more opportunities for trial work than students in the civil practica. Preparation and practice are the keys to help students prepare for interviewing and the voir dire of prospective jurors. To aid the students, Curtner has brought in some former clients and jurors for simulated student exercises. Frequently, students practice oral arguments before local judges or attorneys. "The feedback from practice and critique helps the student's confidence," says Curtner. He reports that the training pays off as he gets favorable feedback from the court about student performances.

The case load for students in the criminal practica depends on the type of practicum offered. Fall semester in



Rich Curtner enjoys helping students.

the criminal defense practicum, the students handled an average of four to five cases. Spring semester in the prosecutorial practicum, students handled 12 to 15 cases because of the faster

turnaround time.

Legal interns are limited to handling misdemeanors, and the cases for spring semester were selected from the Delaware Municipal Court. As a top priority, Curtner tries to select cases that will give students the opportunity for courtroom experience.

Curtner, like Kolman, would like to see the clinic programs expand so more students could take advantage of the experience. The clinic courses involve a lot of work for the students, perhaps more than the typical law school course. However, some students volunteer to stay on even after their formal course is over because they have a vested interest in a case. Unfortunately, limited space and resources in the program preclude students from registering for a second clinic course.

Judging from student evaluations, most students are pleased with the clinic courses and find them extremely valuable. "In the clinic," concludes Kolman, "most people do the work because they enjoy it."

PLACEMENT CONSULTANT VISITS COLLEGE



Associate Dean Carroll Stevens

Associate Dean Carroll Steven, University of Kentucky College of Law, visited at the College on January 30 and 31 at the invitation of Dean Francis X. Beytagh to review and to make recommendations regarding the College's Placement and Career Development Programs. Changes in legal education and the practice of law require periodic evaluation of placement services to assure responsiveness to the needs of students and prospective employers. The consultant's report provides a helpful guide to the

expansion of services, support personnel, and related office space. These considerations will also be integrated into plans for the building expansion of the College.

The College's career and interview programs received a very positive evaluation. Dean Stevens states that Ohio State's interview program "has enjoyed greater expansion and diversification in recent years than has occurred at the majority of schools similar in type. The number of employers involved is high, when appropriate school comparisons are made, and the proportions of corporate and out-of-state employers are better than at the majority of schools. Overall, the on-campus interview program should be regarded as a commendable placement services achievement."

Michael Gregory, Placement Director, reports that for the 1986 fall on-campus recruiting program there were some 20% more firms scheduled by July 1 as compared to last year and approximately 45% of the interviewers represent non-Ohio firms and corporations. Dean Stevens included in his report that further diversification in the interview program will depend upon the response of students to non-Ohio career opportunities. Gregory agrees with this assessment. It is anticipated that over 150 different employers will be represented in the on-campus interview program administered by Director Gregory and his



administrative assistant, Elyne John, the forthcoming academic year.

Stevens' report also commended the willingness of faculty to assistant in placement-related tasks, the interest of Dean Beytagh, and the "valuable resource" provided by alumni members of the Placement Advisory Committee. "They are the placement office's brain trust, and their interest in student services should be nurtured . . . It was a treat to meet and converse with them."

Meeting students' needs and concerns motivated the consultant visitation and report. The recommendations will provide an on-going basis for program development and service enhancement.

PROFILE — BARBARA A. ASH



Professor Barbara A. Ash

Contemporary women who have risen to the upper strata of professional success often display, among many talents, an artistry in efficiency. Success requires adept management of multiple roles and responsibilities.

Professor Barbara A. Ash is no exception to this picture of the modern successful woman. Professor, scholar, consultant, public servant, mother and business woman are all roles she handles efficiently and effectively. Budgeting time and energy is a key task in coordinating daily obligations in a busy schedule. Professor Ash thrives on the challenge.

Professor Ash, a graduate of the University of Kansas School of Law, returned to the midwest in the fall of 1980. During the 1980-81 academic year, she was a Visiting Professor at the College of Law. That year, she accepted OSU's invitation to join the faculty as an Associate Professor. In 1984, she was promoted to a full Professor of Law.

Professor Ash offers a rich composite of experience and talents to her students. Her ten years of law teaching coupled with seven years of law practice in New York give her special insights to share with students in her

business and securities regulation courses. Students not only study the intricacies of corporate organization, tax and securities law, but they are challenged to think through problems as lawyers. Professor Ash confronts the students with practical situations in which lawyers, presented with a problem, may have various strategy options to serve the interests of their clients. The students are pressed to reach their own opinions and to judge each decision in terms of "how safe" or "how risky" in promoting the client's interests.

Professor Ash's keen lawyering skills and her quiet, yet demanding, teaching approach help to nurture students in their transition from students to lawyer. "My greatest satisfaction in teaching is to watch the development of students, to see them become more involved in the business law areas and to watch them build in their knowledge and self-confidence," reflects Professor Ash.

Professor Ash offers another important dimension to the academic program. Although women are no longer an unusual phenomenon in the legal profession, women are still underrepresented in the male-dominated business and financial areas of practice. Professor Ash believes she has the opportunity to help women overcome perceived barriers that discourage them from selecting courses in the corporate, tax and securities regulation curriculum. She states, "If women fail to gain confidence to compete in this area of the law as students, it is likely they will continue to limit their opportunities as lawyers. I am concerned that women, although interested, are nevertheless not enrolling in sufficient numbers in the upper level business courses." Professor Ash clearly demonstrates to all her students the ability of women to work with commanding expertise in the business and financial areas of the law.

Bucking the Tides

Barbara Ash was a student during the '60's, but was ahead of the wave of change that decade was to unleash. There was no affirmative action and little, if any, encouragement for women to turn to legal study and the practice of the law.

Barbara Ash finished her B.A. degree with honors from the University of Rochester. In 1966, she abandoned the traditional support role for a young married woman and accompanied her husband to the University of Kansas Law School. Law study coalesed her intellectual talents and interest. She ended her first year at the top of her

class, including first place in the moot court competition. Her career as a student was distinguished by an editorship on the *Kansas Law Review* and election to the Order of Coif upon her graduation in 1969. Then came the real test... how to return to her native state of New York for law practice. Kansas was a long way from Wall Street!

A Harvard Law School class reunion figured importantly in her career entry. A conversation between the then dean of the Kansas Law School with his classmate, a partner with a New York law firm that was looking for "good people," ultimately led Barbara Ash to One State Street Plaza and the law firm of Cleary, Gottlieb, Steen & Hamilton.

Upon her arrival at the 100-plus lawyer firm, she found one woman attorney. Over the next six years, Ash would be among a small group of women that were to change the acceptance and role of women in major New York law firms. The New York experience slowly began to open opportunities for women lawyers in law firms across the country.

The Cleary firm was not organized into departments. Consequently, Barbara Ash, as a new associate, was able to select those matters that were the most interesting to her. It was through clients such as Saloman Bros. that she developed an abiding interest in the field of securities regulation. Her work involved private placements, Investment Company Act problems, tender offers, domestic and international financing, mergers and many registration and regulation matters under the Securities Acts.

The Attraction of Law Teaching

The classroom and teaching had always held an attraction for Barbara Ash, although she declined several teaching offers during her practice years in New York. In the fall of 1975, an unexpected call came from a member of the faculty at Rutgers University School of Law, Camden. An interview visit resulted in an irresistible offer to teach.

The transition from life in Brooklyn to Philadelphia and from the problems of the board room to the classroom came smoothly. When asked if she ever looked back to the excitement and flurry of law practice, Professor Ash quickly said, "Oh, surely. But in law teaching you have a commitment to the law; in practice it is a commitment to the client. I enjoy the flexibility you have as a law professor to pursue your own interests in research and writing. I

"My greatest satisfaction in teaching is to watch the development of students, to see them become more involved in the business law areas and to watch them build in their knowledge and self-confidence."

This charcoal drawing of Professor Ash was done by second-year student, Karen A. Ellman



guess I will always have a foot in both worlds. I can be happy in either, but I choose law teaching for professional and personal reasons."

Perseverance

Success is earned by commitment, dedication and perseverance. These traits are clearly demonstrated by Professor Ash. The attribute of perseverance was dramatically put to the test in December 1977. Shortly after administering her final examination for the semester, Professor Ash was involved in a serious auto accident as she was returning to her home in Philadelphia. Multiple compound fractures hospitalized her for 93 days and required three knee surgeries.

The doctor's prognosis was not acceptable to Professor Ash who was determined to regain her lost mobility. Months of crutches and rehabilitation followed. "It took me three years and three months but I finally was able to ride my bicycle again," said Professor Ash as she reflected on her accident. "I learned about patience. I also learned how important are good friends. A colleague and his wife assumed the care of my daughter who at that time was seven years old."

Mixing Business with Pleasure

Mounting a bicycle was not nearly as challenging as mounting a horse. Today, if you were to catch Professor

Ash in her most favorite pastime, you would find her horseback riding with her daughter, Sarah.

Relocation to Columbus made it possible for her and her daughter to share an important interest in horses. In 1982, they bought their first horse "Tracy," a thoroughbred race horse. This interest was an outgrowth of Professor Ash's childhood. "My father grew up on a farm, and I had always been around animals. I even at one time thought of becoming a veterinarian," said Professor Ash.

Sarah has become an accomplished rider and jumper and Professor Ash spends many weekends taking her to shows. She proudly talks about Sarah's horsemanship successes and their shared interests. "Sarah and I have developed a special relationship through our interest in horses. We have met wonderful people around the country. It has given my daughter an important social network and responsibility and maturity exceptional for someone her age."

As a professional woman who knows how to coordinate many activities, it is not surprising that horses have become more than a pastime hobby for Professor Ash. She also purchases horses for investment and now owns a total of five, in various stages of training in Florida and at three Ohio stables. She has recently sold two other horses which were in training as hunters. This May, she attended a seminar on equine law in Lexington, Kentucky. Horse business and lawyering merge with Pro-



Professor Ash at her favorite pastime.

Professor Ash's teaching interest. "One day I would like to offer a course in equine law which would have a business planning focus," she remarks and adds, "a number of law schools offer such a course."

Professional Activities

Artistry in efficiency was well demonstrated as we completed this article on the eve of Professor Ash's departure to teach Business Associations at the University of Texas for the summer term. Preparatory to her departure she was completing an article on *Randall v. Loftgarden*, a securities law case recently argued before the Supreme Court. "The case deals with the issue of whether tax benefits should offset and thereby reduce the recessionary damages normally awarded in private securities fraud actions involving tax shelters," explained Professor Ash. The article will appear in the *American Bar Association's Preview of United States Supreme Court Cases* in June of 1986. This piece is professor Ash's second contribution to *Preview*, the first having appeared in the June 27, 1985, issue. It involved an analysis of the securities law fraud case of *Bateman Eichler, Hill Richards, Inc. v. Berner*.

Like any scholar, there are also "work in progress" projects. Accompanying Professor Ash to Texas is her research for an article dealing with the Supreme Court's recent rejection of the sale of businesses from the Securities Act of 1933. The article is built around the recent *Landreth Timber Co. v. Landreth* case and will focus on the significance of that decision in further clarifying the definition of the term "security," the scope of which

determines the reach of the federal securities laws.

A second and more substantial research project involves Professor Ash's continuing work dealing with resales of securities under the Securities Act of 1933. This research builds upon her published contributions to H. Sowards, *The Federal Securities Act* of two chapters entitled "Nature of Restricted and Control Securities Under the Federal Securities Laws" and "Resales of Restricted and Control Securities Under the Federal Securities Laws."

Professor Ash believes there is a critical need to reevaluate present regulations of resales of both restricted and unrestricted securities. She explains, "This article will be an important culmination of my work in the area. Through this contribution I seek to influence, in fact change, the direction of the always developing area of regulating resales under federal securities laws." Her article will propose reform of the present law to eliminate some of the unnecessary complexities now associated with locating and perfecting an exemption from registration for most ordinary trading transactions. She will propose alternatives for accomplishing such efficiency in regulation without compromising investor protection.

Public Service Not Slighted

As a woman and a competent lawyer, Professor Ash has had no shortage of invitations for committee service to the College and University. She has undertaken many responsible roles and has made significant contributions. She has served on the University Faculty Compensation and Benefits Committee for three years. In 1984, she was appointed to an Ad Hoc Committee on Patent Policy. In this service she was involved with the drafting of an interim policy statement adopted by the Faculty Senate. She now is serving a three-year term on the newly created Faculty Committee on Patent and Copyrights and continues work on these important legal and policy issues.

For the college, Ash has served on the Appointments Committee which she chaired in 1984-85, the Ad Hoc Library Director Search Committee in 1983-84, and the Decanal Search Committee. She also has chaired the Administration Committee. In 1983, she was the faculty administrator of the College sponsored conference, "Current Issues in Corporate Governance" held in October. In addition, she also served as a moderator and editor of the proceedings that were subsequently published in 45 *Ohio State Law*

Journal 513. All of these tasks involved management skill and dedication to timely productivity. Next academic year, she will chair the Academic Affairs Committee.

Teaching

Despite her many roles and responsibilities, teaching is at the heart of Professor Ash's activities. Next fall she will be teaching a four hour course in Business Associations and a three hour course in Regulation of Securities Distributions. In the spring, she will teach a three hour course in Advanced Securities and a two hour course in Business Planning. Her courses are up-to-date and she herself is willing to try innovative teaching. She has team taught her Business Planning course with Professor Samansky. "I have never worked harder" states Professor Ash, "but I think we provided a good interchange of dialogue and perspectives for the students."

Professor Ash strongly believes that students need exposure to courses that approach law as an integrated system to solve realistic problems. "Clients do not have simply a contracts problem, or a tax problem, or a property problem. The lawyer needs to deal with many substantive and procedural laws to serve the needs of clients," she stresses. "Students do not get an accurate picture of the practice if they do not have courses or experiences requiring problem solving over a broad range of legal issues. Courses like my Business Planning should be duplicated throughout the curriculum," she reflects. Asked about the basic curriculum, Professor Ash stated that "the first year student needs more exposure to statutory interpretation and application. So much law today is statutory. The student, early in his or her law study, needs to appreciate how lawyers work with statutory materials."

As to Ohio State, Professor Ash is very positive. "I believe Ohio State has had a very progressive approach to legal education and I feel we offer our students one of the soundest legal educations available in the country. This success does not mean, however, that we should not continue to demand the best from ourselves and from our students. I will continue to press my concerns for integrated courses," repeated Professor Ash.

We are fortunate at Ohio State that Professor Ash transplanted so well from the eastern seaboard. We hope the College and its students can continue to benefit from her counsel and caring approach to the training of tomorrow's lawyers.

HERMAN HONORED FOR 25 YEARS OF SERVICE

A plaque from students, a resolution from the Ohio Senate, gifts from colleagues, and an endowment fund from present and former students were tangible expressions at various occasions during the spring to honor **Professor Lawrence Herman's** distinguished career as a teacher and his quarter-century of contributions to the College of Law. (The score card for total years of law teaching is twenty-seven.)

Few professors can earn and sustain a "Mr. Chips" persona. Professor Herman is an exception to the rule. He has won the respect and hearts of students for twenty-five years, not only because he is a superb teacher and scholar, but because he is a compassionate and caring person. Students in the Moot Court program have enjoyed special relationships with Professor Herman that have had lasting impact on their career development. He is a taskmaster, but always reinforces the student in his or her quest for excellence.

It is no wonder that this twenty-fifth anniversary would not go unnoticed or unappreciated. The *Law Record* shares some of Professor Herman's reflections and the story of the making of a law professor.

"After twenty-five years, I like teaching as much as I did when I first started," reflects Lawrence Herman, President's Club Professor of Law. Teaching was a natural instinct and love for Herman. While still a law student at the University of Cincinnati, he enjoyed conducting review sessions for first-year student members of his fraternity. The U.C. Moot Court program also introduced him to the world of the courtroom which would continue to play an important role in his life.

After graduation, Herman became a graduate student teaching fellow in the legal writing program at Northwestern, but military service obligations precluded a graduate degree. He accepted a commission in the Judge Advocate General's Corp and for the next several years undertook criminal trial work, both prosecution and defense. He found trial work challenging, but emotionally draining. "I then decided that I didn't have the temperament for daily trial work," stated Herman. Teaching law would be the way he would continue to play the stage of the courtroom.



Lawrence Herman, Presidents Club Professor of Law

Herman returned to civilian life by clerking for a year for Judge Julius J. Hoffman of the U.S. District Court in Chicago and then accepted a teaching position at Western Reserve University Law School. Two years later he was enticed by then OSU Dean Frank R. Strong to teach Criminal Law and Procedure and to take over the Moot Court program. Fortunately, OSU was to be a long-term association.

Criminal Procedure has changed dramatically over Herman's 25 years of teaching. Originally, Criminal Procedure was only a two-hour course under the quarter system. After the Supreme Court decision in *Mapp v. Ohio*, the law of criminal procedure exploded. Course materials expanded accordingly, and now one of Professor Herman's projects is writing a casebook on police evidence-gathering techniques.

Teaching has brought great personal satisfaction and has also had its own rewards. Highlights in Professor Herman's career have been his selection for the Ohio State University Distinguished Teaching Award in 1981 and Outstanding Professor Award voted by the graduating classes of 1977 and 1979. His achievements in teaching, scholarship and public service were recognized in 1979 when he received the President's Club named professorship.

Another satisfaction from teaching is seeing former students in professional roles. He has testified before a number of former students in state legislative subcommittee hearings and has worked with others as a consultant on specific cases.

Moot Court has been a long-time involvement and love. Professor

Herman has seen the program increase multifold in competitions and in student participations. For years he has been the advisor to the National Moot Court teams and has made many trips to New York for the final rounds of the competition. He has coached several National Championship teams and has vicariously shared the thrill of two national top oralist awards.

Herman has written a book and an article on the right to counsel in misdemeanor cases, and has written numerous articles on various criminal law and criminal procedure subjects. His article on police interrogation tactics was cited six times by the Supreme Court in *Miranda v. Arizona*.

Not all energy has been devoted to the College and students. Herman played a lobbyist's role for the ACLU when Ohio was rewriting its death penalty statute and influenced the final bill. As a result, Ohio has a death penalty statute that is substantively narrow and procedurally strong. However, he views the statute with mixed feelings because of his personal conviction that any death penalty is unconstitutional. He assisted counsel in the appeal of *State v. Jenkins*, the first case to reach the Ohio Supreme Court attacking the constitutionality of the new death penalty law.

Herman also plays more than a lobbyist's role for the ACLU. He has been on the Board of Directors of the ACLU of Ohio since 1964. In 1968 he became a member of the National Board of Directors and since 1980 he has been one of three National General Counsel. The ACLU work demands time, but he sees the roles of teaching and public service in a symbiotic relationship. "The legal problems ACLU deals with channel back to the classroom, so there's a classroom payoff. The exper-

Fund Honors Herman

To honor Professor Larry Herman's 25 years of teaching, several members of the Class of '86 initiated a special fundraising project to establish an endowed fund to be named The Lawrence Herman Student Award Fund. When the principal of this fund reaches \$5,000, the annual income from the endowment will provide two awards—one for a student who has done excellent work in the Moot Court program, the other for a student who has performed superbly in the area of criminal justice.

tise of teaching also feeds into my ACLU representation and legislative drafting," says Herman.

In over a quarter century of law teaching, Herman has seen many changes, most of which are positive in his opinion. Some of the intimacy of the earlier years with a smaller faculty and student body has been lost, reflects Herman, but there have been positive gains. He notes particularly increased opportunities for women and minorities and increased student involvement in College governance. He also notes that admission competition has minimized academic attrition. However, there are also some negatives to that change. "All of our students have good credentials. There will always be front runners, but we have intrinsically good students who suffer frustration at being lower than the top. They suffer from self denigration, some anger and loss of confidence. "I wish we could do more to defuse the situation and help people feel better about their achievements. As an institution, we are moving in the right direction," Herman

The fund was initially conceived by Susan Gellman, a member of the Class of '86. Alumni and friends were contacted who had been leaders in the Moot Court program during Professor Herman's tenure.

The current principal stands at \$2,500. Alumni interested in making contributions to honor Professor Herman may do so by sending a tax-deductible gift payable to the College of Law designated for the Herman Student Award Fund. Gifts may be sent to the College of Law, Attention: John R. Meyer, Development Director, 1659 N. High Street, Columbus, Ohio 43210.

points out. Students now can get on the journals by writing, and he thinks faculty are now more willing to push students for jobs, if they have had a positive experience with the students in class. Also, OSU law school is unique in not placing so much weight on first-year grades. "The slow starter is at least of a disadvantage. This also gives our students an incentive to study as diligently their second and third years," he notes.

Grading exams is the one activity connected with teaching that Herman dislikes, and finds harder to do every year. "It's grueling work and employers attach too much significance to fine differences between grades. Grades take on a significance totally out of proportion to what is measured by the numbers," complains Herman.

Herman's plans are to continue to do exactly what he is doing now — teaching, writing, and public service work. "I'm just getting to the point of understanding criminal law and criminal procedure. I want to stay with it," he states with enthusiasm.

Herman is speeding off on his next quarter-century, probably in higher gear than twenty-five years ago. Number one on his agenda is to finish his casebook on police evidence-gathering techniques.

An unfulfilled aspiration is to argue a case before the United States Supreme Court. He has written briefs for cases but has never argued before the Court. Since he accomplishes most of what he sets out to do, we expect to report that he joins some of his former students in that distinction.

It is impossible to catch the sentiments expressed by friends, colleagues, and present and former students on the occasion of this personal milestone for Professor Larry Herman. Suffice it to say — "Congratulations" "Thanks" and best of all "See You Around."



Professor Herman enjoys interaction with students

PERNELL RECEIVES AFFIRMATIVE ACTION AWARD

Professor LeRoy Pernell was one of five recipients of the 1986 University Distinguished Affirmative Action Awards presented at the Affirmative Action Banquet held May 5. The awards program was established by President Edward H. Jennings in 1982 as a way "to pay tribute to individuals [who] and academic units [which] have made significant strides in meeting Ohio State's commitment to the real goal of equality of opportunity for all people--equality of opportunity in access to a college education, in career development and professional advancement, and in all aspects of human relations."

Professor Pernell has contributed to the advancement of the goals of affirmative action through his work at the College of Law on behalf of its minority students. He has served as a member of the Admissions Committee and the Affirmative Action Committee of the College. He has also served as advisor to the Black Student Law Association and has been a source of support and counseling for many minority students.

For two years, Professor Pernell was the director of the regional summer institute held at the College of Law under the sponsorship of the Council on Legal Education Opportunity. These institutes help expand opportunities in legal careers for economically and educationally disadvantaged students. Because of the success of the program (attributed in large measure to Professor Pernell), Ohio State has awarded this program for two consecutive years. In recent years, Professor Pernell has guided the development of a Pre-Law Skills Program sponsored by the College's Black Student Law Association. This program is designed to aid first-year minority students admitted to the College and is conducted for three weeks in advance of the beginning of the academic school year. The program has been funded by the University because of the quality of the program and support by faculty and students. Professor Pernell administers the program and approximately 10 to 14 students will be enrolled this August.

Professor Pernell's commitment to affirmative action and the improvement of opportunities for minority students has been recognized through his service as chair of the Minority Group Section of the Association of American Law Schools.



Professor Leroy Pernell

This past year, he was appointed to the Advisory Board of Law Professors of the NAACP Legal Defense Fund.

The College is grateful for the contributions of Professor Pernell and is pleased that the University has

recognized his commitment to minority law students. Professor Pernell played an important role in the College's receipt of this award in 1982 as the first academic unit so recognized in the awards program.

REICHMAN MOVES TO VANDERBILT

Professor Jerome H. Reichman will begin a new association this fall as a member of the law faculty of the Vanderbilt University School of Law, Nashville, Tennessee. Professor Reichman will be continuing his teaching and research in intellectual property law. He also will be working under a German Marshall Fellowship which he was granted for the 1986-87 academic year.

Professor Reichman was on leave of absence during the spring semester as a Visiting Professor at the College of Law, University of Florida in Gainesville. He returned to the College briefly during June and he was honored at a reception on June 10 for his contributions to the College. Friends and colleagues wish him well in his new association. Professor Reichman brought distinction to himself and to Ohio State during his tenure as a member of this faculty.

FACULTY SABBATICALS

The faculty has not taken maximum advantage of the University's policy permitting professional development leaves in the eight years that the policy has existed. Next year will be different, however, as three faculty members will be on sabbatical leave. **Professor Earl Finbar Murphy** will be on leave to finish the research and writing of an important work that will explore theories of property. **Associate Dean Rhonda R. Rivera** will use her leave for further study and writing concerning law, religion and ethical issues. During the year, she will continue to administer and teach in the Legal Writing program. **Professor Douglas Whaley** will be on leave to begin the preparation of a multi-volume treatise on commercial law. These leaves represent a major commitment by the College and University to legal scholarship.

FACULTY COLLOQUIA COVER BROAD TOPICS



Dean Francis X. Beytagh

Dean Francis X. Beytagh initiated a year-long program of colloquia for faculty. The noon-time discussions were held at regular intervals, with a light lunch served in the faculty lounge. Dean Beytagh commenced the new series with a report on his work in comparative constitutional law, emphasizing his research in Ireland on the Irish Constitution and his interaction in that country with justices of the Supreme Court, members of the government, professors, and other constitutional authorities. He presented a more detailed discussion of his research in March.

The Dean's introductory program was followed by one in which Professor Howard Fink reported on the Ohio State University Pre-Law Program at Oxford University, England which has been received enthusiastically by students. Professor John Quigley reported on a tour he conducted of the Soviet Union for American lawyers and judges, many of whom were from Ohio and alumni of our College, and Professor John Kozyris reported on his work as co-administrator of the Tulane University Law School overseas program at the University of Thessaloniki and on the Island of Rhodes. Judge Antonin Scalia, faculty members from Tulane, and our former visiting professor Kostas Kerameus made up the faculty participating in the program.

Both scholars who had been visiting professors during autumn semester spoke at the colloquia. Dean Krateros Ioannou of the University of Thrace Law School discussed Common Market law, viewing it in historic perspective

and seeking to predict future development. Professor John Murray of the Law School at Texas Tech University outlined current literature on negotiating techniques with his own commentary.

Members of the law faculty reported on their current research at various times throughout the academic year. These colloquia provided an excellent opportunity for faculty to appreciate some of the interconnections between topics of current investigation among various colleagues. Faculty participating in the colloquia were Sheldon Halpern, who discussed his research on the possible property an individual may have in his or her own personality; Nancy Erickson, who discussed the methodology and some of the findings involved in her study on sex-bias in criminal law texts used in law schools; Philip Sorensen, who shared his current research dealing with immunity theories relating to officers and directors of charitable organizations; Timothy Jost, who reported on his work with the drafting of model legislation for licensed nursing homes, John Kozyris, who discussed his ideas about editing of contemporary law journals published by law schools and Louis Jacobs who reported on his analysis study of objective examinations.

Visitors Share in Colloquia

Dr. Marilyn Yarborough, Vice-President of the University of Kansas,



Dr. Mary Gray

who was speaking at the University as a guest in the affirmative action lecture series, also conducted a colloquium for the faculty on the subject. Dr. Mary Gray of American University, distinguished algebraist and lawyer, spoke at the University on the subject of "Law and Statistics" and attended a luncheon for members of the law faculty and faculty invited from the departments of mathematics and physics.

Dr. Ference Majoros of the University of Wurzburg spoke to the faculty, using a traditional formalist method of analysis of current European decisions in the field of intellectual property.

Jacques Vanderlinden, Professor and former dean of the Free University of Brussels, and a visiting Professor at the University of South Carolina law school, spoke on the subject of countries divided by languages and how such countries have dealt constitutionally with this condition. Members of the University department of political science and lawyers on the staff of the state attorney-general's office attended as invited guests.

Sudhir K. Chopra, a lawyer and scholar from India, joined with Professor John Kozyris to discuss the choice



Sudhir Chopra

of law and forum problems in the context of the Bhopal tragedy. Chopra, who practiced in India and served as an environmental law officer with the Indian Government, is a consultant-advisor to the Union Carbide lawyers and shared special insights about the Indian legal system as they related to the Bhopal litigation. The last guest to speak at the faculty colloquia was Professor Eustathios Banakas, Lecturer in Law, Essex University in England and a Visiting Professor during the current



Professor Eustathios Banakas

year at Tennessee Law School. Professor Banakas, a specialist in tort law and jurisprudence, discussed his comparative research dealing with recovery for economic loss when no injury to a traditional property claim is involved.

The new program has been an exciting one. Learning and enjoyment have been combined in equal measure. The faculty colloquia seem likely to become a permanent program for the exchange of ideas and research activities.



John C. Fontaine, managing partner of Hughes, Hubbard & Reed in New York, was among other visitors. He participated in Professor Halpern's corporate seminar.

100% First-Timers Pass February Bar

All of the graduates of the College sitting for the first-time to take the February Ohio State Bar examination were successful and the *Law Record* proudly reports the 100% achievement. The overall pass rate for this examination was 74.3% and Ohio State's success rate for all examinees was 84.2%.

GOLDBERGER TO DIRECT CLINICAL PROGRAMS

"The strength of the College's clinical education program was what attracted me to Ohio State. It is an extraordinary program and has made Ohio State one of the leaders in clinical education." It is no wonder that Professor David Goldberger, who made these statements, is enthusiastic about his new appointment as Director of Clinical Programs as of August 15. Professor Goldberger will assume the directorship from Professor Rhonda R. Rivera who steps down as head of the clinical post as she prepares for her sabbatical leave for the 1986-87 academic year. Goldberger has been teaching in the clinical program the past six years in addition to his substantive courses in Constitutional Law, Political and Civil Rights and his seminar in Civil Liberties.

Goldberger joined the faculty in 1980 after many years of association with



Professor David Goldberger

the American Civil Liberties Union (ACLU), Illinois from 1967-1973 and from 1975-1980. He assumed responsibility for litigation of cases and for the administration of the legal and legislative programs of the ACLU and the Roger Baldwin Foundation of the ACLU, Illinois Division. During 1973-75 he worked for the Legal Assistance Foundation of Chicago and specialized in federal litigation. His experience in his prior positions lays the groundwork which prepares him for his new administrative responsibilities to the College's Clinical Programs.

Professor Goldberger received his J.D. from the University of Chicago Law School in 1967. While serving with the ACLU, he was an adjunct professor from 1972-1980 at the Illinois Institute of Technology/Chicago-Kent School of Law. During Professor Goldberger's ACLU career he was involved with and

won a number of major cases, the most notable was *National Socialist Party of America v. Village of Skokie*, 432 U.S. 43 (1979). He also received various awards and commendations for his commitment to legal services and professional excellence. At Ohio State, in addition to his publications, he has contributed to the preparation of briefs in a number of civil rights cases.

The combining of practice and teaching makes the best of professional worlds for Professor Goldberger. Each year at Ohio State Goldberger has taught a Civil Practicum for students who learn basic civil litigation skills. The practicum exposes students to a combination of direct representation of clients and simulated trial experiences.

Professor Goldberger commends his predecessors for having created "one of the best structured legal clinic programs in the country." As to the future, he states, "I plan to continue to work toward the realization of goals for first rate clinical education that were adopted by this faculty some years ago. I also hope to increase the scope of opportunities for our students to enroll in the program." Professor Goldberger strongly believes that the experience of working with clients and assuming the responsibility for actual cases is an indispensable part of a top flight legal education.

Dean Rivera Contributes to Clinic Program

Dean Rhonda R. Rivera has provided valuable leadership and improved organization as Director of Clinical Programs for the past four years. She assumed the directorship as of June 30, 1982 from the late Professor Charles L. Thompson. Like her successor, she brought to this position administrative, practice and teaching experiences and a strong commitment to clinical education. She turns over an excellent program that continues to strengthen Ohio State's distinction as one of the finest clinical programs among the nation's law schools.

Ohio State was the fifth law school in the country to integrate clinical education as part of its J.D. degree program. It has been able to continue its leadership in clinical education because of its strong tradition, able leadership of prior directors and the support of the faculty and administration.

CLOVIS ASSUMES ASSOCIATE DEANSHIP



Associate Dean Albert L. Clovis



Dean Peter M. Gerhart

Change is an inevitable part of life for individuals as well as institutions. Change can also be a positive force. Such is true for **Peter M. Gerhart** as he takes on an exciting, new challenge July 1 as Dean of the Case Western Reserve Law School. Although the College regrets the loss of Dean Gerhart, his new position expands the college's network of prior associates among the nation's law schools. The College also brings new talent into its administration - **Dean Albert L. Clovis**.

"I am ready for a new challenge," said Professor Clovis as he prepared for his move to the "front" office. Al Clovis, a person highly respected, will provide valuable support to Dean Beytagh, faculty, and students in carrying out the various administrative responsibilities related to the College's academic programs. His many years of teaching experience in both the first-year and advanced curriculum provide him with broad perspectives for his new position as Associate Dean. "I am committed to preserving the strength of our J.D. program and to contribute in any way I can to achieving our goals for excellence," stated Clovis.

Dean Clovis begins his twenty-second year as a member of the faculty. He has made many contributions to the

academic program and in 1982 he was named as the Newton D. Baker Professor of Law. He has also been voted the Outstanding Professor by two of the graduating classes.

Dean Clovis concludes this summer the final tasks in the production of his new teaching text, *Problems and Materials on Secured Transactions* to be published by West Publishing Company. He is co-authoring these materials with Robert J. Nordstrom, Professor Emeritus and now a Partner with Porter, Wright, Morris & Arthur and Dean John E. Muray, Jr. at Villanova University School of Law. With these same co-authors, he most recently prepared *Problems and Materials on Sales*, West Publishing Company (1982). Dean Clovis will teach Secured Transactions in the fall and Sales during the spring semester.

Gerhart Moves to CWRU

Peter M. Gerhart is well prepared to take on his new responsibilities as Dean of the Case Western Reserve University School of Law. "I have gained much from the many associations I have had at OSU, and

have profited greatly from the friendship, wisdom, and advice of colleagues, students, and alumni. I have learned from the advice and example of three fine deans, Orin Slagle, Jim Meeks and Frank Beytagh," said Peter Gerhart as he accepted the well wishes of friends and colleagues at a reception on June 10.

Peter Gerhart has given exceptional leadership and personal commitment to the College as a professor and as its Associate Dean for the past three years. He began his entry into administration as Acting Dean during the recuperation of then Dean James E. Meeks as he recovered from a serious automobile accident in August of 1983.

Dean Gerhart provided valuable support to the academic program of the College and his contributions particularly were important to the transition of leadership of the College over the past year. He leaves Ohio State with the appreciation, respect and enthusiastic well wishes for his continuing success from his colleagues at the College and University. As to the College, Gerhart carries away special feelings. "It is an institution that you should cherish and protect. It is worth investing your lives in. I will enjoy watching it grow over the years."

FACULTY NEWS ITEMS

Francis X. Beytagh travelled to Ireland during July to continue his research on Irish constitutional law. Prior research resulted in a publication of a two-part article, "Equality Under the Irish and American Constitutions: A Comparative Analysis" which was submitted for Vol. XVIII, *The Irish Jurist*, 1983, University College Dublin and published in 1985. While abroad, he visited the OSU Pre-Law Program held in Oxford, England from July 7 to August 8.

During the spring, Dean Beytagh gave the following speeches: "The Future of the Constitution in an Era of High Technology" at a public conference on Politics, Human Freedom and Technology in the 21st Century held February 9 at the University of Akron; "The Irish Constitution" to the Hibernian Society of Savannah, Georgia on March 17; "The Irish Constitution: History and Contemporary Issues" at the Columbus Shamrock Club on April 23; "Constitutionalism and the Legal Profession" given to the Toledo Bar Association on Law Day, May 1; "The Growing Crisis in the Legal Profession" to a group of corporate counsel at Sawmill Creek Resort in Huron on May 19. He moderated a debate between Ohio Supreme Court candidates sponsored by the Columbus Chapter of American Corporate Council Association on May 21. During March, he made two presentations. The first was "Law & Higher Education" at a Leadership Conference sponsored by the OSU Office of Personnel Services at the Fawcett Center on March 10. The second was at the March 14 faculty colloquium on "Unique Aspects of Irish Constitutional Law."

From September 1985 until March 1986, Dean Beytagh served as Vice Chair of the Lawyer Discipline Committee for the Ohio Supreme Court. He has been appointed as a member of the Board of the Legal Aid Society of Columbus. In April, he served as Chair of an ABA Inspection Team which inspected the University of North Carolina School of Law.

Throughout the year, Dean Beytagh met with alumni at meetings held in Chicago, Toledo, Youngstown, Washington, D.C., Cleveland and Sarasota, Florida and at the Ohio State Bar Association annual meeting in Cincinnati on May 16.

Professor Nancy Erickson



Nancy S. Erickson is completing her research on sex bias in the teaching of criminal law. This project was funded by an OSU affirmative action grant, plus additional funds from the College of Law and from the Provost's Office. The project completion was extended due to Professor Erickson's illness with mononucleosis. Preliminary reports on the project were presented at two conferences in January, 1986. On Saturday, January 4, the Women and the Law Project of the American University, Washington College of Law, hosted a workshop on "Integrating Issues Concerning Women into the First-Year Curriculum" at which she was a keynote speaker. She provided an overview of the issues involved in identifying sex bias in what often appears on the surface to be very neutral subject matter. She was also one of three speakers at a joint panel on "Sex Bias in Substantive Criminal Law" on January 5, 1986, co-sponsored by the A.A.L.S. Sections on Women in Legal Education and Criminal Justice.

Professor Erickson also gave six other presentations during the 1985-86 school year. On November 7, she participated in a discussion on "Single Mothers, Caring and Coping Twenty-Four Hours a Day," sponsored by the Office of Women's Services and the Women's Studies Library. On March 3, she participated in a panel discussion on "Activist Careers" at Capital University Law School. During National Women's History Week, she was a panelist on two topics: comparable worth and abortion. She also was one of two panelists discussing women's rights at the OSU conference on "Civil Rights and Affirmative Action; the Present Struggle for the Future," sponsored by the Black Law Students Association. On April 22

she presented a paper on "Protective Legislation and the Limitation of Women's Work Hours in Nineteenth Century America" at the Women's Center, Barnard College, in New York City.

During the 1986-87 school year, Professor Erickson will be on a leave of absence and has accepted appointment as the Richard J. Hughes Distinguished Visiting Professor of Law at Seton Hall University Law School in New Jersey. She plans continuing work on several projects. Her first project was the preparation of a paper on the history of the Uniform Parentage Act presented at the Seminar on the Family and American Law, sponsored by the National Endowment for the Humanities, at the University of Wisconsin from July 21 to August 1. Her second project will be a research project entitled "The Parental Kidnapping Act: Are Non-Marital Children Protected?" The Office of Research and Graduate Studies of Ohio State University has awarded her a University small research grant to assist her with that project. A third project will be the completion of her book on "protective" labor legislation, particularly maximum hours laws of the late nineteenth and early twentieth centuries.

Howard Fink has begun work on a second edition of his casebook, *Federal Jurisdiction: Policy and Practice* which he has co-authored with Professor Mark Tushnet of Georgetown University Law School. The casebook is being used at leading law schools in many parts of the country.

From July 7 to August 8, Professor Fink taught at the third annual summer Pre-Law Program at the University of Oxford sponsored by The Ohio State University and the Department of External Studies of the University of Oxford. Other instructors in the program are associated with the Centre for Socio-Legal Studies at Wolfson College, the University of Oxford. The program was visited by Professor Lawrence Herman and Dean Francis X. Beytagh who participated in classes and met with their colleagues at Oxford. This summer's program had the largest registration.

Professor Fink served this year and will continue next year as Chair of the College's Planning Committee which is planning the major expansion of the Law Building. In 1985-1986, Professor Fink served as president of Congregation Beth Tikvah and a member of the Board of the Columbus Jewish Federation.

David Goldberger spoke at the Loyola University School of Law and the Baker-McKenzie Foundation 1986 Lecture Series entitled "Inquiry into Contemporary Problems of Legal Ethics: The Controversial Case" held in Chicago on March 13. Professor Goldberger participated as the former counsel of the Illinois ACLU office and principle lawyer in the Skokie Nazi march case.

Professor Arthur F. Greenbaum



Arthur F. Greenbaum spoke on "Hearsay Evidence in Administration Proceedings" to Ohio Administrative Law Judges at a meeting sponsored by the Ohio Judicial College in Columbus on June 2. He was one of three panelists and discussed the admissibility and weight of hearsay evidence in Ohio administrative proceedings and how that law has been dealt with in model legislation being drafted by the Administrative Law Section of the Ohio State Bar Association. In addition to making the Law Judges aware of the current status of the law and draft proposals, he outlined for their consideration issues of constitutional due process and fairness as related to the receipt of hearsay evidence in administrative proceedings and offered various policy perspectives.

He is developing a new seminar on professional responsibility, attorney malpractice and litigation ethics which will be offered next academic year and is currently working on an article on Federal government participation in private litigation. He has written an article "A Law Professor's Advice to Students Looking for Law Firm Employment" which will appear in the fall issue of *Ohio State Law Journal*.

Professor Greenbaum was written

up in the June 9 issue of the *National Law Journal* as "Another Singing Law Professor." The article discussed his cure for students' mid-year slump. For the past several years, Professor Greenbaum has invited students to enter his contest for "original songs or song parodies" that involve legal concepts. In addition to a modest prize, the students are entertained by his performance of the winning entry. This year's prize winner was "Plead It," a parody on Michael Jackson's "Beat It." He graded his performance as "high on spirit, but low on talent."

Sheldon W. Halpern has had his article "The Right of Publicity: Commercial Exploitation of the Associative Value of Personality" accepted for publication by the *Vanderbilt Law Review*. The article explores the emerging and controversial right of a celebrity to control the commercial exploitation of his or her "persona." There has been considerable confusion over the nature of the right — whether it is a species of "property" or a purely personal, "privacy" interest — most recently manifested in conflicting court decisions involving claims by heirs of celebrities against commercial uses. Through the concept of the "associative value" of personality, the article attempts to provide a coherent conceptual basis for defining the nature and extent of the right and the interests from which it derives.

Jack Henderson coordinated the following Continuing Legal Education Programs: "Creative Pension Strategies 1986" with Elbert (Bert) R. Nester '68; "Financial Planning Concepts and Strategies" with Professor Michael Rose; "Estate Planning 1986" with Professor Michael Rose, and "Legal Negotiations Workshop" with Professor Charles Wilson.

Lawrence Herman was invited to present the Kennedy Lecture at Ohio University on April 24. He spoke on the subject: "The Supreme Court, the Attorney General, and the Good, Old Days of Police Interrogation."

In January, he accompanied the Ohio State National Moot Court team to the final rounds of the competition in New York. He also attended a meeting of the American Civil Liberties Union Board of Directors. Throughout the spring, he was interviewed by various media and participated on programs dealing with the privilege against self-incrimination, the burden of proof in self-defense cases, and the death penalty.

Professor Louis A. Jacobs



Louis A. Jacobs completed the Spring Supplement to *Equal Employment Compliance Manual* published by Callaghan and Company. He continues to co-author monthly newsletters updating that manual.

He spoke on affirmative action at a panel presented by the New Jewish Agenda, published a Columbus Dispatch editorial column on pending affirmative action cases in the United States Supreme Court, and served as a panelist in a WOSU public radio call-in discussion of one of those cases. He also spoke on current problems in the abortion regulation area during the law school's Women's Rights Week.

As part of the ongoing faculty colloquium series, Professor Jacobs discussed a project he is pursuing on drafting objective questions that primarily test analytical skills rather than just knowledge. He also served on the nominating committee for the American Civil Liberties Union Central Ohio Chapter Board of Directors.

Michael Kindred saw publication this spring of a chapter he wrote on "Developmentally Disabled Persons in the Criminal Justice System," in a book by Curry, McGarry and Shah, *Forensic Psychiatry and Psychology*, F.A. Davis Co. (1986)

He has been appointed by Ohio House of Representatives Speaker Vern Riffe to serve on the newly established Ohio Legal Rights Service Commission. The Commission is an outgrowth of renewed legislative concerns over the adequacy of services to mentally disabled citizens. The Commission has broad investigatory powers and will supervise the Ohio Legal Rights Service, an independent legal advocacy unit established a decade ago by legislation in which Professor Kindred played a key drafting and lobbying role.

P. John Kozyris has had published a major article on "Interest Analysis

Facing Its Critics — Incidentally, What Should Be Done About Choice of Law for Products Liability?" in the current issue of Vol. 46 No. 3 *Ohio State Law Journal*. Professor Kozyris also provided the "Forward" to this symposium issue which he helped the *Journal* put together from a program on Conflicts of Law which he chaired at the January 1985 meeting of the Association of American Law Schools.

He has prepared the U.S. National Report on "Nullity of Patents" for presentation at the 12th International Congress of Comparative Law held this August in Australia. He is currently co-editor with Professor Kostas Kerameus, University of Athens, and co-author of a book *Introduction to Greek Law* to be published by the European publisher Kluwer. He is contributing the chapters on "Business Associations" and "Conflicts of Law, Nationality, Enforcement of Foreign Judgments" and has editorial responsibility for seven other chapters. With Professor Kerameus, he had compiled a set of teaching materials on International Civil Procedure to which he has contributed the materials on Sovereign Immunity and Act of State Doctrine.

Professor Kozyris has accepted to write the chapter on Greece in the forthcoming *World Legal Encyclopedia* and is working on a book review and article dealing with the notion of equity and the definition of equitable circumstances in the delimitation of territorial waters, the continental shelf and the exclusive economic zone in the Aegean Sea under international law.

In November, Professor Kozyris functioned as organizer, coordinator, speaker and master of ceremonies for the 10th International Symposium on Modern Greek Studies sponsored by the OSU College of Humanities and the Modern Greek Studies Association on "Greece and the East." In January, he spoke in the Mershon lecture series on "The U.S. Withdrawal from the World Court and the Nicaragua Case." He represents the College as a member of the University's International Coordinating Committee and also is a member of the Board of Directors of the American Society for the Study of Comparative Law and an editor of the *American Journal of Comparative Law*.

The past year, Professor Kozyris served as President of the League of Ohio Law Schools. He is the Chair of the Committee for the Evaluation of the Credentials of Foreign Law Graduates as advisory to the Ohio Supreme Court. As part of the spring

meeting of the League, he planned a conference on "Teaching Corporate Law." This summer he taught in the Tulane International Law Program in Thessaloniki, Greece and is teaching in the second session of the College's summer school program.

Stanley K. Laughlin was the Chair on November 9 for a conference "Technologies for Creative Life: An Interprofessional Approach to Legal and Ethical Issues" sponsored by the Commission on Interprofessional Education and Practice. He has been an active member of the Commission for many years and teaches in the interprofessional program within the University. On December 3, Professor Laughlin made a presentation at a Mershon World Affairs Seminar entitled "Ending the Last UN Trust: New Legal Systems for Micronesia" held at the Ohio Union. During the year, he served as a co-project director of the World Affairs Seminar which is coordinated among members of the University community who have an interest in world affairs research.

Robert J. Lynn has had published his article "Problems with Pour-Over Wills," 47 *Ohio State Law Journal*, No. 1. The article discusses the basis of the Pour-Over Will as an effective device for the disposition of testate property. Professor Lynn sets out various questions and considerations that should be taken into account by donors and attorneys in drafting and using the Pour-Over Will.

The class of 1986 voted Professor Lynn as the Outstanding Professor. He has received this honor on three other occasions.

Professor James E. Meeks at portrait dedication



James E. Meeks has signed a contract with Matthew Bender to contribute two chapters to a multivolume work on Automobile Accident Law which is being edited by Professor LeRoy Pernell. He will provide the

introductory chapter setting out various tort theories involved in accident litigation and a chapter on "Husbands and Wives" which will set out various doctrines related to interspousal claims for injury recoveries. Other research interest involve antitrust matters as they relate to the electric power industry. He is preparing a series of lectures for this fall on antitrust and public utilities for the Office of Consumer Counsel.

In November, Professor Meeks chaired an accreditation team visit for the American Bar Association to the University of Houston Law Center. He has been reappointed to the Board of Directors of the National Regulatory Research Institute which is located at The Ohio State University and continues his involvement as a member of the Board of the Commission on Interprofessional Education and Practice and the Professional Ethics and Grievance Committee of the Columbus Bar Association.

Lee Modjeska has completed an article on labor history to be published in the *U.C. — Berkeley Industrial Relations Law Journal*, and an article on labor racketeering to be published in the *Labor Law Journal*. He is currently writing a second edition of his book *Handling Employment Discrimination Cases* (1980) under contract with Lawyers Co-operative Publishing Co./Bancroft-Whitney Co. His updated Cumulative Supplement for this book was published in March. He also had published in April the Cumulative Supplement to his book *Administrative Law Practice and Procedure*, The Lawyers Co-operative Publishing Co./Bancroft-Whitney Co.

Earl Finbar Murphy was a commentator on the legal aspects of a paper, "Alfred Bettman on 'Euclid': Letters from the Bettman Files," by Laurence C. Gerckens, Professor of Planning, The Ohio State University. The paper was delivered as part of the program of the First National Conference on American Planning History, Columbus, Ohio, March 13-15, 1986, sponsored by the City and Regional Planning Department, School of Architecture, College of Engineering, The Ohio State University, and five other organizations. He attended the Workshop on "Critical Land Resource Issues in the Midwest" sponsored by the American Land Resources Association at the Ohio Department of Natural Resources, Columbus, Ohio,

May 6, 1986. He attended a program on "Cutting Chemical Costs" held by INFORM, a research organization that identifies and reports on practical actions for the preservation of natural resources, at the Fawcett Center for Tomorrow, Columbus, Ohio, May 20, 1986. He participated in the Conference on "Property and Rhetoric," held at Northwestern University, Evanston, Illinois, June 27-29. As past-president of the World Society of Ekistics, he has had an active year as an *ex officio* member of its Board of Directors.

Professor Murphy is currently working on an article on ground water law to appear in a symposium issue of the *Nebraska Law Review* and on a chapter for a book, *Euclid at 60* to be published in 1987.

LeRoy Pernell authored a chapter entitled "Contribution" in Vol. 2B of *Ohio Personal Injury: Actions, Defenses, Damages* published by Matthew Bender. The work represents a survey of applicable law and is not limited to Ohio case law. He has also had published the 1986 Supplement to Volumes 11 and 12 of *Ohio Practice — Civil Procedure*, West Publishing Co. Professor Pernell is presently editing a multivolume treatise on Automobile Accident Law to be published by Matthew Bender.

Professor Pernell has entered the political arena and is a candidate for the Franklin County Court of Common Pleas in the November election. He has been named President of the Board of the Association for the Developmentally Disabled, a private, non-profit organization.

John B. Quigley has had three publications appear during the past year: "Palestine and the Palestinians: The Importance of Self-Determination" in the *Lesotho Law Review; Issues Parachutes at Dawn: Issues of Use of Force and Status of Internees in the U.S.-Cuban Hostilities on Grenada* Vol. 17, No. 2 *Inter-American Law Review*, University of Miami (1986), and "United States Complicity in Israel's Violations of Palestinian Rights," Vol. 1 *The Palestine Yearbook of International Law* (1984).

During the spring, Professor Quigley was interviewed on Community Access TV on "Current International Issues." He was also interviewed on WOSU-TV and WCOL radio call-in on "U.S. Policy on Libya." He discussed the topic of "Arab-Israeli

Conflict" with the American-Arab Friendship Association, Worthington Alternative High School, and lectured in the Graduate School of Education and in the course of Arab Culture. On issues of the "Illegality of the U.S. Invasion of Grenada," "U.S. Policy in Central America," and "U.S. v. Nicaragua in the World Court" he spoke to the Campus Committee on Latin America, First Community Church and Great Decisions citizen study group. On the topic "Legality of the Sactuary Movement for Central American Refugees" he spoke to the Columbus Chapter of Amnesty International and the First Unitarian Church of Columbus. He presented a lecture on "Law in Africa" to the Black Studies African Politics course and spoke on "U.S. Response to Terrorism" to the Neil Avenue Mennonite Church. Other talks included "Controversial in the 80's" given to the Columbus Alternative High School and "How Foreign Policy is Made" addressed to the Wesley Glen Retirement Center.

Professor Quigley participated in a study mission by a group of eight professors of international law to Jerusalem from May 18 to 30. From June 6-19 he lead a study tour for a group of lawyers to the People's Republic of China.

Rhonda R. Rivera has submitted for publication Part II of "Queer Law, Sexual Orientation Law in the Mid-Eighties" for Vol. 12 *Dayton Law Review*. The 124-page article covers security clearance, military employment, marriage, divorce, custody and Gay family issues. Part III of this survey will be completed for publication in early 1987. She is currently writing an article "Aids in the Military" to appear in *Yale AIDS/Law Sourcebook* to be published by the Yale University Press, and has agreed to contribute to a book to be edited by Professor Fred Bozett of University of Oklahoma Health Services Center. She has accepted an invitation to join the Editorial Board of *Archives of Sexual Behavior*.

Dean Rivera concluded her two year term as president of the Society of American Law Teachers (SALT) in January 1986. During the fall, she prepared and published two newsletters, held two Board of Governor's meetings and organized SALT's participation in a mini conference and panel at the January meetings of the Association of American Law Schools. During the AALS meeting, she also was a co-panelist for "Estate Planning for Gay and Lesbian Clients." Dean Rivera is a member of the Governor's Advisory

Taskforce on Executive Order 83-64 (sexual orientation) and served as chair from January 1984 until December 1985. She guided the preparation of a Two-Year Report. During the fall, she was on WOSU-Radio every two weeks to participate on a call-in program on various legal matters.

Dean Rivera has been a member of the University AIDS Taskforce organized in November of 1985. Her work with the Taskforce and her research on related legal issues has involved her in many presentations and conference activities. Campus presentations have been made to the following groups: President's Staff; Dean's Council; WOSU-TV; Women's Law Caucus; Undergraduate Student Government; Affirmative Action Officers; Staff of the Vice President for Business and Finance; Interfraternity Council; OSU Development Officers; Medical School; OSU Lawyer; American Association of University Students, and Personnel Officers Council. Presentations as principal speaker were made for the following conferences and sponsors: "AIDS: An Enlightened Policy for the Work Place and the Community" sponsored by the Cleveland Clinic Foundation and the United Labor Agency on January 24; "AIDS Legal Conference," Yale Law School on February 1; "Risks/Benefits/Ethics in Public Health Issues: Focus on AIDS and Hazardous Waste" sponsored by the Ohio Public Health Association, Ohio Environmental Health Association, Ohio Health Commissioners, and Public Affairs Institute on March 5; "AIDS" to Governor Celeste's Cabinet on April 9; "AIDS: Medical, Legal, Ethical and Social Dimensions of a Health Crisis" sponsored by DePaul University Health Law Institute and American Academy of Hospital Attorneys on April 11-12; "AIDS in the Workplace" by major Pittsburgh industries' personnel departments, keynote speaker and Workshop leader on April 22; "AIDS: Patient Dilemma of the Health Care Professional" sponsored by NASW and Veteran's Administration on May 2; "AIDS in the Workplace" for the Columbus Bar Association on May 16; Inter-professional Seminar on AIDS on June 25-27.

In addition to her responsibilities as Director of Clinical Programs, Dean Rivera also taught first-year Contracts, Client Counseling, administered the Legal Writing program both fall and spring semesters and taught a Seminar on Sexual Privacy. She served on both the Ad Hoc Building and Admissions Committees of the College. She also is a vestry member of St. Stephen's Episcopal Church and is a Diocesan Dele-

gate for 1985-86. At the request of the Campus Ministry she wrote a "This I believe" credo that was published in the November 11, *Lantern*.

Nancy K. Rhoden is completing her leave of absence as a Visiting Professor of Pediatrics at Albert Einstein College of Medicine in New York City where she has been able to extend her research and professional involvement in the legal-ethical issues of treatment of defective newborns. Her article on this subject entitled "Treatment Dilemmas for Imperiled Newborns: Why Quality of Life Counts" has been published recently in Vol. 58, No. 6, *Southern California Law Review*. Her most recent publication entitled "Trimesters and Technology: Revamping *Roe v. Wade*" was published in Vol. 95, No. 4 *Yale Law Journal*.

Professor Rhoden has been promoted to Associate Professor with tenure commencing August 16.

Nancy H. Rogers is completing a text co-authored with mediator specialist Richard A. Salem entitled *A Student Guide to Mediation and the Law* to be published by Matthew Bender in early 1987. The text is to be used as a supplement to any law school course which includes a segment on mediation. She continues work on a treatise also to be co-authored with Richard A. Salem entitled *Mediation and Other Forms of Dispute Resolution* to be published by Lawyer's Cooperative Publishing Co. This book is to aid lawyers involved with alternative dispute resolution.

Related to her work in Mediation, Professor Rogers assisted in the organization of a Mediation Legislation Symposium on April 10 which was co-sponsored by the College of Law and the *Ohio State Journal of Dispute Resolution* and six other co-sponsors. In May, she was a panelist at a Workshop for law faculty teaching alternative dispute resolution held at St. Louis University School of Law. In June, she was on a panel entitled "Multi-door Courthouse" at the National Conference on Peacemaking and Conflict Resolution in Denver, Colorado.

Michael D. Rose organized the first regional tax law teachers conference, which was held at the College of Law in early April 1986. Over twenty five teachers from sixteen law schools in Ohio, Michigan, Indiana, Kentucky, and Pennsylvania attended the day-long program.

The program provided the opportuni-

ty for teachers of basic federal income tax and basic estate and gift tax to collaborate on teaching and examination techniques, text adoptions, and course syllabi. The exchange was beneficial and participants agreed to continue the program next year with the focus on the teaching of corporate tax. The College served as the host school and Professor Rose compiled 200 pages of materials covered by a modest registration fee. Professor Rose made all of the arrangements and served as the program moderator. The program is similar in structure to teaching conferences organized by the Association of American Law Schools but provided on a regional basis where faculty have more opportunity to know one another and to build a network for cooperative exchanges.

During the past year, Professor Rose had published by the Bureau of National Affairs, Inc. (BNA) his *Tax Management Portfolio* entitled "Related Party Transactions Under Section 267." He also completed for publication by West Publishing Co. his 1986 Edition of *Selected Federal Taxation Statutes and Regulations* which is used extensively throughout the country by teachers of Federal Income Taxation. Culling the vastness of the Internal Revenue Code and IRS regulations and compiling and editing materials as a teaching supplement are monumental tasks which Professor Rose successfully has undertaken for many years. This summer he is finishing a hornbook on *Federal Income Taxation* for West Publishing Company which will be welcomed by both students and lawyers. In addition to his other research and writing projects, Professor Rose has become the editor of the *Ohio Will Manual*, which is a desk book used by lawyers and bankers. He also is preparing the 1986 Supplements for the *Manual*.

Professor Rose spoke on estate planning for the OSU College of Medicine in April 1986, on the marital deduction in November 1985 for an estate planning council in Columbus, and on the operative rules concerning S corporations for the Ohio Legal Center Institute in September 1985. During the spring semester of the 1985-86 academic year, Professor Rose taught a new course, Deferred Compensation, at the College of Law. The course focused on the federal income tax aspects of qualified pension and profit-sharing plans.

Allan J. Samansky completed with his co-author the first update *Supple-*

ment (March 1986) to their book Samansky and Smith, *Federal Taxation of Real Estate*, Law Journal Seminars-Press (1985). Also published this spring by the Bureau of National Affairs, Inc. (BNA) was his *Tax Management Portfolio*, entitled "Depreciation Recapture—Partnership Transactions."

On March 8, Professor Samansky spoke on the topic "Sale or Disposition of Partnership Property and of Partnership Interests" at a Partnership Tax Seminar sponsored by the Columbus Bar Association, Business Tax Subcommittee.

Morgan Shipman continues as an active member of the Corporation Law Committee of the Ohio State Bar Association. He was a member of the Cumulative Voting Subcommittee, whose bill to allow Ohio-chartered corporations to elect out of cumulative voting was recently passed by the Ohio General Assembly in modified form.

In December he delivered the hooding address to students graduating from the College of Law. He has also maintained a full schedule of speaking engagements over various topics related to his expertise. The schedule included: "Recent Developments in State and Federal Securities Law" presented December 10 to the Securities Law Committee of the Columbus Bar Association; "Disclosure Duties of Lawyers and Accountants" presented January 22 to the Corporation Law Committee of the Stark County Bar Association; "The Future of the Ohio Securities Act" presented February 8 at a Conference on the Ohio Securities Act sponsored by the Columbus Bar Association; "Introduction to the Federal and Ohio RICO Statutes" presented April 1 to the Securities Law Section of the Cleveland Bar Association; "The Definition of Legal Malpractice" presented April 5 at a Conference on Legal Malpractice sponsored by the Columbus Bar Association; and "Federal and State RICO Legislation" presented May 9 to an Attorneys Seminar sponsored by the Ohio Savings and Loan League. He was a discussant at a Conference on Financial Institutions held in New York City on April 18 sponsored by the Brooklyn Law School. He discussed "State Regulation of Tender Offers."

Professor Shipman continues as the chair of the Committee of Graduate Programs at the College, which is

actively studying a possible graduate program in the Law of Banking, Insurance and Investment. He has been appointed to the Board of Visitors of the Graduate Tax Program of the Capital University Law School.

Professor Shipman was a Visiting Professor of law at The University of Alabama Law School for the summer session May 14 through June 20. He taught a course in Legal Profession. He also taught Agency, Employment, and Partnership for one session of the summer at the College of Law.

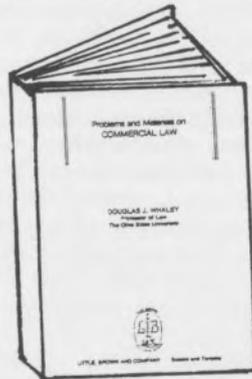
Timothy Stoltzfus Jost is currently working on a casebook in Health Law that will be published early next year by the West Publishing Company. His co-authors include Professors Barry Furrow, Sandra Johnson and Robert Schwartz. Professor Jost is writing chapters examining and dealing with health care cost containment efforts (including certificate of need, rate-setting and utilization review regulation and competitive alternatives); Medicare and Medicaid; health care labor and antitrust law; and confidentiality of medical records and peer review proceedings. The book will be the first casebook dealing with health law, as contrasted with law and medicine, and most of the subjects on which Professor Jost is writing are not covered by traditional law and medicine texts.

Professor Jost has also recently completed a chapter on "Law and the Elderly Nursing Home Resident" for a book on *Law and the Elderly*, that will be published next year by Springer Publishing Company. His related article on "Enforcement of Nursing Home Care in the Legal System," appeared in Vol. 13, No. 4, *Law Medicine and Health Care* late last Fall. This article grew out of research he did for the Institute of Medicine contributing to its recent publication on federal nursing home policy. Professor Jost also gave several presentations on legal issues involving nursing home care this Spring.

Finally, Professor Jost's article on "Modification of Injunctions in the Federal Courts" will appear in the March issue of the *Texas Law Review*, which he hopes will be out no later than this fall. The article examines the circumstances under which federal courts modify injunctions, concluding that the traditional reluctance of courts to modify decrees is justified, though modification to accommodate change of law or fact, to protect the beneficiary of the decree, to relieve the obligor

from oppression, or to protect the public interest is occasionally necessary. The article will form the basis for work Professor Jost will be doing this summer for the Administrative Conference of the United States on recommendations concerning modification of consent decrees involving federal agencies.

Gregory M. Travaglio made a presentation to Ohio lawyers and bankers in Dayton on "Security Interests and Farm Financing" with Professor Paul Wright of Agricultural Economics, on November 12, 1985. He attended the Law and Economics Program for law professors at Emory University from May 18 - June 3 and, in July, attended a week-long seminar in Law of War at The Judge Advocate General's School, Charlottesville, Virginia.



Douglas Whaley has added to his list of published law school texts his most recent *Problems and Materials on Commercial Law* published this March by Little, Brown and Company. The text is divided into four major sections: Sales of Goods, Payment, Payment in Documented Sales, and Secured Transactions. The book explores commercial law primarily by focusing on a series of problems designed to encourage students to concentrate on the exact statutory language of the Uniform Commercial Code and related statutes. Representative cases and textual notes are included. Professor Whaley has published three other texts with Little, Brown and Company on *Negotiable Instruments* (1981), *Secured Transactions* (1982), and *Sales* (1983) (co-authored with Professor Rivera). He will be working this next year on a multi-volume treatise of the Law of Commerce.

As a relief from teaching, writing and lecturing, Professor Whaley

during the spring conducted the 6th Annual Law School Trivia Contest which brought the faculty to a three to three series tie with the students. He also wrote, directed and acted in the faculty skit entitled "The Law School Game" for the talent show sponsored by the Student Bar Association.

Professor Charles Wilson



Charles Wilson has published two articles. The first "The Replacement of Lawful Economic Strikers in the Public Sector in Ohio" appears in 46 *Ohio State Law Journal* 639-87 (1985). His second article "Retaliatory Lawsuits, the NLRA, and the First Amendment: A Proposed Accommodation of Competing Interests" has been published in 38 *Vanderbilt Law Review* 1235-92 (1985). He is currently working on a series of articles that will compare the Ohio Public Employee Collective Bargaining Law with the National Labor Relations Act.

During the 1985-86 school year, Professor Wilson attended the American Arbitration Association's Workshop on "Teaching Negotiation," October 4-5, 1985 and the A.A.L.S. Workshop on "Labor and Employment Law," October 17-19, 1985. On April 3, 1986, he conducted an all-day Workshop on "Legal Negotiations" for the Ohio State Legal Services Association. On June 13, 1986, he conducted a "Legal Negotiations" Workshop for practicing attorneys at the OSU College of Law as part of the College's Continuing Legal Education Program. The Workshop included actual negotiation exercises by the registrants with critique and discussion. Other subjects included adversarial and problem solving models, planning for negotiation, and the negotiation process - styles, techniques, strategies, and communication skills.

Professor Wilson was promoted to Associate Professor with tenure commencing August 16.

SURVIVING THE FIRST YEAR OF LAW STUDY

Do you remember *when* you were a first-year law student? Do you also remember *how* you were a first-year law student? Getting from chaos to calm, from confusion to confidence is a common metamorphic process all students encounter, although times and support may change. The *Law Record* asked Scott Kirschman, a first-year student from Huron, Ohio and a graduate of Ohio University to prepare the following article for publication. The *Law Record* shares this essay report to remind us all of our common bond of experience.



Law school is class time.

Solving the Mysteries of Law Study

by Scott Kirschman

At times the pursuit of a legal education seems like a grand Agatha Christie novel: people start disappearing without an explanation. Each day one must ask, "Will I be the next one to drop?"

The legal community has not ignored the predicament of facing the first law school exam, learning legal jargon and adjusting to the Socratic method. Many studies focus on the destructive and dehumanizing aspects of legal education. "We believe that the context of learning law is intellectually competitive and emotionally desensitized. The impact of this emotional climate and learning environment blunts human sensibility," wrote Thomas L. Shaffer and Robert S. Redmont in their book, *Lawyers, Law Students and People*, Sheppard's 1977.

Various individuals at OSU are serving the Hercule Poirot function in solving the mysteries of legal education. Whether the method be individual counseling sessions, informal meetings with Dean Beytagh, or University counseling services, attempts are made to help first-year students put fears to rest.

Each year, Professor Douglas Whaley offers suggestions to students through two lectures: "How to Take Your First Law School Exam" and "The First Year Blues." "Students may be getting the worst grades they have ever received — they may realize they are not the *wunderkind* anymore," Whaley says.

Along with methods for calming jitters, Whaley includes an inspirational pep talk on coping.

Law school does stress the rational over the creative. Professor Whaley reminds students that Oliver Wendell Holmes once said, "Law is not the place for the artist or poet; this is the calling of thinkers." Whaley agrees, "In law school, we are not teaching poetry."

The period following exams is either depressing or exhilarating. Professor Arthur Greenbaum gives his Civil Procedure students an in-class speech that puts exam results in perspective. "Realistically, grades are important," Greenbaum says, "but students need to realize grades are neither a measure of a student's self-worth or an accurate predictor of professional success. Examinations measure only a few of the many factors that help define the successful lawyer."

Greenbaum compared the first-year of law study to learning to ride a bicycle. "In both situations participants approach the task with a mixture of enthusiasm and apprehension and little developed skill," Greenbaum says. "Few maintain their balance the first time they read a case or take an exam, and most do their share of falling." However, by the second semester, Greenbaum observes, "although often unnoticed by the students themselves, they have learned the basic technique to a great degree."

The Student Perspective

These quotes are excerpted from journals written by first-year law students at West Virginia University and were compiled by James Elkins in a recent article appearing in the *Journal of Legal Education*.

"I have a sense of impending doom — as if something terrible is about to happen to me, without my knowing what, where, or how. I suspect I have bitten off more than I can chew."

"I could go through the first semester, possibly all three years, and possibly never be told that I was not what they expected."

"I have been getting around three and a half hours of sleep a night. Everyone advises me that I can't survive on that amount of sleep."

In search of an Ohio State response, first year students were interviewed about their experience and coping techniques.



Law school is quiet time.

First Year Coping

Even though the first year of law school may appear to be merely an intellectual form of fraternity hazing, students respond by changing (and challenging) their previously-acquired methods of learning. Emotion, the very element that inspired many students to attend law school, becomes a trait that must be restrained in the interest of rational decisions. Reactions must be filtered through pronged tests, judicial standards, and strict procedure.

Self-doubt is often a common reaction to the new demands. The selectivity of the admissions process creates an elite and extremely intelligent group — one may no longer be the stellar scholar of undergraduate days.

Coping with the first year of law school is a formidable task. In conversations with first-year students at the OSU College of Law, the common reaction in January (before grades were known) was shared uncertainty. However, the opinions are different after midterms and moot court. While the conversations do not reflect the candor of the West Virginia University students' private journals, the students do reveal common concerns and diverse methods of coping.

Non-Stop School: Out of the Frying Pan and Into the Fire

You worked very hard as an undergraduate, but law school is the biggest challenge yet. In undergraduate classes, the focus was just on recalling facts. Here we are concentrating on the reasoning behind our conclusions.

Don Burton agrees, "Law school is so different from undergraduate," Burton says. At the University of Toledo, from where Burton graduated with a history degree, classes were more stenographic. "I kept that same approach for the first semester of law school, but I have had to change."

"I guess I'm comfortable with law school," Burton says. "I do feel I am handicapped by a liberal arts background — it doesn't help that I can relate Dostoyevsky to Orwell when contemplating *res ipsa loquitur*."

"There is a little bit of competition between the students, but I think there is more camaraderie." "Everyone seems willing to help."

While law school presents more challenges than undergraduate classes, "law school is not impossible," says Robert Solomon, a graduate of David Liscomb University in Nashville. "There is a little bit of competition between the students, but I think there is more camaraderie," Solomon notes. "Everyone seems willing to help."

An activity outside of the law school can provide relief from the constant barrage of books, binders and briefs. "I consider myself a very artistic person, liking other things besides the law, such as art, music and drama," Solomon says. He directs a choir at the Cleveland Avenue Church of Christ. "The structured way of pushing a logical approach will not destroy my creative nature," Solomon says.

Law School in Your Own Backyard

The time and effort demanded by law school requires blocking out previously-pursued "distractions" of

undergraduate life. For many students, the change from their undergraduate school to a new university may remove many of the distractions of parties, old haunts, and weekend holidays. But some students stay at the same university for both their undergraduate and legal education.

Doug Sladoje, a 1985 graduate of OSU, says the change "was strange, going from a big university, where one never sees anyone you know, to seeing the same people everyday — and still be in the same place." The old "distractions" have not caused a conflict with Sladoje's studying. "If anything, people came to me to find out the best places to go."

"At the beginning of the year, I had trouble with the adjustment in daily preparing for class," Sladoje says. "I have never had self-doubts — I did feel like everyone had a better grip on knowledge, but I knew I would catch on."



Law school is study time.

Several students compared law school to returning to a high school environment. "The whole setting is too much like high school," Sladoje says. "The building looks like a high school, we have lockers, there are social cliques and even assigned seating."

Although the environment may be similar to high school, the work load is beyond compare. "As an undergraduate, I never prepared for class, since there was no real reason to — I could just coast through," Sladoje says. "At the beginning of the year, I had trouble with the adjustment in preparing for class. But after the first finals were over, around Christmas, I really felt like I was learning, becoming a special person."

Married To the Law — And Spouse

"Being married and starting law school makes it both harder and easier," says recent bride Jan McKeand. "It was harder because I didn't get to see my husband as much as I used to, but it was easier because marriage helps keep law school in perspective. At the start of the year, it seemed like everyone I met was smarter. My husband always gave me support."

At first McKeand says she was plagued with self-doubt. "Meeting the challenge of moot court and job interviews helped me to conquer the doubts and increase my confidence," McKeand says. "I'm more comfortable with the entire situation now."

McKeand keeps every Friday night free to spend with her husband. "After class, we do something special, like movies or dinner," McKeand says. "It's great to not think about the law for a couple of hours."

For Elizabeth Keller the combination of marriage and first-year law school may present minor problems, but the benefits outweigh the burden. Keller is married to a medical student and spends a lot of time studying with her husband. "We motivate each other," Keller says. "Luckily, our exams are staggered, so we can help each other through the hectic times."

"It's a lonely thing to be studying law all the time. I consider myself lucky to have someone always there," Keller says.

The first semester of law school required an adjustment. "It was a new kind of educational experience," Keller says, "but the second semester has been much more enjoyable."

Bob Byrne took a more severe approach to the burden of juggling marriage and the first-year of law school. Byrne and his wife imposed a 150-mile separation.

Byrne's wife made the decision to stay in Youngstown while he studies. "We both are independent, and she has family and friends in Youngstown," Byrne says.

"If we were together, with my studying she would feel neglected. Being in Youngstown occupied with work and family, she has a more objective view of my situation," Byrne says. "If she were here, it would be hard for me to get an incentive to study. With the separation, I can come home from class, shut the door, and spend six hours studying."

The couple do keep in contact through phone calls and occasional visits. "She has already accused me of thinking like a lawyer," Byrne says. "I consider that a good sign."

As winter yields to spring, so, too, memorization yields to analysis. The undergraduate transforms to the law student — the metamorphosis of the first-year is completed.

Members of the Class of 1988 are enjoying a good summer, some testing their new skills. We look forward to their return in the fall, to give them some new terrains in which to ride their legal bicycles.

WLC SPONSORS PROGRAMS



Senator Paul Pfeifer

The Women's Law Caucus (WLC) provides important support services for women students. The organization also offers programs for the College on related topics of interest.

One such program was a public debate "Should Marital Rape Be a Crime in Ohio?" held November 20. **Senator Michael White** (D-Cleveland) sponsor of a bill making marital rape a crime debated the bill with **Senator Paul Pfeifer** (R-Bucyrus) chairman of the Judiciary Committee and a 1966 graduate of the College. The debate set out in lively interaction some of the legal and social issues raised by the legislation. The bill was signed into law by Governor Celeste in November.

"We've Come a Long Way, Baby . . . Or Have We?" was the theme for a series of forums sponsored in celebration of National Women's History Week March 3-8. The series began March 3 with "Roe v. Wade:



Senator Michael White

Legal Issues & Future Implications." **Professor Nancy Erickson** reviewed the historical and legal background to abortion legislation. **Professor Louis Jacobs** discussed the limits of Roe v. Wade and sketched how substantive and procedural constitutional constraints may be applied in future review of state abortion laws.

The second forum was "Race & Gender Group Coalitions: Past, Present & Future" featuring **Ginger Conygham** from the Ohio Bureau of Employment Services, and **Willa Young** and **Claire Robertson** from the OSU faculty, Women Studies. The final forum was on "Comparable Worth." **Professor Marcia Miceli**, Management & Human Resources, set out methods of job analysis for determining comparable worth and **Professor Steven Mangum**, from the same faculty, discussed economic considerations in implementing comparable worth.



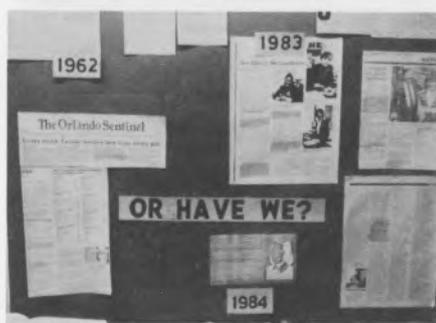
Professor Mangum



Professor Miceli

Marsha Miller, Chief of the Women's Division, Ohio Bureau of Employment, reported the comparable worth study of state employment that was being completed for submission to Governor Celeste.

These programs, among others, provide valuable information and prompt discussion on significant legal and policy issues.



Bulletin board display by WLC

OHIO ATTORNEY GENERAL VISITS COLLEGE

The **Honorable Anthony J. Celebrezze, Jr.**, Attorney General of Ohio, visited the College on November 5 at the invitation of Dean Francis X. Beytagh, David A. Weiss, president, Student Bar Association, and Dan E. Belville, representative and guest speaker coordinator, Student Bar Association. The Attorney General met with students and faculty in an open forum during the noon hour. He discussed various functions and activities of his office and responded to student questions.

Attorney General Celebrezze has served in his present capacity since January 1983. His public service includes election as Secretary of State and election to the Ohio Senate. Students appreciated the opportunity to talk with the Attorney General and to gain his special insights into the political process and public service.



The Honorable Anthony J. Celebrezze

MOOT COURT COMPETITORS PLEASE THE COURT



left to right: Judges Alice Resnick, Robert E. Homes, Pierce Lively, Nathaniel Jones and William K. Thomas.



Marta Ann Stein (left) and Bernadette Bollas



Randall Ayers (left) and Betsey Swift

A busy Moot Court program for 1985-86 was concluded on April 12 with the final round of the first-year Moot Court competition. Four students had the honor to present their oral arguments to a distinguished panel of federal and state judges presided over by the **Honorable Pierce Lively**, Chief Judge of the U.S. Court of Appeals for the Sixth Circuit. Other members of the panel included the **Honorable Nathaniel Jones**, U.S. Court of Appeals for the Sixth Circuit, the **Honorable William K. Thomas**, U.S. District Court, Northern District of Ohio, the **Honorable Robert E. Holmes**, Supreme Court of Ohio and the **Honorable Alice Robie Resnick**, Ohio Court of Appeals, Sixth District.

The student oralists successfully had argued through many rounds of competition involving all of the first-year students. They presented the case of the petitioners, four lawyers comprising Lawyers for Social Justice, a public

interest law organization, and the respondent, Champarta State Bar Association which had charged the lawyers with violating disciplinary rules governing solicitation. Representing the petitioners were **Randall Ayers**, a graduate of Earlham College, and **Betsey Swift**, a graduate of Ohio State, and representing the respondents were **Bernadette Bollas**, a graduate of Notre Dame, and **Marta Ann Stein**, a graduate of Michigan.

Upon the conclusion of well-articulated arguments and stimulating

interactions with the Court, the panel awarded the winning argument to the respondents. Best oralist honors were awarded to **Betsey Swift**. **Bernadette Bollas** received the honor of Best Brief for the first-year competition. Other students were recognized for their achievements in the first-year program and awards were presented during the deliberations of the judges.

The College is grateful for the willingness of the guest judges to participate in this important academic program and College event. The



Judge Nathaniel Jones congratulates Betsey Swift, best oralist. Judge Lively and Judge Resnick are in the background.



Jacqueline S. Bollas (right) '85 graduate congratulates sister Bernadette Bollas.

arguments were held in Room 203 at 10:30 a.m. at the College of Law. A buffet lunch was served at the conclusion of the program.



Judge Thomas congratulates Randall Ayers

Other Competitions

The National Moot Court Competition was held in New York at the end of January. The Ohio State team of **Christie A. Hill** and **Lawrence A. Glassman** reached the third round of the competition. The team won the round on oral argument but lost on the overall scoring. "The students performed at the highest level of competence throughout the competition," stated **Professor Herman**, faculty advisor.

Five students with **Professor Quigley** journeyed to Detroit on February 14 and 15 to participate in the regional Jessup International Law Moot Court Competition. In a field of twelve schools, Ohio State finished with the fourth highest point score and team member, **Virginia Lohmann**, was designated the Best Oralist of the forty-eight contestants. Other members fielding the two teams for Ohio State were **Donald Leventhal** and **Steven LaForge**, and **Andrew McDonough** with **Ms. Lohmann**. **Jeffrey Richards** served as research assistant.

In late February, **Herman Marable, Jr.** teamed up with a student at Case Western Reserve Law School to participate in the regional rounds of the Frederick Douglas Moot Court Compe-



Virginia Lohmann

tition held in Detroit. Marable won the award for the Best Petitioner's Brief and was invited to the semifinals of the oral competition. The competition was held as part of the Black Law Student Association Convention. Marable was elected Sub-regional Director for Ohio and Michigan to the national organization.

The intermural competitions ended on a good note with the Tri-State Moot Court Competition held in Cincinnati on April 4 and 5. The team of **Smith Brittingham** and **Jay E. Jadwin** advanced to the final round of the competition, and the team of **Judith**



Herman Marable

French-Berry and **Jessica Mussman** reached the quarterfinals. **Jay Jadwin** was named the Outstanding Oralist and **Jessica Mussman** was named the runner-up Best Oralist.

Ohio State's continuing good record in moot court competitions results from the interest and commitment of the students on the Moot Court Governing Board who organize the school's activities and who, themselves, participate on teams. Valuable support also comes from the faculty and alumni who serve as advisors and judges in practice and competitive rounds.

LEARNING THROUGH PUBLIC SERVICE

The Volunteer Income Tax Assistance (VITA) Program is sponsored each year by the Student Bar Association. This year the program was chaired by **Scott Clark, Law II.**

Over fifty students qualified to participate in the VITA program. Coordination of the program offered at various community centers and at the College requires time and management skills. Some students, who were specially trained, served as supervisors.

VITA offers services to the general public. Students, many with accounting



VITA assistant helps with IRS forms.

backgrounds, assist individuals in completing their tax forms and understanding available deductions.

The program gives students valuable experience in counseling. The program also gives VITA clients needed help and much appreciated tax savings, where possible.

Professor Allan Samansky serves as advisor to the program. Each year he provides training lectures and is available to counsel with participating students.

STUDENT LEADERS 1985-86

Linda Ammons, a second-year student, is president-elect of BLSA for the 1986-87 school year. She was also Program Coordinator for the Civil Rights and Affirmative Action Conference held this spring; she wrote a major portion of the grant to get funding for the conference.



Linda Ammons

Ammons has a special interest in First Amendment rights, which runs as a common theme through her different life activities. After graduating from Oakwood College in Huntsville, Alabama, she worked in the Huntsville area as a television news reporter, anchor, and talk show host, and did public relations work for Alabama A&M University. She then came to OSU on a fellowship to do graduate work in Communications. Ammons did public relations work for a labor organization before she began law school.

This summer Ammons is working as an intern for the Reporters Committee for Freedom of the Press in Washington, D.C. She was excited to receive the internship, and feels "D.C. is the number one place to be." Ammons is also interested in international law. The summer after her first-year at OSU

she studied in Paris at the International and Comparative Law Institute, through a program sponsored by the University of San Diego.

Ammons believes that BLSA plays an important role in university life, not just for the law school, but for the University as a whole. BLSA can bring to the attention of the University areas of concern not normally addressed in the classroom.

Nelson Larkins concluded his final year at the College of Law as Editor-in-Chief of the Ohio State Journal on Dispute Resolution. Nelson was among a group of students whose interests in mediation eventually culminated in the organization of the ADR Journal and its first publication.

Through his work on the journal, Larkins had the opportunity to develop his legal writing ability and to improve his ability to communicate. His role as editor-in-chief was one of organizing and communicating — keeping a group of people with diverse interests focused on a common interest in alternative dispute resolution.

Larkins did his undergraduate work in History and Political Science at Allegheny College in Meadville, Pennsylvania. There, he was editor of the "Allegheny Review," a national undergraduate creative writing journal. In his spare time Larkins enjoys intermural sports, including volleyball, basketball, and water polo. Larkins is moving to Portland, Maine, to work for the firm of Preti, Flaherty and Beliveau. He worked for the firm as a summer intern and "cannot wait to return to Portland."

Winnifred "Freddie" Weeks, a second-year student, served as president of the Women's Law Caucus

(WLC). Weeks brings to her role experiences of life other than study. For six years she worked at CHOICES, which provides assistance for victims of domestic violence. She has also worked in colleges and universities in student personnel administration and counseling.

Weeks has an undergraduate degree in English from Coe College in Cedar Rapids, Iowa, and a master's degree in Student Personnel Administration/Counseling from Indiana University. She was born in Canada, and came to the United States because of a family tradition of attending Coe College.

Weeks sees the goals of WLC to do programming and to offer a wide range of topic areas generally not addressed in the curriculum. For example, for women's history week, WLC sponsored a presentation on comparable worth, which is a social issue with legal content.

"By its existence WLC provides a continuing reminder that while positions for women have improved, a lot could be better," says Weeks. "WLC serves as a supportive network for women in law school."



Other active students. Erica Ritter and Jeffrey Ayers help organize Moot Court programs.

HOODING CEREMONIES — CLASS OF 1986

Graduates and Their Families Share the End of a Dream — the Beginning of a Career

A warm Sunday afternoon, May 18, brought families and friends of members of the Class of 1986 to Mershon Auditorium to share the ceremonial finale to three years of law study.

Cheers! Tears! Hugs! Anticipation! All emotions were experienced as Class members were invested with the academic hood symbolizing completion of three years of rigorous study for the Juris Doctor degree.



Dr Willard L. Boyd

Dr. Willard L. Boyd, President, Field Museum of Natural History and former President and Dean of the Law School at Iowa University delivered the Hooding Address. He imparted to the graduates a thoughtful, succinct prescription for a successful life as a lawyer, officer of the court and public servant. His admonitions have meaning for the present and the future and so are shared with you, our readers, by the *Law Record*.

"Your graduation from Law School marks your entry into public service. Your completion of law studies testifies that you have competence and commitment necessary to perform that public service.

Much is said about legal education. Its purposes, however, are simple. Nearly fifty years ago my predecessor at the University of Iowa, Virgil Hancher, succinctly described the goals of Law School. Mr. Hancher had only recently left Chicago law practice to become a university president. He asserted that a law student should possess at graduation:

1. a minimum body of basic and fundamental knowledge which is commonly possessed by members of the profession;
2. skill in handling source materials and in adding to one's previously acquired body of knowledge;
3. the ability to think, analyze, and act in the presence of new or unprecedented situations; and
4. an ethical attitude toward the uses to which a member of the profession may put his or her knowledge and skill.

Your legal education has taught you how to take information apart, put it together, understand it, describe it, and then act upon it. The law is an intellectual pursuit. Your mind and your wits are the tools of the trade. You will apply them to a kaleidoscope of circumstances. No two cases are alike. Therefore, the ability to analyze, synthesize, comprehend, and explain is the surest foundation for addressing the challenging conditions you will encounter as a lawyer.

Your intellectual pursuit of the law is for the benefit of others — for the benefit of the individuals you represent and the organizations you advise. You must place others ahead of yourself. You must act ethically because a lawyer serves as a trusted counselor. The lawyer has a fiduciary duty to clients. That fiduciary duty is not complex. It simply involves the duty of loyalty and the duty of care. The duty of loyalty requires you to place the interests of your client ahead of your own. The duty of care requires you to be dependable and conscientious in handling your client's affairs. You must be both intellectually competent and ethically responsible in serving your clients.

You must also serve the broader public. Our fellow citizens, through their judiciary, license us to practice. We become officers of their court, public servants. As public servants, we have the duty to serve all citizens — whether popular or unpopular, debtor or creditor, consumer or producer. In our society, every individual is entitled to equal protection of the law, and every individual is under equal obligation to uphold the law. As lawyers we have the obligation to provide legal access for citizens.

Because ours is an adversary system of justice, lawyers are often regarded as advocates of intractable viewpoints,

professionals in the business of fixed opinions and special interests. We stand falsely accused but properly reminded that law is a profession steeped in human conflict in service to human ideals. How well you serve the diverse legal needs of a diverse society is the true measure of your success as a lawyer.

As you now graduate from Ohio State, you enter public service. In doing so, be open-minded and fair. Avoid self-righteousness. Remember there are at least two sides to every issue. Do not assume your cause is more just than others. Avoid rash conclusions. Give others the benefit of the doubt. Be honest and candid with yourself as well as with others. Do not judge others by a higher standard than you judge yourself.

Be loyal to your client. Put your client's interest ahead of your own. Be punctual and honest in serving your client. Attend to your spirit as well as your mind and body. Be concerned with the whole of your profession and the society it serves. The world is filled with others as well as you. It belongs to everyone without regard to race, sex, creed, or other differences. Be affirmative about others — even your adversaries. Others give meaning to our lives.

Utilize the time of your lives in service to others. Give more of yourselves than is expected. Be counselors as well as advocates; compassionate as well as intellectual; loved as well as respected. **CONGRATULATIONS and best wishes. SERVE WELL!"**



Professor Daniel Chow congratulates graduate.

Congratulations from Dean Beytagh

Dean Francis X. Beytagh will always share a special connection with the class of 1986, as the first graduating class in his deanship at Ohio State College of Law. He thanked the students for their support and their contributions to the College. He expressed the collective congratulations of the faculty and their well wishes for success.

Student Awards

Gifts and special endowments established for the College of Law make possible annual awards to third-year students in recognition of service and special achievements. **Associate Dean Peter Gerhart** announced the awards. He, himself, was given special recognition for his services to the College as he prepares to leave to accept the deanship at Case Western Reserve University School of Law. The awards were:

John J. Adams Memorial Award
for Leadership
Barbara F. Andelman

George R. Beneman Memorial Award
for Moot Court Performance
Mark L. Sarlson

Dean's Special Award for Leadership
David E. Weiss

Banks Baldwin Clinical Program Award
Kathryn Lynn Girardat



Kathryn Lynn Girardat receives award

Denis B. Eastman Memorial
Law Journal Award
Barbara F. Andelman

Law Journal Past Editor's Award
Kathryn Lynn Girardat
Amy A. Reidenbach

Rebecca Topper Memorial Award
for Law Journal Writing Contribution
Sue A. Syskiver

Topper Eagle Award
for Moot Court Contribution
Jeffrey A. Ayres



SBA president David Weiss speaks for graduates.

Outstanding Professor

Being called to the platform to receive the Outstanding Professor is not a new experience for **Professor Robert J. Lynn**, but the moment was as gratifying as if it had been his first award. Professor Lynn, better known to students as "Bobby Jo," received the honor in his quiet, but uniquely humorous style. He shared with students, most of whom he has "pulled through" his course in Gratuitous Transfers, a Last (at least for the moment) Will & Testament.

A special tribute was made by the graduating class to **Professor Lawrence Herman** in honor of his 25 years of teaching service at Ohio State.



Stephanie Bisca receives hood

Hooding

Professor Lynn, as the recipient of the Class of 1986 Outstanding Professor Award, had the honor to invest nearly 200 graduates receiving the J.D. hood.



Jeffrey J. Beigel receives hood

On to the Bar

With the celebration over, it was back to the books and the bar review as the final leg enroute to professional status. Good luck to all of you wherever this degree takes you in the exciting adventures that lay ahead.



ALUMNOTES

1907

Harley E. Peters celebrated his 104th birthday on February 15. He is living in Akron at the Rockynol Care Center.

1936

Arvin J. Alexander died unexpectedly in July 1984, leaving a legacy of good works for our community. Friends have chosen to set up the Arvin J. Alexander Public Affairs Fund of the Columbus Foundation in recognition of his "substantive contributions to the betterment of the Columbus community." The fund has been started with a four-year commitment of \$100,000. Other corporate and individual leadership gifts are being sought. A native of Lethbridge, Alberta, Canada, Alexander was a Senior Partner in the law firm of Alexander, Ebinger, Fisher and Lawrence.

Howard W. Neffner has retired as Vice President of Contract Negotiations and Pricing, The Boeing Company, Seattle, Washington. He will be living in Bothell, Washington.

1939

J. Gareth Hitchcock of Paulding, celebrated his 25th anniversary this past November as Paulding County Common Pleas Court Judge.

1941

John R. Eastman received this past May the University of Toledo Law Alumni Association Distinguished Lawyer Award. He is President of the Sheller-Globe corporation in Toledo.

1950

Jack R. Alton, partner with the firm of Lane, Alton & Horst in Columbus, is also Chairman of the Management Committee and Trial Department. He was President of the Columbus Bar Association from 1969-1970 and is a member of the American College of Trial Lawyers.

John G. McCune has retired as Vice President and General Counsel of Enviro Fuels in Worthington. He will live in San Antonio, Texas, but will return to Columbus four times a year to retain his position on the Board of Directors of four companies. He and his wife, married 41 years, have three children, all college graduates, and four grandchildren.

Harrison W. Smith presented "the Columbus Academy Alumni Lecture" on April 22. He has practiced thirty-five years in Columbus specializing in land use problems, including planning, zoning and development. He is also an advocate for large developers and citizens' groups. In his lecture he discussed why and how the development planning process works or does not, stressing patience and consensus.

After law school, Smith served in the Navy before entering private practice.

1951

Harold E. Wonnell, in general trial practice in Columbus, is past President and Chairman of the local Charity Newsies campaign.

1953

William E. Arthur, is a Partner of Porter, Wright, Morris and Arthur. He is a member of the Board of Trustees and past President of the Columbus Museum of Art. He is Vice Chairman of the Board of Directors and serves on the Executive Committee of the Columbus Area Chamber of Commerce, and He is Co-chairman of the Columbus Investment Interest Group, an economic development activity of the Chamber. He is a member of the Board of Directors of the Jazz Arts Group. Over the past few years, he has traveled to Japan, England, France, Spain, Greece, Egypt and Russia.

Thomas L. Corogin, Senior Partner of Kline & Corogin, in Port Clinton, Ohio, is presently operating a marina and sailing charter business on Catawba Island in Port Clinton. In the summer of 1984, he sailed across the Atlantic Ocean from York Harbor, Maine to Bantry, Ireland in a 32 foot sailboat.

Donald A. DeCessna, formerly with the firm of Leatherman, Witzler and DeCessna in Perrysburg, is now Common Pleas Court Judge of Wood County in Bowling Green.

William "Hud" Hillyer is Senior Partner of the firm Connolly, Hillyer and Welch in Uhrichsville. He was on the Board of Bar Examiners from 1972-77, Chairman from 1976-77. Since 1978, he has been Judge of the Tuscarawas County Court.

Chester Hummell is enjoying semi-retirement. He has had a private practice in Columbus since 1960. In May 1983, he moved to a suburban location and took in a younger associate. He and his wife, Emily, have two sons.

James C. Justice reports his family has "horsed around a lot" in recent years. His two sons, ages fourteen and sixteen, show American Saddlebreds. At the Ohio State Fair last year, they placed high in the three and five-gaited Championships. His older son later showed at the World Championships in Freedom Hall, Louisville, Kentucky. Both sons were State Championship Award Winners.

Duane Kelleher, United States Bankruptcy Court Judge in Columbus for 26 years, will retire July 1 at the age of 58. Although the caseload has climbed to nearly 2,000 a year, pressure is not behind his decision to retire. The Columbus District's 1985 caseload was surpassed only by Chicago and three California courts. He considered applying for a new



George C. McConnaughey '51 talks with student at firm reception

term until the recent change from six year to fourteen year terms on the bench. He said he could not imagine applying for a term ending in the year 2000, much less imagine the year 2000 itself. He may return to private law practice, but in a field other than bankruptcy law.

FALL CLASS REUNIONS

Saturday, September 20

Class of 1936

Place: the University Club

Contact: Robert Gosline and Maurice Young

Class of 1946

Place: The University Parke Hotel

Contact: Addison Dewey

Saturday, September 27

Class of 1926

Place: The University Parke Hotel

Class of 1941

Place: The University Parke Hotel

Class of 1966

Place: The Great Southern Hotel

Contact: Charles Hire and Robert Briggs

Class of 1976

Place: The University Parke Hotel

Contact: Douglas Sheffield

Saturday, October 4

Class of 1961

Place: The Capital Club

Contact: Edward Whipps

Class of 1981

Place: Lindsey's Cafe

Contact: Renee Kauffman

Saturday, October 25

Class of 1951

Place: The Worthington Inn

Contact: James DeLeone

Class of 1956

Place: The Great Southern Hotel

Contact: Walter Wolske

Class of 1971

Place: The University Parke Hotel

Contact: Randall Snow

If you have not received information concerning your reunion please contact the Office of Alumni Relations at the College.

Scott M. Knisley is Senior Partner of the firm Knisley, Carpenter, Wilhelm and Nein in Columbus. He and his wife, Marjorie, have a special "four-of-a-kind" with a "full house" of pride. His son Dave, a jet pilot in the United States Marine Corps, has completed his first year as a student at Ohio Northern Law School. His son, Dan, also a jet pilot in the United States Marine Corps is a graduate of Ohio Northern, and his son, Dean, recently joined Scott and his fourth son, Doug, as attorneys in the firm. Scott and his wife also have four grandchildren!

Thomas D. McDonald, wanting a new challenge, has resigned from McDonald, Hopkins & Hardy Co., LPA, to join a client, Dickey-Grabler Company in Cleveland, as "in house general counsel."

Samuel H. Porter has become a Fellow of the American College of Trial Lawyers. He is Senior Partner of Porter, Wright, Morris and Arthur in Columbus.

Myron Teitelbaum is a family practitioner, M.D., in Torrence, California.

1955

William J. Ahern, Columbus, is the owner of William Ahern and Associates which handles medical malpractice and tort law cases. He has said he likes the involvement with people and enjoys working in the courtroom.

Robert L. Hill is Pro Bono Committee Chairman and Counsel for Aetna Life and Casualty in Hartford, Connecticut. Last July, he was honored by the American Bar Association with the Second Annual Pro Bono Publico Award for his outstanding contribution to pro bono legal services. The award was presented at the annual convention in Washington, D.C. The award was created in 1984 to recognize individual lawyers for noteworthy contributions to the delivery of legal services to persons whose legal needs would not otherwise be met. Hill organized his company's pro bono program for elderly persons and it has been a model for other corporate programs in the country.

Richard C. Pickett has retired as Executive Vice President for John W. Galbreath and Company in Columbus and is now pursuing real estate development and related activities.

Sam R. Stevens, a realty loan specialist for the Veterans Administration in Cleveland, also has an interest not known to many. He has been a race-horse trainer for eight years and a race track official for over six years.

1956

Gordon A. Ginsburg, promoted to Brigadier General in the United States Air Force, is presently stationed at Air Force Systems Command

Headquarters, Andrews Air Force Base, Washington, D.C.

Fred E. Sams, a partner in the firm of Schneider, Prohaska & Sams in Columbus, handles the legal concerns of small banks and savings and loans and does work with titles, mortgage lending and real estate matters.

1958

Eugene L. Matan is a partner in the firm of Matan & Smith, specializing in litigation and trial work. As a break from the courtroom, Matan participates in Vaudevillities, a local variety show held at Veteran's Memorial Auditorium each year.

Mel Schottenstein, a real estate developer as well as a Partner of Schottenstein, Zox and Dunn, Columbus, ended his two-year term as Chairman of the Columbus Area Chamber of Commerce January 31. He was involved in more than 30 Chamber projects. They included promotion of the Columbus New World Center, starting the I-670 interstate connector to Port Columbus Airport, closing the old Ohio Penitentiary and getting the Flying Tiger Air Line to stay at the new Rickenbacker Air Industrial Park. The creation of nearly 19,000 new jobs in Central Ohio and a Chamber increase of about 1,000 new members are just two of the many positive indicators showing the accomplishments made by the Chamber during his presidency.

1959

Charles E. Brant is with the firm of Isaac, Brant, Ledman & Becker, Columbus. Brant is active in the Boy Scouts of America. He states that being in the Boy Scouts as a boy was perhaps the strongest influence of his life. He is in charge of Boy Scout Troup 261 of Upper Arlington.

1960

Bradley Hummel, a Partner in the firm of Gingham and Christensen, Columbus, is involved in defense work for Grant Hospital in medical malpractice cases. He also enjoys distance running and manages to run at least three times a week.

1961

James R. Barton has been named Vice President-Mortgage and Real Estate Investments for Western-Southern Life Insurance Company in Cincinnati. He will also continue as Vice President and Investment Officer for the Columbus Mutual Life Insurance Company.

1962

James L. Graham of the firm of Graham, Dutro & Nemeth, Columbus, has a strong interest in the American Civil War. He has authentic artifacts

from this period, one of which is a commission paper with the signature of Abraham Lincoln.

James J. Kozelek is in private practice in Columbus. In his spare time, he enjoys golf and also is a writer having had several works published including a Christmas story which the CBA published in the *Bar Briefs*.

1964

William C. Moul is a Partner with the firm of Thompson, Hine & Flory in Columbus. He has a labor management utilities law practice.

Jeremiah J. Spires, formerly Editorial Director with Matthew Bender Associates in New York City, is now associated with the firm of Brown, Connolly and Karosen in Bloomfield, New Jersey.

Warren L. Udinsky, Partner in the firm of Benesch, Friedlander, Coplan & Aronoff, has been elected chairman of the Cleveland State University Board of Trustees for the coming year. He has been a member of the CSU board since May 2, 1978 and has served as Vice-Chairman of the board's Committee on Visiting Committees and Chair of the Finance and Administration and Building and Grounds Committees.



Warren L. Udinsky

1965

John F. Casey was recently admitted to partnership with Thompson, Hine and Flory in Columbus.

1966

John H. Bain is now Vice President of Homewood Corporation in Columbus. He was formerly in San Juan, Puerto Rico for this company.

Alan L. Briggs is a Partner in the firm of Murphey, Young and Smith, Columbus. He conducts an active trial practice, involving medical malpractice and securities, construction and unfair competition litigation.

1967

C. William Purcell, formerly the Corporate Counsel for The Lubrizol Corporation in Wickliffe, has become an associate with the firm of Schottenstein, Zox & Dunn in Columbus.

Daniel J. Swillinger has formed the partnership of Topping and Swillinger for the practice of law in Washington, D.C. Formerly assistant general counsel of the Federal Election Commission, he will continue his practice in federal and state election law and related communications law matters, including litigation and legislative representation.

1968

Curtis F. Gantz, former first assistant for the Columbus City Attorney's Office, has become an Associate with Schottenstein, Zox and Dunn in Columbus.

John W. Hoppers, a Partner in the firm of Strip, Fargo, Schulman & Hopper in Columbus, lectures at the OSU Dental School for a course on tax, insurance and general business law. He also teaches a paralegal federal tax course at Capital University, and in his spare time enjoys traveling to such places as England and Scotland.

J. Stephen Van Heyde, formerly of Alexander, Ebinger, Fisher, McAlister and Lawrence, is now with the Baker & Hostetler firm in Columbus.

1969

William M. Isaac, formerly chairman of the Federal Deposit Insurance Corporation in Washington, D.C., is now with the firm of Arnold and Porter in Washington, D.C.

J. Jeffrey McNealey has been named to the Board of Directors of TRC Incorporated. He is a Partner with the firm Porter, Wright, Morris and Arthur, Columbus.

1970

Robin E. Phelan, a Partner with Haynes and Boone, a law firm with offices in Dallas and Fort Worth, Texas, has been re-elected Vice President and a Director of the American Bankruptcy Institute. Phelan is an author and frequent lecturer on the subject of bankruptcy reorganizations and recently spoke at the Sixth Annual Bankruptcy Litigation Institute in Key Biscayne, Florida on litigating with the Internal Revenue Service in bankruptcy cases.

Peter Precario, a private practitioner in Columbus, serves as the President of the Ohio Environmental Council and several public environmental advisory groups to the Ohio EPA. He is also a long distance bicyclist and has

participated in many distance events, including a 750 mile timed round trip event from Paris to Brest, France.

1971

Gary D. Greenwald is with the firm of Schottenstein, Zox & Dunn, Columbus. He has taught at OSU College of Law as an adjunct professor and enjoys litigation. He feels he is a frustrated actor and at one point envisioned a career in the theater but decide to pursue law instead.

1972

Roger J. McClure, a private practitioner in Washington, D.C., recently had his report on tax shelters published by the American Bar Association's newly created *Practical Real Estate Lawyer Magazine*. The article explains the variety of real estate transactions that must now be registered as tax shelters on IRS Form 8264 to avoid being heavily penalized. He has served as an elected member of the Steering Committee, Division 15, Real Estate and Housing for the District of Columbia Bar and is a member of the Real Estate Investment Committee, Probate, Real Estate, and Taxation Section of the ABA.

Dennis M. Perlberg has formed the new firm partnership of Speyer, Thurm, Perlberg and Heller in New York City.

Ronald Rowland is with the firm of Vorys, Sater, Seymour & Pease, Columbus. HE works in the firm's tax department and is Chairman of the tax committee for the Ohio Oil and Gas Association.

John Zeiger, a Partner of Jones, Day, Reavis & Pogue in Columbus, enjoys working as trial counsel for the Columbus Dispatch. He has been involved in various First Amendment and defamation cases.

1973

Robert L. Miller, formerly associated with Massachusetts Financial Services,



Robert I. Miller

has joined Putnam Financial Services, Inc. in Boston as Vice President-Corporate Services. It will be his responsibility to communicate with Putnam's investment dealers and with its sales and service personnel on legal aspects of retirement plans. He is a member of the Massachusetts and American Bar Associations and the International Association of Financial Planners.

1974

David S. Hay, formerly with Alexander, Ebinger, Fisher, McAlister and Lawrence, is now with the Chemical Mortgage Company in Columbus.

Suzanne Richards, a Partner in the firm of Vorys, Sater, Seymour & Pease, Columbus, is primarily involved with civil rights, discrimination and commercial litigation.

1974

Lois G. Williams, as Director of Litigation, the National Treasury Employees Union (NTEU), recently appeared as appellee before the Supreme Court to argue the unconstitutionality of the Gramm-Rudman Act in the case of record



Lois G. Williams

Bowsher, Comptroller General of the United States v. Mike Synar, Member of Congress, et. al. Williams was given 18 minutes of the one hour allocated to appellees of record, which included the Solicitor General, congressional plaintiffs and NTEU.

Williams in assessing the experience reports, "It was exciting, I have to say. I was the last of the six parties to argue and our hour was divided: Solicitor General, 24 minutes; congressional plaintiffs, 18 minutes and NTEU, 18 minutes. By the time it was my turn, I was afraid they (the Court) would either be so bored they couldn't listen to me, or be angry that no one had answered the hardest questions and so would dump them all on me. Neither

seemed to happen. It went quite well. At one point, I even saw a little light bulb go on. ...Somewhere along the line I became convinced that the Act was not just ill-advised and ill conceived, but surely unconstitutional as well."

From the Moot Court room to the Supreme Court is a big step, but Williams has taken big steps since leaving OSU. She began her career as clerk to Judge David Dyer, United States Court of Appeals, Fifth Circuit. From her clerkship, she moved to the Department of Labor. She was promoted to the position of Associate Solicitor for special appellate and Supreme Court litigation, which built upon her interest and experience in appellate advocacy.

In 1982, she accepted her current position with NTEU, a union known for aggressive litigations. She directs all appeals from the administrative proceedings before the Federal Labor Relations Authority and the Merit System Protection Board to the Circuit Court. She also coordinates, as a general counsel, the 35-lawyer staff involved with cases filed in district courts around the country on behalf of union members and NTEU. She sits on the Management Group of the Union representing 60,000 members of a 120,000 bargaining unit.

"Gramm Rudman had direct and immediate injury to our 8,000 retired members who lost cost-of-living increases to their pensions," stated Williams. Fighting the Act gave our federal employees a long-awaited opportunity to confront the negative attitudes toward federal employees "who have conveniently become the whipping people for the government's deficit problems," laments Williams. "Winning this case will not solve the deficit problem, but then neither would the Gramm Rudman Act," she concludes.

The Supreme Court in a 7-2 decision struck down the act as unconstitutional on July 7.

1975

Steven E. Buck, a Partner of Jones, Funk & Payne, in Zanesville, is also part-time referee for Muskingum County Juvenile Court in Zanesville. He is active in the Boy Scouts of America and a speaker at his United Methodist Church. He and his wife, Cynthia, have been foster parents for twelve children in the last six years.

Ray A. Farris, Hiring Partner of Fuller & Henry, in Toledo, was recently elected Vice President of the Board of Trustees of Toledo Crittenton

Services. He is a lecturer for the Kiroff Trial Advocacy Seminars and a member of the Toledo Association of Civil Trial Attorneys. He was included in the 1985 *Who's Who in American Law*. He and his wife Carol, a 1972 OSU graduate, have two children.

Robert G. Joseph, formerly associated with Howrey & Simon in Washington, D.C., is now President of Law Resources, Inc., a consulting firm specializing in providing professional staff and litigation management for Washington, D.C. law firms. He and his wife, Diane, have two children, Daniel and Edward.

1975

Robert H. Katz was recently appointed Secretary and Counsel at JCPenney Casualty Insurance Company in Westerville. His responsibility is to oversee the company's legal department and government and customer relations. He worked for JCPenney in retail from 1966 to 1971. Following law school, he went to the Ohio Department of Insurance and was appointed Director of Insurance in 1982. In 1983, he started with JCPenney insurance. He was awarded the designation of "Fellow, Life Management Institute" in 1983. He and his wife, Rebecca, reside in Columbus.



Robert H. Katz

Stewart E. Roberts, Referee for Franklin County Court of Common Pleas, recently was elected to the Board of Trustees of the Columbus Area Leadership Program. He graduated from the program in 1984.

Michael N. Schaeffer is a Partner of Kemp, Schaeffer, & Rowe in Columbus. The firm recently moved into a former tenement house after turning the building into a beautiful office space. Mr. Schaeffer also enjoys restoring old cars, including his personally restored 1960 Corvette.

Robert S. Schwartz, formerly with the Legal Department of Marsh and McLennon in New York City, is now an Associate with the firm of

Schwartz, Kelm, Warren & Rubenstein in Columbus.

1976

Paul R. Hitchcock, formerly Assistant General Solicitor with the Chesie System Railroads in Cleveland, is now with CSX Transportation, Legal Department, in Baltimore, Maryland.

Thomas L. Long, formerly with the firm Alexander, Ebinger, Fisher, McAlister and Lawrence, is now with the firm of Baker & Hostetler, Columbus.

John W. Rudduck has been elected Municipal Court Judge of Wilmington, Ohio.

William M. Todd has been elected to the Board of Trustees of Callvac Services. He is a Partner with the firm Porter, Wright, Morris & Arthur in Columbus.

Linda Fletcher West, formerly with the Ohio Industrial Commission, is now an Associate with the San Jose, California law firm of Williams, Kelly, Polverari & Skelton. She became a member of the California Bar in 1984.

Douglas S. Roberts, Member of Isaac, Brandt, Ledman & Becker, Columbus, was the major presenter at a "RICO" Conference Seminar sponsored by Capital University Law Center on May 9.

1977

Cheryl B. Bryson is an Associate with the newly merged firm of Katten, Muchin, Zavis, Pearl, Greenberger & Galler in Chicago, Illinois.

Erin F. Moriarty, Cleveland Heights, is Consumer and Legal News Reporter for CBS News.

Judith Moss, a Partner in the firm of Barrett & Moss, has a general practice with emphasis on domestic, probate and real estate law. She has been appointed to various committees by both the administrations of President Carter and President Reagan, having most recently served on the National Advisory Council on Women's Educational Programs and served as Chair of its Civil Rights Committee.

Carol A. Zelizer-Stoff, has moved from the Cleveland office to the Columbus office of Squire, Sanders & Dempsey.

1978

Edward K. and Jane Cheffy have moved to sunny Naples, Florida. Edward is with the firm of Frost and Jacobs, with its main offices in Cincinnati.

John W. Cook, III, a Partner in the firm of Bricker & Eckler, Columbus, spoke on negotiation and drafting the acquisition agreement at seminars held in Columbus, Cleveland and

Cincinnati this summer. Mr. Cook is one of the authors of "Buying and Selling Closely Held Businesses in Ohio."

Jeffrey D. Quayle has been named General Counsel for the Ohio Bankers Association. In addition to his new responsibilities, he will continue to serve as Executive Director of the OBA Trust Division in Columbus.

1979

Richard A. Barnhart has become a member of the firm Schottenstein, Zox & Dunn, Columbus.

David L. Feldwisch has been transferred from the Marathon Oil Company in Findlay to the Houston, Texas office.

Marcia S. Hoyt has established a private practice in Columbus. She was formerly associated with Roadway Services Inc. in Akron.

Jennings W. Hurt, Jr. has become associated with the firm of Luper, Wolinetz, Sheriff & Neidenthal in Dayton.

Evelyn Stratton, formerly of Hamilton, Kramer, Myers and Cheek, is now associated with Hoppell, Wesp & Osterkamp in Columbus.

Elisabeth A. Squeglia, a Partner of Bricker & Eckler, works as a lobbyist for a number of firms and organizations and also does medical malpractice work. When not busy at the firm or statehouse, she enjoys her hobby of artwork.

David M. Whittaker has been named a Principal shareholder in the law firm of Luper, Wolinetz, Sheriff & Neidenthal, Columbus. Whittaker, who joined the firm in 1979, will be responsible for areas of legal practice to include bankruptcy, real estate and civil litigation.

1980

Thomas P. Dickerson, formerly the Legislative Assistant for United States Congressman Chalmers P. Wylie from 1982-84, is now Advisor for the United States Environmental Protection Agency in Washington, D.C.

Carolyn S. Melvin, Associate Counsel for BancOhio National Bank, was elected President of Women Lawyers of Franklin County for the 1985-86 year. As bank counsel she enjoys working with the legal aspects of new product development, consumer credit problems and with legislative actions affecting the banking environment. Her work has taken her a long step from her earlier career as a high school teacher of English and French.

Norman J. Nadorff, formerly with the Auditing Division of Dupont in

Wilmington, Delaware, is now with the Legal Division of Conoco Inc., a subsidiary of Dupont, in Houston, Texas.

Vera C. Neinast, formerly associated with the Federal Energy Regulatory Commission in Washington, D.C., is now an Associate for Hall, Estill, Hardwick, Gable, Collingsworth and Nelson in Washington, D.C.

Gordon E. "Chip" Schaechterle has become Tax Manager for the Arthur Andersen Company in Cleveland.

Jack L. Stewart, former Staff Attorney for the Franklin County Public Defender's Office, is now an Associate of the Frank A. Ray Company in Columbus.

Douglas L. Williams, II, formerly on the faculty at the College of Law and now with the firm of Schwartz, Kelm, Warren & Rubenstein, was a guest lecturer in April to discuss with students in Professor Modjeska's Advanced Labor Law class various aspects of wrongful discharge litigation.

Myron D. Wolf, III, formerly with Arthur Anderson & Company, is now Vice President of G.B. Stewart Interest, Inc. in Cincinnati.

1981

Michael R. French, age 30, an Associate with Baker & Hostetler, Cleveland, died May 16 at St. Vincent Charity Hospital, after a two-year battle with cancer. The faculty join with classmates in expressing regret for his untimely death.

James R. Gallagher has become a Partner with Hamilton, Kramer, Myers & Cheek in Columbus.

David S. Jump has become associated with the Jones & Sheridan Company, L.P.A. in Columbus. With his substantial municipal court experience, he will handle civil litigation and consumer matters in addition to criminal and traffic cases. He is also admitted to practice in Arizona.

Ellen Kirschenbaum, formerly with the Legal Department of the Chicago, Milwaukee, St. Paul and Pacific Railroad Companies, has become an Associate with the firm of Schulman, Silverman & Kreiter, in Chicago, Illinois.

Sharon Gwinn Mullens is currently with the West Virginia Attorney General's Office in the Civil Rights Division.

Ann Coats Munro has become a Member of the firm of Reese, McNenny, Pyle and Drake in Newark.

Margaret A. Reis has relocated her general law practice in Cincinnati.

Charles E. Strain is in private practice in Cincinnati

1982

Ralph A. Bauer, a Captain in the U.S. Air Force, was promoted to Area Defense Counsel last August. He is responsible for defense counsel of all Air Force personnel in Wiesbaden, West Germany and Berlin.

Carolyn N. Bell is currently the Deputy District Attorney with the Los Angeles County District Attorney's Office in Los Angeles, California.

Pamela J. Bertram has become associated with the firm of Luper, Wolinetz, Sheriff & Neidenthal, Columbus.

Robert S. Corker last February joined the firm of Taft, Stettinius & Hollister in Cincinnati. His specialty is representing employers in Worker's Compensation litigation in Columbus.

Dennis G. Day has announced the formation of Day and Van De Mark, a partnership for the general practice of law in Columbus.

Michael G. Florez, formerly with Frost & Jacobs, announces the opening of his law office in Cincinnati.

Fred M. Greenwood, III, formerly associated with the Marathon Oil Company in Houston, Texas, is now Tax Attorney for the Ashland Oil Company in Ashland, Kentucky.

Janet Kottman-Gregory has been named a Labor Relations Specialist for the Ohio School Boards Association, Columbus. She will represent OSBA-member boards of education during labor negotiations with bargaining units throughout Ohio. Previously, she was in-house counsel with lobbying, labor relations and training responsibilities for the Ohio Department of Rehabilitation and Correction.

Cassandra L. Hicks is with the Department of Highway Safety, Bureau of Motor Vehicles in Columbus.

Bennett A. Manning, formerly Clerk for the Ohio Court of Appeals, 12th District, in Middletown, is now Staff Counsel, Ohio Judicial Conference in Columbus.

Denise M. Dembinski-Mirman was recently elected Secretary of the Family Law Section of the Association of Trial Lawyers of America. She is also Secretary of the Columbus Bar Association's Family committee. She is associated with the firm of Alexander, Ebinger, Fisher, McAlister and Lawrence, Columbus.

Theodora M. Dory-Rand, after working for two years as a staff attorney at the ACLU of Illinois, has

joined the law firm of Mandel, Lipton & Stevenson, Ltd., in Chicago, Illinois. **Jill A. Smith** is a Partner in the firm of Hopple, Wesp & Osterkamp, specializing in Chapter 11 and general corporate law. For 1986, she is Chair of the Young Lawyer's Committee of the Columbus Bar Association. She is married to Robert W. Smith, '75. The Smiths enjoy involvement with the foreign student exchange program.

Julie Van De Mark has announced the formation of Day and Van De Mark, a partnership for the general practice of law in Columbus.

1983

Nicholas J. Hennessy is now associated with the firm of Annis, Mitchell, Cockey, Edwards & Roehn in Tampa, Florida.

William M. Phillips, formerly with Kadish & Krantz in Cleveland, is now associated with Greenberg, Glusker, Fields, Claman & Machinger in Los Angeles, California.

1984

Walker Allen has started work in New York City for the Sperry Corporation, an information systems group.

Ronald S. Bates is in private practice in Fairborn, Ohio.

Susan L. Kirchner has joined Baughman & Associates in Cleveland.

Bruce C. Lazear has become associated with the firm of Luper, Wolinetz, Sheriff & Neidenthal, Dayton office.

Craig T. McClung has become associated with the firm of Murphey, Young and Smith in Columbus.

Carolyn N. Bell-Phillips, Deputy District Attorney for Los Angeles County in Santa Monica, California, was married in October to Thomas D. Phillips, a patent trademark attorney. They spent their honeymoon in Paris, France.

Sophia Davis received the first place prize in the College of Law entries for the Nathan Burkan Memorial Competition for her essay entitled "State Moral Rights Laws and the Single Federal System of Copyright." Her essay has been published in 4 *Cardozo Arts & Entertainment Law Journal*, 233 (July 1985).

She is currently an Associate with the New York firm of Cohen, Weiss & Simon.

Richard W. Holz has become associated with the Schottenstein, Zox and Dunn firm in Columbus.

Stuart M. Horwitz received the second place prize in the College of Law entries for the Nathan Burkan Memorial Competition for his essay entitled "Proposed Changes in the

Regulations Governing Deposits of Computer Programs with the Copyright Office." his essay was published in 26 *Jurimetrics* 305 (1986), a law journal co-published by the American Bar Association and the Center for the Study of Law, Science and Technology. His picture receiving the award check from Dean Beytagh was run on page 31 in the last issue of the *Law Record*.

Wm. Douglas Lowe has become associated with the firm of Murphey, Young and Smith in Columbus.

Connie E. Nicholas is currently an Associate in the Columbus office of Squire, Sander & Dempsey. She recently worked for the Investor Responsibility Research Center in Washington D.C.

1985

David W. Raybuck has become associated with the firm of Carlile, Patchen, Murphy & Allison in Columbus.

Deborah A. Sabella of Canton, Ohio was selected to receive the 1985 Bureau of National Affairs Law Student Award. This award is made annually by the Bureau of National Affairs, Inc. of Washington, D.C., to the member of The Ohio State University College of Law graduating class who has made significant scholastic progress during the final year of legal study.

Susan R. Squire has become a member of Roetzel and Andress in Akron.

Rebecca J. Tredway has joined the firm of Johnson, Cross, Densborn and Wright in Indianapolis, Indiana.

Elizabeth Ayres Whiteside is an Associate with Squire, Sanders & Dempsey in Columbus.

In Memoriam

The College of Law regrets to report the following deaths among its alumni: **John W.**

Bricker, '20; **Wesley H. Brackney**, '22; **Raymond J. Parillo**, '23; **Duane Rightmire**, '25; **William E. McKinley**, '26; **Agnes Dickinson**, '27; **Joseph C. Allen**, '28; **W. Kenneth Howell**, '29; **Eberhardt G. Belhorn**, '31; **Edwin M. Tuttle**, '31; **Manning D. Webster**, '32; **Martin J. Polster**, '35; **Paul W. Barrett**, '37; **C. Vernon Lee**, '39; **John B. Nordholt, Jr.**, '39; **A. Morrison Sebastian**, '39; **R. Wayne Martin**, '40; **Robert L. Ratchford**, '40; **Don Williamson**, '41; **Don L. Myers**, '49; **Jay M. Terbush, Jr.**, '51; **C. William Malone**, '52; **Carl E. Huffman**, '53; **Carl Hirsch**, '54; **Harold L. Rickert, Jr.**, '54; **Gerald A. Donahue**, '56; **Robert W. Slezak**, '75, and **Michael R. French**, '81.

Alumni Prominent in Leadership of CBA

The College of Law has been well represented among presidents of the Columbus Bar Association. Of the immediate past ten presidents, nine have been graduates of the College of Law. On June 11, **Benjamin L. Zox** '62 was installed as the president for 1986-87. He takes over that leadership role from **James A. Readey** '70 who served for the 1985-86 term.

Alumni members of the present Board of Governors of the CBA are **William E. Boyland** '65, **Nick V. Cavalieri** '73, **Hon. Dale A. Crawford** '68, **Robert M. Duncan** '52, **Richard L. Loveland** '57, **Richard V. Patchen** '59, **Nancy L. Sponseller** '77, **Evelyn J. Stratton** '78, and **Charles C. Warner** '70.

Class of 1985

Members of the Class of 1985 held a first mini reunion on April 30 at the Short North Tavern. "Partyers of the first part" (organizers) invited "partyers of the second part" to share their professional entry into the "wondrous struggle for truth, justice and senior partnership."



Edward J. Turanchek and Fordham E. Huffman.



Beverly Farlow Carr and Carol Fey at '85 gathering.

1986 ALUMNI RETURN

Share Bold, New Visions for the Future
1891 — 1991
Countdown to Centennial

SEPTEMBER 26, 1986

- Alumni Return Luncheon
- Return Activities
- National Council Meeting
- Centennial Campaign Kickoff

SEPTEMBER 27, 1986

- Council of Class Representatives Meeting
- College Openhouse
- Pre-Game Box Lunch
- OSU v. Utah Football Game
- Class Reunions: 1926, 1941, 1966, 1976

Save The Dates!!



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