



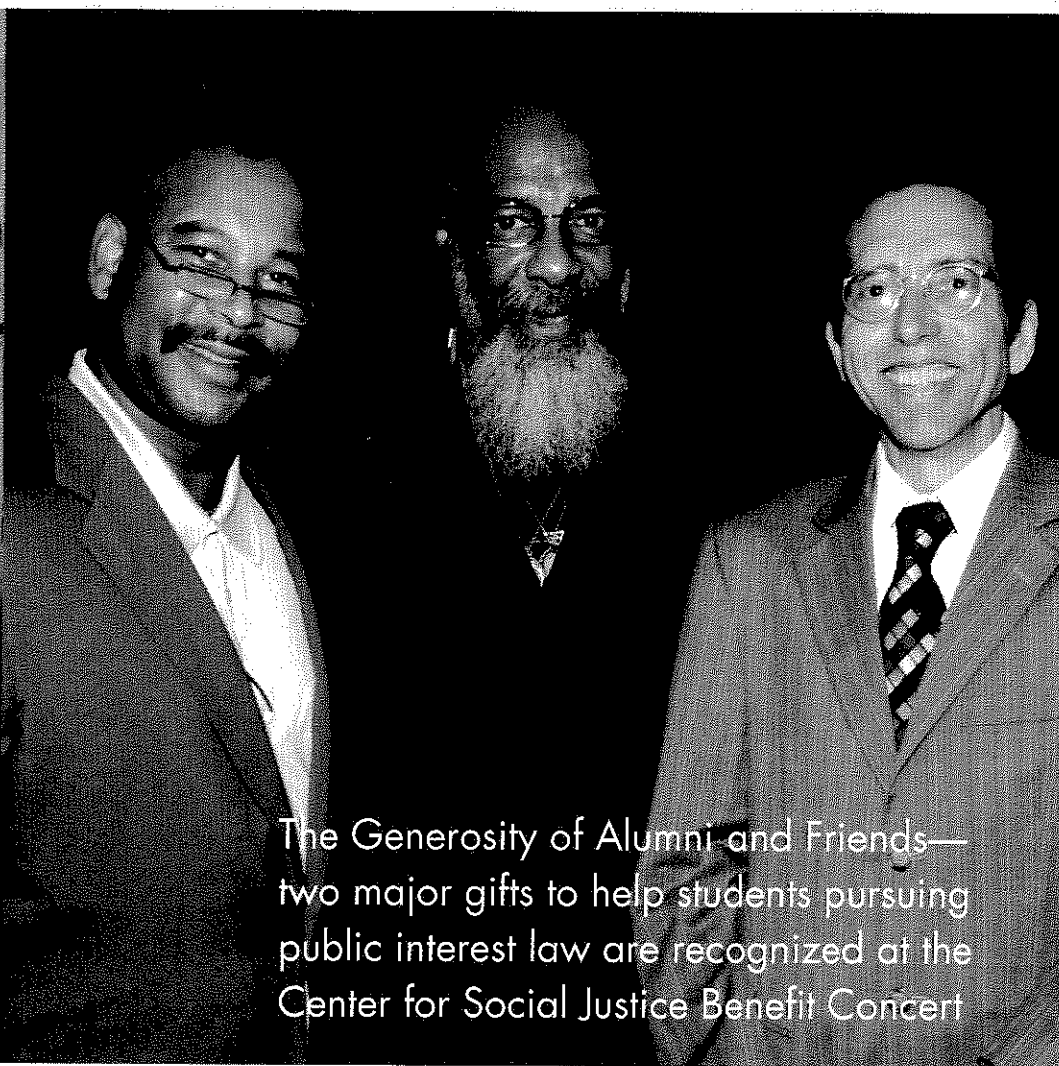
CASE WESTERN RESERVE
UNIVERSITY

SCHOOL OF LAW

SUMMER | FALL 2008

In Brief

THE MAGAZINE OF CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW



The Debate Surrounding
Electronic Health Records—
are they the answer to
improving the U.S.
health care system?

The Generosity of Alumni and Friends—
two major gifts to help students pursuing
public interest law are recognized at the
Center for Social Justice Benefit Concert

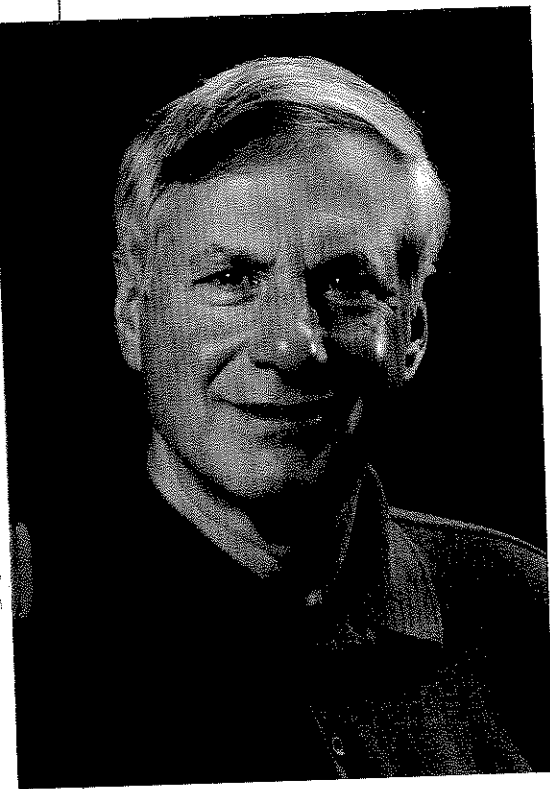
A Trio for Change—three
professors work to change
environmental law legislation

To Teach or Not to Teach—Dean
Gary J. Simson examines the
benefits of continuing to teach
after becoming dean

Words to Live by for the
Graduating Class of 2008

Faculty Profile

Professor Melvyn Durchslag retires from teaching but will remain close to the School of Law



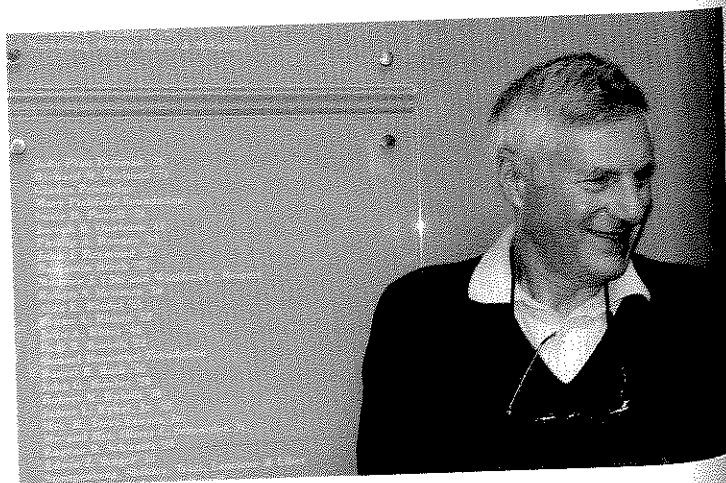
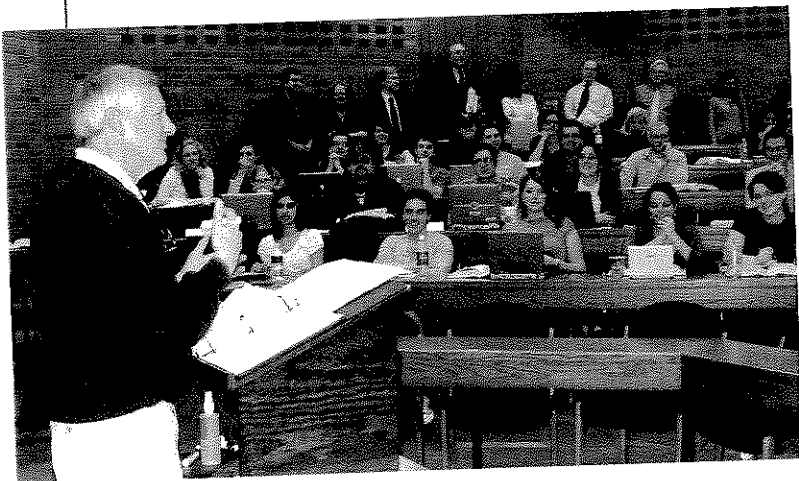
At the end of the 2007 - 2008 academic year, Melvyn Durchslag retired from teaching to sail and spend more time with his grandchildren.

Melvyn came to the law school from the Cleveland Legal Aid Society where he was the Director of Law Reform. He started at the law school in 1970 as Director of the law school's new legal clinic. He moved out of the clinic and spent most of his career teaching Constitutional Law and State and Local Government. He was a favorite classroom teacher, receiving the Alumni Outstanding Teacher Award in 1992. Each year, students competed to see who could mimic Melvyn's classroom style the best. He made many contributions to the law school community, including the two stints as Associate Dean for Academic Affairs.

Throughout his tenure at the law school, Melvyn was an active scholar. He wrote articles on community development, welfare litigation, and many constitutional law topics. In 2002, he published a well-received book, *State Sovereign Immunity: A reference Guide to the United States Constitution*. In retirement, Melvyn will swap his scholarly article writing for appellate briefs. He plans to spend his time writing those briefs for the Ohio ACLU.

It was hard to say goodbye to Melvyn, one of my closest friends on the faculty. Although we saw eye to eye on most political issues over the years, Melvyn and I had the knack of being on opposite sides of most issues affecting the law school. In later years, when we would find ourselves in agreement on some issue coming before the faculty, we would both pause and wonder if one or both of us needed to reassess his position. Melvyn, however, is not going to sail into the sunset so goodbyes were short lived. He will maintain an office here at the law school. With his buddy Wendy Wagner rejoining the faculty, Melvyn will be around the building often enough for us to continue to disagree.

Written by Lewis R. Katz
John C. Hutchins Professor; Director of the Master of Laws in U.S.
and Global Legal Studies program



Alumni in the News

Many School of Law alums are leaving their mark in the world. This Alumni News section will highlight media stories featuring the work of our graduates. If we missed an article that you were mentioned in, please submit the article to inbrief@case.edu for inclusion in the next issue.

Alumnus Whittlesey receives award from Scribes: The American Society of Legal Writers

School of Law alumnus John Whittlesey placed second in the brief-writing award program of Scribes: The American Society of Legal Writers. This annual national award is given to the top student-written articles published in a law review or journal. Whittlesey recently graduated magna cum laude and Order of the Coif in May 2008. During his time at the School of Law he was a contributing editor of the law review where he published a Note and a Comment. He will be clerking for Judge Peter Economus of the United States District Court for the Northern District of Illinois.

Alumna named one of the top 30 female real estate executives

School of Law alumna Joan U. Allgood is listed as "Thirty Women to Note" by the National Association of Real Estate Investment Trusts. She was listed in the Real Estate Portfolio magazine as one of the "rising professionals who are pushing the boundaries of industry leadership for their gender. These women voice optimism for the future and predict that there will be more opportunities for women in the real estate industry." To read the complete article visit <http://www.nareit.com/portfoliomag/08julaug/feat3.shtml>

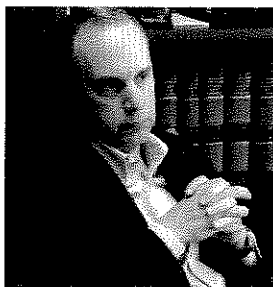
Alumnus named one of the greatest Washington lawyers

Case Western Reserve University School of Law alumnus R. Kenneth Mundy '57 was named one of the 90 greatest Washington lawyers in the last 30 years by the *Legal Times*.

Mundy was listed as one of 30 lawyers who were pioneers in the field. This honor was held for deceased advocates who left a lasting impression on the legal community in Washington. He was described by the *Legal Times* as "one of the greatest trial lawyers of his generation—or, for that matter, any other."

"They are no longer with us, but these 30 lawyers made an indelible impact on the practice of law in Washington, D.C. Their legacy: One of the world's most vibrant legal communities" states the *Legal Times* in regards to the Pioneer award winners.

Alumnus recognized for exemplary pro bono service



School of Law alumnus David A. Kutik was recognized at the state and national levels for his pro bono service. In May 2008, he

received the inaugural John C. and Ginny Elam Pro Bono Award at the Ohio State Bar Association's Annual Convention. In August 2008, he was one of five attorneys across the country to receive the Pro Bono Publico Award at the American Bar Association's Annual Meeting.

"David Kutik's dedication and leadership have been essential to the revitalization of commitment to pro bono efforts...not only in Cleveland's legal community, but throughout the state. Our Volunteer Lawyers Program has grown exponentially because of David's involvement," states Ann Porath, Managing Attorney-Intake/Volunteer Lawyers Program with Legal Aid Society of Cleveland.

Kutik is a partner in the Cleveland office of Jones Day and is vice president of the Legal Aid Society of Cleveland. He served as president of the Cleveland Bar Association from 2004-2005. During his time as president he founded the public service program "Our Commitment to Our Community," which encouraged lawyers to donate volunteer hours to public interest and pro bono work. More than 70,000 hours were donated as a result of this program. Kutik has worked tirelessly to increase the pro bono efforts of all lawyers throughout the Cleveland area.

To read more about the work of David A. Kutik, visit [http://www.jonesday.com/news/news_detail.aspx?newsID=\\$1385](http://www.jonesday.com/news/news_detail.aspx?newsID=$1385)

Alumnus honored as one of the most influential African Americans



Alumnus John Fitzgerald Harris was named one of the 150 most influential African Americans in the United States by *Ebony* magazine.

Since 1963, *Ebony* magazine has highlighted the most influential African Americans each year.

STUDENT Snapshots

Students selected to serve in
2008 Summer Corps program

School of Law students Elisabeth Christensen, Benjamin Faller, Melissa Kline, Daniel Leathers, and Kari White were accepted into the 2008 Summer Corps program. This competitive program offered first- and second-year law students the opportunity to receive a \$1,000 AmeriCorps education voucher by completing 300 hours of service

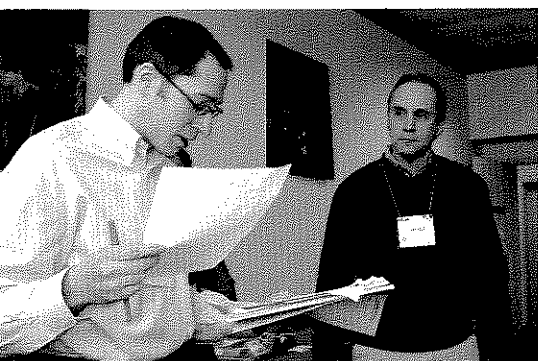
for a nonprofit public interest organization. As Summer Corps members, these students provided legal assistance to underserved communities while receiving first-hand experience and legal skills. Four of the School of Law students selected for the program worked for Legal Aid Society of Cleveland on issues such as housing/homelessness, domestic violence and consumer rights.

"As a Case Law graduate, I am pleased that the law school is encouraging students to consider public interest law work. I recently

had the privilege of having Benjamin Cooper as a summer associate. Ben showed compassion for clients who came to Legal Aid with benefit issues. I was impressed with the fact that Ben, a first year student, was able to effectively and efficiently interview clients, analyze the facts of their cases, and creatively research and apply the appropriate case law. We were able to assist many more clients this summer due to Ben's assistance," says Anita Myerson '81, Senior Attorney with Legal Aid Society of Cleveland - HEWII Unit.



STUDENT Snapshots



Daniel Leathers assisted with litigation on behalf of low-income consumers victimized by fraudulent or abusive business practices. He focused on defending homeowners from foreclosure and worked on additional cases involving predatory rent-to-own purchases and public utility disputes. He also researched legal issues and drafted pleadings, including answers with counterclaims, motions to dismiss, and a brief in opposition to a motion for summary judgment. "The Legal Aid Society of Cleveland consisted of a large group of very committed individuals that were all very willing to help me grow as an attorney," says Leathers. "I liked knowing that I was assisting people keep their most important piece of property: their homes. It's hard to imagine what families that are unable to find assistance in foreclosure cases are forced to do. They likely are forced to move in with a relative, if they have any, and most likely lose their jobs. I'm sure it's the beginning of a large downward spiral that I'm glad I was able to slow or stop for some people."

Elisabeth Christensen, who worked on workers' rights with Towards Employment in Cleveland, found her experience equally rewarding and says, "The Summer Corp

Program is a wonderful way to help those who have the least confidence in the American legal system. Many people see the law as an obstacle to their goals because of their past experiences or background. Equal Justice Works helps to provide critically needed legal assistance to those with the most pressing needs in our community. The program and its participants can even restore that lost faith in lawyers and the legal system, preventing the kind of animosity that we see directed towards the profession so often today."

For more information about the Summer Corps program, visit <http://www.equaljusticeworks.org/programs>.

For more information about Legal Aid Society of Cleveland visit www.lasclev.org

CWRU School of Law student presents research at international gathering of border security and facilitation experts

Steven de Eyre, a second-year law student at Case Western Reserve University School of Law and an intern with the Canada-United States Law Institute, an entity jointly operated by CWRU School of Law and the University of Western Ontario Faculty of Law, presented his research at the summer meeting of the International Mobility and Trade Corridor (IMTC) Project in Blaine, WA. The IMTC is a U.S. — Canadian coalition of government and business entities that identifies and promotes improvements to mobility and security for the four border crossings between Whatcom County,

Washington State and the Lower Mainland of British Columbia.

Steven's research focused on cross-border subnational agreements made between the United States and Canadian Provinces, outside of traditional federal treaties, on issues relating to border security and infrastructure, transportation, and trade. The research examined the legality of such agreements under the constitutions of both countries, as well as the types of legislation that has been passed in states and provinces authorizing the government to interact with their cross-border counterparts. The IMTC plans to use the information gathered to assist them in promoting a coordinated, bi-national approach towards improving the gateways between Canada and the United States.

Michelle Wagner featured in the *Wisconsin Law Journal* for her time as a summer associate

School of Law student Michelle Wagner spent her summer break at the Milwaukee headquarters of Michael Best & Friedrich LLP as a summer associate.

"The summer program here really gives you a taste of what it's like to have work/life balance," says Wagner. "They haven't sugar-coated everything with just social events and fun. We do have fun, and we also work very hard, with real clients, who need real answers to questions. I like that."

To read the complete article, visit <http://wislawjournal.com/article.cfm/2008/07/28/The-Interns-of-Summer>