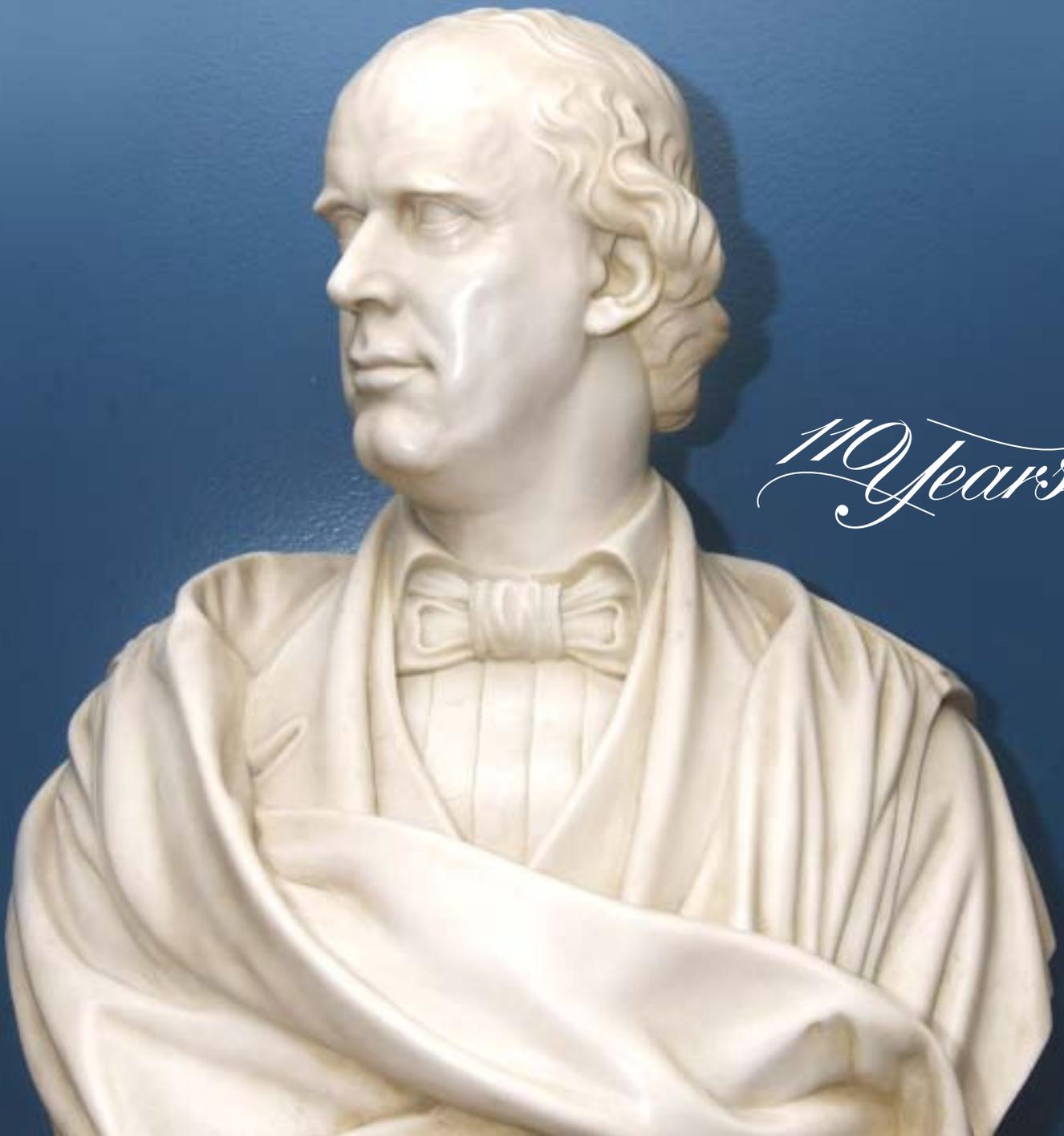


CHASE

Salmon P. Chase College of Law Magazine

NORTHERN KENTUCKY UNIVERSITY | SPRING 2003 | VOLUME 1, NO.1



110 Years



This year we celebrate the 110th Anniversary of the Chase College of Law. This provides an excellent opportunity to reflect on where we've been, where we are, and where we are headed as a law school and as an extended community of Chase graduates.

Chase College of Law started in 1893 as a part-time law school that provided opportunity for legions of talented individuals from a wide range of other career fields to enter the legal profession. That opportunity benefited the many individuals directly, but it also benefited the legal profession enormously. But for the Chase part-time program, our region's legal and business communities would have been deprived of many talented professionals who have made significant contributions to our profession and our communities.

Since its early days, the Chase College of Law has changed. Shortly after affiliating with a young Kentucky college, now Northern Kentucky University, in the early 1970s, Chase started a full-time program to address the needs of a more traditional audience of aspiring lawyers. As this new program was initiated, however, the law school retained its commitment to the part-time program as a continuing means to provide opportunity to individuals and to strengthen our region's legal profession.

Twice within the last seven years, the Chase College of Law has conducted a thorough self-assessment, and has reaffirmed its commitment to maintaining and strengthening both the part-time and full-time programs to serve the needs of our region and the needs of those seeking to become members of our legal profession.

The measure of a law school's success ultimately is the success of its graduates. By that measure, the Chase College of Law has been and continues to be a resounding success. Chase graduates are community and professional leaders throughout our region, from the farthest reaches of Eastern Kentucky to the farthest points in Western Kentucky and from the southernmost area of Kentucky through Ohio. Although the greatest concentration of Chase graduates is throughout Kentucky and Ohio, Chase graduates are succeeding in 45 states, the District of Columbia, and a few foreign countries.

Chase graduates are successfully engaged in private practice in the many small law firms throughout our region. They are found in large numbers as associates and partners in all the large law firms in the principal metropolitan areas of

our region and in major firms around the country. Chase graduates are found in large numbers in public service, as heads of legal aid organizations, local and county legal offices, as prosecutors and public defenders, as state and federal trial and appellate judges, as state and federal legislators, and as lawyers and leaders in state and federal executive agencies. A Chase graduate founded and directs the Children's Law Center, a local but now nationally recognized public service organization. In addition, large numbers of Chase graduates are successful business leaders as legal advisors, the General Counsel, Executive Vice-Presidents, Presidents, and CEOs of large and small businesses and corporations, including Fortune 500 companies. Chase graduates also are succeeding in education as law professors, university vice-presidents, and university general counsel. From New York City and Washington, D.C. to Seattle, from Chicago to Atlanta and Miami, and throughout our Kentucky-Ohio-Indiana region, Chase graduates continue to distinguish themselves as successful legal practitioners, public servants, business leaders, and community leaders. Chase graduates reflect enormous credit and success on our law school.

One hundred and ten years of success is the product of many contributions by many people. Our law school's ability to prepare our students for future success of the type manifested by our graduates depends upon a continuing strong cooperative partnership among law school staff and faculty, and Chase graduates and friends who remain engaged in the life of the school. The engagement of Chase alumni and friends is evident through the commitment of time, talent, and financial support to the law school, without which we could not sustain our high level of achievement.

In our last Newsletter we included a Donor's Honor Roll to recognize and thank those who made financial contributions to Chase during the past year. This inaugural issue of *Chase*, our new law school publication, includes a Service Honor Roll to recognize the many alumni and friends who have contributed their time and talent to a wide range of law school programs. There is no doubt that all aspects of our law school operations and programs have been strengthened by these generous contributions. Our future success depends on continued and strengthened engagement by an increasing number of Chase graduates. Please join us in building for the next 110 years of success. ⚖️

Jerry St. Amour

DEAN

CHASE

Salmon P. Chase College of Law Magazine

SPRING 2003
VOLUME 1, NO.1

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ON THE SIDE OF ANGELS

BY
TERRI L. SCHIERBERG
ASSISTANT ALUMNI
DIRECTOR/EDITOR, NKU

She has been hailed as an angel by a Congressman as well as a catastrophically injured, illiterate African-American man, and was once presented a bouquet of daisies by a Hells Angel who delivered them to her on his bike in gratitude for help she had given him.

But she had angels in her life who were there for her, too – a grandfather, William B. Schutte, an uncle, William J. Schutte, and her mother, Camille Meyers. They guided her to the belief that she could be and do whatever she put her incredibly gifted and tenacious mind to, and her career and volunteer activities are testament to that.

So many miracles in the life of Karen Meyers '78 can be traced to a tragic event that occurred in her own life when she was very, very young. At the age of two, she lost her father in a construction accident. There was no insurance of any kind, and she and her mother, who was pregnant at the time,

moved in with her mother's family. From that tragedy a life's passion and a multi-disciplinary consulting firm eventually evolved. Little, Meyers, Garretson and Associates, Ltd., an individual law practice, helps catastrophically injured people recover some of what they have lost in terms of wages and quality of life. The firm also works with insurance companies.

In the process, she discovered a non-conventional way to use her law degree thanks to the urging of Chase Professor Roger Billings, who encouraged her to apply with an insurance company, Ohio Casualty Group (OCG), which was conducting on-campus interviews.

She already had a job and was living with her grandfather and her mother who likewise urged her to interview with the company. A half-hour into the interview she was asked to visit the home office and within four days

had an offer of employment. In her tenure with OCG she was the first person to hold the title of counsel with the company, and she received seven promotions in 11 years. She spent a total of 12-and-a-half years there, eventually serving as an officer of the company. "It was an odd set of skills they were seeking at Ohio Casualty," she explained. "They wanted a financial background which I had, marketing flair which I try, and they wanted an attorney.

"Professor Billings is indeed one of God's best," she added. "He matched up an odd skill set with a wonderful company. In that match a career was born."

ANGELIC ADVOCACY

"Joe Marcum, the CEO of Ohio Casualty, told me that no one could ever take my love of books away from me and that it was helpful to me in my work with their company," she

MEYERS HAS MULTIPLE DEGREES AND CERTIFICATIONS THAT SPAN A 23-YEAR PERIOD AND INCLUDE:

1971 a B.A. from Thomas More College, summa cum laude

1978 an MBA from Xavier University and an M.Ed.

1984 Fellowship Life Management Institute

1978 a J.D. from Chase College of Law

1981 Chartered Life Underwriter



“ I PRAYED TO GOD
FOR AN ANGEL AND GOD
SENT ME YOU.”

KAREN MEYERS '78 WITH OHIO GOVERNOR ROBERT TAFT AND MICHAEL LAWLESS, SR. VICE PRESIDENT AND CEO OF FINANCIAL SETTLEMENT SERVICES, INC. AT THE SIGNING OF THE STRUCTURED SETTLEMENT PROTECTION ACT.

remembered.

Her love of books and her very unusual background allowed her to rise through the ranks quickly and gave her lots of opportunities to serve on many committees such as accounting, product development, investment, etc.

The senior vice-president of Ohio Casualty and president of the life company proposed financing claims with periodic payments. Meyers did the research and wrote the company’s internal white paper on structured settlements. Periodic payments provide a way to settle claims by dissipating risks. When a catastrophically injured person receives a lump sum payout, there is a temptation not unlike what happens when someone hits the lottery to spend all their windfall in one fell swoop buying big-ticket items like houses and cars. When persons are permanently disabled and can no

longer work, they would then be left with no income for life. Periodic payments were devised to dissipate that risk.

California Congressman Jim Corman, who helped forge the federal law governing structured settlements, told Meyers she “was on the side of the angels.”

She continues her angelic advocacy as partner in Little, Meyers, Garretson, and Associates, Ltd. and as board member of the National Structured Settlement Trade Association doing plaintiff and defense work in facilitating financial planning for settlement dollars. Her approach to her work with the catastrophically injured is to look not only at the bottom line of replacing lost earnings and securing rehabilitation and medical services, but at a total life care plan that helps the individual restore some of his or her special interests – “the things that make someone’s life

happy.” She once searched out a voice-activated fishing pole for a spastic quadriplegic who retained some gross motor skills and then incorporated the purchase of that into the settlement agreement.

Her tactics may be a bit unconventional at times as when she demonstrated a point in a very ostentatious, some might even say outlandish way. Such was the situation at one settlement conference when she filled a bucket with dollars to illustrate the trust part of the settlement and displayed a photo of a handicapped-equipped car to illustrate the need for the purchase of a similar replacement vehicle every five years. She also presented photos of a woman coming out of a beauty shop to indicate the importance of the injured man’s wife retaining the financial ability to get her hair and nails done as she had been accustomed to doing once a month.

The injured man in that case was

1987 Chartered Property Casualty Underwriter

1990 Xavier University – post-graduate work in hospital administration

1994 University of Notre Dame – Certified Structured Settlement Consultant (co-developer and curriculum designer)

“EVERY EDUCATIONAL INSTITUTION HAS BEEN VERY, VERY HELPFUL TO ME, BUT CHASE WAS THE CATALYST FOR MY CAREER.”

KAREN MEYERS

an illiterate, African-American gentleman who was employed as a concrete mopper and had lost a leg, had his pelvis and hip crushed by a truck, and was the father of 12 children, eight of them minors. His wife worked in a cafeteria.

“He told me ‘I prayed to God for an angel and God sent me you,’” Meyers recalled.

It was truly a win-win situation, Meyers said, as the plaintiff’s attorney “looked like a hero because she allowed it, and everyone, including the defendant and insurance company walked away feeling so good.”

GIVING BACK BY TEACHING

Meyers never forgets those who helped her, and teaches at Thomas More College as she had promised to do when she attended there as a Gardner Fellow and Presidential Scholar – a foundation that was set up for Ohio students by the man who

founded Blue Diamondhead matches in Middletown. The fellowship and scholarship paid for all expenses associated with her undergraduate degree, which she was able to complete remarkably in just three years. She also teaches at Miami University to which Joe Marcum of OCG introduced her as a volunteer in the graduate program conducted there for high school teachers by the Ohio Insurance Institute.

One of her fondest memories as a TMC student was being on hand to greet President Lyndon Baines Johnson when he came to Crestview Hills for the dedication of the new college in 1968.

She has faced many challenges in her various roles as a teacher, expert witness, consultant, wife, Red Cross volunteer, and board member, and risen to all of them with a passion that burns fervently.

“Out of personal tragedy came wonderful opportunities – a passion for helping the injured and their families and a tremendous respect for insurance companies, without whom most settlements would not happen,” she pointed out.

“Chase was perfect for me,” she added. “I wanted to work and the night school allowed me to do that. I went through with my brother Paul Meyers ’78. I was working for Baldwin at the time and the company funded my education.

“Every educational institution has been very, very helpful to me, but Chase was the catalyst for my career.”

And she is never far removed from the law school – both her partners, Tom Little ’83 and Matt Garretson ’98, are Chase graduates, too.

What’s next for this dedicated and energetic attorney – perhaps a Ph.D. or maybe even an M.D.?

The jury is still out. 

College of Law Turns 110

‘NIGHT LAW SCHOOL:’ A LEGACY TO LEGAL EDUCATION

by Jim Pickering

Director of Communications and Special Projects, NKU



110 Years

1893



SEPT. 18, 1893

The Cincinnati Commercial Gazette announces that a "Night Law School" has been established as a branch of the Cincinnati and Hamilton County YMCA.

OCT. 17, 1893

First class is held with 17 students. Robert M. Ochiltree, founder and first dean, created the school after realizing the need for a part-time program for those who didn't have the means to go to school full-time.

1896

MAY 1896

First class is graduated (five).

1900

JUNE 28, 1900

Bachelor of Law degrees conferred upon 65 candidates, 22 in the class of 1900 and 43 to members of 1895-to-1899 classes.

1926

OCTOBER 1926

Entrance requirements begin to change, eventually from one year of college to a four-year bachelor's degree.

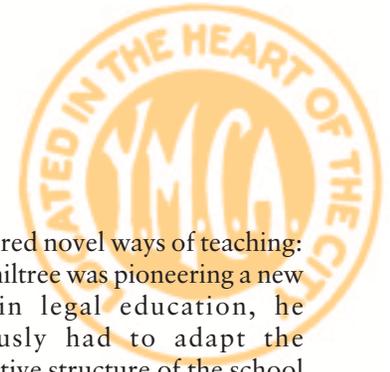
1930

MARCH 12, 1930

YMCA Night Law School Alumni Association is founded.



“I have been one acquainted with the night ...”
 — last line of a Robert Frost poem



In 1893 aspirin was invented, the zipper patented and the first long-distance telephone call completed. Also that year, on a chilly mid-October night and with much less fanfare, 17 students entered a downtown Cincinnati YMCA to become lawyers.

Thanks to an Indiana farmer-turned-lawyer who believed in a new approach to legal education, the Night Law School — which would later become the Salmon P. Chase College of Law — was created.

ROBERT M. OCHILTREE



Robert M. Ochiltree, founder and first dean of the school, envisioned a part-time program for students who had neither the finances nor the time to attend full-time, day law classes. He also saw the program as an opportunity to create teaching opportunities for himself and other members of the bench and bar.

One hundred and ten years later, aspirin, zippers, phone calls — and, yes, Chase College of Law — are more popular than ever. Total enrollment (full-time and part-time) for fall 2002 was 466 students, the largest enrollment since 1980 (500).

And while there now are more full-time day students than part-time night students, Chase’s mission remains the same: to provide the greatest opportunity for a legal education to those best suited to serve the profession.

“Although we added a full-time program in the mid-70s, the part-time program remains a major part of our focus,” says Gerard St. Amand, the school’s current dean. “Part-time students currently make up approximately 45 percent of our students. The part-time program is an integral part of the law school’s history, its present and its future.”

THE LAWYERS’ SCHOOL

In their book *The Lawyers’ School: A Centennial History of Salmon P. Chase College of Law* (Gateway, 1995), the authors — C. Maxwell Dieffenbach, Stanley E. Harper Jr. and W. Jack Grosse — chronicle the goals, vision and commitment of those who have been instrumental in creating what is now a Kentucky institution.

The authors, all former Chase faculty themselves and key members in the school’s success, write that the early

years required novel ways of teaching: “Since Ochiltree was pioneering a new concept in legal education, he continuously had to adapt the administrative structure of the school as it matured.”

And with each passing year, the school reached milestones that would increase its chance for longevity: in May 1896 the first class (five students) was graduated; bachelor of law degrees were conferred upon 65 graduates from the 1895, 1899 and 1900 classes; and throughout it, Chase created a curriculum to match day law schools.

By 1930, pre-law school requirements were increasing and being met by Chase administrators. Also that year, the YMCA Night Law School Alumni Association was founded. In 1943, in honor of the school’s 50th anniversary, it was renamed the Salmon P. Chase College of Law, after an Ohio lawyer who served as Chief Justice of the U.S. Supreme Court and U.S. Attorney General, and who was a staunch civil rights activist.

The subsequent decades saw Chase move to gain national accreditation and create a private donor support base, build its alumni base and hire more

1943



MAY 28, 1943
 Name of Night Law School changed to the Salmon P. Chase College of Law.

SEPT. 16, 1943
 The 50th anniversary of the College of Law is celebrated.

1952



1952
 Raymond P. Hutchens is appointed first full-time dean since Robert M. Ochiltree, founder.

OCT. 10, 1952
 Chase College of Law requests ABA approval.

1954

OCT. 26, 1954
 Chase College Foundation is established to receive and reserve funds from private contributors.

1955

FEB. 18, 1955
 Col. Harry T. Klein, class of 1910, makes his first substantial gift to the Chase College Foundation. Other gifts follow in 1956 and 1960.

faculty to accommodate increasing enrollment. In 1954, the Chase College Foundation was established to receive and reserve funds from private contributors; and in 1959 Chase was granted full accreditation by the American Bar Association.

But perhaps the school's most significant transformations came with a merger that took it across the river. Throughout each decade there was one growing realization among administrators, faculty and students — the need for more space.

That kept us going.”

MERGER WITH NKSC

But more than a sense of mission was needed to resolve cramped offices and classrooms. Three years after Chase celebrated its 75th anniversary, a merger agreement was reached between the law school and Northern Kentucky State College (NKSC). In the summer of 1972, classes began at NKSC's Covington campus.

“We had halls and windows that opened!” says Grosse, who was instrumental in the merger. “What can I say — the move across the river gave us more space and a beautiful view of downtown Cincinnati. We had a parking lot. I no longer had to go down every two hours and feed the downtown parking meters.”

In 1976 NKSC earned university status and its name was changed to Northern Kentucky University. In 1982 the law school moved from the Covington campus to Nunn Hall on the Highland Heights campus, where it remains today.

At the time of the Chase-Northern Kentucky State College merger in 1972, the law school began to

consider a full-time day division in addition to its part-time evening division. The American Bar Association granted approval to this plan in 1975. The first class of full-time students graduated in May, 1978. In 1984, the law school was selected for membership in the Association of American Law Schools.

Many Chase alumni have come to what is fondly called “The Lawyers’ School” because they — like those students whom Dean Ochiltree envisioned — were earning a living during the day and could only attend part-time, night classes. They’ve also had other reasons.

Sara Sidebottom ’78 was teaching full-time in the Cincinnati Public School System when she began attending night classes at Chase. “Though Chase was the only evening law school in the area, I also wanted to attend my father’s (William P. Sidebottom ’44) alma mater.”

Today, Sidebottom is vice president for legal affairs and general counsel at NKU. She says her training at Chase provided excellent preparation for her

JACK GROSSE

'62



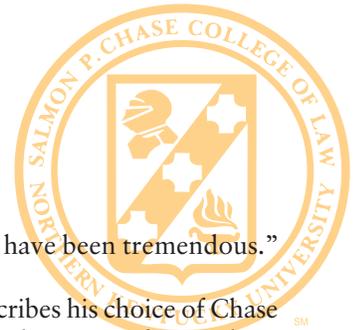
Jack Grosse, professor emeritus at Chase and former dean (1970-78 and 92-93), began working as a professor at the downtown Cincinnati school in 1962. He says the physical conditions were “almost unbearable,” but any discomfort was eased by a sense of mission by faculty, administrators and students.

“We were teaching law to people who couldn’t afford to go to law school at a full-time, day law school,” Grosse explains. “We recognized that the facilities were poor, but we believed that students were getting a great legal education, as good as anywhere else.

SARA SIDEBOTTOM
CHASE '78



1959	1960	1962	1965	1968	1971
FEB. 24, 1959	SEPTEMBER 1960	1962	SEPTEMBER 1965	Nov. 15, 1968	JULY 9, 1971
Full accreditation granted by ABA, with accreditation by New York State Board of Regents following shortly thereafter.	The first full-time librarian is hired (D. L. Runyan). Library collections rise to 20,000 by 1964.	First Juris Doctor degrees are awarded.	Law School Admission Test (LSAT) becomes admission requirement.	The 75 th anniversary celebration of the Chase College of Law is held. More than 350 graduates return to receive J.D. degrees.	Merger agreement executed with Northern Kentucky State College (NKSC). Merger approved by the Kentucky Council on Public Higher Education two weeks later.



current position.

“In addition to substantive law courses, Chase offered valuable trial practice courses taught by full-time practitioners,” Sidebottom recalls. “All were high-profile, well-respected local attorneys whose experience and knowledge were generously shared.”

By the time she was ready to graduate, the Crestview Hills, Ky., resident says she realized the impact Chase College of Law has had on the region’s legal profession: that the “Greater Cincinnati legal community (is) strongly represented by Chase grads — judges, prosecutors, defense attorneys, magistrates, legal aid, city, state and federal governments, and private business. In the 25 years since my graduation this influence has extended throughout the Commonwealth as well.”

DAN GUIDUGLI
NKU '74
CHASE '78



**BEST
EDUCATION
POSSIBLE**

Dan Guidugli, also '78 (NKU '74), says the part-time program was the major draw for him. But there were others, as well.

“I knew to be successful I needed the best education possible and, obviously, Chase provided that opportunity,” explains Guidugli, a judge in the Kentucky Court of Appeals (Sixth Appellate District).

Chase, he says, provided him with a strong classroom environment and exposure to the practical experience he would need to be a successful lawyer.

The Wilder, Ky., resident admits that law school was quite difficult for him, but by the time he was preparing for the bar exam, he was “pleasantly surprised how everything started to come together and was intertwined. Classes that I had taken my first year, and seemed so difficult and remote, suddenly made sense and came together.”

He adds that the friendships he made with his classmates were key to his surviving law school.

“There were many difficult and seemingly impossible moments throughout law school that with the help and support of fellow classmates, and even professors, I was able to overcome. I was able to make it through those difficult days and classes.

The rewards have been tremendous.”

Guidugli describes his choice of Chase using a spiritual term: “I often say how blessed my life has been, and going to Chase law school has definitely been a great blessing. It thoroughly prepared me for the practice of law. The practice of law and my judicial career have given me countless rewards.”

Rick Rothfuss '77 readily concedes that law school was not his first choice after graduating: “Chase chose me. I was primarily interested in pursuing a postgraduate degree in psychology. I applied to law school (Chase) almost as an afterthought.”

RICK ROTHFUSS
CHASE '77



Rothfuss turned an afterthought into a successful career and business. He is CEO of Lerner, Sampson & Rothfuss, a real estate and creditors rights firm.

The Cincinnati resident says the moment he knew Chase was a special place was the first day of class. “I felt an immediate sense of camaraderie with my classmates and the feeling of

1972



“What can I say — the move across the river gave us more space and a beautiful view of downtown Cincinnati.”
—W. Jack Grosse

1973

1975

1976



JUNE 2, 1972

Chase College of Law holds its last graduation as a Cincinnati law school in Music Hall.

SUMMER 1972

Law school moves from the Central Parkway YMCA to Hankins Hall at NKSC's Covington Campus.

FALL 1972

Classes begin in Kentucky facilities.

1973

First *Northern Kentucky Law Review* published.

FALL 1975

First full-time/day law classes begin.

1976

Northern Kentucky State College is granted university status.

being in the right place at the right time.”

When asked how Chase best prepared him for his career, Rothfuss mentions how effective it was to have classroom learning coupled with practical experience.

“Because I was working as a law clerk while at Chase, I had the best combination for learning,” Rothfuss explains. “Each day I was able to bring my textbook learning to practical application. I remember how much easier civil procedure became while working daily with court filings, service of process and virtually all of the processes governed by the rules. The same applied to real estate title work. Learning about it in class and doing title exams the next day made the abstract concrete.

He says his biggest revelation was the enthusiasm shown by Chase faculty members. “The level of devotion of Dean Grosse and our professors — each professor I had — whether full-time or adjunct — impressed me as being genuinely dedicated to the task of turning law students into knowledgeable attorneys.”

Philosophically and with much

conviction, he adds: “Even though my application to Chase was an afterthought, sometimes an afterthought is the best thought.”

CHASE TODAY AND TOMORROW

Robert M. Ochiltree created a chain of “firsts” when classes started at the YMCA in 1893. These were the first students to attend a YMCA night law school in U.S. history; it was the first night law school in the Tri-state area, and only the third in the country; and they were the inaugural class at a school that would go on to produce more than 40,000 lawyers, judges and other legal professionals.

Today, Chase continues to excel as students distinguish themselves in trial advocacy competitions, moot court competitions, law review programs and publications, and in individual scholarship in national law journals. Also, Chase students continue to achieve enormous employment success in clerkships during law school and in a wide range of positions upon graduation.

As for the next 110 years, Dean St. Amand says the law school is “committed to strengthening its

position among the premier dual-division law schools in the country, and to be acknowledged nationally as a law school whose graduates are recognized to be among the most capable, skilled, and ethical members of the legal profession.

“As we strive for this increasing level of excellence,” St. Amand adds, “one thing we should never forget is the long-standing commitment by Chase to provide the greatest opportunity for a legal education to those best suited to serve the legal profession ...”

GERARD ST. AMAND



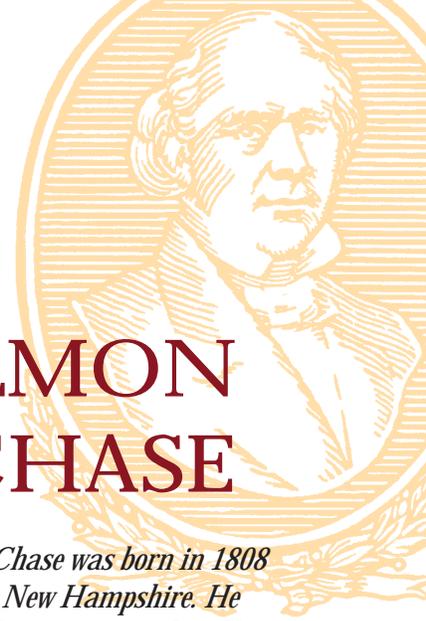
“I often say how blessed my life has been, and going to Chase law school has definitely been a great blessing.”

— Dan Guidugli

<p>1978 MAY 1978 First full-time law class graduates.</p>	<p>1979 MARCH 29, 1979 Chase College of Law Alumni Association merged with NKU Alumni Association (effective Nov. 8, 1979).</p>	<p>1981 DEC. 1981-JAN. 1982 Law school moves to Nunn Hall on the Highland Heights campus.</p>	<p>1982 SEPT. 19, 1982 Nunn Hall is dedicated as the law school building.</p>	<p>1984 JANUARY 1984 Chase is approved for membership into the Association of American Law Schools.</p>	<p>1993 JAN. 1, 1993 Chase's Centennial Year is launched with a 185th birthday celebration for Salmon P. Chase.</p>

PAST DEANS

Robert M. Ochiltree	1893 to 1916
YMCA Officers	1916 to 1918
Charles C. Benedict	1918 to 1919
Gilbert Bettman	1919 to 1929
Floyd Williams	1929 to 1936
Judge Stanley Mathews	1936 to 1952
Ray P. Hutchens	1952 to 1967
C. Nicholas Revelos	1967 to 1970
W. Jack Grosse	1970 to 1978
Ovid C. Lewis	1978 to 1979
Glenn Wells	1979 to 1980
William R. Jones	1980 to 1985
Henry L. Stephens, Jr.	1985 to 1992
W. Jack Grosse (interim)	1992 to 1993
David C. Short	1993 to 1999
Gerard A. St. Amand	1999 to present



SALMON P. CHASE

Salmon P. Chase was born in 1808 in Cornish, New Hampshire. He graduated from Dartmouth College and completed his legal studies under United States Attorney General, William Wirt. He passed the Ohio Bar in 1829 and opened a law practice in Ohio.

He strongly advocated the rights of blacks and women, including the right to vote and the right to an education. During the 1830s and 1840s, he became known as the “Attorney General of Runaway Slaves” for his frequent legal defense of runaway slaves and others who harbored slaves.

In 1850, he was elected United States Senator from Ohio. At the time, senators were elected by the state’s U.S. Representatives. It is said that Chase insisted as a condition for his accepting this selection that Ohio repeal its Black Laws that legislated discrimination against blacks.

In 1856, Chase was elected governor of Ohio. He served as governor until 1860 when President Lincoln appointed him as Secretary of the Treasury. During his tenure in this post he created the Internal Revenue Division and established a national banking system. In 1864, President Lincoln appointed Chase as Chief Justice of the United States Supreme Court, where he served until his death in 1873.

1997	1999	2001	2003
Conversion of the Municipal Law Center to the Local Government Law Center.	Creation of the National Trial Advocacy Competition Program.	The Innocence Project added to externship program.	<i>110 Years</i> The 110 th anniversary of the Chase College of Law.

GATHERINGS



Top – PEGGY ST. AMAND, KENTUCKY SUPREME COURT JUSTICE DONALD AND MRS. WINTERSHEIMER AT KENTUCKY BAR ASSOCIATION RECEPTION
Right – DEBBIE DAVIS '02 AND BETH ALBRIGHT '03 WITH BARRY SCHECK AT AN INNOCENCE PROJECT CONFERENCE IN NEW ORLEANS
Bottom – TRAVIS AND MEREDITH LUDWIG, CHASE ALUMNI COORDINATOR, AT KBA RECEPTION

Legacy

It is defined by Webster's Dictionary as: "Something received from an ancestor or a predecessor or from the past." To the Chase College of Law, legacy means so much more. Legacies help define Chase's history and its future. They are a tie that will bind its first 110 years with its next 110 years. Legacies not only exemplify Chase's prestigious reputation – they are part of that reputation. If you are part of a Chase legacy, we'd like to hear from you. The fall issue of *Chase* magazine will examine the legacies of Chase. If you'd like to be included, call (859) 572-6467 or mail your information, including how best to contact you, to:

Chase College of Law
 Advancement Office
 Nunn Hall
 Highland Heights, KY 41099

CHASE ADVOCATES SUCCEED



TRIAL ADVOCACY TEAM

CHASE NATIONAL TRIAL ADVOCACY TEAM IS 1ST RUNNER-UP AT REGIONAL COMPETITION

For the second straight year, Chase College of Law's National Trial Advocacy Team won first runner-up in the 2003 American Trial Lawyers Association (ATLA) National Student Trial Advocacy Competition's Regional Tournament on March 2, 2003. Sponsored by Reminger & Reminger, the team of Emily Kirtley (3L), Anna Schmalz (2L), Andre Campbell (1L), and Chuck Haselwood (2L) finished first after defeating Howard in the semi-final round. The team lost to Akron in the final round by two points.

The team of Dana Luther (2L), Kim Sanders (3L), Nick Zingarelli (1L), and Colleen Kirkpatrick (1L) finished seventh out of 16 teams. This was the first year of competition for all eight members.

Law students from 224 teams competed in 16 regional tournaments nationwide from February 21 through March 2, 2003. Only 28 teams, including Chase, advanced to the final

rounds of the regional tournaments. During the competition, the student litigators from Chase served as attorneys in a mock civil litigation trial. The students served as attorneys for the plaintiff during one round of the competition, and served as attorneys for the defendant during the next round of the competition. The case involved a bad faith claim against a disability insurance company.

Bob Hojnoski, Reminger & Reminger, and Professor Kathleen Hughes coached the teams. Reminger & Reminger sponsored the team. Their donation of time and competition expenses amounted to approximately \$8,000. Their support had a direct impact on the team's success.

In other National Team news, the team of Emily Kirtley (3L) and Raeshon Mansoor (3L) advanced to the semi-final round of the Kentucky Mock Trial Competition in November 2002. Also, Chuck Haselwood

received the Kentucky District Judges' Association's Outstanding Trial Advocate Award for earning the most individual points in the ATLA Competition. John Dunn received the 2002 KATA Outstanding Trial Student Award in November 2002. Emily Kirtley is nominated for the 2003 KATA Outstanding Trial Student Award.

Thanks to The Lawrence Firm for pledging to donate \$2500 to the top two National Trial Team members. This scholarship will encourage students to develop their trial skills and offset expenses for competing in the national competitions. Also thanks goes to American Board of Trial Attorneys (ABOTA) for their continued donation of \$2,500. ABOTA was the first organization to support the team and get it off the ground. Their continued support ensures that the program grows into a nationally competitive one. For more information, contact Professor Hughes at (859) 572-5340.

MOOT COURT BOASTS SUCCESS

Chase offers an active Moot Court Program. Participation is voluntary and available to students with a demonstrated ability and interest in moot court. The program provides an opportunity for students to develop various legal skills including research, brief writing, and presentation of oral arguments.

The Moot Court Board conducts an intramural competition annually, and selects students to compete in various

competitions throughout the country.

Angela Marcum and Nathan Blaske competed in the Thurgood Marshall Constitutional Law Moot Court Competition sponsored by the Federal Bar Association in Washington, D.C. and finished in second place overall while defeating teams from Akron, Howard and Seton Hall. Blaske was awarded Overall Oralist and Best Final Round Oralist.

Laura Frieko and Paul Lemasters

finished in third place at the Giles Sutherland Intellectual Property competition in Boston. The students advanced to the semi-finals by beating schools such as American University and George Washington University.

Congratulations to the Moot Court teams for continued success in competitions throughout the United States.



CONGRATULATIONS CHASE MOOT COURT AND TRIAL ADVOCACY TEAMS

THURGOOD MARSHALL CONSTITUTIONAL LAW
MOOT COURT COMPETITION – WASHINGTON, D.C.

2ND PLACE *Angela Marcum and Nathan Blaske*

BEST OVERALL ORALIST *Nathan Blaske*
AND BEST FINAL
ROUND ORALIST

ATLA STUDENT TRIAL ADVOCACY REGIONAL
COMPETITION – COLUMBUS, OH

2ND PLACE *Andre Campbell, Chuck Haselwood,
Anna Schmalz and Emily Kirtley*

7TH PLACE *Dana Luther, Colleen Kirkpatrick,
Kim Sanders and Nick Zingarelli*

GILES SUTHERLAND INTELLECTUAL PROPERTY
MOOT COURT COMPETITION – BOSTON, MA

3RD PLACE *Laura Frieko and Paul Lemasters*

BILLINGS RECEIVES FULBRIGHT HONOR



Chase Professor Roger Billings was nominated for and has accepted the Fulbright-University of Salzburg Distinguished Chair in Law for the academic year 2003-04.

As part of the law faculty at the University of Salzburg, Professor Billings will be teaching three advanced undergraduate or graduate courses for four months from March through June 2004.

The courses he will be teaching are the WTO and EU-US External Trade Relations lecture, the International Business Transactions lecture, and Negotiating and Drafting International Business Agreements (an exercise or seminar including an introduction to relevant aspects of US law).

The Fulbright Distinguished Chairs Program awards are among the most prestigious appointments in the Fulbright Scholar Program. Most awards are in Western Europe, although a few are available in Canada and Russia.

Professor Billings said he and his wife, Debbie, expect to live somewhere in Salzburg and look forward to making many friends and professional contacts there and in Munich and Vienna.

FACULTY PUBLICATIONS



ALLRED BALES BILLINGS BREWER ELDER FIRAK GODSEY HOUH HUGHES RYAN JONES

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KATKIN

LASSITER

LOPEZ

A. NACEV

L. NACEV

SHORT

SPARKES

STAVSKY

TODD

WHITEMAN

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BY TARA R. JONES

THE THREAT-TO-SELF DEFENSE *and the* AMERICANS WITH DISABILITIES ACT

To be published in *Southern Illinois University Law Review*.

The Americans with Disabilities Act (ADA) was enacted in 1990 to “provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.”¹ For the last 12 years, courts have struggled to define and apply the statute.² The 2002 case of *Chevron U.S.A. Inc. v. Echazabal*³ is an example of that struggle. This case has been described as one that “could be one of the most important decisions under the ADA during the 10 years since [the statute] has been in effect.”⁴

In *Echazabal*, the Supreme Court decided that an employer may lawfully deny a job to a disabled individual who is able to perform all essential job tasks and who poses no threat to the health or safety of others but who the employer believes will be harmed by the job at issue.⁵ Advocates for the disabled argue that the language and legislative history of the ADA favor allowing employees to choose for themselves whether to incur work-related risk, and that employers should not be permitted to deny employment on this basis. On the other

hand, many employers and the Equal Employment Opportunity Commission (EEOC) argue that the employer has an affirmative duty to protect its employees when those employees put themselves in harm’s way. The EEOC has interpreted the language of the ADA as allowing employers to deny employment based on a direct threat-to-self theory. The Supreme Court, in *Echazabal*, gave deference to the EEOC regulations.

This article argues that *Echazabal* was wrongly decided, and that the ADA should be interpreted as forbidding employers from denying employment based on a direct threat to self. Two arguments support this position. The first is the plain language of the statute. The statute provides that “it may be a defense to a charge of discrimination under this chapter that an alleged application of qualification standards, tests or selection criteria that screen out or tend to screen out or otherwise deny a job or benefit to an individual with a disability has been shown to be job-related and consistent with business necessity, and

such performance cannot be accomplished by reasonable accommodation, as required under this subchapter.”⁶ The statute also states that “the term ‘qualification standards’ may include a requirement that an individual shall not pose a direct threat to the health or safety of *other* individuals in the workplace.”⁷ The Act makes no mention of a threat-to-self defense.

The second argument against the threat-to-self defense is a policy argument. For more than 80 years, the federal government has taken steps that have been “progressively aggressive” in supporting the disabled.⁸ This article argues that *Echazabal* paternalistically prevents employees from deciding for themselves whether the economic benefit of a job outweighs the safety risk. In the context of sex discrimination, the Supreme Court has said this decision is for the woman, not the employer, to make.⁹ Disabled individuals should have this same choice.

(Footnotes)

¹ 42 U.S.C. § 12101(b)(1) (1994).

² See, e.g., *Stradley v. Lafourche Communications, Inc.*, 869 F. Supp. 442 (E.D.La. 1994) (determining that depression and other mental illnesses qualify as disabilities under the ADA).

³ 122 S. Ct. 2045 (2002).

⁴ See David L. Hudson, Jr., *Paternalism Is Out* (last visited March 25, 2002) <<http://www.abanet.org/journal/feb01/nada.html>>.

⁵ See Brief for the Respondent at 1, *Chevron U.S.A., Inc. v. Echazabal*, 226 F.3d 1063 (9th Cir. 2000) (No. 00-1406).

⁶ 42 U.S.C. § 12113(a) (1994).

⁷ 42 U.S.C. § 12113(b) (1994) (emphasis added).

⁸ See Scott E. Schaffer, *Echazabal v. Chevron USA, Inc.: Conquering the Final Frontier of Paternalistic Employment Practices*, 33 *Conn. L. Rev.* 1441, 1444-60 (2001) (setting out a detailed history of the ADA and the policies behind it).

⁹ *International Union v. Johnson Controls*, 499 U.S. 187 (1991).

BY KATRINA R. ATKINS
& RICHARD A. BALES



HIV and the DIRECT THREAT DEFENSE

To be published in volume 91 of *Kentucky Law Journal*.

This article examines the relationship between perceptions about HIV and the way those perceptions affect HIV-positive employees and their employers.

Congress passed the Americans with Disabilities Act of 1990 to prevent discrimination against individuals with disabilities. The direct threat provision of the ADA, denying protections to disabled individuals who present a direct threat to the health or safety of others in the workplace, was intended to strike a balance between the interest of employers and the rights of the disabled.

Existing interpretations of employment discrimination law produce answers that are inconsistent and counter-intuitive. One group of federal circuits has held that *any* risk of transmission of the HIV virus presents a direct threat because the result, no matter how remote its occurrence, is death. Under this approach, *all* HIV-positive employees could be fired, because each employee presents a remote risk of transmission, and because the impact of transmission is severe should it occur. A second group of federal circuits has held that an employee cannot present a direct threat to others unless there has been a documented case of transmission by an employee in that profession. Yet, the results defy common sense because different professions require different levels of contact between employees or an employee and consumer, producing different levels of risk.

Inconsistency in applying employment discrimination law to HIV-positive employees results from the failure of Congress to provide direction on how to evaluate

the risks that disabled individuals pose to others in the workplace. The current standard defines “direct threat” as a “significant risk to the health and safety of others in the workplace.” Essentially, the provision places decisions regarding the safety of interacting with HIV-positive individuals in the hands of the judiciary. The judiciary, in turn, relies on administrative agencies, the medical community and, unfortunately, the public perception of HIV and AIDS. Since perception of risk is largely subjective, whether a risk is “significant” is less of a factual question than a social construct. Thus, whether ADA protections extend to HIV-positive individuals depends, in part, on the myths and fears of the judiciary in regard to HIV. Congress passed the ADA to prevent employers and others from discriminating against the disabled based on myths and fears. Yet, the current standard allows the judiciary to use those same myths and fears to exclude some disabled individuals from the protections Congress intended them to have.

This article argues that the determination of whether an individual is a direct threat to the health and safety of others should adhere to congressional intent; that whether a risk is significant must be based on objective scientific knowledge and free from the subjective perceptions of the public and the judiciary. The article first provides a backdrop for discussing how the risk of HIV should be evaluated, including a review of the pathology and epidemiology of HIV, the statutory framework for analyzing contagions under the ADA, and the case law interpreting the direct

threat provision. It then illustrates the conflict among the circuits regarding the application of the direct threat provision to individuals with HIV and compares differing approaches to risk and whether those approaches, as well as the circuit cases, comport with congressional mandates. Finally, the article proposes a new standard for making direct threat determinations, focusing on the probability that a risk will, in fact, materialize, rather than on perceptions about specific disabilities. It proposes the following standard for determining whether a person with a disability poses a direct threat to the health and safety of others:

An individual poses a significant risk and a direct threat to the health and safety of others in the workplace if, after reasonable accommodations are made, there is a reasonable probability that an event will occur, causing the risk to materialize and result in significant physical harm to others in the workplace.

The proposed definition of “direct threat” or “significant risk” effectuates the purposes of the ADA in two ways. First, the proposed standard focuses on elements external to the individual with a disability, reducing the likelihood of allowing stereotypes to influence risk assessment. Second, the proposed standard is flexible enough to allow for an individualized inquiry but strict enough to prevent unwarranted fears about HIV and other disabilities to influence risk assessment.

BY ELAINE KORB
& RICHARD BALES



A PERMANENT STOP SIGN: *Why Courts Should Yield to the Temptation to Impose Heightened Pleading Standards in § 1983 Cases*

To be published in *Brandeis Law Review*

In a modern legal landscape, the notion of heightened pleadings sounds like rhetoric reminiscent of feudal England, conjuring up images of medieval barriers designed to prevent access to the King's Court. As archaic as the phenomenon sounds, contemporary federal courts have imposed heightened pleading standards on civil rights plaintiffs, partly as a response to the proliferation of civil rights claims being filed – claims that have become a proverbial thorn in jurists' sides and to which federal courts have become increasingly hostile. As a practical, albeit unintentional, effect of these judicially mandated heightened pleading requirements, civil rights plaintiffs' constitutional right of access to the legal system has been severely restricted, as has their opportunity to seek redress for the violation of federal or constitutional rights by agents of the government.

Prior to 1993, American federal courts universally and systematically required specificity in pleading of plaintiffs commencing actions under 42 U.S.C. § 1983, the federal civil rights statute. In the 1993 landmark decision of *Leatherman v. Tarrant County Narcotics Intelligence and Coordination Unit*,¹ the Supreme Court unanimously held that heightened pleading standards were inapplicable in civil rights cases against governmental entities or municipalities where the defense of immunity was unavailable. The Supreme Court, however, avoided addressing the more complex and contentious issue of the propriety of heightened pleading standards in civil rights cases generally, including where the defendant is a public official entitled to immunity. In the wake of *Leatherman*, lower federal courts have predictably reached conflicting conclu-

sions as to the scope and rationale underlying the decision.

This has precipitated a split of authority among the federal circuits on the propriety of heightened pleading requirements in civil rights actions when a government agent is sued in his/her individual capacity and/or where intent, motive or other state of mind is at issue. A review of federal decisions reveals a pervasive lack of consistency. At one end of the spectrum, some courts have abandoned specificity in pleading, opting instead for requirements that are more consonant with notice pleading under the Federal Rules of Civil Procedure. A second group of courts has continued its pre-*Leatherman* posture of imposing a heightened pleading standard, requiring civil rights plaintiffs to evince more than conclusory facts of an alleged constitutional violation by a government agent acting under color of state law.

The Supreme Court has again considered the propriety of heightened pleadings in two recent decisions. In *Crawford-El v. Britton*,² the Supreme Court held that a plaintiff bringing a constitutional action under § 1983 against a government official for damages, in which the official's improper motive is an essential element, need not adduce clear and convincing evidence of that motive to survive summary judgment. Strong dicta in *Crawford-El* left open, however, the propriety of heightened pleading requirements in § 1983 actions involving allegations of illegal motive, such as racial discrimination. In the 2002 case of *Swierkiewicz v. Sorema*,³ the Court rejected heightened pleading requirements in Title VII and age discrimination cases, instead requiring only "a short and plain statement of the

claim showing that the pleader is entitled to relief" as required under Federal Rules of Civil Procedure Rule 8(a)(2). Thus, although neither *Crawford-El* nor *Swierkiewicz* conclusively resolved the issue of the legitimacy of heightened pleading standards in § 1983 actions against government officials in their individual capacity or where intent or state of mind is at issue, collectively these decisions provide a good indication of the direction the Supreme Court is likely to follow on the contentious issue in the near future.

In an attempt to explain the genesis of heightened pleading in American jurisprudence, as well as the controversy that surrounds it, this article begins by examining the dichotomy between heightened pleading and the pleading requirements evinced in the Federal Rules of Civil Procedure. Next, the article analyzes the origins of heightened pleading, its apparent death in certain contexts, and its brief resurrection, and compares the various approaches that the federal circuits have adopted regarding heightened pleading in the wake of what appeared to be landmark decisions by the Supreme Court. Finally, the article explores the merits and demerits of heightened pleading and concludes with a proposal that advocates uniformity, impartiality, and neutrality: follow the Supreme Court's lead and completely abrogate heightened pleading requirements in § 1983 cases.

(Footnotes)

¹507 U.S. 163 (1993).

²523 U.S. 574 (1998).

³122 S. Ct. 992 (U.S. 2002).



LEARNING WHILE SERVING

Chase Externship Program

The legal education received at Chase stretches beyond the classroom. Each year Chase students have the opportunity, through clinical placements, to work with a wide range of local, state and federal legal departments. This past academic year Chase students received credit for working at:

U.S. District Court, Eastern District of Kentucky	Hamilton County Prosecutor's Office	Boone Commonwealth Attorney
- Covington Division	Adams County Prosecutor's Office	Clay County Commonwealth's Attorney
- London Division	Cincinnati Legal Aid	Cumberland County Commonwealth's Attorney
Federal Public Defender's Office	Kentucky Department of Public Advocacy	Kenton County Attorney
U.S. Department of Labor, Office of Admin. Law Judges	Northern Kentucky Legal Aid Society	Grant County Attorney
National Labor Relations Board	Kenton County Circuit Court	
Internal Revenue Service		

PHI ALPHA DELTA RETURNS TO CHASE

Well actually, P.A.D. never left. Unfortunately, the Frederick Hoffman Chapter of Phi Alpha Delta went inactive a couple of years ago. However, Chase is proud to announce the pending re-activation of the Hoffman Chapter of P.A.D. at Chase College of Law. Thanks to the enthusiasm and commitment of several intrepid 1Ls, the Hoffman Chapter is inches away from full-fledged re-activation. The Dean has already endorsed the re-activation of the Hoffman Chapter and we are waiting on International Headquarters in Baltimore to transmit their approval (they may still be digging out from all of the snow!).

Although official re-activation and recognition is still pending, the current members of the Hoffman Chapter have been hard at work, laying the ground work for future P.A.D. events, keeping in mind Phi Alpha Delta's credo of service to the students, service to the school, service to the community and service to the profession. The current membership has already sponsored one event, the Dress for Success seminar at the Men's Wearhouse in Florence, Ky., which was open to all Chase students. The Hoffman chapter is working on a similar type of event for the ladies at a women's business wear establishment to be conducted in the near future. Members of the Hoffman Chapter of P.A.D. also have participated in community service/fund-raising events such as the Polar Bear Plunge held in Newport in support of Kentucky Special Olympics. Some of our members also assisted the fund-raising efforts of the National Children's Cancer Foundation by participating in the St. Baldrick's Day, head-shaving event. Our gallant members were busy collecting sponsors and funds so that on Friday, March 14, they could have their heads completely shaved, in front of many adoring fans and supporters at Jack Quinn's in Covington.

This is just a glimpse of the many great things to come out of the re-activation of the Hoffman Chapter of Phi Alpha Delta at Chase. It is hoped that the fraternal spirit of P.A.D. membership can be revived between current students and Chase alumni. The Hoffman Chapter would be very honored to receive alumni as guest speakers, mentors, and partners in future fund-raising and community service efforts. Anyone interested in joining, please contact either Nick Zingarelli (unscarred79@hotmail.com) or Kate Houston (khouston319@aol.com) for more information.

WIRED *for* SUCCESS

BY MICHAEL WHITEMAN
ASSOCIATE DEAN FOR LAW LIBRARY
SERVICES & INFORMATION TECHNOLOGY



Greetings

from the Chase College of Law Library. Much has changed, and much has stayed the same since you last visited. The law library remains at the heart of the law school – a place for students and faculty to research and investigate the law, a place for instruction and most important of all, a place to interact with colleagues.

These are exciting times in the field of legal research. Technology is increasing at a rate faster than at any other time in human history. Lawyers can see this happening all around them. Books are disappearing from desktops to be replaced by computers. Desktop computers are being replaced by laptops and laptops are being replaced by PDAs. What's next? It is hard to say for sure, but one thing is certain; this rapid change is bringing information chaos, and there is an outcry for someone to bring order to the glut of resources floating around in cyberspace.

Law librarians and the Law Library have stepped up to the plate and met this challenge head-on. We know that many attorneys in practice today went through law school before there were online research services, never mind the Internet. At the same time, a growing number of lawyers, experienced and novices alike, are embracing the new technologies and incorporating them into their legal practices. With this in mind the Chase College of Law Library is continuing to build a strong collection that incorporates the best of print with the best of the online world.

In order to facilitate this rapid growth in the use of technology for research, the Library has steadily built up its technological infrastructure. Our state-of-the-art Legal Information Technology Lab (LIT) has been upgraded to include 20 top-of-the-line PCs with an instructor's station and a ceiling-mounted projector that allows for live learning experiences. A separate six-PC LIT Lab annex has been added to allow for extra access when the main LIT Lab is full or being used for online training. In addition, a more intimate Learning Center has been created with six PCs and an instructor's station that is used for vendor presentations and presentations to the faculty and is also available for outside groups (such as alumni) who want to get some additional online training.

In further support of student and faculty research, the library has purchased and set up a server on which every faculty member and student has file storage space. Each user can log on to any computer in the library (or the entire school) and access his or her files directly from the server. They can also print to any one of the library's networked laser printers located in the LIT Lab and the LIT Lab annex.

The growing trend among law students and lawyers is to use laptop computers. Each year we see an increasing number of students entering Chase with laptop computers. To aid them in their legal studies, the library has installed a number of wired carrels that allow students with laptops to access the server, the Internet and the

networked printers from their laptops. This solution is a limited one and so the library has forged ahead and installed a wireless network throughout the library and the classroom areas of the Chase College of Law. Now any student or faculty member can access the Chase server, the Internet (and all the databases that the Law Library subscribes to), and network printing from anywhere in the building. If students wish to sit on one of the library's comfortable couches or work together in a group study room, they no longer need to trail wires with them in order to be connected to all that the library offers. The Library is, in effect, paving the way to our students' success on the Information Superhighway.

Technology has not only given our faculty and students greater mobility within the school but it has also helped us connect to a greater amount of legal information. The Library has dramatically increased student and faculty access to information by subscribing to Hein Online, a full-text database of over 250 premier law journals. Unlike most online sources, Hein Online provides access to the entire run of a journal in rich PDF format. For the user this means that they can view and print out articles in a format that looks exactly as if they had the actual print journal in front of them.

The library also has become a charter member of the LLMC-Digital project. Over the next five years this will give Chase Library patrons access to over 100,000 volumes of legal material including federal legislative, ex-

METRO RATE OFFERS TUITION SAVINGS TO CHASE LEGACIES

ecutive and judicial materials (dating back to the 1800s), state judicial materials, legal treatises, Native American and military law sources and a wealth of foreign and international legal materials.

Subscriptions to databases like Hein Online and LLMC-Digital have vastly expanded the holdings of the library. Chase's patrons now have access to materials equal to that found in even the largest of American legal research libraries.

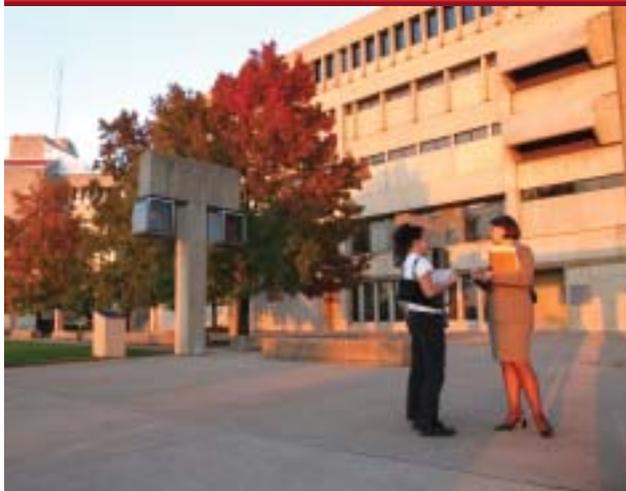
The library has not focused exclusively on technology to build an excellent research collection. The library has continued its tradition of building a strong print collection. Recent acquisitions include: a collection of 19th and 20th century legal treatises on constitutional law and jurisprudence, a collection of great American trials from the 19th century, and a legislative history of the Internal Revenue acts from the first half of the 20th century. The library remains committed to providing the College of Law with the best possible collection in whatever format it appears.

These are exciting times for the College of Law, and the library is playing its part to train new lawyers to go out and work in the ever-changing legal world. The next time you are at Chase, stop by the library and see what we're doing. Whether you are just visiting or need to conduct some research, we'd love to help you. The Law Library stands at your service — yesterday, today and beyond.

Chase College of Law's history is one of a change of location from its earliest days and its alignment with the YMCA in Cincinnati to its current home, the campus of Northern Kentucky University. Never before has Chase been able to serve its earlier graduates in a way that will benefit future generations of Chase students as it can now. As of this year, Chase now offers a Metro Rate, a tuition rate that will save certain students more than \$100 per credit hour. In an effort to recognize the significance of the incredible number of Chase graduates living in areas in Ohio and Indiana, who are now preparing to send their children to Chase, a special rate has been designed to meet the requests of a growing number of alumni.

The new Metro Rate is special due to its availability. It is not one that is merit-based but is one that any applicant or student will qualify for whose permanent residence is in the counties of Adams, Brown, Butler, Clermont, Clinton, Fayette, Hamilton, Highland, and Warren in Ohio and Dearborn, Franklin, Jefferson, Ohio, Ripley and Switzerland in Indiana. Associate Dean of Admissions, Kelly Beers says, "We have close ties and an unusual history with Ohio alumni, and we are a metropolitan school serving other parts of the metro area."

Chase has nearly 1,500 graduates living in these areas who may one day be sending their children to their alma mater, and Chase wants to acknowledge the significance of this group and the loyalty of its graduates. To inquire about this new rate, contact Dean Beers in the Admissions Office at (859) 572-5490.



METRO RATE

Full-Time:
\$7,512 per semester

Part-Time:
\$626 per credit hour

NON-RESIDENT

Full-Time:
\$8,904 per semester

Part-Time:
\$742 per credit hour

SERVICE HONOR ROLL



Top: BOARD OF GOVERNORS DINNER.

Bottom: PAUL E. JONES '79 AND
PAIGE ELLERMAN '99, MEMBERS OF
THE BOARD OF GOVERNORS, CONFER
AFTER DINNER.

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NORTHERN KENTUCKY LAW REVIEW 2003 SYMPOSIUM

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 J. David Bender
 Roger Billings
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 Robert Calabrese (first-year student)
 Ken Dietz
 Laurie Dowell
 Chrissy Dunn (first-year student)
 Brian Ellerman
 Paige Ellerman
 Kelly Farrish
 James Frooman
 Lambert Hehl
 Rene Heinrich
 Mike Keeney
 William Knapp
 J. R. Linneman
 Chris Longwell
 John Lucas
 Ed McTigue
 Theresa Mohan
 John McNally
 Kerri Nunley
 Norton Roberts
 Jeff Raines
 Fred Schneider
 Stephen Schuh
 Philip Schworer
 Michael Walters
 Stephanie White (first-year student)
 Michael Whiteman
 John Winkler
 Darren Winslow
 Beth Zahneis

Right: DEAN ST. AMAND PRESENTING CHASE GIFTS TO DAN MEYER '67.



Bottom: CHASE COLLEGE FOUNDATION Left to right: STEVE SCHATTEMAN; ROBERT BUCCIERE; WILLIAM CUSSEN; ROGER FRY; JAMES VOTRUBA, PRESIDENT, NKU; DAVID SHORT; ELMER REIS; PAUL JONES; AND GERARD ST. AMAND, DEAN; SURROUND MRS. WILLIAM MORRISSEY, WIDOW OF THE HONORABLE WILLIAM MORRISSEY, A MEMBER OF THE CHASE COLLEGE FOUNDATION, AT A RECENT DINNER MEETING OF THE BOARD.



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Tina Topazio

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Cincinnati Legal Aid Society
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Department of Public Advocacy
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Douglas Grothaus
Mark Guilfoyle
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Women's Crisis Center

MANAGEMENT, ADMISSIONS, REGISTRAR

Darrell D. Payne
Tina Topazio
Peggy DeJaco
Philip Schworer

OUTSTANDING ALUMNI AWARDS 2003

SALMON P. CHASE COLLEGE OF LAW | NORTHERN KENTUCKY UNIVERSITY

The Salmon P. Chase College of Law Alumni Association will be recognizing certain individuals who have achieved success in the legal field, and who have made significant contributions benefiting Chase Law School as well as the community at large. While these honors will be presented at a gala in Spring 2004, nominations may be made at any time during the year, but no later than October 1, 2003. Individuals submitting nominations should know that the recommended individuals may be contacted for additional information. A committee appointed by the Board of Governors will review all nominations and select the recipients.

Awards to be Presented:

-  **RECENT OUTSTANDING ALUMNI AWARD** This award will be given to an individual who graduated from Chase in or after May 1998 and who has distinguished himself or herself through contributions of outstanding service to the legal profession and the community as a whole.
-  **LIFETIME ACHIEVEMENT AWARD** This award will be given to any person who has demonstrated a commitment to the legal profession, the community and civic and charitable causes and brings honor to the legal profession. The recipient of this award need not be a graduate of Chase College of Law.
-  **CHASE GOLD MEDALLION MEMBERSHIP AWARD** This award will be given to any judge or lawyer who has demonstrated his or her dedication to promoting the ideals of Chase College of Law. The recipient of this award must be a graduate of Chase College of Law whose accomplishments have brought honor, recognition and distinction to Chase College of Law.

Nominee Information:

NAME: _____
ADDRESS: _____

A written statement should accompany this form in support of your nomination.
This narrative statement should not exceed two type-written pages.

NOMINATED BY: _____
ADDRESS: _____

Please send nominations to: BERNARD L. MCKAY, ESQ.
FROST BROWN TODD LLC
201 EAST FIFTH STREET, SUITE 2200
CINCINNATI, OHIO 45202

CLASS NOTES



Pictured left to right

LAWRENCE BROKAMP
KENNETH J. CREHAN
GLENN D. DENTON
KAREN MCLAUGHLIN
ROBERT J. THUMANN

1966

C. Houston Ebert '66 is the Director of the Kentucky Lawyer Assistance Program (KYLAP) with the Kentucky Bar Association in Frankfort, KY.

1975

Richard Goodwin '75 is currently the Hearing Office U.S. Administrative Law Judge for the Fresno Office of Hearings and Appeals. Dick has been a U.S. Administrative Law Judge since 1996. In 2002 he retired from the U.S. Army Judge Advocate General Corps. Dick retired as a Colonel with more than 31 years of service. He was awarded the Legion of Merit and Meritorious Service Medal, First Oak Leaf Cluster.

1977

Philip J. Blomer '77 was appointed court mediator for the Montgomery County Common Pleas Court in Dayton, OH.

1978

Gary Cohen '78, currently the executive vice president, general counsel and secretary for Finish Line, Inc., was appointed to the ACCA/GCCA Board of Directors.

1981

Karen McLaughlin '81 is a member of Frost Brown Todd's innovative Women's Project steering committee focusing on

annual events to gather women from all offices, an informal mentoring program and quarterly marketing events geared toward women.

1982

Phyllis K. Lonneman '82 and the Lexington firm Lonneman & Associates were honored by the Legal Aid Society and the Lexington Bar Association at the 2002 Bench & Bar Dinner for committing countless hours of pro-bono work to a variety of cases and clients.

1993

Winston R. Griffin '93 and his wife, Shannon, welcomed their first child on March 5, 2002. Park Griffin is doing great. Congratulations!

Linda E. Surber-Slayback '93 has become an associate with Weltman, Weinberg & Reis Co. L.P.A. Linda will be working in the Foreclosure/Evictions Department of the Cincinnati office. She was previously a manager at ATI Title Agency of Ohio.

1994

Rodney Young '94 has joined the firm Thompson Hine LLP as a member of the intellectual property practice group in its Cincinnati office.

1995

Glenn D. Denton '95 has been named the 2003 chair of the board of the Paducah Area

Chamber of Commerce. Glenn is currently with Denton & Keuler in Paducah, KY.

1996

Charles A. Miracle '96 is currently a Judge Advocate with the U.S. Marine Corps in Washington, D.C.

1997

Lawrence Brokamp '97 has become a member of the firm Cohen, Todd, Kite & Stanford, LLC. He concentrates in the areas of taxation, general business, estate planning and probate. Lawrence is also an adjunct professor of accounting for the University of Cincinnati.

George M. Sisk '97 currently serves as Assistant General Counsel to Illinois Secretary of State Jesse White, where he practices in the areas of corporate law, administrative law, securities law, legislative law and government relations. Additionally, Sisk serves on a number of civic and religious boards of directors, including the Springfield Jewish Federation, Congregation Temple Israel and the Springfield Branch NAACP, among others. He currently resides in Springfield, IL.

1998

Elizabeth Combs-Risner '98 is currently an attorney with Feeney & Murray in Nashville, TN.

2000

Lisa L. Crogan '00 is currently with Milberg Weiss Bershad Hynes & Lerach LLP in New York, NY.

Saeid Shafizadeh '00 is a sole practitioner in Louisville, KY. He was selected by the Volunteer Lawyer Program of the Legal Aid Society as an Outstanding Volunteer Attorney and was one of the recipients of that award at the Annual Bench and Bar Dinner of the Louisville Bar Association.

2001

David A. Ranz '01 has joined the law firm of Statman, Harris, Siegel & Eyrich as an attorney in its litigation department, focusing on commercial and general litigation. David was previously employed with Freund, Freeze & Arnold's Cincinnati office.

2002

Steve Florian '02 is currently a staff attorney with the Lexington Fair Housing Council in Lexington, KY.

Aaron Harper '02 attained a clerkship with Judge Eugene E. Siler, Jr., U.S. Court of Appeals, 6th Circuit in November 2002.

Robert J. Thumann '02 and Kenneth J. Crehan '02 are new associates with Rendigs, Fry Kiely & Dennis, LLP in Cincinnati, OH, and will practice in the firm's litigation department.

CHASE CALENDAR

JUNE 11 2003	CHASE RECEPTION <i>Kentucky Bar Association</i> The Seelbach Hilton Louisville, Kentucky 5:00-7:00 p.m.
JUNE 27 2003	GOLF SCRAMBLE <i>Sponsored by the Chase Alumni Association</i> Kenton County Golf Course
OCTOBER 15 2003	TALL STACKS DINNER CRUISE
SPRING 2004	GALA <i>Sponsored by the Chase Alumni Association</i> Presentation of Alumni Awards



ERNEST F. McADAMS, JR.

CHASE GRAD
SPEAKS AT BLACK
HISTORY EVENT

Chase graduate Ernest F. McAdams, Jr. participated in NKU's Black History Month. In a program sponsored by Chase and the Office of Affirmative Action and Multicultural Affairs, McAdams, prosecutor for the city of Cincinnati since 1987, spoke on the role of law in the black struggle for social justice and how it inspired his own choice of a legal career. While at Chase, McAdams served as the president of the senior class and of the Black Law Students Association. McAdams graduated in 1979 and began his career as a trial attorney in the Hamilton County Public Defender's office and in private practice. McAdams served as the chairman of the Young Lawyers Section of the Cincinnati Bar Association in 1985, becoming the first black attorney to hold that position. He is also a past president of the Black Lawyers Association of Cincinnati.

CHASE GRADS
MAKE 'BEST
LAWYERS' LIST

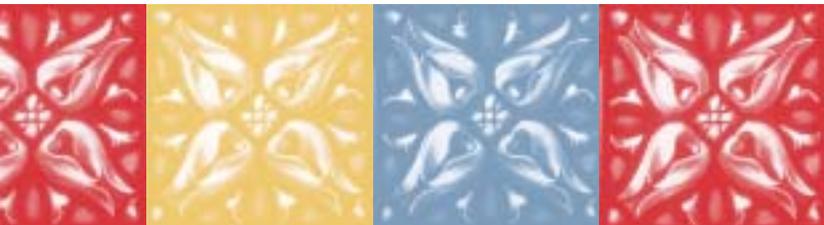
These Chase grads were named to the 2003-2004 edition of *The Best Lawyers in America*. Fewer than three percent of all attorneys in the country were selected for this honor. Congratulations to all.

John W. Eilers '67
Mary J. Healy '78

Kevin L. Murphy '81
Howard L. Richshafer '75

FOR MORE INFORMATION REGARDING THESE EVENTS,
PLEASE CALL THE ALUMNI OFFICE AT (859) 572-6467.

in MEMORIAM



Jeffrey S. Schwartz passed away July 16, 2002. He was a former assistant prosecutor and assistant public defender for Clermont County. Jeffrey was born in Richmond, VA, and came to the Cincinnati area, graduating from Xavier University and from Chase in 1976. He worked for Clermont County from 1976 until he began practicing privately in 1985 with Jim Hunt of Pierce Township.

William B. Backs passed away September 5, 2002. Bill worked full time at a gas station while attending Xavier University in order for him to attend Chase, from which he graduated in 1940. While at Chase, he was the court constable for the late Judge Fred Hoffman. He served as a lawyer for the Veteran's Administration after which he practiced independently doing right-of-way work for the Cincinnati Gas & Electric Company.

Wilson L. Brumleve passed away November 11, 2002. Wilson, a graduate of Culver Military Academy in Indiana and the University of Cincinnati, graduated from Chase in 1939. After a short stay in Little Rock, AR, he moved his family to New York City, where he began working on espionage cases for the FBI during WWII. Wilson came back to Cincinnati to practice law with his father's firm, Brumleve, DeCamp and Wood. He retired to Florida in 1977.

Carl L. Heck passed away on November 30, 2002. Born in New Castle, IN, the U.S.A.F. Veteran of WWII and the Korean War graduated from Chase in 1966 and began teaching in Cincinnati. Carl was a lifetime member of the Masonic Lodge and a member of the Cincinnati School Master's Bowling Association.

Edwin J. Franks passed away December 5, 2002. Edwin was a fourth-generation lawyer with Franks & Franks. He graduated from Miami University in 1942 and Chase in 1945. Edwin retired from Franks & Franks in 1982, after being a 50-year member of the Cincinnati Bar Association. He also was a member of the board of directors of Provident Bank.

Harry S. Schwartz passed away December 16, 2002. Harry graduated from Chase in 1947.

Bernard L. Raverty passed away on January 6, 2003. Bernard graduated from Chase in 1981 and went on to become the executive director of the Dayton Bar Association.

S. Todd Trusso passed away on February 19, 2003. He was a supervising senior investigator with the U.S. Department of Labor and

was in his third year of law school at Chase, where he was on the Dean's List. He earned a bachelor's degree from the University of New Orleans and a master's degree from Wright State University, graduating summa cum laude from both universities. He had planned to become a lawyer and run for public office, according to his wife, Diana.

Dr. Howard Ravenscraft passed away on April 17, 2003. He attended Chase's night program. He never practiced law, but was a consultant in medical malpractice cases, testifying for plaintiffs or defendants as he believed the facts warranted.

Where Legal *Journeys* Begin

Chase College of Law Library



*i*nvestigate

It's true that you won't find a card catalog anymore, but you will find an impressive collection of legal treatises and an increasingly high-tech environment that meets the needs of today's law students, while remaining accessible to all who need to research the law regardless of when Chase was their home.

*i*nstruct

With a new wireless network, updated computer labs, and 24/7 access, our faculty and students rely on the law library as a place to interact and investigate the ever-growing body of law.



*i*nteract

Although much has changed since you left Chase, one thing has stayed the same. The Law Library remains at the heart of the law school. The Law Library continues to serve as a place where faculty and students can meet and research the law. Dedication to providing top-notch service remains our highest priority.

Salmon P. Chase College of Law **LIBRARY**

To support the Law Library please call today with your tax-deductible gift to the Chase College of Law Library.

Give back to the library that instructed you in how to find the law!
859.572.5276





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Director of Law School Advancement
Salmon P. Chase College of Law
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(859) 572-6183 - fax
perryn@nku.edu

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