

CHASE



Picturing
the Future

An Extensive Externship
Program Shows What It
Takes to Be a Lawyer



Graduate Katelyn Connor
is now an assistant prosecutor

ALSO

How Trial Teams Prepare | *Four Professors Retire*

BE PART OF THE NEXT GROUP OF CHASE ALUMNI ADMITTED TO THE BAR OF THE **SUPREME COURT** OF THE **UNITED STATES**

The group admission ceremony will be April 3 in Washington, D.C. This memorable experience is available to up to twenty-five Chase alumni. Go online to chaselaw.nku.edu/alumni/supremecourt.html to learn how to be part of it. Applications must be submitted to Chase by January 16.

Qualified applications are accepted in the order received. Applicants must be licensed to practice law in the United States and in good standing for at least the past three years.



Alumni with Chief Justice John Roberts and Associate Justice Ruth Bader Ginsburg following the 2015 Chase group admission.

NKU CHASE
COLLEGE OF LAW

Chase Has a History of Leading into the Future

AN EMPHASIS ON GRADUATING STUDENTS AS PRACTICE-READY LAWYERS IS THE TREND OTHERS ARE ADOPTING

Many, many, perhaps too many years ago I attended law school. I knew going in that in three years' time I would be a lawyer, but honestly I had no idea how I'd get there. So here's what my legal education looked like, back in the day: On our first day of law school, the 1L students were provided a schedule of class lectures and a list of books. After a few introductory remarks and exhortations, we were advised to attend the lectures and to find a quiet place in the library to read the books.

Before I knew it, three years had passed, and we walked out as graduates, expecting that our semesters spent in that quiet place reading appellate decisions had somehow transformed us into lawyers ready to be useful to a client. Of course, we were duly surprised to discover we knew very little of use, and were for too long of little help to real clients confronting real problems.

I'm happy to tell you that, in my firm opinion, legal education today is better. Law schools everywhere are scrambling to add a significant measure of hands-on, practical training to their curriculum, striving to certify graduates as more "practice-ready" than the bookworms my legal training produced. No scrambling is needed at Chase. We have long been a leader in curricular innovation, having always understood the value and improved education that comes from a thoughtful blending of the doctrinal with the practical.

Chase is the Lawyer's School, a place where people come who really want to learn to practice law, a place where our graduates are

ready, on day one, to be useful to the clients, courts, and counsel who depend on them for their skills and experience.

The pages in this issue of CHASE highlight some of the many ways Chase prepares today's students for the practical aspects of lawyering. From our nationally accomplished trial teams, to our national-class externship program, to our nationally ranked business law program, to our innovative, "next-generation" skills training introduced through our Lunsford Academy, Chase remains a leader in experiential education. Our graduates are more than bookworms! They are ready to make a positive impact on the lives of clients and the prosperity of businesses as they leave our historic halls and find their places across the region and the globe.

Jeffrey A. Standen

DEAN AND PROFESSOR OF LAW



“

Law schools everywhere are scrambling to add a significant measure of hands-on, practical training to their curriculum, striving to certify graduates as more 'practice-ready' than the bookworms my legal training produced. No scrambling is needed at Chase.

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CHASE

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Assistant prosecutor Katelyn Connor leaving the Hamilton County Courthouse.

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Cybersecurity Symposium Helps Reduce Digital Risks

LAWYERS DO NOT HAVE TO BE PROGRAMMERS TO SPOT DANGERS AND TO BE SAFE

All it takes to be exposed to a computer hack these days is using a credit card or inadvertently clicking a link in a sort-of-okay-looking email. The precautions that may thwart a hack and steps that can keep digital information secure were some of the advice lawyers took away from the Chase-sponsored Cybersecurity Symposium this autumn.

Among other take-it-back-to-the-office topics: privacy and security legal issues, digital health information security, software security, and complying with information-security rules. So, in case you are worried about what could go wrong in a digital world and how to prevent it, this is some of the advice on:

Passwords, from William Lunceford, a Greater Cincinnati solo practitioner and Chase adjunct professor: “You wouldn’t leave your house key under the welcome mat, why do you use a password less than twelve characters?”

“In a recent test, the time was measured to brute-force crack twenty four-character passwords, twenty eight-character passwords, and twenty twelve-character passwords, using one CPU [central processing unit]. In the time it took you to read this, all twenty four-character passwords were cracked (under two seconds), the eight-character passwords took fewer than twenty days (less than one day per password), and the twelve-character passwords were going to take more than ten years, so at least six months each.”

HIPAA (Health Insurance Portability and Accountability Act), from Dennis Kennedy, a partner at Dressman Benzinger LaVelle and a Chase graduate: “A HIPAA security compliance program should be designed to reasonably ensure the confidentiality, integrity, and availability of electronic protected health information that is created, received, maintained, or transmitted by a covered entity or business associate. This includes protection against reasonably anticipated threats and reasonably anticipated uses or disclosures that are not permitted under HIPAA.

“It is imperative to conduct an initial risk assessment to identify risks and vulnerabilities to an entity’s information system. It is also important, and required, to perform periodic evaluations of the information system to respond to changes in hardware (including mobile devices) and software placed into operation, new security threats in the form of ransomware and other malware that emerge, and changes in technology infrastructures, such as cloud computing, that are implemented.”



Dennis Kennedy, a Dressman Benzinger LaVelle partner and Chase graduate, talks about digital health information security at the Cybersecurity Symposium.

Digital forensics for recovering deleted data, from Scott Van Nice, computer forensics manager and insider risk management for Procter & Gamble: “There is no one-size-fits-all tool for forensics. If someone relies completely on one tool versus using several tools as part of a peer review/corroboration process, then something may be wrong. Developing an understanding of forensics should also include developing a good understanding of security-conscious practices, as the attorney’s reputation and handling of the data may be tested in court or in the area of public opinion.”

Internal risks, from Mr. Van Nice: “Insider risk involves thinking about what indicators (technical and non-technical) might suggest one of your employees or contractors may be misusing your data or may be attempting to take advantage of your client’s trust. Insider risk (or threat) should not be thought of as an adversarial process, where you don’t trust your employees. It should be thought of as a process where you want to protect the firm’s reputation, your client’s data, while training your employees to be more security conscious of their actions.”

Overall, the symposium at the Northern Kentucky Convention Center, in Covington, included thirty-six speakers and twenty-four topics. It was co-sponsored by the Northern Kentucky University College of Informatics, and will be presented again in fall 2017.

Chase Ranks at the Top of Law Schools for Business-Related Studies



Salmon P. Chase College of Law is one of the seventeen top law schools in the nation for students who want experience in business-related courses and programs, according to new rankings by *preLaw* magazine.

preLaw says Chase rates as an “A”-level law school for what students have available to them. That includes business-related courses, the W. Bruce Lunsford Academy for Law, Business + Technology, the Small Business & Nonprofit Law Clinic, the Transactional Law Practice Center, the Business Bootcamp, plus business-related externships and internships.

“Chase has a tremendous reputation for preparing students to be ready to practice law when they are graduated, whether that is trying cases in a courtroom or advising clients in a boardroom,” Dean Jeffrey Standen says. “The range of business-related courses and practical experiences Chase offers is part of that tradition of helping students to be ‘practice-ready’ in any area of law they choose.

“Most students in our business-related programs want to be ready to practice law in a business environment. But others want to be prepared for business careers while also being trained as

Student Astarre Gudino makes her presentation at the 2016 Business Bootcamp competition, one of numerous Chase business programs.

lawyers. Either way, Chase graduates are ready for their futures.”

Chase shares the “A”-level ranking with such law schools as UCLA, Case Western Reserve, and University of Minnesota. Chase gained the “A”-level ranking by scoring at ninety percent or higher in *preLaw* criteria. *preLaw* magazine compares academic programs and provides general information to individuals who are considering attending law school.

LITIGATION

Student-Lawyers Argue Successfully for Clinic Clients



Two Salmon P. Chase College of Law students have won courtroom victories for clients in the Chase Constitutional Litigation Clinic.

3L Nick Hunt convinced a panel of the United States Court of Appeals for the Sixth Circuit that a District Court had erred in granting summary judgment for the defendant in the case of an Ohio prisoner who committed suicide after a prison doctor allegedly stopped prescribed pain medication. The appeals court decided there was enough evidence that a jury

should be allowed to decide whether an explanation by the defendant doctor is credible. Mr. Hunt represented the prisoner’s estate.

3L Linda Long persuaded a Hamilton County, Ohio, prosecutor and a Court of Common Pleas judge that an order of restitution had been erroneously entered against her client after the judge had said he would not order restitution. The judge agreed to vacate the order.

The Constitutional Litigation Clinic, directed by Professor David Singleton, allows students with limited licenses to represent prisoners and former prisoners in actions that involve alleged denials of rights by state officials.



Chase Has the Highest Bar Passage Rate in Kentucky

Salmon P. Chase College of Law is the top law school in Kentucky for graduates passing the 2016 Kentucky bar exam.



Chase had the highest percentage of graduates among the commonwealth's three law schools pass the February and July bar exams, with a combined rate of 79.6 percent. The Chase rate exceeded the rate for all Kentucky law schools of 76.2 percent by more than three percentage points.

"The Chase faculty is always proud of the success so many Chase graduates have in their careers, and we are particularly proud when that success begins with passing the bar exam," Dean Jeffrey Standen says. "The culmination of law school is not until months after graduation, with the bar exam. Chase students apply themselves diligently to become graduates, and they continue that diligence in preparing for the bar exam to become lawyers."

The 2016 bar exam is the first administered since Chase a year ago launched Chase Foundations, a program to help students review their legal knowledge in the context of a bar exam. Chase Foundations includes reviews of key legal doctrines during the final two years of law school and two bar exam-style tests students must pass to be graduated.

More about Chase Foundations is on Page 9.

GOVERNMENT



'Study Away' Program Showcases How Nation's Capital Works

Salmon P. Chase College of Law students will have an opportunity for supervised independent student in Washington, D.C., for a second year in a row.

Sixteen students participated in the Study Away program this past spring, which included a meeting with Senate Majority Leader Mitch McConnell, R-Kentucky, talking with a named plaintiff in a landmark decision by the Supreme Court of the United States, and hearing government lawyers explain what life can be like after law school. The session this coming spring, directed by Associate Dean Lawrence Rosenthal, will be May 9 through 19.

Study Away is designed to help students track how legislation, regulation, and litigation become the black-letter law they read in casebooks, and to see what types of government careers are available to new lawyers.

The election-year meeting with Senator McConnell provided insights on the developing presidential campaigns and the meeting with Kris Perry, named plaintiff in *Hollingsworth v. Perry*, which made same-sex marriage possible in California two years before the Supreme Court in 2015 determined a constitutional right to marry, offered a non-lawyer's perspective on major litigation.

The trip also allowed students to envision some career possibilities. Their group meetings included discussions with lawyers at the Department of Housing and Urban Development, Equal Employment Opportunity Commission, Judge Advocate General, and other agencies.

Chase Evening Division Will Streamline Its Schedule

Evening classes in Nunn Hall will meet twice a week, beginning in 2017

The nighttime glow of classrooms at Salmon P. Chase College of Law will begin earlier in the year, when the college makes some of the most important changes to its evening program in more than a century.

Beginning next academic year, Chase will advance the start of the evening division academic year to May from September, change part-time on-campus class schedules, and offer more online courses. The changes are designed to make Chase more accessible to working students and to allow more time for individual study, while maintaining graduation standards.

With one-hundred-twenty-three years of experience in part-time legal education, Chase clearly knows how to operate an evening program. How students have ordered their personal and professional lives throughout that period, though, has changed.

"Part-time students have many demands on their time. Coming to law school three nights a week for four years is a daunting challenge," says Associate Dean Michael Whiteman, who was involved in planning for the change. "People with professional careers travel, they work from home, and the downtown core is no longer the only hub of professional life."

Evening students will attend classes on campus two days a week, instead of the current three days, and also ten half Saturdays a year. An earlier start to the academic year will allow them to obtain all the required credits for graduation.

"Our faculty conducted an extensive consideration of the best ways to provide evening students with a high-quality legal education, while also considering demands on

students' personal and professional lives," Dean Jeffrey Standen says. "Chase has been a leader in part-time legal education since it was founded. To maintain that leadership, our faculty identified new ways to meet the needs of working students in a growing metro region."

The schedule change will allow students to concentrate on fewer classes each semester and devote time they would otherwise spend in a class and commuting each week to individual study. It will also increase instruction in legal writing and basic legal studies, two areas that are fundamental to success in law school.

The change utilizes technology that makes it possible for professors to teach without being in a classroom, Associate Dean Whiteman says. "Technology has advanced to the point professors can integrate it into their classes and create hybrid in-class/online environments that allow learning to continue beyond the physical classroom." Online courses will expand elective options.

Just as Chase was an innovator in legal education when it was founded as a night law school, the changes are innovations in an established program for a new time.

What Is New

.....
Evening students will attend classes:

Two nights a week for a twelve-week summer session that begins in May.

Two nights a week each fourteen-week fall and spring semester.

Ten half Saturdays a calendar year.





Experiences for a Lifetime

Tory Finley

2L Tory Finley is shaping his future through each step he takes at Chase, including receiving an offer from a law firm after his first year

Tory Finley knows that someday he will understand what led him to enroll at Salmon P. Chase College of Law. Until that occurs, he can only look at each experience he has and think that eventually it will all add up, and he will know the reason.

So far, he knows:

He chose Chase over other schools that accepted him, such as University of Kentucky and University of Florida, and he moved from his hometown of Houston to Northern Kentucky, where he knew no one.

The summer following his first year at Chase he was one of ten 1L students from throughout the nation selected as summer associates from among more than two-thousand applicants to the Dinsmore & Shohl and Procter & Gamble Diversity Scholarship Program.

He volunteered at the Over-the-Rhine Recreation Center in Cincinnati, where he says some children had never met anyone in law school.

He became a member of the Chase Trial Team.

He was at an airport after his Dinsmore & Shohl summer associate position concluded and received a telephone call. It was an offer of full-time employment after he is graduated in two years.

"Something else is happening here," he reflects. "It's not just me. I'm doing my part, but it's exciting and it's scary."

Mr. Finley's journey to Chase began after he earned bachelor's and master's degrees in sports management in Texas, and his grades and LSAT score put him among elite students for whom law schools compete with scholarships. A friend had been graduated from Chase, so he made it one of ten schools he would consider, and five he would visit.

"I felt good when I left here. The feeling I got from Dean Crabbe [Assistant Dean of Students Heather Crabbe] was I could knock it out of the park. People felt I could excel. I wanted a place that was interested in me. Everything lined up, including the scholarship. Something pushed me here." Now a 2L, he considers his experiences and tries to imagine where they might be leading him, keeping in mind he has a long way to go to get there.

From not knowing anyone in Northern Kentucky when he enrolled at Chase he has decided one reason for being here is to become more independent. "I've learned to be on my own, to set goals for myself, to know I can depend on myself."

The Dinsmore & Shohl and Procter & Gamble program, which divides summer associates' time between the law firm and its corporate client and awards a \$10,000 scholarship, taught him more about self-dependence. "One of my first assignments was in probate, and I had not had Wills and Trusts, so I had to research that," he says. He also learned about values in an unfamiliar part of the nation. "This area of the country has a huge commitment to diversity. I've been to events at the bar associations in Northern Kentucky and Cincinnati where they talk openly about diversity, and have shown they have taken steps. That's an awesome thing."

His volunteer work at a recreation center showed him what it can mean for someone to see him as a role model. "I want to leave things a little better than I found them. I want to leave an impact, not take," he says.

Receiving an employment offer after his first year at Chase has shown him there is still a lot for him to do. "I have to stay motivated. I have to keep that up, keep that up," Mr. Finley says. "I'm on the trial team. I'm interested in law review. Grades are important, and being active in the community is important, too."

The experiences during a little more than a year at Chase have occurred rapidly. It may take a lifetime to know where they were leading.

A Legal Reputation Grows from a Pharmaceutical Career

CHASE ALUMNUS JOE THOMAS RETURNS TO NUNN HALL AS DISTINGUISHED GUEST PROFESSOR TO TEACH ABOUT MASS TORTS AND CLASS ACTIONS

The Joe Thomas File

Chase graduation: 1988

Law practice: Partner, Ulmer & Berne; litigation department co-chair; life sciences group chair; pharmaceutical group chair.

Areas of concentration: Recognized nationally in class-action, multi-district, and mass-tort litigation involving drugs and medical devices.

Representative defense work: Cases involving obesity drug fen/phen, dietary supplement ephedra, attention-deficit/hyperactivity disorder drugs, hormone replacement therapy, fentanyl pain patches, antidepressants, and oral contraceptives.

Joe Thomas is one of the few Salmon P. Chase College of Law graduates who can fill a doctor's prescription and file a trial brief.

Mr. Thomas, who was graduated from Chase in 1988 and from the University of Cincinnati College of Pharmacy doctoral program six years earlier, in 1982, is both a licensed pharmacist and a lawyer. This past October he brought his national reputation as a litigator in medical-related cases to Chase as Distinguished Guest Professor.

While a Chase student, he was chief of the inpatient pharmacy at Cincinnati Veterans Administration Medical Center and an adjunct assistant professor of clinical pharmacy at UC. At Ulmer & Berne in Cincinnati, he is a partner and co-chair of the litigation department.

During his return to the Chase classroom this autumn he talked to students in Professor Ursula Doyle's torts class about mass torts, class actions, and multidistrict litigation. He also met during the day with students and professors to discuss issues at the junction of science and law.

For him, that meeting of science and law led to arguing the case of *PLIVA Inc. v. Mensing* in the Supreme Court of the United States in 2011. It was the penultimate application of a defense theory he developed during the 1990s: Generic

drug makers should be immune from state failure-to-warn lawsuits on the basis of federal preemption. The Court agreed.

Since then, *PLIVA* has been cited more than one-hundred-seventy times. As pharmaceutical and medical device litigation continues to expand, the linkage between science and law becomes ever tighter for lawyers. This is what Mr. Thomas says of:

How lawyers should approach it: "Critical thinking is an invaluable tool of an effective lawyer. Anyone can navigate his or her way through a lawsuit. The rare attorney charts his or her own course."

Thinking like a lawyer and a scientist: "'Prove it' can have different meanings in law and in science. Lawyers handling scientifically complex litigation must understand the 'scientific method' and use it as a litigation tool."

Twenty-eight years after being graduated from Chase and then returning as a litigator for a day of teaching, he sees a sharp contrast between classroom and courtroom. "The classroom environment is relaxed and cordial. There is a feeling of being among friends. The courtroom is a tense and, at times, hostile environment. Every word, action, and expression must be measured."

Chase prepared him for both environments.

Joe Thomas and some students he met with as Distinguished Guest Professor.



Preparing for a Bar Exam Begins Early

Chase Foundations helps students review during their final two years and test their knowledge

As every lawyer knows, the hardest exam of law school occurs after law school. To help students appreciate just how difficult a bar exam is and what is involved in preparing for it, Salmon P. Chase College of Law has expanded its Chase Foundations program of bar preparation.

Chase launched Chase Foundations a year ago to offer students a systematic way to review legal doctrines involved in bar exams during their final two years of law school. This academic year, the program added online reviews, more counseling for students who might need better preparation, and raises the significance of a “practice” bar exam students previously could choose to take to assess their bar-exam readiness. Beginning this year, each student must pass two bar exam-style multiple-choice tests to be graduated.

One year after the launch of Chase Foundations in 2015, Chase graduates achieved the highest passage rate among commonwealth law schools on the 2016 Kentucky bar exam. Their combined 79.6 percent passage on the February and July exams was more than three percentage points higher than the 76.2 percent for graduates of all Kentucky law schools.

With that foundation for success laid this year, this is what Associate Dean Jennifer Kreder, who oversees Chase Foundations, says students can expect to learn from the program:

Lesson: Why a bar exam is a more difficult than anything in law school.

“Every lawyer who has taken a bar exam knows what it is like. Until students see the exam – or at least a practice version – they really can’t appreciate how complex it is. For some students, encountering two-hundred multiple-choice questions, plus essays, and, in some states, practical skills questions, can be overwhelming,” Dean Kreder says.

How to Focus: Mastering legal doctrines is essential.

“Students in their final two years at Chase will be able to

review what they have learned and start to think in the inter-connected way necessary to identify issues woven together in bar exam questions.

“The nine-week online reviews are presented as Foundations I, for Property, Civil Procedure, Contracts, and Torts, and Foundations II, for Constitutional Law, Evidence, Criminal Law, and Criminal Procedure.



“In addition to online reviews, Professor Barbara McFarland, director of Student Success Initiatives, offers an in-person review of substantive law and also helps with techniques for understanding bar exam questions and finding the issues hidden in them.”

How to Fill In Gaps: Extra attention might be necessary.

“I spoke with former students who did not pass the bar on the first try. It seemed that bar preparation and counseling before they left law school would have helped them

greatly. If a student has difficulty in a particular review area, we will be able to talk with the student and identify what the problem is and what the student can do to improve.”

What a Bar Exam will be Like: Multiple-choice tests are previews and requirements.

“Taking a ‘practice’ bar exam had been optional. Beginning this year, students have to take and pass two multiple-choice bar exam-type tests to be graduated. Just as Chase Foundations complements what Chase has been doing to prepare students for the bar exam, the review courses and the multiple-choice tests in Foundations complement each other.”

It’s Not Over Yet: A post-graduation review course is still necessary.

“Even as comprehensive as Chase Foundations is, there is still one more thing students will need to be truly ready for a bar exam. They will still need a review course after graduation to hone their focus just before the exam and their final step to becoming a lawyer.”

It will be the toughest exam they take. Just ask a lawyer.

ex•tern•ship, noun: a temporary training program in a workplace, especially one for students as part of a course of study.

Chase externship:
Real experience with
real legal issues in real
law offices, courtrooms,
and law departments.



Ashley Kirkpatrick

When it comes to getting Salmon P. Chase College of Law students to be practice-ready, what they learn in a classroom is only the beginning of what they need to know after graduation. To learn those practical skills, they can choose to spend time working with lawyers and judges in unpaid externships.

It is what 3L Ashley Kirkpatrick did working with Rebecca Ballard at a firm that reviews medical research involving humans and what 2015 graduate Katelyn Connor did with Gwen

Bender in a county prosecutor's office. Other students have been with solo practices and in small firms, in government law departments, appellate and trial courts, corporate law departments, and legal aid offices.

"Chase offers a wide variety of field placement opportunities because we believe, as an institution, that our graduates should be able to practice law successfully from the very first day they are sworn into the bar," says Professor Jennifer Kinsley, Chase director of experiential learning. "The best way to do that is to not only

teach students the substantive law they need to know as practitioners, but to actually expose them to what the work of a lawyer is all about.”

While a narrow definition of an extern often runs more toward observing and job shadowing, the Chase program emphasizes doing. For 3L Kirkpatrick, that meant such duties as reviewing and analyzing determination letters from federal agencies on proposed research and for graduate Connor, trying cases with a limited law license.

Along with its hands-on element, the Chase externship program includes time for students to assess what they are doing and how it can help shape what they want to be doing after

spends at a particular placement, the more a student can experience in terms of the daily work of a lawyer, how cases and client matters are processed from start to finish, how a legal organization operates, how lawyers manage their time, and so forth.

Question: We’ve explained, generally, the types of externships students might have; are there examples of specific firms or agencies where they might be found?

Professor Kinsley: We’ve had so many employers that participate year-in and year-out that it is hard to identify a small number of examples.



Professor Jennifer Kinsley

graduation. Professor Kinsley explains how it all comes together:

Question: The externship program involves students who have typical classroom schedules and others who devote more time to out-of-classroom learning, in the Semester in Practice program. Is “time” the only difference?

Professor Kinsley: It is really more a difference of quality than quantity. The more time a student

In the solo/small firm category, the person who pops to mind is Alexandra Lubans-Otto, an immigration and criminal defense lawyer in Northern Kentucky. She has worked with a number of our students over the years and has exposed them to practice in a really thoughtful and meaningful way. We’ve also had students work with solo and small firms throughout the entire Commonwealth of Kentucky, and in several counties in Ohio and Indiana, as well.

Question: How about public agencies?

Professor Kinsley: We've had numerous students extern at Legal Aid of the Bluegrass, the Commonwealth Attorney's Offices, the Hamilton County Prosecutor's Office and Public Defender's Office, the Internal Revenue Service in two states, the Ohio Attorney General's Office, the United States Attorney's Offices on both sides of the river, and on and on.

Question: And corporate?

Professor Kinsley: Our students have worked with various corporate in-house departments, including General Cable, Premier Health, Vantiv, and Schulman IRB.

Question: We still have judicial to go.

Professor Kinsley: In the judicial category, our students have been placed with all of the sitting federal district court judges on both sides of the river, the Supreme Court of Kentucky, the Kentucky Court of Appeals, the Tennessee Court of Appeals, and trial courts throughout Ohio, Kentucky, and elsewhere.

Question: That is a lot of placements.

Professor Kinsley: The list is very extensive.

Question: There are also classroom and counseling aspects to the externship program, aren't there?

Professor Kinsley: The structure of the classroom component is designed to enable students to think in a deeper way about their professional development, career choices, and values. Assignments typically focus on aspects of professional identity that are untouched by other courses, topics such as how to form a professional network, how to incorporate technology into the practice of law, time management, work/life balance, rebounding from mistakes, cross-cultural communication, and so on.

Question: What about individual counseling?

Professor Kinsley: All students in the field placement program receive one-on-one, personalized feedback and mentoring from me. Students who are seeking a field placement also regularly consult with me about which opportunities would best enable them to achieve their educational goals.

Seeing it in practice: Here is how externships worked at the Hamilton County Prosecutor's



Office for graduate Connor, now a Hamilton County assistant prosecutor, and her supervisor, Chief Assistant Prosecutor Bender, and also at Schulman IRB, a Blue Ash firm that reviews research involving humans as an Institutional Review Board, for 3L Kirkpatrick and her supervisor, firm vice president Ballard:

In the prosecutor's office, research and trial experience

Chief Assistant Bender: We like to use externs on research because, frankly, they are more current with research techniques. We also let them call the arraignment docket [for some initial appearances]. We have someone supervising them, but we defer to the extern's calls. Eventually, if they are able to exercise good judgment skills and have the ability to "control" the docket, we let them take a criminal docket in one of the judge's rooms, where they actually call the docket, handle plea negotiations with the defense attorney, and ultimately try a case.

Graduate Connor: My last externship with the Hamilton County Prosecutor's Office was the most beneficial: I got to practice law! (Under supervision and with my practicing license.) Before I graduated I had sat second-chair in a jury trial, and tried at least twenty bench trials.

At Schulman IRB, a medical research-based area of practice

Vice President Ballard: We are expanding our regulatory database, called Prologue, to include state laws that impact the conduct of human-subjects research. Ashley was instrumental in a project to add all fifty states to Prologue. She





gained insight into research law and sharpened her legal research skills.

3L Kirkpatrick: I attended institutional review board meetings, in which I learned how they operate, gaining insight to how regulations in clinical research are applied to real-world scenarios. I reviewed and analyzed warning and determination letters issued by federal agencies, and state statutes surrounding research law. I summarized classifying issues with corresponding state, federal, or international regulations to input into the database.

Advice outside a classroom and lessons learned

Bender: Gaining experience in the courtroom and working on a real case is something that you cannot learn in a classroom setting.

Connor: I learned that this is what I wanted to do. Through law school there is constant doubt, “am I doing the right thing; is this worth it?” Through the externship you gain more clarity into what “attorney-at-law” means. When to file motions, how to act in court, proper times to object, are all examples of things I learned in court rather than in class.

Ballard: One of the interesting aspects of this opportunity is the ability to experience an attorney work in a non-traditional career path. This was not something I was exposed to in law school. I hope I have inspired externs to look at a law career through a different lens, to find what fits for them.

Kirkpatrick: This experience reassured me that although I do not want to be a litigator, I can still advocate for others and provide traditional legal services in a different environment. My externship helped me understand a more modern area of law, research law.

An externship helps imagine the road ahead

Kirkpatrick: This experience has made me more eager to try new things at Chase. It allows me to have a practical sense of how to apply the legal knowledge that I acquire in the classroom. Having a practical understanding of how to practice law definitely will give me a competitive edge as I begin my career.

And it can help make the transition from law student to lawyer

Connor: It was super easy. I luckily got a job at my last externship. There were some things that needed to be learned, but it was like riding a bike. I was easily able to transition to actual practice, all due to my experience with the externship.

Add it all together, and the complete definition of “externship” at Chase is: Real experience with real legal issues in real law offices, courtrooms, and law departments that prepares students to be practice-ready lawyers.

HOW MANY EXTERNS

As many as one-hundred-eight a year

Sixty-seven last year

OUTSTANDING SERVICE

Four professors retire this academic year, with a collective one-hundred-twelve years at Chase



Gerry St. Amand
*Professor of Law
and previously Dean*

**TEN YEARS
AND SEVEN AS AN NKU
VICE-PRESIDENT**

'Many of our alums and strong supporters have become very close personal friends. These close friendships would not have been possible but for the opportunities I have had to serve the law school and the university.'

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Nancy Firak
Professor of Law

THIRTY-TWO YEARS

'When I arrived at Chase I was impressed by the flexibility of the faculty and administration in accommodating my interest in teaching a variety of courses. While I have consistently taught Torts, I was also given the opportunity to teach many different subjects.'

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Mark Stavsky
Professor of Law

THIRTY-SIX YEARS

'Chase College of Law has for generations provided excellent legal training to qualified individuals who might not otherwise have such an opportunity. I wanted to participate in such a worthwhile endeavor.'

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John Valauri
Professor of Law

THIRTY-FOUR YEARS

'Few get the opportunity to devote their careers to a subject they love, but I was lucky enough to do so.'

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Chase recognized the service of these four professors and Professor Emeritus Roger Billings, who retired after the 2015-16 academic year, with a reception in mid-December at the Metropolitan Club, in Covington, Kentucky.

PROFESSOR GERRY ST. AMAND

Previously a dean who remains a dedicated teacher

Professor Gerry St. Amand has numerous titles on his résumé: lawyer, colonel, dean, professor, and university vice-president. He earned three of them at Chase and Northern Kentucky University.

Professor St. Amand became dean and professor of law at Chase in 1999, after nearly twenty-five years as a lawyer and officer in the Army Judge Advocate General Corps. In 2006 he became NKU vice-president for advancement, and in 2013 chose to return to Chase and reassume his title of professor.

He could have remained in the Army another five years before retiring as a colonel, but then-NKU president Dr. James Votruba convinced him he would find the same sense of commitment and loyalty at Chase and NKU as he had experienced in the Army.

“Jim Votruba was right. I quickly developed a strong sense of commitment and loyalty to a law school that had a long history of providing opportunity for a high-quality legal education for many non-traditional law students through our excellent part-time program, and which provided strong experiential learning opportunities in our full- and part-time programs to best prepare our graduates to be practice-ready,” Professor St. Amand says.

During his tenure as dean, Chase bar passage rates consistently ranked first or second in Kentucky and in the top third in Ohio. In 2005, the trial team that was created while he was

dean won both the Kentucky and Ohio mock trial competitions. For alumni, he increased opportunities to remain connected to Chase and initiated the group admission program for graduates to be sworn into practice before the Supreme Court of the United States.

He had not planned to leave Chase to become an NKU vice-president, but, again, President Votruba was persuasive.

“That experience served to strengthen my commitment to the broader university, while also demonstrating more clearly to me how the university and the law school strengthened each other and how much benefit each derived from the relationship we shared,” Professor St. Amand says.

University vice-president would not be the concluding title on his NKU résumé. He still wanted to teach. “This

opportunity to serve students directly in a teaching and mentoring role demonstrated to me the value of my prior [law] practice experience, my deanship experience, and my university leadership experience in serving most effectively in this new role,” he says.

That role includes discussing with 1L students individually their performances on mid-term exams, to help them develop critical thinking skills they will need throughout law school and in practice. “Seeing the growth of students through this process, and continuing through the semester and beyond, has been most rewarding,” he says.



‘Teaching and mentoring new law students are the most important roles we can serve at the law school as we lay the foundation for success throughout law school and the profession.’

— Professor Gerry St. Amand

PROFESSOR NANCY FIRAK

A campus leader who is foremost a teacher

After living in four states in six years before she joined the Chase faculty, Professor Nancy Firak thought she had arrived at a law school where she would stay a while. She stayed thirty-two years.

She had chosen Chase because she believed in its mission of making a legal education accessible to a wide range of students. “Providing a broad opportunity to obtain a professional education raises up individuals, families, and communities. I wanted to be part of that,” she says.

And while that mission dates from the founding of Chase more than one-hundred-twenty years ago as part of the YMCA law school movement to expand legal education, Chase also offered her an opportunity to be part of something new. The college had been part of Northern Kentucky University for a little more than ten years when she arrived in 1984.

“While Chase was a relatively old law school, NKU was quite a young university, and I thought the relationship between the two was interesting. I believed that NKU would continue to grow and Chase would continue to educate students who

would become influential members of the community. I wanted to participate in all that.”

Not only has she immersed herself in teaching – Torts has been her mainstay – she has also been part of the Chase administration and NKU faculty

governance. She was an interim associate dean for a year in the early 1990s, and from 2003 through 2008 was associate dean for academic affairs. At NKU she was president of the Faculty Senate for two years and served on numerous committees.

Her affection, however, is for the classroom. “I was privileged to work with very experienced and skilled deans, and a terrific staff. But the responsibilities of an associate dean are far different from those of a classroom teacher, and I really prefer to teach than to do anything else,” she says.

And Chase has given her plenty of opportunities to teach. “While I have consistently taught Torts, I was also given the opportunity to teach many different subjects, co-teach skills courses, and to design specialty courses in evolving fields of law,” she says. “The faculty and administration of the college of law have always been supportive of my teaching, which means a lot.”



‘I have taught Torts nearly every year I have been a member of the faculty, and it is really a fun course to teach. There is nothing so rewarding as watching confused or uncertain students suddenly “get it.” When I later see the same students in my upper-level courses, I am impressed by their increased confidence and understanding.’

— Professor Nancy Firak

PROFESSOR MARK STAVSKY

A dream to teach fulfilled and lived for thirty-six years

Professor Mark Stavsky wanted to be a law professor even when he was a law student. Then he went into private practice, and he wanted to be a law professor. When Chase offered him an opportunity thirty-six years ago to become a professor, he took it – and has taught, and taught, and taught.

“Chase provided me that opportunity, and so much more. For example, I never expected to become actively involved in clinical legal education, as well as teaching in other countries,” he says.

At Chase he has taught Criminal Procedure, Evidence, White Collar Crime, Trial Advocacy, and Comparative Law. Beyond Nunn Hall, he has taught in Thailand about the United States legal system, and lectured at universities in Japan on U.S. law, capital punishment, criminal procedure, and the history of the Supreme Court of the United States.

Closer geographically to Chase, he was scholar-in-residence the 2002-2003 academic year at the Center for the Study of Ethics and Contemporary Moral Problems at Hebrew Union College-Jewish Institute of Religion, in Cincinnati. There he taught a course on criminality and loss of civil rights to a class of rabbinical students and law students.

“I am deeply grateful to Chase for supporting me in these endeavors,” he says of his opportunities to teach at Chase, and at institutions as near as Cincinnati and as far as Asia.



Professor Stavsky’s teaching and guidance of students has extended beyond a traditional classroom. He helped establish the Chase Constitutional Litigation Clinic, which allows students with limited law licenses to represent prisoners and former offenders in actions that allege denials of rights by state officials. He was a longtime faculty supervisor of the Kentucky Innocence Project, in which students investigate and research claims of wrongful convictions.

“In 2001, during the first year of the Kentucky Innocence Project field placement at Chase, two of our students managed to locate critical evidence

thought to be lost. This evidence, along with additional investigation, led to the exoneration of a Kentucky inmate who had already served thirteen years of a twenty-year sentence for rape,” he says.

Whether in a classroom or a clinic, Professor Stavsky has done what he always wanted to do – teach.

‘Chase College of Law has for generations provided excellent legal training to qualified individuals who might not otherwise have such an opportunity. I wanted to participate in such a worthwhile endeavor.’

— Professor Mark Stavsky

PROFESSOR JOHN VALAURI

A professor who sees changes as enriching experiences

Professor John Valauri knew he wanted to be a law school professor, he just did not know that he would be a Constitutional Law professor. It proved to be exactly what he wanted.

“In 1980, after five years as an anti-corruption prosecutor in New York City, I decided to go into law teaching, and obtained a two-year position as clinical instructor at Duke Law School. In 1982, my search for a tenure-track law teaching job culminated in a position as clinical director here at Chase,” he says.

A few years after he joined the faculty, Chase had an opening for a Constitutional Law professor. “I didn’t really know quite what to expect at the time, but I have been greatly rewarded in the generation since, by the subject, the students, and the school,” Professor Valauri says.

In the years he has been teaching, the Supreme Court of the United States has decided such cases as *Texas v. Johnson* [burning a United States flag is protected speech] (1989), *Citizens United v. Federal Election Commission* [corporations and unions can spend unlimited amounts in political campaigns] (2010), and *Obergefell v. Hodges*, [recognizing a constitutional right to marriage] (2015). “Constitutional Law has changed tremendously since



the 1980s,” Professor Valauri says. His perspective during thirty-four years at Chase has changed, too.

“Changes to the courses, the students, and me have not been sudden, but cumulative, becoming richer and deeper with the passage of time.”

Even though much has changed since he first stepped to the front of a classroom, some names on his class rolls seem to have remained the same. “Rarely has a semester passed recently without at least one student in class bringing greetings from a parent of theirs whom I taught years before,” he says.

While his focus has been in Constitutional Law, he has also taught Criminal Law and Criminal Procedure — perfect courses in the sequence from prosecutor to professor — trial advocacy, and jurisprudence.

For a professor whose primary subject matter begins roughly two-hundred-thirteen years ago, with *Marbury v. Madison*, there has always been plenty to

teach. But for Professor Valauri, teaching has also involved listening. “Over the years, I have learned more from my students than they from me. Not many jobs can provide this sort of positive feedback,” he says.

‘Few get the opportunity to devote their careers to a subject they love, but I was lucky enough to do so.’

— Professor John Valauri

A PLAN FOR SUCCESS

Where Chase Stands on its Strategic Plan

With goals that include preparing students to pass bar exams their first time and undertaking an evaluation of a possible new degree program, Salmon P. Chase College of Law has nearly completed its five-year strategic plan – more than two years early.

The plan Chase adopted for 2014 through 2018 calls for studies or initiatives in five categories that correspond to Northern Kentucky University objectives: student success, talent development, academic innovation, community engagement, and institutional excellence.

At the 2016 mid-point of the plan, Chase had implemented and expanded a bar preparation program, studied and launched a Master of Legal Studies degree, adopted an early enrollment program for qualified undergraduates, and restructured its evening division, among other goals. Most of the initiatives are ongoing programs, rather than one-time events.

With two years remaining in the plan, and decades ahead to allow for refinements and expansions, this is the status of the 2014-2018 Strategic Plan for Salmon P. Chase College of Law:

KEY



IMPLEMENTED



IN DEVELOPMENT



DEFERRED



GOALS FOR STUDENT SUCCESS

Help more students pass bar examinations the first time. ✓

Chase Foundations was implemented and expanded to review key legal doctrines during students' final two years of law school. Students must pass two bar examination-style multiple-choice tests to be graduated. Chase had the highest passage rate among Kentucky law schools on the 2016 Kentucky bar exam.

Explore interdisciplinary opportunities to enrich legal education. ✓

Courses such as accounting, statistics, and business are available to complement traditional law courses.

Enhance opportunities for employment after graduation. ✓○

The Career Development Office added a staff member to help students identify and apply for positions. It contacts first-year students to schedule a first-semester meeting. The office and other administrators are developing a program for targeted counseling and resources for students specific to their career objectives.

Assist students who want careers in small cities and rural communities. ✓

The Rural Practice Initiative was created and provides career guidance and networking to students who want to practice in rural areas or small cities.

Maintain a strong evening division. ✓

A restructured evening division will begin its academic year in May, have increased online instruction, and make attendance easier for students outside the Northern Kentucky/Cincinnati area. Designated deans are available bi-weekly to meet with evening students before classes.

Enroll highly motivated students through a combined baccalaureate and Juris Doctor program. ✓

The 3+3 Accelerated Law Program was created and allows qualified undergraduates from Northern Kentucky University and selected colleges to combine the final year of a baccalaureate degree with the first year of law school.



GOALS FOR TALENT DEVELOPMENT

Encourage healthy lifestyles and promote university-sponsored health and wellness programs to students, faculty and staff. ✓

University-provide health information is distributed regularly.

Evaluate creation of a pre-law-school summer program to introduce undergraduates to law school education and to attract a diversity of applicants. →

A pre-law summer program was considered, but was determined to be financially infeasible at this time.



GOALS FOR ACADEMIC INNOVATION

Offer new or expanded training in quantitative methods, leadership, and informatics. ✓

The W. Bruce Lunsford Academy for Law, Business + Technology, now in its third year, was created as a center for student training and serves as a think-tank for innovation.

Monitor uses of technology to improve classroom education. ✓

Faculty members receive presentations on using technology. Use of online instruction has been expanded in the Chase Foundations bar preparation program and will be utilized further in the evening division.

Consider ways to enhance joint-degree programs. ○

A review of the JD/MBA program is being conducted to align with changes to the MBA program in the College of Business.

Study creation of a Master of Legal Studies degree program. ✓

The Master of Legal Studies program, for individuals whose careers require an understanding of law but who do not need a Juris Doctor degree, was created and admitted its first students in 2015.

Continue to provide students with career-skills training. ✓

Clinical programs, externships, internships, and practice-oriented courses allow students to develop essential skills for the practice of law.

Evaluate and revise curricula, as appropriate, to provide students with necessary career skills. ✓

Student Learning Outcomes have been established to help students identify knowledge and skill objectives, and courses that can help achieve them. Courses in legal writing and legal studies have been designated for expansion in the evening division and other courses are being reviewed. The LL.M. in United States Law program was created to help internationally trained lawyers better work with the U.S. legal system.



GOALS FOR COMMUNITY ENGAGEMENT

Faculty members will continue to participate in professional and community activities, and Chase initiatives will enhance its regional and academic reputations. ✓

Faculty members speak frequently to community and professional organizations and participate in law school programs nationally. Chase sponsors symposia on legal issues that introduce lawyers and others to significant contemporary topics.

Continue opportunities for off-campus groups and individuals to receive pro bono services from students. ✓

Students must complete fifty hours of pro bono service, as a graduation requirement, and may choose to participate in clinical programs that provide pro bono services.



GOALS FOR INSTITUTIONAL EXCELLENCE

Admit students who increase the entering class median LSAT score, undergraduate grade point average, and diversity. ✓

Admissions criteria seek to identify students who will contribute to the academic profile and diversity of entering classes. Overall diversity has risen during recent years to seventeen percent.

Adjust enrollment to reflect anticipated employment opportunities and to enhance the student body profile. ✓

Appropriate criteria are used to evaluate prospective students and their academic and LSAT qualifications. Total enrollment for 2016-2017 was reduced from the year before.

Increase opportunities for alumni to interact with deans and administrators. ✓

Alumni are able to join deans and administrators at events such as an annual alumni awards luncheon, receptions for recent alumni and at state bar association meetings, and at periodic alumni gatherings.

Continue to diversify networking events to connect with alumni. ✓

Alumni are invited to continuing legal education programs and special events.

Continue opportunities for alumni to mentor students. ✓

Alumni coach competition teams, advise students on job interview skills, and teach as Distinguish Guest Professors.

Recruit and retain a diverse faculty, staff, and student body. ✓

An assistant director of admissions was hired to assist in student recruiting. Diversity among students, faculty, and staff remains an ongoing commitment.

Encourage professors, with institutional support from Chase, to write high-quality articles for law reviews and journals. ✓

Professors write for publication in general law reviews and specialty journals, with an emphasis toward placement in frequently cited publications. Recent placements include articles by nineteen professors in forty law reviews.

Enhance law library support for faculty and student scholarship. ✓

A website was created to assist research, and librarians are available to work with faculty members on projects.



Zach Briggs

A Business Plan for the Future

At the Chase Small Business & Nonprofit Law Clinic, students turn classroom theory into transactional skills, and their clients benefit

Clinic Numbers

8

Typical number of students each semester

32

Typical number of clients each year

(859) 572-5384

Telephone number to reach Professor Barbara Wagner, clinic director

There is nothing small about the dream Megan Milar has for her startup online marketplace, and there is nothing small about the dream Zach Briggs has for his career after graduation from Salmon P. Chase College of Law.

Yet as large as their dreams are, they share a simple beginning: a “terms and conditions” agreement Mr. Briggs drafted for Ms. Milar’s website through the Chase Small Business & Nonprofit Law Clinic.

There are no mergers and acquisitions or financing agreements at this clinic. Those are for dreams of what could be after startups become successful and law students become lawyers. This is where business, nonprofit, and law dreams begin.

For Ms. Milar, the dream is to operate an online marketplace she named Seven Seeds to link socially and environmentally conscious consumers and enterprises. She needed a “terms and conditions” agreement. Mr. Briggs wanted transactional experience to take into an in-house

counsel position he hopes to have after graduation.

The two connected through the Small Business & Nonprofit Law Clinic that provides transactional legal services to for-profit and nonprofit entities unable to pay a lawyer. Technically, that means revenue of less than \$100,000, but more typically less than \$10,000, and an operating history of fewer than three years, but usually less than one.

“Often we represent clients who are thinking about starting a business, to answer questions they may have about what business form to use or regulatory areas that may be applicable to their business,” says Professor Barbara Wagner, the clinic director who is more like the senior partner in what students think of as a small-business law firm. “Other times, clients have started a business, but are just reaching critical mass.”

In addition to advice on business formation, clinic students draft or review contracts, provide

general trademark and copyright advice, advise in regulatory areas, and draft bylaws and governance documents for nonprofits and give suggestions on IRS filings.

For Ms. Milar and Mr. Briggs, the work on a use agreement began like most projects, with a meeting.

“We had a thorough initial meeting, to which Zach came very prepared,” she says. “Through our discussion, Zach gained a deep understanding of what and why we needed this project completed.”

From his perspective, the beginning was a one-step, two-step process. “The first step was looking through the dossier,” Mr. Briggs says. “As a potential clinic client, Megan filled out an application containing some general information about what she was looking to achieve. I then used this information to prepare for the second step: an in-depth interview to explore Megan’s goals.”

Completion of the project delivered not only a “terms and conditions” agreement for Seven Seeds, but also some ideas of what could be ahead for both a fledgling entrepreneur and a student-lawyer.

“I was impressed with the comprehensive approach Zach had taken, including a few additional supporting documents he suggested we should complete in the future,” Ms. Milar says. “He certainly made me aware of the need to balance the ‘terms and

conditions’ to protect both the consumer and the business. In addition, he created a worksheet including explanations and questions for our founding team to use in developing an operating agreement.”

For Mr. Briggs, the experience helped put theory into practice.

“My other courses taught me the theory behind concepts like contracts, torts, constitutional law, etc., but applying the theories you’ve learned is its own type of knowledge. I can confidently say that I know on some level what it is like to have an attorney-client relationship where I need to consider confidentiality, and what it is like to do a client interview and to do research for a client, and so much more. That experience confirmed my desire to be a transactional attorney.”

For Professor Wagner, that assessment is why the clinic exists.

“Everything the students do is focused on applying skills they may or may not already know to a particular client. They may have taken a course in contract drafting, but they have to think about how to craft a contract for a particular client,” she says.

Her role in the clinic is something of a senior partner. “I sit in on all client meetings, but I reinforce the concept that the student clinician is the ‘lawyer’ and I’m only there to observe. I participate only if it looks like there are some obvious questions that were not asked. I don’t tell the student clinicians what to do or how, but may give suggestions if we have had a similar issue for a similar client in the past. I like them to squirm and spin their wheels a bit, trying to figure out how to tackle the client’s issues, but if they get stuck, I’ll give them suggestions of how to move forward.”

Moving forward usually involves drafts of documents, revisions, a closing memorandum on the completed work, and a closing letter to the client to confirm the end of representation. “As one student described it,” Professor Wagner says, “‘for a lawyer, your words are your tools’ and another added, ‘in this course, you’ll be drafting, drafting, drafting.’”

Call it the first draft of a dream.

WHAT STUDENTS SAY



Stephanie Brooks, 31

“Just as I felt fortunate to be assisting [my clients] with their legal issues,

they felt just as happy to be assisting me in my legal education. The skills I garnered from working in the clinic will strengthen my ability to communicate effectively with my future clients. The clinic allowed me to hone my legal writing and drafting skills.”

Her clients: A nonprofit performing arts group, a homeowners association, and a small business owner.

Her projects: Trademark, by-laws compliance, choice of business structure, regulation.



Ryan Wheeler, 41



“The clinic assigns you real people with real legal needs. Small

businesses and non-profits may have legal work that they want and may be completely oblivious to real risks that they need to address. Being able to identify these risks and help protect the client from these unknown risks is very rewarding.”

His clients: An incorporated small business, a sole proprietor, and nonprofits.

His projects: Contract drafting, bylaws, choice of business structure, intellectual property, business dissolution.



Clinic Client
Megan Milar

Getting Ready for Trial *(in Mock Court)*

Chase trial teams run through the hoops to prepare for student competitions

It would be easy to think Professor Jack Harrison is talking about a basketball team – if Chase had a basketball team – when he talks about getting Chase trial teams ready for competitions against other law schools.

“Teams will often scrimmage against each other and coaches will also scrimmage the teams during the last couple of weeks before the competition,” he says of how the two five-student teams and their lawyer-coaches practice a competition’s opening statements, direct and cross examinations, and closing arguments.

Even though trial team competitions play out in mock court rooms and not on basketball courts, they have final scores. But instead of scores based on field goals, these scores tally factors such as strength of opening statements, coherence of

direct testimony, effectiveness of leading questions on cross-examination, and persuasiveness of closing arguments.

Chase trial teams will compete twice this academic year – in the Kentucky Mock Trial Competition and in the National Trial Competition, beginning in regional contests. To prepare for competitions, team members practice ninety to one-hundred hours with Professor Harrison, the trial team coordinator, or coaches who are practicing or retired lawyers.

Their preparation follows closely what a lawyer would do with the unsorted facts of a client's case. For team members this year in a competition involving a fictional death at a mythical fraternity party, the preparation Professor Harrison sets out unfolds like this:

TRIAL TEAM MEMBERS

Michael Bromell, 2L
Jamie Collins, 3L
Tory Finley, 2L
Nick Hunt, 3L
Natassia King, 3L
Linda Long, 3L
Kalenga Maweja, 2L
Alex McKenzie, 2L
Sophia Stevenson, 2L
Jesse Taylor, 3L

COACHES

Melissa Bodner,
David Bolek, William
Gustavson, Jesse
McClain, Ian Mitchell,
Melissa Pile, Peter
Tripp, Adair Smith,
Carrie Masters Starts

FACULTY COORDINATOR

Professor Jack Harrison

Students and coaches meet to brainstorm the problem

2L team member **Tory Finley** says this helps define the case: “The team and coaches had an open discussion about the fact pattern. Every person in the room, coaches and students alike, identified different facts and issues from the problem. Although I read through the problem multiple times, I learned so much more about the problem once we did the brainstorming. This reinforced that everyone’s background and biases are beneficial for the practice of law, because they allow everyone to evaluate from a different lens.”



Possible approaches to both sides of the case are discussed

3L **Nick Hunt** sees this helping his role as a plaintiff’s lawyer: “During theory formation, we considered and analyzed the body of evidence and the utilization of that evidence at trial, deciding what evidence would bolster our case, as well as a method of dispensing evidence which would be harmful at trial. It was beneficial to look at the case from the defense’s point of view because it allowed plaintiff’s counsel to evaluate that evidence and witness testimony in a manner which revealed potential weakness in areas of our case.”



Sophia Stevenson and Professor Jack Harrison, far left

Opening statements are drafted and practiced

2L **Sophia Stevenson** works to identify and craft a theme for her plaintiff’s opening: “I knew I wanted something that would immediately grab the jury’s attention. I began by picking a theme to the case that I felt could be interwoven throughout. The theme centered around three words – enticed, encouraged, ignored. The coaches and I worked on my emotional appeal and a vivid description as to how the victim was fatally injured. After drafting the opening several times, I realized that the most important thing is to tell the story of what happened and why the defendant in the case should be found liable.”

Strategies for direct and cross examinations are developed and practiced

3L **Linda Long** uses her analysis to start a conversation on direct examination: “I wanted my witness to simply tell the truth. I wanted him to say exactly what happened that night, and not to leave anything out, so the jury could get a clear picture of the events. To get my



Linda Long



Professor Jack Harrison, trial team coordinator, on how trial team competition enhances a student's education:



Advocacy is critical to everything an attorney does, whether she is a litigation attorney, or a transactional attorney, or not practicing law at all. It is imperative that students develop presentation and communication skills and a confidence on their feet. Also, attorneys have to learn how to work as a team in a cooperative and productive manner. Trial team enhances these skills in very dramatic ways.



witness to say exactly what I wanted him to, I just had a conversation with him. I think the goal in a direct examination is to make the witness comfortable enough to speak to you in front of a jury while asking questions that are of legal significance.”

2L **Michael Bromell** studies a witness's own words to frame cross-examination: “In order to follow the conventional wisdom of asking cross-examination questions that are rhetorical, it was necessary to be precise. The best tool was the witness's own words, in the deposition. Familiarizing myself with the facts of the case and the deposition allowed me to craft questions that fit my theme of the case and to use the witness's own words within my question structure. The precise nature of questions grant opportunities for impeachment if there is any deviation from the answer I expect from the witness.”

A closing argument concludes the case

3L Hunt wants to be himself in closing: “I have learned to use my own personal style to present my heartfelt reasons as to why the jury needs to reach a verdict in my favor. The closing argument is as much about the jury as it is the case; it is our time to convince those jurors sympathetic to our case to go into that deliberation room and fight for a decision in our favor. In closing, we give them the strong factual evidence which they need to use to accomplish this objective.”

Like a basketball team, Chase trial teams approach competitions one trial at a time. And like a basketball team with a winning tradition, there is also a desire to beat expectations. For Chase, that means winning it all this year, after losing to Georgetown University Law Center in the finals of the 2012 South Texas Mock Trial Challenge.

The outlook? “I think the trial team we have this year is very diverse, and that is the reason we will be so successful,” 2L Finley predicts.

The Chase Alumni Luncheon Recognizes Alumni for Service to Profession and Community

If anyone wants to see the impact Salmon P. Chase College of Law has on Northern Kentucky, Cincinnati, and Southeast Indiana, all a person has to do is look around the room at the annual Chase Alumni Luncheon.

There, among the two-hundred alumni who attended the luncheon this past October at the Northern Kentucky Convention Center, in Covington, were the newest alumni who had just won their first trials, alumni with legacies counted in hundreds of clients, judges, business owners and executives, elected and appointed officials, civic and cultural volunteers, and

alumni finally able to take a pause in decades of professional and community involvement.

From among its alumni, Chase this year recognized the achievements of four of them: Faith Whittaker, with the Outstanding Alumna of the Past Decade Award, James Frooman, with the Professional Achievement Award, Joy Kramer, with the Distinguished Service Award, and W. Roger Fry, with the Lifetime Achievement Award.

The stories on the following pages show what each has achieved, and what each says about how a Chase education laid the foundation for it.



Alumni Association President John Dunn, from left, award recipients James Frooman, Joy Kramer, Faith Whittaker, W. Roger Fry, and Dean Jeffrey Standen at the Alumni Luncheon.

Luncheon Sponsor **Turner** | Awards Sponsor **Lawrence Firm** | Program Sponsor **Reminger**



FAITH WHITTAKER

Class of 2007 | Partner, Dinsmore & Shohl

Outstanding Alumna of the Past Decade

Presented to a graduate of the past ten years who exhibits the ideals of Chase through professional accomplishments and service to the community

Her professional accomplishments: Ms. Whittaker joined Dinsmore & Shohl in its labor and employment law department in September 2007, and became a partner in January 2016. She has handled employment-related litigation for clients that include local businesses and Fortune 500 companies in a range of areas, including discrimination claims, wage and hour claims, and noncompetition issues.

Community service: Her professional involvement includes serving as a trustee of the Cincinnati Bar Association, chairing the association's Labor & Employment Law Committee, and being chair-elect for the executive board of the Young Lawyers Section. In Cincinnati, she has volunteered at Marjorie P. Lee community for assisted living, Destiny Hospice, Volunteer Lawyers Project, and Dress for Success.

While attending Chase: Ms. Whittaker was the symposium editor for the *Northern Kentucky Law Review* and was secretary of the Student Bar Association.

What she says about her Chase education: "Chase provided me with both substantive and, most importantly, practical legal skills. From the support of Chase's administration and faculty, I learned that practicing law is a business and that we must add value to our clients.

"I was fortunate to participate in Chase's labor and employment law focus, which developed my expertise in that area of the law and helped my early understanding of this practice while at Dinsmore.

"Chase was a wonderful experience, and if I could do it all over again, I would attend Chase.



JAMES FROOMAN

Class of 1990 | Member, Frost Brown Todd

Professional Achievement Award

Presented to an alumnus who exhibits the ideals of Chase through professional achievement

His professional achievements: Mr. Frooman began his legal career with Lindhorst & Dreidame and became a shareholder in his fifth year of practice. He was later appointed to the firm's board of directors and served as president. In 2005, he moved to Frost Brown Todd, where he has served on the firm's nominating, advancement, and compensation committees. The firm has recognized him three times as Mentor of the Year.

In the community: He is a founding member of the Forest Hills Foundation for Education and continues to serve on its executive committee. He is in his second term as an elected member of the Forest Hills Board of Education, and is a past-president of the board.

While attending Chase: He was executive editor of the *Northern Kentucky Law Review* and participated in Moot Court.

What he says about his Chase education: "I did well in my classwork at Chase, but I did not do well on everything in every class. On those occasions when things did not go well, I always sought help from my professors. And, without exception, the Chase professors were always incredibly helpful and supportive.

"Professor Lowell Schechter in Constitutional Law, Professor Nancy Firak in Torts, and Professor Robert Bratton in Civil Procedure all picked me up when I was down. They taught me not only how to succeed, but how to persevere and succeed in the face of obstacles and when things do not at first go well. Maybe the most important life lesson from my Chase education was not the law itself, but to keep working in the face of adversity."



JOY KRAMER

Class of 1996 | Judge, Kentucky Court of Appeals

Distinguished Service Award

Presented to an alumnus who exhibits the ideals of Chase through exceptional service to Chase and/or the community

Her service: Judge Kramer was elected to the Kentucky Court of Appeals in 2006. In 2012, she was appointed chief judge pro tem and in June of 2016 other judges elected her as chief judge. Judge Kramer has been a special justice on the Supreme Court of Kentucky.

Her community involvement includes serving on numerous boards, including Boone County Court Appointed Special Advocates, St. Elizabeth Hospice Committee, the Every Child Succeeds executive committee, Kentucky Personnel Board, and Governor’s Postsecondary Education Nominating Commission.

While attending Chase:

Judge Kramer received numerous scholarships and awards.

What she says about her

Chase education: “I received a wonderful education at Chase, and am a very proud

graduate. But, more than just being grounded in legal principles and concepts, the professors at Chase taught me that, above all, being an attorney is about being professional in all things.

“The professors at Chase stressed treating other attorneys, the judiciary, clients, and the public with the highest respect, and that a ‘win at all costs’ attitude was not the goal of zealously representing a client or cause; rather, the goal was zealous ethical representation while always upholding the dignity of our profession.

“What a wonderful legacy so many professors have in establishing a strong, ethical and highly professional practicing bar in the Greater Northern Kentucky area and beyond. Thank you to the faculty and staff at Chase for setting the bar so high. I am a much better person because of my experiences there.”



W. ROGER FRY

Class of 1966 | Of counsel, Rendigs, Fry, Kiely & Dennis

Lifetime Achievement Award

Present to an alumnus who exhibits the ideals of Chase and whose professional accomplishments and service to the community have brought honor, recognition, and distinction to Chase

His professional achievements: Mr. Fry was a law clerk at Rendigs, Fry, Kiely & Dennis while he was a student at Chase. He spent the next fifty years with that firm, practicing in all areas of commercial and general litigation, representing architects and engineers, firearms and other manufacturers, and companies involved in hazardous waste sites and class actions. At age 70, he became of counsel, and continues in that position.

He is a Fellow of the American College of Trial Lawyers and an Advocate of the American Board of Trial Advocates. He is the 2016 recipient of the Cincinnati Bar Association John P. Kiely Professionalism Award, and the 2012 recipient of the Excellence in Advocacy Award of the Ohio Association of Trial Attorneys.

Community service: He has been a board member of the Cincinnati Symphony

Orchestra, and law committee chair and co-chair of the board of the Antique Tribal Art Dealers Association. He served eight years as an elected member the Indian Hill Village Council.

What he says about his

Chase education: “Students at Chase in the 1960s were definitely provided the education needed to enter the practice with a level of confidence, an understanding of fundamentals, and a recognition of the importance of legal ethics.

“I am hopeful that the many of us who benefited so greatly from our Chase education can pass along a few things we learned, then and later, to succeeding generations of lawyers. I think the past deans and all of the full-time and part-time professors, who dedicated so many countless hours to others, would be pleased with that.”

Class Action

1966



W. Roger Fry, of counsel at Rendigs, Fry, Kiely & Dennis in Cincinnati, received the John P. Kiely

Professionalism Award from the Cincinnati Bar Association at its 2016 Annual Meeting. His practice concentrates on commercial litigation, construction law, and insurance coverage.

1967

Judge John P. O'Connor retired after forty-two years as a trial judge in Hamilton County (Ohio) Municipal Court, Hamilton County Juvenile Court, and Hamilton County Court of Common Pleas. He was a mediator and a visiting judge in Southwest Ohio after leaving elective office.

1975



Howard L. Richshafer, a partner in the Cincinnati law firm Wood & Lamping, is included in the

twenty-third edition of *The Best Lawyers in America* for his work in tax litigation and controversy. He was also recognized as the 2017 Tax Litigation and Controversy Lawyer of the Year for Cincinnati.

1976



John Norwine, a retired executive director of the Cincinnati Bar Association, received the

2016 Bolton Award from the National Association for Bar

Executives. It is the highest award the association bestows.

1977



Daniel P. Randolph, senior member of Ritter & Randolph, in Cincinnati, was appointed to

the board of trustees of Skirball Museum, in Cincinnati. He is a member of the advisory boards of the University of Cincinnati Hillel Foundation and Chabad Center of Blue Ash, a member of the Ezra Consortium of the American Jewish Archives, and a trustee and president of the Cambridge Charitable Foundation.

1980



Stephen E. Gillen, a partner at Wood Herron & Evans, in Cincinnati, wrote *Guide to Textbook*

Publishing Contracts, published by the Textbook & Academic Authors Association Press. He concentrates his practice on matters involving publishing, media, and copyright. He was named *The Best Lawyers in America* 2017 Copyright Law Lawyer of the Year in Cincinnati.

Charles T. Moore, chief district judge for Boone and Gallatin counties in Kentucky, was inducted into the Holmes High School Hall of Distinction. The hall recognizes achievements and contributions to society.



Don Moore of The Moore Law Firm, in Cincinnati, earned a recreational

private pilot and instrument rating. He practices in the areas of medical malpractice, products and personal injury with his son, Dan Moore. Don is a third-generation lawyer, whose father, uncle, and cousin were also graduated from Chase.



Jim Parsons is of counsel in the real estate group of Keating Muething & Klekamp, in

Cincinnati. His practice concentrates on public law, public finance, and tax incentives for business development. He is chair of business advocacy and vice chair of governmental affairs for the Northern Kentucky Chamber of Commerce.



R. Kent Westberry, a partner with Landrum & Shouse, in Louisville, Kentucky, was elected a fellow of the American

Board of Criminal Lawyers. He has been a president of the Kentucky Bar Association and Assistant United States Attorney for the Western District of Kentucky. He is alternate to the chair for the Kentucky Judicial Conduct Commission.

1982



Teresa A. Daniel, dean and professor of human resource leadership programs at Sullivan

University, in Louisville, Kentucky, co-authored the recently published *Stop Bullying at Work: Strategies and Tools for HR, Legal & Risk Management Professionals* (second edition).

1986

Timothy S. O'Toole retired as chief executive officer of VITAS Healthcare Corp., a subsidiary of Chemed Corp. He worked with the company for 38 years, and plans to work with it as a consultant.

1985

Alyson Barclay is among seven St. Louis-area lawyers the *St. Louis Business Journal* says are standouts among corporate counsel. The newspaper recognized her with its Corporate Counsel Award, noting that she helped ESCO Technologies transition from a spinoff of Emerson Electric to a successful standalone company. As senior vice president and general counsel, she manages four lawyers at ESCO, a publicly traded company that supplies special-purpose communications systems for electric, gas, and water utilities, and filtration products for use in aviation and space. She has been involved in about sixty mergers and acquisitions for ESCO, valued at more than \$1 billion.



1987

R. Scott Borders joined Fogle Keller Purdy in its Florence, Kentucky, office. He was an administrative law judge in the Kentucky Department of Workers' Claims.

David B. Pearce joined Amedisys, a home health care and hospice provider, as senior vice president and compliance officer. He oversees ethics and compliance programs.

1989



Robert L. Keisler Jr. joined the Louisville, Kentucky, office of Hill, Hill, Carter, Franco, Cole & Black in its national health insurance, mass tort, and pharmaceutical antitrust practice.

1995



Mary E. (Ray) Talbott joined Macy's as vice president-law to handle securities and corporate governance matters. She has been a trustee of the Cincinnati Ballet since 2009 and is a sustaining trustee and member of the dancer sponsorship committee. She is a board member of the Women's Crisis Center, and serves on its governance and program committees.

1996



Joy A. Kramer was elected by other court of appeals judges as chief judge of the Kentucky Court of Appeals.



Jill P. Meyer, president and chief executive officer of Cincinnati USA Regional Chamber, is one

of ten women the *Cincinnati Business Courier* selected for its Women Who Mean Business in 2016 Award. She was co-chair of the Artswave 2016 Community Campaign that exceeded its goal of \$12.45 million.

1997

Amy H. Anderson relocated her office to Fort Mitchell, Kentucky. Her practice concentrates on family law.

1998

Jason A. Lopp joined McNeely, Stephenson, Thopy & Harrold in its New Albany, Indiana, office. His practice includes real estate, business, finance, and civil litigation, transactions, and mediations.

2000



Andrew D. Atherton was elected a shareholder and chair of the estates and elder law

practice group of McGuire, Wood & Bissette, in Asheville, N.C. His practice concentrates on personal estates, elder law, and special needs planning.



Joan M. Gates was appointed vice president of legal affairs and general counsel for Northern Kentucky

University. She was senior legal counsel at Cincinnati Children's Hospital Medical Center.

2001

Judge Michelle Garcia Miller

is acquiring a number of firsts in Jefferson County (Steubenville), Ohio. Two years ago, in 2014, she became the first woman elected as a judge in the county, when she was elected to the Court of Common Pleas, and a year ago she conducted the first adult drug court in a plan to create a certified drug court. Judge Miller had been a nurse in Cincinnati hospitals and was a nurse-consultant at a law firm prior to her graduation from Chase. She maintained her own law practice, Michelle G. Miller Law Offices, in Brilliant, Ohio, and was a magistrate in the Jefferson County Court of Common Pleas prior to her election. She had also been solicitor for two villages and a township.



2001



Jennifer Gatherwright received the Nick of Time Award from Northern Kentucky

Volunteer Lawyers.

2005



Michael Nitardy, a lawyer in the litigation department in the Florence, Kentucky, office of Frost Brown Todd, earned the Certified Information Privacy Professional/United States credential through the International Association of Privacy Professionals.



Vanessa Lominac Sears is an assistant Commonwealth Attorney for the Twenty-Seventh Judicial District of Laurel and Knox counties in Kentucky.



Timothy B. Spille joined the Cincinnati and Fort Mitchell, Kentucky, offices of Reminger Co.,

and is a shareholder in the firm. His litigation practice is in the areas of insurance coverage, construction, and small business.

2007



Jennifer T. Leonard has opened Leonard Law in Fort Mitchell, Kentucky. The practice

concentrates in the areas of estate planning, estate and trust administration, wealth transfer, business formation and operation, business succession planning, and non-profits.

Amber Justice-Manning joined Faruki Ireland & Cox in its Cincinnati office. She practices in the area of business and commercial litigation.

E. Gerald Parker, a partner at Dyer, Garofalo, Mann & Schultz, in Dayton, Ohio, is a magistrate judge in the Juvenile Division of the Montgomery County (Dayton) Court of Common Pleas. He was a prosecuting attorney in Montgomery County.

2008



Alexander L. Ewing became a member at Frost Brown Todd. He is in the Wester Chester, Ohio,

office, in the government services and labor and employment practice groups, representing private- and public-sector employers.

2009



Jessica L. Craven became a partner at Gatherwright Freeman & Associates, in Crescent

Spring, Kentucky. She concentrates her practice on business transactions and tax matters.



Andrew J. Schierberg is chief of police in his hometown of Fort Mitchell, Kentucky. He was with the

Kenton County Police Department thirteen years in different roles, most recently as head of the investigative unit.

2011



David A. Schulenberg joined Raines, Buechel, Conley, Dusing & Sutton, in Florence,

Kentucky. His practice concentrates on general litigation, workers' compensation, business, estate planning, and probate.

2012



Joshua M. McIntosh of McIntosh Law, in Covington, Kentucky, is also of counsel with the Law Offices

of Christopher L. Jackson. His practice concentrates on criminal defense, driving under the influence, general civil litigation, wills and estates, and employment.



Paul J. Wischer joined the firm of Adams, Stepner, Woltermann & Dusing, in Covington,

Kentucky, as an associate. He practices in the firm's business representation, government, and commercial litigation groups.

2013

Brittany "Britt" Born joined Arnold Law Firm, in Cincinnati, as an associate. She has been a bailiff in Hamilton County Court of Common Pleas and Hamilton County Municipal Court, and was a public affairs director for the Ohio Attorney General's Office.



Olesja L. Cormney has been named managing counsel for Toyota Motor Engineering &

Manufacturing North America, in Plano, Texas. She is in the labor and employment law group.

2014



Marisa Dyson joined Lawrence & Associates, in Fort Mitchell, Kentucky. She will expand the firm's workers'

compensation practice to Ohio and practice in the area of Ohio family law.

Kyle Johnson joined Fogle Keller Purdy in its Louisville, Kentucky, office. His practice concentrates on workers' compensation and general civil litigation defense.



Tiffany L. Smith joined the Ohio Justice & Policy Center, in Cincinnati, as a litigation

attorney, and coordinates its Ohio Domestic Violence Clemency Project. She represents clients in civil rights actions.

2015

Lucas Cayce, an associate with Geoghegan and Associates, accepted a position as Assistant Commonwealth Attorney in the Kentucky Tenth Judicial Circuit.

2016



Jennifer Pruitt received the 2016 Law Student Award from Northern Kentucky Volunteer

Lawyers for her pro bono work.



Byron Turner joined the Ohio Attorney General's Office in Columbus, Ohio, in the criminal justice

corrections section. He works with actions against employees of the state Department of Rehabilitation and Corrections and Department of Youth Services that allege deprivations of civil rights.



Kristen Saxton is a Montgomery County Ohio (Dayton) assistant prosecuting attorney in the

child protection unit.

IN MEMORIAM

1943

Frances Hahn
September 7, 2015

1966

George E. Overbey
January 29, 2016

1967

Dan Meyer
November 28, 2016

Robert C. Woods
March 12, 2016

1972

Gerald C. Weinstein
July 7, 2015

John A. Wynn
September 25, 2015

1977

James C. Conner
March 18, 2016

Frank W. Malott
July 4, 2016

1978

Lawrence R. Fisse
July 18, 2015

1987

Terrance Joseph Janes
July 5, 2016

2013

W. Luke Bubenzer
June 5, 2016

FACULTY, 1952-1960
Frederick W. Mebs
September 18, 2016

SHARE YOUR NEWS

Send news about your life or career for publication in CHASE to Judy Brun, law specialist, by email to brunj1@nku.edu or by mail at Chase College of Law, 529 Nunn Hall, 100 Nunn Dr., Highland Heights, KY 41099.

Alumni Attend Lunsford Forum at NKU



Chase alumni joined students and faculty in mid-September at the Lunsford Forum, when W. Bruce Lunsford '74 spoke about the intersection of law, business, and technology in his career and in the W. Bruce Lunsford Academy for Law, Business + Technology, which he has endowed at Chase. Among alumni who attended the forum on the Northern Kentucky University

campus were, from left above, Alumni Association President John Dunn '03, J. David Bender '79, Mr. Lunsford, William Hawkins II '78, and William Hesch '80. Also speaking at the forum with Mr. Lunsford, right photo, were Dean Jeffrey Standen and Professor Matthew Tokson, director of the Chase Law + Informatics Institute, which includes the academy.

Chase Foundation Scholarships Honor Judges

The Chase College Foundation hosted a reception at the Metropolitan Club in Covington for the Chase student recipients of the foundation's scholarships awarded in honor of Judge Anthony Frohlich and Judge Norbert Nadel, who both retired in December 2014. The foundation board members, dean, and students pictured below are, from left, William Whitaker, Drew Chalfant, Kelsey Braido, Erik Crew, Joe Shea '74, Emily Ballard, Ron Major '74, Dean Jeffrey Standen, Chair

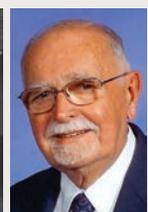
Bill Cussen '69, Walt Haggerty '78, Judge Candace Smith '92, James Frooman '90, Judge Norbert Nadel '65, David Spaulding '05, Judge Tony Frohlich '80, Alexa Wainscott, and Tyler Noonan. This year, the foundation also awarded scholarships in honor of the late Judge Raymond E. Lape '68. Judge Lape, who passed away in 2015, served as judge in the Kenton County Circuit Court, First Division, for sixteen years and was a long-time member of the Chase College Foundation Board.



Judge Anthony Frohlich
Circuit Court for Boone and Gallatin counties, ten years



Judge Norbert Nadel
Hamilton County Court of Common Pleas and Municipal Court, forty years



Judge Raymond Lape
1927-2015
Kenton County Circuit Court, sixteen years

Faculty News



Eric Alden
Associate Professor of Law

PUBLICATIONS
Promissory Estoppel and the Origins of Contract Law, 9 NE. U. L. J. __ (forthcoming 2017).
Rethinking Promissory Estoppel, 16 NEV. L. J. 659 (2016).



John Bickers
Professor of Law

PRESENTATION
Presented “False Facts and Holy War” at the 2016 Conference of the Central States Law Schools Association at the University of North Dakota College of Law.

MEDIA
Panelist on “Kentucky Tonight,” on KET public television, to discuss foreign policy issues in the 2016 presidential election.



Roger Billings
Professor Emeritus

PRESENTATION
Presented “*Ex Parte Milligan* at 150: The Constitution and Military Commissions in American Wars on Terror,” at a conference at Illinois State University.



Carol Bredemeyer
Professor Law Library Services

PUBLICATION
Following the 2016 Election, LEX LOCI (Northern Kentucky Bar Association).



Anthony Chavez
Professor of Law

PUBLICATION
Using Legal Principles to Guide Geoengineering Deployment, 24 N. Y. U. ENVTL. L. J. 59 (2016).



Ursula Doyle
Associate Professor of Law

PUBLICATION
The Evidence of Things Not Seen: Divining Balance Factors from Kiobel’s “Touch and Concern” Test, 66 HASTINGS L. J. 443 (2015).



Amy Halbrook
Associate Professor of Law

PUBLICATIONS
CUSTODY: KIDS, COUNSEL AND THE CONSTITUTION, __ DUKE J. CONST. LAW & PUB. POL’Y __ (forthcoming 2017).

Kentucky’s Guardian Ad Litem Litigation: A Model for Seeking Role Clarity, __ CHILD. LEGAL RTS. J. __ (forthcoming 2017).

PRESENTATION
Presenter, “Will We Ever See the Calm After the Storm? – Child Advocates & Court Advisors Post-Getter,” at the University of Kentucky Family Law Institute, Lexington, Kentucky.



Jack Harrison
Associate Professor of Law

PRESENTATIONS
Presented *Registration, Fairness and General Jurisdiction*, 95 NEB. L. REV. __ (2016) at the 2016 Conference of the Central States Law Schools Association at the University of North Dakota College of Law.

Invited to present *Registration, Fairness and General Jurisdiction*, 95 NEB. L. REV. __ (2016) on a works-in-progress panel at the 2017 Federalist Society Annual Faculty Conference in January in San Francisco, part of the Association of American Law Schools Annual Meeting.

PROFESSIONAL
Included in the 2017 edition of *The Best Lawyers in America* in categories of mass tort litigation/class actions–defendants and product liability litigation–defendants.



Dennis Honabach
Professor of Law

PUBLICATION
Dennis R. Honabach, D&O

Liability Handbook: Law-Sample Documents-Forms (Thomson Reuters, 2016-2017 ed.).

PRESENTATION

Presented a work-in-progress, "Rule 14a-8(i)(7) Practice in the Aftermath of *Trinity Wall Street v. Wal-Mart Stores, Inc.*," at the Kentucky Securities Law Seminar in Louisville, sponsored by the Kentucky Bar Association



Jennifer Jolly-Ryan
Professor of Legal Writing

PUBLICATION

Balancing Interests and Risk of Error: What Quarantine Process Is Due After Ebola-
nia?, __NEB. L. REV. __
(forthcoming 2017).



Kenneth Katkin
Professor of Law

MEDIA

Interviewed on WVXU-FM, Cincinnati, on the "Legal Battle over the Obama Administration's Public School Guidelines Regarding Transgender Students."



Donald Kazee

Associate Professor of Legal Writing

PUBLICATION

United States v. Barry Bonds v. Bronston: Can Section 1503 Handle the Truth?, 22 JEFFREY S. MOORAD SPORTS L. J. 403 (2015).



Jennifer Kinsley

Associate Professor of Law,
Director of Experiential Learning

PUBLICATION

The Myth of the Obsolete Obscenity, 33 CARDOZO ARTS & ENT. L. J. 607 (2015).

PROFESSIONAL

Filed an *amicus curiae* brief in the United States Court of Appeals for the Ninth Circuit on behalf of the First Amendment Lawyers Association and the Woodhull Freedom Foundation in the case of *Erotic Service Provider Legal Education & Research Project v. Gascon*, which questions the constitutionality of California prostitution and solicitation laws. The brief focuses on commercial speech and how it applies to commercial sex transactions.

Submitted an *amicus curiae* brief on behalf of the National Association for Public Defense to the Supreme Court of the

United States in support of a petition for a writ of *certiorari* in *Serrano-Mercado v. United States*. The case involves a split among circuits on the standard of review when a defendant receives a sentencing enhancement based upon prior convictions of violence for which state court documentation was not submitted in federal court.

MEDIA

Quoted in "What Did Occupy Cincinnati Accomplish?" *The Cincinnati Enquirer*, October 21, 2016.

Forthcoming article, *Chill*, profiled in the May 11, 2016, issue of the U.S. Constitutional Law: Rights & Liberties eJournal of the Social Science Research Network.



Jennifer Kreder

Professor of Law, Associate Dean for Professional Affairs

PUBLICATIONS

The Holocaust Era Art Restitution Act, __CHAPMAN L. REV. __ (2016) (symposium).

Nazi-Era and Russian Revolution Art Cases, __CASE W. RES. J. INT'L L. __ (2016) (symposium).

PRESENTATIONS

Presented on art law at The Art of International Law Conference, Case Western Reserve University School of Law, Cleveland.

Presented on art law at the Loot: Stolen Art, Cultural Property and Repatriation Conference, Texas A&M University School of Law, Fort Worth, Texas.

Lectured on her book in progress, *Hidden Behind*

Paintings: The True Story of Nazi-Era Extortion and Modern Justice, at the Jewish Community of Louisville Inc. and the Kentucky Bar Annual Convention in Louisville.

PROFESSIONAL

Submitted a joint statement in support of United States Senate Bill 2763, the Holocaust Expropriated Art Recovery Act, to members of the Senate Judiciary Subcommittee on Nazi-Looted Art.

MEDIA

Quoted in "Welcome to Stalin World – The Theme Park Made of Old Soviet Statues," *New Statesman*, October 3, 2016.



Michael Mannheimer

Professor of Law, Associate Dean for Faculty Development

PRESENTATIONS

Invited to present his work-in-progress, "Decentralizing Fourth Amendment Search Doctrine," on a works-in-progress panel at the 2017 Federalist Society Annual Faculty Conference in January in San Francisco, part of the Association of American Law Schools Annual Meeting.

Presented "De-Centralizing Fourth Amendment Search Doctrine" as a work-in-progress at CrimFest! 2016 at the Benjamin N. Cardozo School of Law.

Presented "The Coming Federalism Battle in the War Over the Death Penalty" at the University of Arkansas (Fayetteville) Law Review symposium, The Future of the Death Penalty. The article will be published in a forthcoming issue of the *Arkansas Law Review*.

Addressed the Salmon P. Chase Inn of Court on the topic of “Federalism in the Bill of Rights: Unreasonable Searches and Unusual Punishments” (April 2016).

PROFESSIONAL

Filed an *amicus curiae* brief in *United States v. Farad Roland*, a federal death penalty case in the United States District Court for the District of New Jersey, arguing that the Eighth Amendment to the United States Constitution forbids imposition of a federal death penalty for a crime committed in a state that does not have a state death penalty.

Filed an *amicus curiae* brief in *U.S. v. Donald Fell*, in United States District Court for the District of Vermont, arguing that the Eighth Amendment to the United States Constitution forbids imposition of a federal death penalty for a crime committed in a state that does not have a state death penalty.



Lawrence Rosenthal
Professor of Legal Writing and Associate Dean for Academics

PUBLICATIONS

No Good Deed Goes Unpunished: The Lack of Protection for Volunteers Under Federal Anti-Discrimination Statutes, 2016 B. Y. U. L. REV. 117 (2016).

Timing Isn't Everything: Establishing a Title VII Retaliation Prima Facie Case after University of Texas Southwestern Medical Center v. Nassar, 69 SMU L. REV. 143 (2016).



David Singleton
Associate Professor of Law

PUBLICATION

To Love or Not to Love: The Possibility, Promise, and Peril of Mutually Transformative Attorney-Client Friendships, 46 SETON HALL L. REV. 743 (2016).

ACADEMIC

Taught in sentencing-training and appellate programs of the National Defender Training Project.

Spoke to public-interest-law students at the University of Washington about using interest convergence theory to advocate for marginalized clients.

Gave the keynote address at the Economic Inequality Summit at Northern Kentucky University.



Jeffrey Standen
Dean and Professor of Law

MEDIA

Quoted in “Game May Never Be the Same as N.F.L. Shifts on Concussions,” *The New York Times*, March 16, 2016.



Matthew Tokson
Assistant Professor of Law, Director of Law + Informatics Institute

PRESENTATION

Presented *Knowledge and Fourth Amendment Privacy*, 111 Nw. U. L. REV. __ (2016), at a faculty workshop at St. Louis University School of Law.

AWARD

Knowledge and Fourth Amendment Privacy, 111 Nw. U. L. REV. __ (2016), received a Privacy Law Scholars Conference Junior Scholar Award as one of two articles cited for overall excellence by a pre-tenure scholar.



Barbara Wagner
Assistant Professor of Law, Director of Small Business & Nonprofit Law Clinic

PRESENTATIONS

Presented “Teaching Law Students Who Are Afraid of Numbers about Business Basics” at Emory Law School’s Fifth Biennial Conference on Transactional Education.

Presented “View of the (Legal) Academy from the Inside by a Former Outside Practitioner” to the Harvard Law School Association of Cincinnati.

Presented “Defining and Assessing Key Competencies

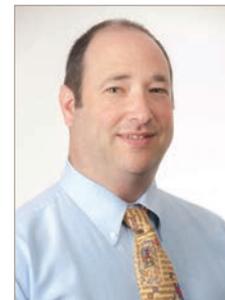
for Business Lawyers” at the American Bar Association Business Law Section spring meeting as co-chair of the ABA Task Force on Defining Competencies for Business Lawyers.

INTERNATIONAL

Participated in Yale Global Alumni Leadership Exchange delegation to five universities in South Africa to discuss alumni and development activities.

Produced and participated in a Yale Alumni Schools Ambassadors trip to the Republic of Georgia and Armenia to explain benefits of a liberal arts education to secondary school students, and spoke to undergraduate law students at Tbilisi State University, Georgia, about opportunities to study law in the United States.

Spoke at a conference in Yerevan, Armenia, entitled “Scholars and Alumni Without Borders: Making a Difference.”



Michael Whiteman
Professor of Law, Associate Dean for Library Services and Information Technology

PUBLICATIONS

Jury Instructions, LEX LOCI (Northern Kentucky Bar Association).

Tracking Ohio and Kentucky Legislation, CINCINNATI BAR ASSOCIATION REPORT.

PRESENTATION

Presented “Thinking Outside the Library Walls: Reaching Out to Our Patrons,” at the Ohio Regional Association of Law Libraries annual meeting, in Dayton, Ohio.

Chase Recognizes Adjunct Professors' Service

A luncheon provides a thank-you for decades of teaching

Adjunct professors at Salmon P. Chase College of Law are both givers and receivers. They give time and expertise to teaching and receive the satisfaction of helping students become lawyers.

In late September, they also received a thank-you from Chase for their work. Twenty-four adjunct professors attended a luncheon with full-time faculty and staff on the Northern Kentucky University campus to receive recognition and award pins for their service. Five of them have been adjunct professors for fifteen years or more, five for five through fourteen years, and ten for one through four years.

Ask some of them what they get out of teaching, and this is what they say:

Steven Ray, who teaches Contract and Legal Drafting, Litigation: "Teaching is a great way to repay the profession that has blessed me

with a meaningful, rewarding career. Plus, it's just darn fun. Seeing my students succeed is the best part of teaching. It gives me a particular thrill and sense of pride when I see a former student practicing and achieving as a lawyer."

Justice Donald Wintersheimer, State Constitutional Law: "The best part of teaching is to bring new thoughts and ideas to the attention of the students, so as to use the ideas in their professional and even personal lives."

Donyetta Bailey, Workers' Compensation: "Teaching sharpens my knowledge and skills. It's also just a nice thing to do. I feel a certain level of pride and honor that is associated with being an educator. The best part of teaching is being able to help a law student gain knowledge in my specific practice area and become enthused about it."

BELOW LEFT
Adjunct professors with fifteen years or more of service at Chase, from left: Frank Mungo, Dean Standen, Robert Goering, Justice Donald Wintersheimer, Judge Gregory Bartlett, Tina Topazio.

BELOW RIGHT
Five through fourteen years, from left: Ann Schoen, Naima Clarke, Penny Hendy, Liz Zink-Pearson, Steven Ray.



AT LEFT
One through four years, from left, front: Donyetta Bailey, Nathaniel Sizemore, Robert Furnier, Penny Landen; from left standing, William Lunceford, Al Weisbrod, Judge Robert Lyons, Sheryl Heeter, Dean Standen, Christen Steimle, Col Owens, Amanda Gerken, Kate Molloy, Adam Sherman, Gregory Sizemore.

FEATURED SCHOLARSHIP



Juvenile Pariahs was published in the *Hastings Law Journal*, 65 HASTINGS L. J. 1 (December 2013). The article was cited favorably by two state supreme courts that invalidated mandatory lifetime sex offender registration for juveniles. In 2015, the Supreme Court of Kansas cited the article in deciding that lifetime sex offender registration for juveniles is unconstitutional. When the State of Kansas asked the Supreme Court of the United States to review its Supreme Court decision, respondents cited *Juvenile Pariahs* in a brief in opposition. The U.S. Supreme Court denied *certiorari*. The Kansas case followed a Supreme Court of Pennsylvania case which cited the article and came to the same conclusion in 2014. The article has also been cited in more than a dozen law review articles and practice guides.

by AMY HALBROOK*

Our juvenile justice system – now more than a hundred years old – differs from the adult criminal justice system in fundamental ways. The most important distinction is that the juvenile justice system’s purported primary goal is rehabilitation rather than simple deterrence, incapacitation, or retribution. Other scholarship has traced the disturbing trend in juvenile justice toward treating some juvenile offenders as adults. In most circumstances, that occurs when both a prosecutor and a juvenile court judge have determined that the child’s crime is so serious that it warrants an adult penalty.

When it comes to a broad range of offenses – some serious and others comparatively not – that are classified as “sex crimes,” however, certain federal and state laws brand young people as societal pariahs, for most or the rest of their lives, without regard to risk or their potential to be rehabilitated. This occurs despite recent studies indicating that juveniles who commit sex offenses have extremely low recidivism rates and respond more positively than adults to treatment and intervention.¹ These reactionary laws, unsupported by science, destroy life outcomes for young registrants. Society is not safer as a result; it is, in fact, less safe because young registrants are effectively prohibited from any chance at making progress from youth to productive membership in adult society.²

The United States Supreme Court held in its joint ruling in *Miller v. Alabama* and *Jackson v. Hobbs* (jointly referred to as *Miller*) that mandatory life-without-parole prison sentences constitute cruel and unusual punishment as applied to juveniles. A judge must be allowed to consider mitigating circumstances (including a juvenile’s lack of maturity, vulnerability to negative influences, and capacity for change) before imposing a lifetime penalty. *Miller* was the third case in seven years where the Supreme Court acknowledged that juveniles are categorically different from adults and should not be subject to the “most severe” punishments: the juvenile death penalty (*Roper v. Simmons*), juvenile life without parole for non-homicide crimes (*Graham v. Florida*), and mandatory juvenile life without parole (*Miller*).³ With *Miller*, and *Graham* before it, the Court extended the definition of the “most severe” punishments to include permanent non-capital punishments as applied to juveniles. Following the Court’s evolution in thinking, mandatory lifetime sex offender registration, community notification, and other sex offender restrictions should also be held cruel and unusual punishment as applied to juveniles because they are similarly punitive and permanent penalties.

* * *

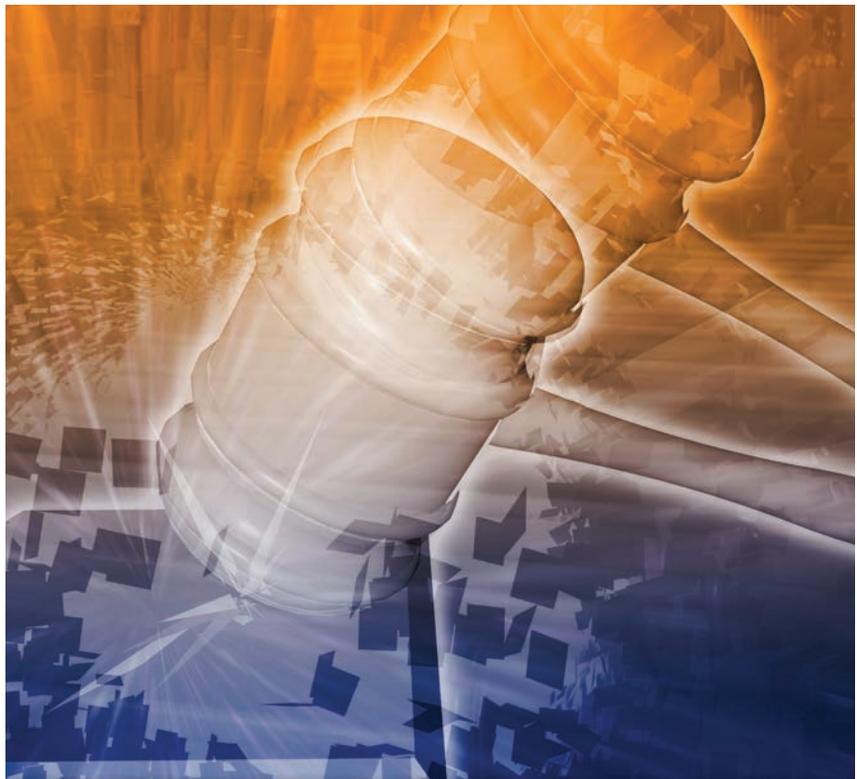
* Associate Professor of Law and Director of the Children’s Law Center Clinic, Salmon P. Chase College of Law, Northern Kentucky University. This article was excerpted and adapted from *Juvenile Pariahs*.

In the past twenty years, legislatures have imposed increasingly severe restraints on young people who have been labeled sex offenders. In spite of the traditional rehabilitative goals of juvenile courts, juvenile sex offenders have increasingly had to endure longer registration terms, community notification of registry status, and increased restrictions on their movement and activities. Registration requirements apply to young people who have committed a variety of juvenile offenses, which in some jurisdictions include masturbation, sending sexually explicit texts, consensual sex acts between teens (“Romeo and Juliet” cases), sexual acts within the family, and even some non-sexual offenses.⁴ Research shows that registration, community notification and registry-related restrictions have the effect of shaming, creating social stigma, and promoting social isolation, which may, in turn, undermine rehabilitation and permanently damage life outcomes for young people – all without increasing public safety.⁵

Lifetime juvenile sex offender registration is mandatory for certain offenses in certain jurisdictions, despite the fact that there is inconsistent public support for juveniles being placed on registries and there are questions about registries’ effectiveness in promoting public safety. There have been challenges to registration requirements for both juveniles and adults. Some courts have held that sex offender registration, community notification and related restrictions are not punitive because they are collateral consequences of a conviction or adjudication, rather than punishment.⁶ In recent years, however, other jurisdictions have held that juvenile sex offender registration, especially coupled with a community notification requirement, is unconstitutionally punitive.⁷ For example, in 2012 the Ohio Supreme Court in *In re C.P.* held automatic lifetime sex offender registration cruel and unusual punishment as applied to juveniles, stating:

[R]egistration and notification requirements [for juveniles] are different from such a penalty for adults. For juveniles, the length of the punishment is extraordinary, and it is imposed at an age at which the character of the offender is not yet fixed. Registration and notification necessar-

ily involve stigmatization and, for juveniles, the stigma of the label “attaches at the start of his adult life and cannot be shaken. With no other offense is the juvenile’s wrongdoing announced to the world. Before a juvenile can even begin his adult life, before he has a chance to live on his own, the world will know of his offense. He will never have a chance to establish a good character in the community. He will be hampered in his education, in his relationships, and in his work life. His potential will be squelched before it has a chance to show itself. A juvenile – one who remains under the authority of the juvenile court



and has thus been judged redeemable – who is subject to sex-offender notification will have his entire life evaluated through the prism of his juvenile adjudication. It will be a constant cloud, a once-every-three-month reminder to himself and the world that he cannot escape the mistakes of his youth. A youth released at 18 would have to wait until age 43 at the earliest to gain a fresh start. While not a harsh penalty to a career criminal used to spending time in a penitentiary, a lifetime or even 25-year requirement of community notification means everything to a juvenile. It will define his adult life before it has a chance to truly begin.⁸

In addition, some jurisdictions have refused to implement registration schemes for juveniles. The schemes conflict with juvenile justice policy, in particular the policy of keeping juvenile adjudications confidential. This trend takes into account current research about juveniles' reduced culpability and capacity for change.

The United States Supreme Court has not spoken specifically to the issue of whether juvenile sex offender registration constitutes cruel and unusual punishment. The Court has, however, spoken to the issue of whether adult sex offender registration constitutes punishment; it does not, partially because any registry information that becomes public is already a matter of public record due to the adult's criminal conviction.⁹ That reasoning should not be applicable to juveniles, as juvenile court files are traditionally kept confidential. In addition, applying mandatory lifetime sex offender restrictions to juveniles without the possibility for meaningful review fails to recognize youth are categorically different, that they should not be subject to the "most severe" punishments, or that registration and community notification undermine rehabilitation, which is the primary goal of the juvenile justice system.

* * *

When the issue of whether juvenile sex offender registration constitutes cruel and unusual punishment under the Eighth Amendment goes to the United States Supreme Court, the Court will first address whether mandatory lifetime registration for juveniles constitutes punishment.¹⁰ Assuming that can be proven, the Court will then determine whether the punishment is cruel and unusual. *In re C.P.* provides a promising analytical model that could be applied in other jurisdictions. The Supreme Court's analysis in *Miller* – decided after *In re C.P.* – can only bolster an Eighth Amendment argument.

The prohibition against cruel and unusual punishment requires punishment for a crime to be graduated and proportioned to the offense.¹¹ The Court must then consider the nature of the offense and the characteristics of the offender.¹² When adopting categorical rules related to punishment, the Court must consider whether there is national consensus against a sentencing practice and then consider whether, in its independent judgment, the practice violates the Constitution.¹³ The Court's exercise of indepen-

dent judgment requires it to consider the culpability of the offender given his or her individual characteristics, the severity of the punishment, and whether the practice serves legitimate penological goals.¹⁴

There is no national consensus related to whether and how juvenile registration is imposed. Practices vary widely from jurisdiction to jurisdiction. While national consideration of a sentencing practice is not determinative, and not based on the need for particular numbers or ratios, it is significant that mandatory lifetime sex offender registration and related restrictions are imposed on juveniles in a limited number of jurisdictions.

When considering the nature of the characteristics of the offender, the Court in *Miller* noted that a youth's age is relevant for Eighth Amendment purposes and must be taken into consideration.¹⁵ While some registration schemes may provide certain protections for juveniles – such as registry termination provisions – juveniles are generally not treated differently than adults for purposes of registration. In *Graham*, the Court stated that while a serious offense like rape is "a serious crime deserving serious punishment," it is not the same as a homicide crime in a moral sense.¹⁶ Registerable sex offenses – whether minor or comparatively serious – are not as serious as crimes that have been deemed the most egregious and deserving of the most severe punishments.

The requirement of lifetime registration is actually worse for juveniles than adults because youth are on the registry longer due to their age. As discussed above, the Ohio Supreme Court in *In re C.P.* described seriousness of the penalty: "A juvenile – one who remains under the authority of the juvenile court and has thus been deemed redeemable – who is subject to sex offender notification will have his entire life evaluated through the prism of his juvenile adjudication" and determined the punishment to be cruel and unusual.¹⁷

The purpose and effects of punishments are relevant to whether a punishment violates the Eighth Amendment; any sentence "lacking any penological justification is by its nature disproportionate."¹⁸ Applying mandatory lifetime registration to juvenile does not serve any penological goal. Juvenile status undermines the

justifications behind each goal because of a youth's developmental limitations. Because of a youth's diminished culpability, any argument for retribution is less compelling for a youth than it would be for an adult. Lack of maturity undermines the goal of deterrence; juveniles act recklessly and are less likely than adults to consider potential punishments before committing crimes. In addition, by imposing restrictions and community notification, sex offender schemes undermine rehabilitation and create barriers for youth to participate fully in society. The punishment is excessively punitive because of the emotional and social toll; the shaming; the isolation it creates by restricting housing, employment, and family life; and the fact that the requirement remains in place despite the fact that juveniles are amenable to treatment and may, at some point, no longer pose any risk to the community.

In *Miller*, the Court stated that it must consider the “mitigating qualities of youth” when applying a sentence and must account for youths’ developmental status.¹⁹ Sentences must be individualized. Imposing a permanent penalty without considering “immaturity, impetuosity, and failure to appreciate risks and consequences” is impermissible.²⁰ The same characteristics that make juveniles less culpable than adults require their sentences to be subject to review.

The practice of imposing mandatory lifetime sex offender registration runs contrary to the Supreme Court's jurisprudence in *Miller* (and *Roper* and *Graham* before it). *Miller* extended the definition of “most severe” punishments to include permanent non-capital punishments. Mandatory lifetime registration is such a punishment because the juvenile court judge is not permitted to consider the individual characteristics when assigning registration requirements and is not permitted to give the registrant an opportunity to prove that he or she has been rehabilitated. This failure to take developmental status into account is impermissible. When taken together, these factors support – and the Court should adopt – the argument that mandatory lifetime registration, community notification, and restrictions as applied to juveniles violate the Eighth Amendment.

ENDNOTES

¹ See, e.g., Alexis O. Miranda & Colette L. Corcoran, *Comparison of Perpetration Characteristics Between Male Juvenile and Adult Sexual Offenders*, 12 *Sexual Abuse: J. Res. & Treatment* 179, 179, 184, 186 (2000) (studying characteristics of sixteen juvenile and nineteen adult males who had committed sexual abuse and finding that adult offenders committed a higher number of perpetrator incidents and had longer relationships with their victims); David Finkelhor et al., *Juveniles Who Commit Sex Offenses Against Minors*, *Juv. Just. Bull.*, Dec. 2008 (juveniles who commit sex offenses have low recidivism rates and are far more likely than adult offenders to stop inappropriate behaviors with intervention).

² See, e.g., Franklin E. Zimring et al., *Delinquency in Racine: Does Early Sex Offending Predict Later Sex Offending in Youth and Young Adulthood?*, 6 *Criminology & Pub. Pol'y* 507, 530 (2007) (young people labeled as sex offenders often experience social rejection, making them more likely to associate with delinquent peers, less likely to be attached to social institutions such as schools and churches, and ultimately more likely to engage in illegal behaviors.)

³ *Miller v. Alabama*, 132 S.Ct. 2455 (2012); *Roper v. Simmons*, 543 U.S. 541 (2005); *Graham v. Florida*, 130 S.Ct. 2011 (2010).

⁴ For an overview of juvenile registration requirements nationally, see Nicole I. Pittman & Quyen Nguyen, *A Snapshot of Juvenile Sex Offender Registration and Notification Laws: A Survey of the United States* (2011).

⁵ Franklin M. Zimring, *AN AMERICAN TRAVESTY: LEGAL RESPONSES TO ADOLESCENT SEXUAL OFFENDING* (2004).

⁶ See, e.g., *United States v. Juvenile Male*, 670 F.3d 999, 1100 (9th Cir. 2011) (holding that the requirement that juvenile sex offenders register in a database not cruel and unusual punishment).

⁷ See e.g. *In re C.P.*, 131 Ohio St.3d 513 (Ohio 2012) (automatic juvenile sex offender registration cruel and unusual punishment); *People v. DiPiazza*, 286 Mich. App. 137 (Mich. Ct. App. 2009) (mandatory lifetime sex offender registration unconstitutional as applied in Romeo and Juliet case).

⁸ *In re C.P.*, 131 Ohio St.3d 513 (2013).

⁹ See *Smith v. Doe*, 538 U.S. 84, 99 (U.S. 2003).

¹⁰ For the Court's framework for determining whether sex offender registration constitutes punishment, see *id.* at 89.

¹¹ *Miller*, 132 S. Ct. 2455, 2455.

¹² *Graham*, 130 S. Ct. 2011, 2021-22.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Miller*, 132 S. Ct. at 2466.

¹⁶ *Graham*, 130 S. Ct. at 2027.

¹⁷ *In re C.P.*, 967 N.E.2d 729, 741-42.

¹⁸ *Graham*, 130 S. Ct. at 2028.

¹⁹ *Miller*, 132 S. Ct. 2455, 2459.

²⁰ *Id.* at 2468.

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