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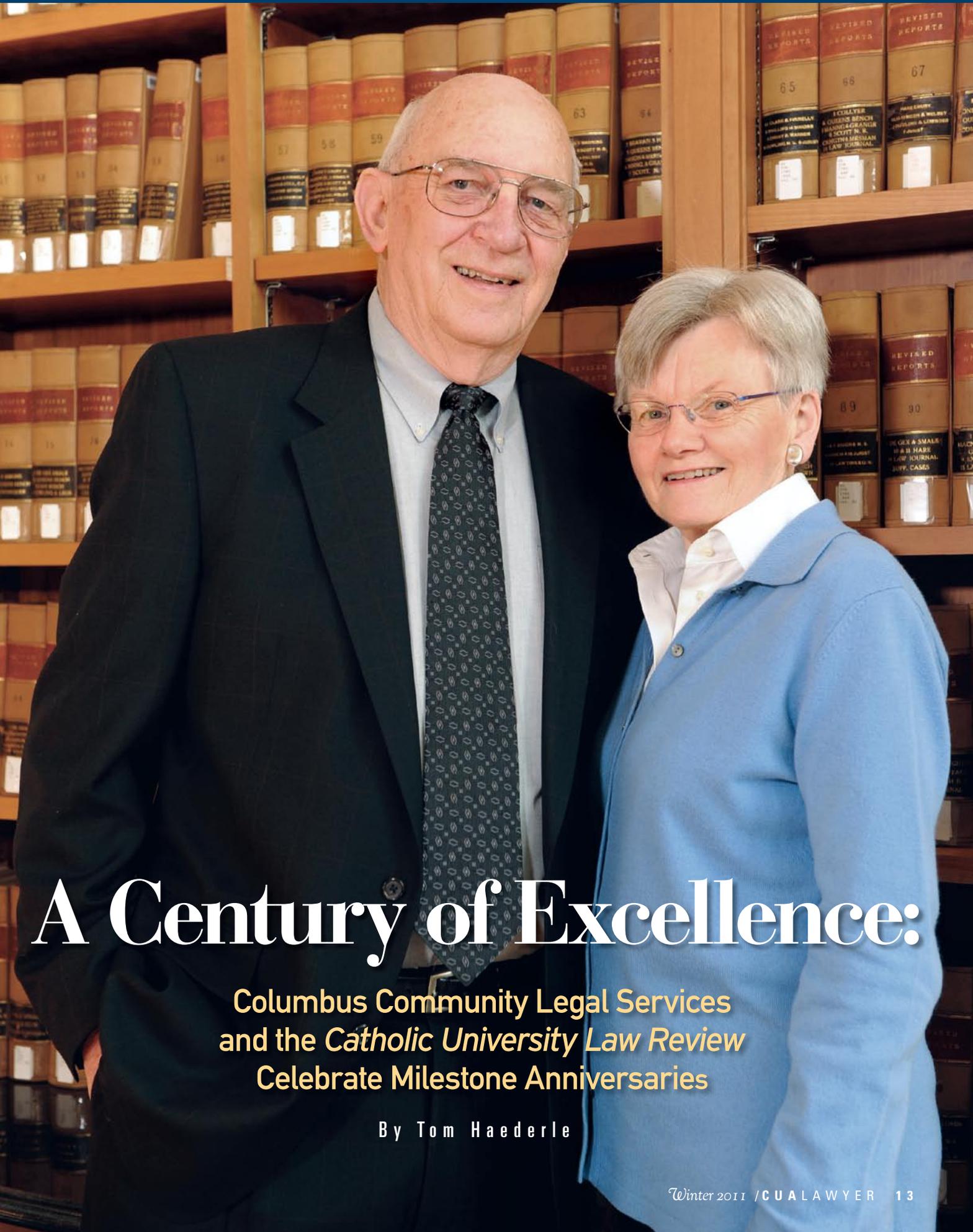
A Century of Excellence: Columbus Community Legal Services and the Catholic University Law Review Celebrate Milestone Anniversaries

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A Century of Excellence:

Columbus Community Legal Services
and the *Catholic University Law Review*
Celebrate Milestone Anniversaries

By Tom Haederle

A Clinic With A Heart:

40 Years of Columbus Community Legal Services



“Columbus Community Legal Services is a special place, reflective of the mission of the Church and the law school. Everybody is a stakeholder in it. It attracts special people,” said Scully.

Its address has changed over the years but its ironclad commitment to helping others remains the same. Professor Ellen Scully, the legal clinic’s director for 31 years until 2005, continues to teach and impassion students today.

Sometime during the cold winter of 1980 a woman of very modest means approached the legal clinic run by Catholic University’s law school for help. The boiler in her multi-story apartment building was broken and the landlord had signaled his intention to do nothing at all about it. She and her neighbors were slowly starting to freeze.

The case fell to Sheldon Gnatt, then a third-year law student in the general practice clinic. Furious at the landlord’s indifference to his tenants suffering from the cold, Gnatt and a team of fellow students pulled an all-nighter around his kitchen table, preparing pleadings and getting ready to haul the landlord into court.

“The next day, having gotten no sleep, we somehow got a repair person to come to the building,” said Gnatt, recalling the episode 30 years later. “And here we were, law students ourselves, in the boiler room with the repair guy, getting our hands dirty trying to figure out what could be done to fix the boiler. The experience wasn’t just about being a lawyer in the courtroom, but about being hands-on and getting results for this woman who needed heat in her apartment.”

The remarkable thing about Gnat's story is that there is nothing remarkable about it. That level of dedication, service, and personal caring has been the hallmark of Columbus Community Legal Services since it was founded in 1970.

Now into its fifth decade of service to the underserved in 2011, the clinic has been a powerful wave for good during the first 40 years of its history. It has trained thousands of Catholic University law students in the ways of the law, of the courtroom, and even of the heart. It has provided effective legal representation and protection at no cost to thousands of Washington, D.C., citizens who had no other realistic recourse to justice.

At the same time, the clinic's faculty members, who have taught, supervised, and mentored all of its students, have distinguished themselves as pioneers in the field of clinical legal education. Among many curricular innovations, they have designed and implemented innovative programs such as a comprehensive tutorial on how to spot and head off dating violence among teens.

Together, the clinic's faculty and students have built its reputation one case at a time and established it among the highest-ranked in the country, year after year. Not bad for 40 years of work.

A Community Partner from the Start

Michael Eddings, 2001, speaks for many former clinic students when he says "That sense of community service, it's still with me now. I do a lot of pro bono work, and I try to sit on a lot of nonprofit boards that help the indigent population. Without the

clinical experience, my practice life would be less rewarding."

From its birth, Columbus Community Legal Services served as a clinical field hospital, in the thick of the action where it could administer legal triage to those most in need. Its doors opened on North Capitol Street near Union Station in a nondescript townhouse, a far cry from a plush law office suite. Scruffy furniture, a well-worn carpet, and a grouchy cat completed the décor.

The site was chosen so that the clinic's legal resources were located within walking distance of many of its potential clients. "The choice was to create a neighborhood law office within the community," says Professor Ellen Scully, who assumed the job of director in 1974 and held it for the next 31 years. "Clients and students would teach each other. And that's what happened."

Scully was the clinic's wise leader, moral conscience, and mother hen for the majority of its existence. Her "collaborative hierarchy" management style kept it remarkably stable. In 40 years of existence, the clinic has employed only 16 staffers and 18 or 19 faculty members. "That's a very low turnover in a very stressful environment," notes Scully. Since 2005, the director of Columbus Community Legal Services has been Professor Catherine Klein.

During its early years, the clinic was fortunate to have a second tireless advocate as well. Determined to see it succeed, former law school dean Clinton Bamberger supported it in every possible way. He expanded its clinical focus beyond the basic menu of consumer issues and landlord tenant cases and invited a wider variety of client problems to cross its threshold.



Professor Margaret Martin Barry, a professor of law at Columbus Community Legal Services, was awarded the 2009 William Pincus Award for Outstanding Service and Commitment to Clinical Legal Education from the Association of American Law Schools. One of the most prestigious awards in legal higher education, it honors individuals or institutions involved in clinical legal education who have demonstrated excellence in service, scholarship, program design and implementation, and other activity beneficial to clinical education or to the advancement of justice.

The Pincus Award has previous connections to The Catholic University of America Columbus School of Law. Barry's colleague Professor J.P. "Sandy" Ogilvy was honored with the award in 2003; and Clinton Bamberger, former dean of the law school, was the 2000 recipient.



1970
Columbus Community Legal Services founded

1994
The clinic leaves its downtown location and moves into the new building, physically integrating with the rest of the law school for the first time

2000
The innovative establishment of the managing director position offers clinic students a realistic law firm learning model

2010
A grant of \$220,000 allows the clinic to offer a new consumer protection law service to clients



Picture of stability: Even long-ago CUA Law graduates will still recognize some of their former clinical law professors. From left to right: Professor Stacy Brustin, Professor Margaret Barry, Professor Lisa Martin, Office Manager Alvita Eason Barrow, Dean Veryl Miles, Professor Mike McGonnigal, Professor Ellen Scully, and Professor Faith Mullen.

A Student Leader Looks Back

Michael Caldwell, 1971, served as the very first student director of Columbus Community Legal Services. (He actually suggested its name.) Today he is a successful practitioner with DeLong, Caldwell, Bridgers & Fitzpatrick, LLC of Atlanta. The clinic's 40th anniversary prompted him to share some thoughts about the intrinsic, lifelong value of working on behalf of the powerless.

"When I went to law school, I thought: If we could just protect people from predatory lenders and merchants, and from irresponsible and neglectful landlords, our clients could enter the promised land of the middle class. After my three years of working in the clinic, I came to recognize that, without changing our clients themselves, we would have little or no lasting beneficial impact on their lives.

"We had to find ways to empower them to change their own lives, alter their own habits and their own decision-making processes, which led them to the mistakes they brought to our offices. Only by educating our poverty-stricken clients to make smarter decisions would they ever escape the cycle of

crises that forced them repeatedly to enter our offices. I remember many of my clients fondly, and I am grateful to them for what they taught me about life. We often encountered Christ in our clients at CCLS.

"I still have a lot of the social worker in me. A lot of advice and service in my labor and employment law practice goes to employees who cannot afford to pay me. The service ethic that I learned while working at CCLS is deeply ingrained."

Changes Along the Way

Columbus Community Legal Services has always been willing to adapt to changing needs, both in the community it serves and of the students themselves. Today, its composed of three distinct clinics: the General Practice Clinic, Families and the Law, and Advocacy for the Elderly, the latter being one of very few law school legal clinics organized to offer experiential learning opportunities to part-time students.

- In 1994, CCLS left its longtime home in downtown D.C. and for the first time joined the rest of the law school in a dedicated building. The switched

location did not deter clients from continuing to seek out its help.

- In 2000, the clinic introduced a significant innovation, creating the position of managing director. It is held by Alvita Barrow-Eason, a Cornell Law School graduate and former public defender. Similar in function to the managing partner in a law firm, the position is a statement of professionalism to client and student alike. In fact, students are considered associates in clinic's law firm model, an approach that makes it unique in clinical education.
- The clinic received a grant of \$220,000 in May 2010 to support and expand its practical experience for students in consumer protection services.
- The legal services clinic now offers a new, single phone call approach that offers free legal help to claimants seeking assistance with public benefits cases involving health, food, and shelter.
- Students continue to regard clinical work as an essential part of the law school experience. In 2009–2010, 537 CUA Law students, more than half of the entire student body, were engaged in clinical legal education through class work or an externship.

For 40 years, Columbus Community Legal Services has enhanced the reputation of Catholic University's law school, provided unparalleled experiential learning opportunities for thousands of students, and, along the way, helped to instill the virtues of compassion, humility, and service to others in all who have been associated with it.

Most important, the clinic has pulsed as a beacon of hope to thousands of clients who have no other recourse to justice.

"Columbus Community Legal Services is a special place, reflective of the mission of the Church and the law school. Everybody is a stakeholder in it. It attracts special people," said Scully.

Sara J. Kapell, 2008

The [experience] allowed me to see how affected our community is by the issues we were dealing with in clinic. It made me realize I needed to give back in practice as an attorney. I'm extremely grateful for the clinic experience. It's something I would never trade. The friendships and the mentors I have had... I hope to always be involved in clinic."

Jerome Woods, 1997

"We sure did learn how to make a difference, and it started here. If you really want to make a difference in the community, to make a difference for those who do not have a voice, then right here is where you start."

Memories from the Trenches

Over a three-hour reunion/birthday celebration held on Oct. 9, 2010, approximately 60 former clinic students from many class years returned to greet their old professors, renew bonds with classmates, and reflect once again on the cases, causes, and clients that for many transformed their view of law from a career to a calling. Some alumni seized the opportunity to videotape recollections of their student days in the legal clinic. Highlights can be viewed at <http://video.law.edu/cclsreunion.cfm>

Lloyd Faulkner Ziebohn Scott, 2010

"The one thing that I took from clinic: Pay attention to detail and always be prepared."

Christopher M. Wallace, 2010

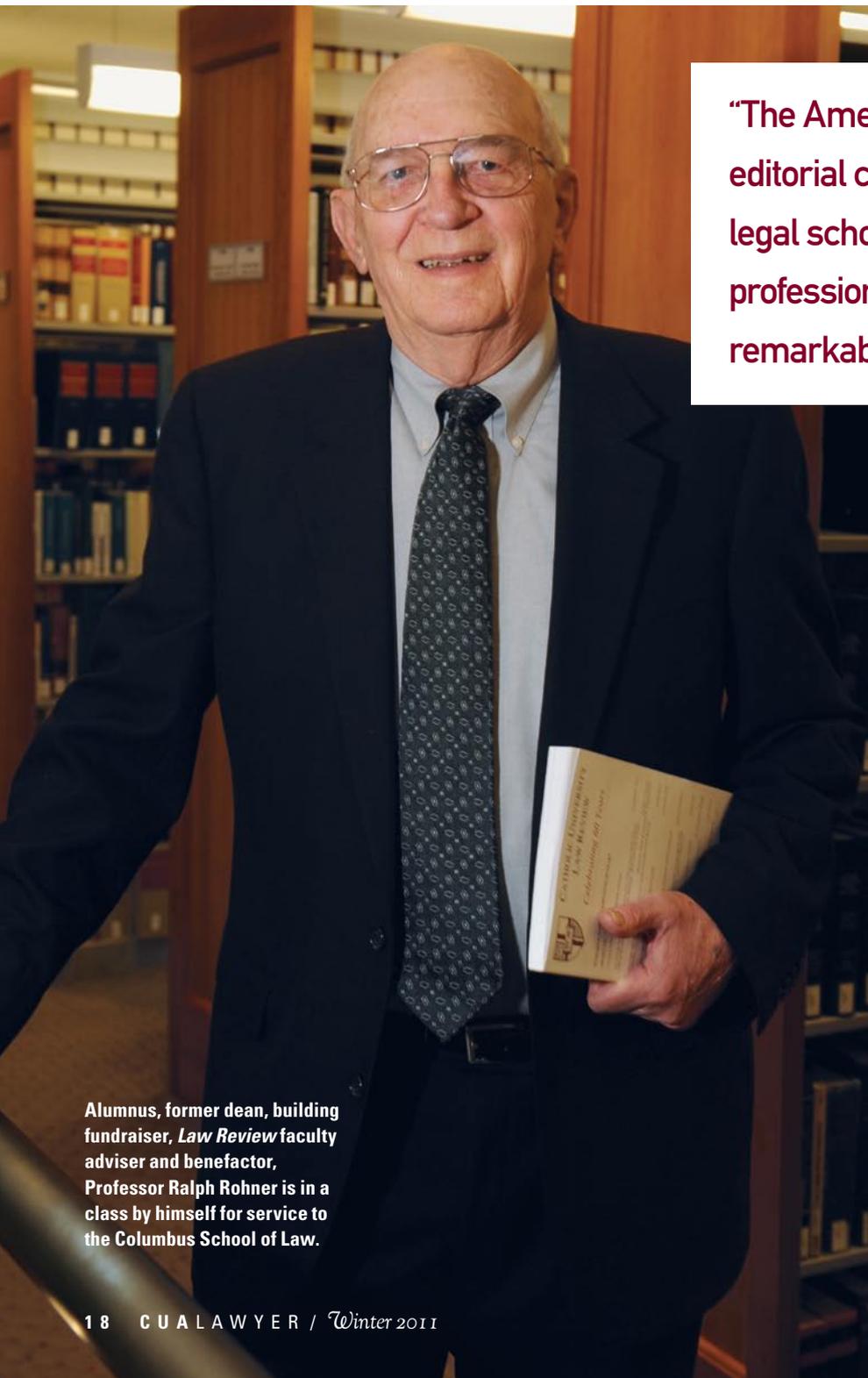
"Having a supervisor who was continually rigorous about how we wrote, how much time and effort we put into our work, really impacted me a lot. It helped me to understand what the standard needs to be to adequately represent people who can't represent themselves."

Jakki L. Mathis-Hull, 2004

"Professor Mike McGonnigal used to say you wouldn't go to a surgeon with no surgical experience. Why would you go to a lawyer with no live client experience? I took that to heart."

Crucible of Talent:

60 Years of the *Catholic University Law Review*



“The American pattern of entrusting editorial control of the major forum for legal scholarship to students of the profession is, if you think about it, a remarkable, even startling approach.”

Perhaps it is fitting that the traditional gift for a 60th wedding anniversary is a diamond. For that is what the *Catholic University Law Review* has been from the beginning—an academic gem, sparkling with talent, editorial skill, and superior legal scholarship that has reflected a radiant light over the reputation of the law school in the eyes of the legal academy.

Since its founding by the late Dean Brendan Brown during the 1950–51 academic year, the law review has published approximately 45,000 pages, employed somewhere between 1,800 and 2,400 law students as members of its staff (the current issue’s masthead lists nearly 80) and provided a robust forum for legal thought through its more than 800 articles to a long list of distinguished contributors, including professors and practitioners, judges, cabinet secretaries, members of Congress, governors and ambassadors, economists, historians, political scientists, theologians, and canonists. It also publishes notable student work.

Alumnus, former dean, building fundraiser, *Law Review* faculty adviser and benefactor, Professor Ralph Rohner is in a class by himself for service to the Columbus School of Law.

This astonishing output comes from a journal that is entirely student-run. As Professor Ralph Rohner, who is both a former staff member of the law review (Vol. 11) and also served as its faculty adviser from 1965 through 1987, noted in a history he published in 2000, titled “Retrospective: The 50th Anniversary of the *Catholic University Law Review*.”

“The American pattern of entrusting editorial control of the major forum for legal scholarship to students of the profession is, if you think about it, a remarkable, even startling approach. It is unique among the learned professions. Can one imagine the content of medical journals being selected and edited by students simultaneously struggling with basic anatomy? So what are the justifications for the student-run law reviews?”

Rohner answers his own question. Despite their unusual model, student-administered law reviews serve to extend and enhance the reputation of the school. They contribute to legal scholarship. They help students to develop as competent writers and evaluators of legal scholarship. Perhaps most important, journal experience can teach students the kind of sound judgment that sustains them through a career.

Now marking the 60th anniversary of its founding by publishing its 60th volume, the *Catholic University Law Review* has proven a success on each point.

Consider, for example, the breadth of its published scholarship. Volume 60 includes articles on a theory of standards of proof, whether names records for airline passengers enabled the Christmas Day bomber, and an analysis of the Military Medical Accountability Act of 2009. It is also pub-

lishing “Regulating Morality through the Common Law and Exclusionary Zoning,” co-authored by law school Professor George P. Smith and Gregory Bailey, an alumnus from the Class of 2010.

Each issue publishes two different types of articles. Lead articles are written by legal scholars and well-respected practitioners. Student articles are written and submitted by the journal’s own staff members.

Any student selected for the law review staff can expect a staggering workload from the four issues he or she will have a hand in producing. It is a tedious process. Each sentence of each article is carefully edited and fact-checked. Any assertion an author makes must be supported by a source. The burden of a staff member becomes apparent when one considers that on average, a lead article consists of nearly 300 footnotes, each of which contains a variety of sources.

Later stages include attention from production editors, who ensure the technical and substantive accuracy of the articles. This involves a review of the text, footnotes, support, and Bluebooking. The executive editor and the editor-in-chief serve as the law review’s last line of defense, with the EIC reserving editorial discretion on any decisions regarding the final product.

The grueling hours required of editors and staff members offers some payback, however.

“One of the primary goals of the law review is to develop our members’ legal research, writing, editing, and analytical skills,” says 3L Kristen Sinisi, the current editor-in-chief. “Undoubtedly, staffers improve these skills through their participation in, and commitment to, our production process and our rigorous writing program.”

Published approximately
45,000 pages

Employed at least
2,400 law students

More than **800 articles**

Whether showcasing the legal scholarship of others or their own, service on the law review staff offers students an educational experience unlike any other.

The Early Years

Much like the law school’s legal clinic, the law review thrived despite its humble beginnings due mostly to the passion of its early editors and staff members.

For the first decade or so, it was a scholarly vagabond with no fixed address. It had no home base and even worse, no technology. Early issues were produced on budgets of a few hundred dollars with utensils such as manual typewriters, photocopy machines, scissors and glue, and lots of whiteout.

“The review had leased a word processor the size of a small car with probably enough memory to power a hand-held calculator by today’s standards,” recalls Alan Vollman, editor-in-chief of Volume 29, produced in 1980. “We could even send copy to the printing company by modem. But it never worked right since the phone lines to Kansas City, where the printer was, just couldn’t handle the volume of footnotes.”

1950–51

The law review was founded by the late Dean Brendan Brown

1965–66

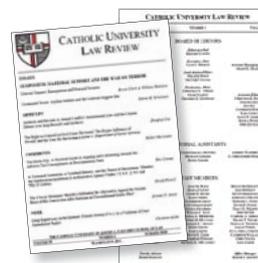
The law review went from a two-issue annual volume to a quarterly publication

1997

The hosting in 1997 of the annual National Conference of Law Reviews

2010

60th volume published



When the entire law school relocated from a downtown location to Leahy Hall on the CUA campus in 1966, the law review staff was assigned quarters in the basement.

Over the years the journal expanded and modernized, keeping pace with the legal journals produced by fellow law schools. Today, housed in the modern building that the law school opened in 1994, the journal staff enjoys much larger offices and budgets, as well as 21st-century publishing and research tools.

Other notable steps during its 60-year history include:

- The transition in 1965–66 from a two-issue annual volume to a quarterly publication.

- The faculty’s approval in 1972 of academic credit for law review work. Students can earn up to four credits over the course of two years of review participation.
- The change in the process during the early 1970s for selecting new staff members. Originally based on grades, a writing competition eventually became the primary route to membership, a practice that continues today.
- The gradual disengagement of faculty advisers as managers of the law review. In the early years, the faculty adviser chose the student editors, managed the production and budget, and identified lead authors of distinction. Over time, however, the maturing of the journal



Incisive and insightful writing have always distinguished the *Catholic University Law Review* under the guidance of its many talented editors-in-chief such as David Brewer.

diminished the need for such oversight. The law review’s current faculty adviser, Professor Roger Hartley, acts as more of a counselor to the law review than a director of operations.

- The hosting in 1997 of the annual National Conference of Law Reviews. The event was a great success, showcasing the then-new law school building and the wonderful organization and hospitality of CUA Law students

In the Spotlight

The *Catholic University Law Review* has provided a highly respected forum for its contributing authors, but it hasn’t done badly by its own staff members, either. In 2010, former editor-in-chief David Brewer was honored with the Burton Award for Legal Achievement, one of only 15 law students across the country to receive such recognition for his outstanding legal scholarship. Brewer was selected for his comment, “A Cross in the Road: *Salazar v. Buono* and the Circuit Divide on the Establishment Clause Remedial Question,” 58 *Cath. U. L. Rev.* 813 (2009).

The Burton Awards Program was established in 1999 to honor students “who use plain, clear and concise language and avoid archaic, stilted legalese.” Brewer is the second member of the *Catholic University Law Review* to be honored with this



The law review sometimes showcases its talents on the road. On Jan. 29, 2010, it sponsored a half-day symposium, “Immigration and National Security: Material Support and the War on Terror,” in the Rayburn House Office Building on Capitol Hill. Five high-powered immigration lawyers debated the language of 2005’s REAL ID Act and questioned whether it unfairly kept asylum seekers out of the United States who have legitimate reasons to be admitted. The law blocks admittance to the United States to refugees who have provided “material support” to groups that are deemed terrorist organizations by the U.S. government. Refugee advocates say the problem with the law is that it contains no exception for duress. That is, a person can be threatened or intimidated into providing support to such groups against his will, and in turn be held accountable by U.S. asylum policy as a material supporter of terrorism.



distinction. John Skees was also named a Burton Award recipient in 2007 for his comment, “The Resurrection of Historic Usury Principles for Consumption Loans in a Federal Banking System,” *55 Cath. U. L. Rev.* 1131 (2006).

The journal’s published scholarship has not escaped the notice of some of the nation’s highest courts. Recent citations to articles that appeared in the law review have come from the United States Third and Tenth Circuit Courts of Appeals. In addition, the Minnesota Court of Appeals cited the work of 2007 alumnus Matthew Yanovitch for a case that dealt with whether an autopsy report is a business record or testimonial in nature.

Looking Forward, Looking Back

In many ways, the law review functions as an extended family. Former staff members tend to remain bonded to each other and to current students by the shared pride of producing an excellent forum for legal scholarship. It is not uncommon for alumni staff members to open whatever doors they can for those who came after, generously offering career advice and forwarding tips regarding professional opportunities.

On Oct. 9, 2010, the law review hosted a reunion open to all former staff members



Professor Ralph Rohner was honored with a Lifetime Achievement Award from a grateful law school community on Feb. 25, 2011. It was presented by Don Farley, chairman of the Board of Visitors and member of the Class of 1969.



Volume 60's Executive Board. First Row: Maureen Stoneman, Kristen Sinisi, Nicole Picard, and Leah Branch; Second Row: Craig Nadeau, Grant Mulkey, Melodie Bales, Matthew Saunig, and Christian Curran.

and editors. After a breakfast buffet, they toured today’s facilities and met with its current staff, the young men and women who carry its reputation into the future.

The reunion last fall was precursor to a much larger gala reception held on Saturday, Feb. 26, 2011. The celebration commemorated 60 years of publication of the law review and also served to honor Professor Rohner for his years of commitment to it, for his service as dean, and for his decades in the classroom as one of the faculty’s most admired and respected members.

The editors-in-chief or other editorial board members from each of the 60 volumes of the law review were asked in advance by Professor Hartley to submit a letter containing a reminiscence and expression of appreciation to Rohner. The bound volume of letters was then assembled into a book and presented as a surprise gift to him.

Hartley’s solicitation read in part,

“I am asking you to remember an anecdote or two from your year that captures some of what you and the others on law review found interesting, funny, calamitous, frustrating, or satisfying about publishing the law review. Ralph will treasure these letters. I hope you will add to your reflections a tribute to Ralph and his lifetime of achievement for law review and the school.”

Because of his long history with the law review, Rohner would be the first to point out that despite the vast improvements in technology and resources, the

arduous process of producing a high-quality law review remains much the same as it ever has. It is still about repetitive cycles of research and writing, followed by still more rounds of rewriting and proofreading, and supplemented by pressure-filled meetings with senior editors and consultations with “readers” from the faculty or practicing bar.

Nonetheless, the challenge of keeping the law review’s tradition of scholarly excellence alive continues to attract motivated and talented law students, year after year. Staff membership is still a plum prize, and landing a spot on the staff remains intensely competitive. As Richard Trogolo, the editor-in-chief of Volume 20, sums it up, law review experience is “The highlight of every lawyer’s legal training.”

The end result, and one that promises to continue for many years to come, is a law journal that embodies the best attributes of the law school itself: discipline, intellect, integrity, and scholarship.

“Our alumni comprise some of the most talented legal minds in the nation,” says Editor-in-Chief Sinisi. “We are forever grateful to our predecessors for their continued support and contribution to the journal’s present-day success.”

With thanks to Professor Ralph Rohner, whose retrospective, “The 50th Anniversary of the Catholic University Law Review,” formed the basis for this article.