

THE CLASS OF 2012

Earlier this week, the faculty and staff of Cumberland School of Law welcomed 178 members of the Class of 2012. The new students hail from 17 states and are graduates of 66 universities. States represented in the new class are: Alabama, Arkansas, California, Colorado, Florida, Georgia, Kentucky, Louisiana, Maine, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Texas, Utah and Virginia.

In addition, the law school welcomed three students from England who will be spending a year studying American law at Cumberland.



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TRIAL ADVOCACY BOARD 2009 SUMMER COMPETITION UPDATE



Each year, the Cumberland Trial Advocacy Board sponsors several competitions designed to help law students learn by doing. This year was no exception. In summer 2009, the Trial Board organized no less than five advocacy competitions, and those competitions had a record turnout.



Twenty-two teams participated in the James O. Haley Federal Trial Competition, and the Negotiation, Mediation, Arbitration, and Client Counseling Competitions were not far behind. Each of these competitions were designed to simulate a different forum for attorneys to advocate for their clients and to develop the students' skill advocating for those clients.



Every competition provides invaluable experience to students interested in developing this all-important skill set, but there are other benefits, too. Participation in the requisite number of competitions satisfies a requirement for Trial Board General Membership. Participation in a Trial Board Competition brings you one step closer to being chosen for one of Cumberland's nationally recognized trial or ADR teams.

If you have any questions, please contact the Trial Board Chief Judge, Bailey Gladden at:

btbrigha@samford.edu

SUMMER 2009 WINNER'S CIRCLE



CHARLES ELLIOTT & AMANDA KISTLER
NEGOTIATION WINNERS



MEGAN MURREN & AMANDA KISTLER
ARBITRATION WINNERS



WINNERS OF THE HALEY FEDERAL TRIAL COMPETITION:
TRIPP WATSON & PATRICK YEATTS (CENTER)

JUDGES:
DEAN JOHN CARROLL (LEFT)
TRIAL TEAM COACH JIM ROBERTS (RIGHT)



AMANDA KISTLER & ROSS MASSEY
CLIENT COUNSELING WINNERS



JORDAN BEARD
&
CHRIS DANIEL
MEDIATION WINNERS
(PHOTO NOT AVAILABLE)

HENRY UPSON SIMS MOOT COURT BOARD NEWS

GORDON T. SAAD SUMMER MOOT COURT COMPETITION

The Henry Upson Sims Moot Court Board hosted the **Gordon T. Saad Moot Court Competition** this past June 27th and 28th. Students were given a problem dealing with international wiretapping and the legal issues surrounding this sensitive issue of national security. The students prepared their oral arguments, and the competitors did a wonderful job weaving the issues into well founded arguments. All students competed in two initial rounds on the first morning of competition, followed by a semi-final round that afternoon with the finals occurring the following day.

The Moot Court Board was pleased to have three very esteemed judges on the panel for the finals. Finalists had the privilege of arguing before **Ms. Latanishia Watters**, an attorney with Haskell, Slaughter, Young & Rediker, LLC; **Judge Scott Vowell**, the Presiding Circuit Judge for the Tenth Judicial Circuit Court of Alabama; and **Judge Caryl Privett**, Circuit Judge for the Tenth Judicial Circuit Court of Alabama. The finalists were quite impressive, and the judges were equally impressed with the participants' oratorical skills. When the dust settled following some intriguing arguments, **Stewart Civils** came away as the winner with **Hannah Mebane** as the runner-up. Rounding out the finalists were **Lakeita Rox** and **Jordan Beard**.



JUDGE CARYL PRIVETT
JUDGE SCOTT VOWELL
MS. LATANISHIA WATTERS

The Henry Upson Sims Moot Court Board would like to thank all of those who took the time to compete and judge. The competition was a resounding success, and all students who participated came away with stronger oral argument skills and renewed confidence in their speaking abilities. The Moot Court Board would like to invite all interested students to consider participating in the next inter-school competition, the **Justice Janie L. Shores Competition**, which will take place later this fall.



T. J. SCHAFFER, CHIEF JUSTICE
REBEKAH WILLIAMS,
SAAD COMPETITION ASSISTANT JUSTICE
JOSH WRADY,
SAAD COMPETITION ASSOCIATE JUSTICE



HANNAH MEBANE
STEWART CIVILS
LAKEITA ROX
JORDAN BEARD

NEW CUMBERLAND LAW REVIEW MEMBERS

The following students have been selected for membership on the *Cumberland Law Review* based on their outstanding academic ability, and their successful participation in the *Cumberland Law Review* candidates program.

Congratulations to these students on their achievement.

Judd Anderton
Michael Barnett
Kyle Beckman
Matthew Brown
Kevin Coleman
Maria Fleisher
Sara Hames
Blake Harris

Denetra Hartzog
Ashlee Hightower
Carlton Hilson
Matthew Lehnertz
Trey Levie
Hannah Mebane
Leslie Palmer
Kristen Peters

Joshua Reif
Allison Riley
Christopher Romeo
Pamela Springrose
Brett Thompson
Ginny Willcox
Christopher Yearout

Cumberland Law Review would also like to recognize Kevin Coleman for achieving the highest score on the Bluebook examination and Maria Fleisher for writing the best Casenote. Additionally, Judd Anderton, Maria Fleisher, Carlton Hilson, Leslie Palmer, Christopher Romeo, and Ginny Willcox will have their Casenotes published in this year's 40th Volume.



NEW MEMBERS THE AMERICAN JOURNAL OF TRIAL ADVOCACY

The Editorial Board of the Trial Journal is pleased to announce that it has offered membership to the following rising 2Ls who successfully completed its Summer Writing Program:

Charlie G. Baxley
Lawton C. Callihan
Matthew M. Couch
Angel A. Darmer
N. Stewart Hanley
Alyson M. Hood
Gardner M. Jett

Zachary K. La Fleur
Felicia M. Lee
Katie L. Parrott
D. Kent Sausaman
J. Patrick Warfield
Cassi L. Witcher

Please extend your congratulations to these deserved students.

ANNOUNCEMENT FROM THE TRIAL ADVOCACY BOARD

Cumberland's Trial Advocacy Board is honored to announce its Junior Members for 2009 2010:

Working with Chief Judge **Bailey Gladden**:
Publicity/Marketing Committee—**Bethany Harrison & Beau Darley**

Working with Peterson Director **Patrick Dean** and Associate Director **Adam Sanders**:
Apprentice Program (1Ls)—**Kisha Thomas & Michael Barnett**

Working with Haley Director **Ashley Reitz** and Associate Director **Josh Hornady**:
Haley Competition Committee—**Carrie Hodge, Amanda Kistler, Chris Yearout & Brittany Waggener**

Working with Williams Director **Tim Douthit** and Associate Director **Nathan Mays**:
Williams Competition Committee—**Brandon Prince & Megan Murren**

Working with Negotiation Director **John Exum** and Associate Director **Matt Davis**:
Negotiation Competition Committee—**Chip Crowell & Kristin Lough**

Working with Arbitration Director **Anthony Michel** and Associate Director **Tanya Solomon**:
Arbitration Competition Committee—**Christine Baylet & Matt Hill**

Working with Mediation Director **Rachel Winford Eidson** and Associate Director **Cliff Nelson**:
Mediation Competition Committee—**Chris Hornbuckle & Kristin Gray**

Working with Client Counseling Director **Andrew Brashier** and Associate Director **Daniel Milton**:
Client Counseling Competition Committee—**Angel Darmer & Jon Mann**

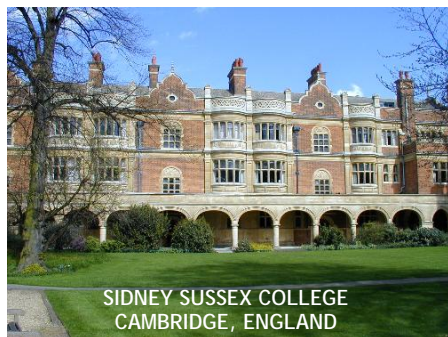
All of these students have demonstrated a strong dedication to developing the advocacy skills for which Cumberland is known, and an interest in making sure that those skills are passed on to future Cumberland graduates. Please congratulate them. They deserve it! If you were not accepted for Junior Membership for Fall 2009, please re-submit your application for Spring 2010.

Bailey Brigham Gladden, Chief Judge — Cumberland Trial Advocacy Board

2009 ALABAMA STATE BAR MEETING

Cumberland grads and students figured prominently in the annual Alabama State Bar Meeting which was held in July. **Mark White '74** finished an outstanding year as bar president. **Tom Methvin** of the Cumberland Class of 1988 was sworn in as bar president for 2009-2010.

A rising Cumberland second year student, **Alyson Hood** of Chattanooga, Tennessee received the State Bar Pro Bono Student Award. The award is given annually to the student from a law school in the state of Alabama who has demonstrated an outstanding commitment to providing free legal services to the poor. Hood recruited 30 volunteers to assist lawyers in a clinic providing legal assistance to the homeless and helped coordinate their participation in legal research and other services. She also volunteered 150 hours to the clinic. This is the third year in a row that a Cumberland student has won the Alabama State Bar Pro Bono Law Student Award.



CAMBRIDGE STUDY-ABROAD PROGRAM

Twenty students spent July 2009 at our successful UK Study-Abroad Program at Sidney Sussex College, Cambridge. Twelve of the students were US JD students (from Cumberland and our partner schools, Chapman University and South Texas College of Law). Eight were Brazilian students in Cumberland's Master of Comparative Law program.

Faculty in residence for the full term included **Professor Denning**, **Professor Floyd**, Cumberland **Adjunct Professor Adrian Jenkala** (a London Barrister who has worked with us in this program for a number of years), **Professor Nancy Schultz** from Chapman, and **Professor Sharon Finegan** from South Texas. **Dean Lewis** was in residence to handle administrative matters. Additional faculty came from other EU countries to make presentations in one, two, or three classes, including **Loreta Raulinaityte**, a Cumberland JD graduate from Lithuania and a European Union official. As usual, one of the highlights of the program was the field trip to the Royal Courts of Justice, Middle Temple Inn of Court, and Parliament.

Further information on Cumberland's international programs is available at:

<http://cumberland.samford.edu/students/foreign-programs>
(click on the blue links there for detailed information on each program)

Professor Michael Floyd will be pleased to discuss these programs with you and welcomes questions about them.

FROM THE OFFICE OF CAREER SERVICES

On - Campus Interviewing (OCI)

Fall on-campus interviews for 2Ls and 3Ls will begin **Wednesday, August 26th**. Please remember that the first student bid deadline is **Monday, August 17th**. You have until 11:59 PM on the 17th to bid for interviews with the employers coming on campus for the two weeks of OCI. If you have any questions about the OCI process or interviewing in general, please don't hesitate to contact our office. Also, be sure to check out our bulletin board on the second floor of the law school for some interviewing tips!

Lunch with a Bankruptcy Lawyer

Mark your calendars for our "Lunch with a Lawyer" program on **Thursday, September 3rd** at NOON in the Great Room. **Mr. Ted Stuckenschneider**, a bankruptcy attorney in Birmingham and Cumberland alumnus, will be at Cumberland to talk about his practice, experience, and offer words of advice to those interested in this type of practice. If you wish to attend, please sign up in the Career Services Office by Tuesday, September 1st so we can order the appropriate number of lunches for this event.

CLASS OF 2012 TRIAL ADVOCACY BOARD INFORMATIONAL MEETING

Cumberland's Trial Advocacy Board enjoys a strong tradition of success and is earning a national reputation as one of the leading advocacy programs in the country.

The Trial Advocacy Board invites the Class of 2012 to attend an informational meeting about its program—including information on National Competition Teams and various inter/intra school competitions offered to give students practical experience in the areas of trial advocacy and ADR.

Please join us **Monday, August 17** at **4:30 PM** in the **Great Room**.

Free Food and Beverages

Contact Chief Judge Bailey Gladden with questions at btbrigha@samford.edu

FROM THE OFFICE OF ADMISSIONS

As the application season is right around the corner for the Class of 2013, the Admissions Staff would like to extend a warm "Thank You" to all the current Cumberland students, faculty, and alumni who donated their time and efforts to help obtain the outstanding Class of 2012. We look forward to the start of another exciting year with your help.

CUMBERLAND ALUMNI FAMILY FUN NIGHT



Bring your family and join Dean Carroll and the Alumni Department to watch the Birmingham Barons take on the Montgomery Biscuits at Regions Park.

Food and Fun Begins at 6:00 PM

Baseball Game Begins at 7:05 PM

\$18 per adult, \$12 per child
{includes game and Family Fun Park admission
and hamburger/hotdog dinner}

Please RSVP to lawalum@samford.edu or to 1.800.888.7248
Pay by VISA or MasterCard by calling 1.800.888.7248

CUMBERLAND ALUMNI DINNER • MIAMI, FLORIDA

Por Fin Restaurant and Lounge
2500 Ponce de Leon Boulevard
Coral Gables

Tuesday, August 18, 2009 at 7:00 PM

Please RSVP to lawalum@samford.edu or 1.800.888.7248

Sponsored by Miles A. McGrane, III and Russomanno & Borello P.A.

RODNEY MAX MEDIATION FELLOWSHIP

APPLICATION DEADLINE IS TUESDAY, AUGUST 25 AT 5:00 PM

The Cumberland Community Mediation Center (CCMC) is inviting students to apply for the Rodney Max Mediation Fellowship. Established by Rodney A. Max, a nationally renowned mediator and a 1975 graduate of Cumberland School of Law, the fellowship recognizes the interest, achievements and scholarship of Cumberland students in the area of mediation.

The Rodney Max Fellow will receive a \$5,000 fellowship award for the 2009-2010 academic year. The Fellow will work under the direction of the Director of the CCMC with primary responsibilities being: Manage the Samford Residence Life Mediation Project; co-mediate disputes as assigned by the Director of the CCMC; research and writing projects as assigned.

Applicants for the fellowship must have a strong interest in mediation and must have completed the Mediator Practice course (Law 805-01) or enrolled in the course for Fall 2009. Applicants are to submit a resume and a statement of interest to Cassandra W. Adams, Director, Cumberland Community Mediation Center & Public Interest Project. The statement should describe any relevant experience as well as the applicant's academic and professional interest and achievements in mediation.

A selection committee will review applications. An interview may be required. Questions about the Rodney Max Mediation Fellowship and/or the application process should be directed to:

Cassandra Adams at ceadams@samford.edu or stop by the CCMC office in Room 215

Again, the application deadline is:

Tuesday, August 25, 2009 at 5:00 PM

CUMBERLAND FACULTY NEWS

Dean **John Carroll** was a speaker at the ABA Deans meeting in Chicago on August 2 on the topic of "Value-Based Deaning". He also moderated a panel at the Southeastern Association of Law Schools (SEALS) on the Strategic Use of Academic Support at the annual meeting in Palm Beach, Florida. Also presenting at SEALS were **Professor Alyssa DiRusso** who presented "Assessing Lawyering Skills" on August 4. On August 3rd, Professor Wendy Greene presented a paper on George Schuyler's Harlem Renaissance novel, *Black No More*, on a Law and Literature panel. On August 3rd, **Professor Brannon Denning** participated in a panel discussion on the recent Supreme Court decision in *District of Columbia v. Heller* and the impact on state and local gun control efforts.



Professor Greene also presented a paper on Schuyler's work during a roundtable discussion on Law and Literature in addition to presenting a paper entitled "Putting it in Context: Words, Race, and Title VII" at the annual Law and Society Association conference in Denver, Colorado.

Professor Bob Greene moderated four panels at the annual seminar of the Environmental Law Section of the Alabama State Bar held in Sandestin, Florida, June 19 and 20, 2009. From July 20 - 31, 2009, Professor Greene taught a course in International Environmental Law to Ethiopian law professors at the Akaki campus of Addis Ababa University in Ethiopia. The course was part of a capacity building program to strengthen the Ethiopian legal education system.

Professor Jack Nelson's book, "Diagnosis Critical: The Urgent Threats Confronting Catholic Health Care" was published in June.

Professor Bill Ross, a nationally recognized expert on the United States Supreme Court, is a frequent op-ed columnist for Jurist Magazine, a very well respected on-line legal journal published by the law school at the University of Pittsburgh. His article entitled "Should Obama Nominate a Justice Without Judicial Experience?" may be viewed at:

<http://jurist.law.pitt.edu/forumy/2009/05/should-obama-nominate-justice-without.php>

Professor Dayna Royal's article on OSHA preemption of state "guns-at-work" laws, *Take Your Gun to Work and Leave it in the Parking Lot: Why the OSH Act Does Not Preempt State Guns-at-Work Laws*, 61 FLA. L. REV. 475 (July 2009), received favorable mention on the Workplace Profs Blog:

http://lawprofessors.typepad.com/laborprof_blog/2009/07/royal-on-why-the-osh-act-does-not-preempt-state-gunsatwork-laws.html

Professor David Smolin, an internationally recognized expert on intercountry adoptions participated in an online forum sponsored by the New York Times on international adoption. He was one of the experts recruited by the Times, and the other participants included Professor Betsy Bartholet of Harvard. You may view the forum at:

<http://roomfordebate.blogs.nytimes.com/2009/05/10/celebrity-adoptions-and-the-real-world/>

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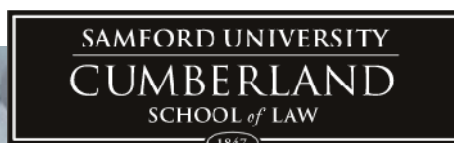
Professor Smolin was also interviewed as an expert for a story done by the English version of Al Jazeera on a story they are doing on two children who were abducted from their parents in Guatemala and ended up being adopted by families in the U.S. through normal intercountry adoption processes.

For the last three years **Professor Howard Walthall** has served as Reporter to a joint Drafting Committee of the National Conference of Commissioners on Uniform State Laws (NCCUSL) and the American Bar Association that prepared an Act that brought into one statute provisions common to all or most forms of business and nonprofit entities. In July Professor Walthall participated in a presentation (or “final reading”) of the Act at the Annual Meeting of NCCUSL, where it was approved.

Also in July at the Alabama Law Institute Annual Meeting, held in conjunction with the Alabama Bar Association, **Professor Walthall** participated in a presentation of the new Alabama Business and Nonprofit Entity Act, approved by the Alabama Legislature in this year’s Regular Session. Professor Walthall was the principal draftsman for that Act.

Finally, over the last two weeks, **Professor Walthall** has assisted the Alabama Bar Association Legislative Task Force, chaired by Jim Pratt, Cumberland ’78, in preparing a White Paper on state constitutional issues in connection with the call of a Special Session of the Legislature to consider enactment of an occupational tax for Jefferson County. The research and analysis provided in the White Paper, of which Professor Walthall was the principal author, and copy of which was provided to the office of Governor Riley and to the legislative leaders, helped shape some of the procedures in connection with the legislation now being considered by the Alabama Legislature.

Professor Lavone Warren has been elected to the Executive Committee of the Association of Continuing Legal Education. This is an important honor for Professor Warren which will bring additional recognition to our law school. Professor Warren is the Assistant Dean for Continuing Legal Education (CLE) at Cumberland.



WHERE GOOD PEOPLE BECOME EXCEPTIONAL LAWYERS