



THE Scrivener

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Scribes—The American Society of Legal Writers

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2019 Joseph Kimble Distinguished Service Award

Justice Michael Hyman Receives the 2019 Kimble Distinguished Service Award

Illinois Appellate Court Justice Michael B. Hyman received the 2019 Kimble Distinguished Service Award from Scribes—The American Society of Legal Writers.

The award was presented in Washington D.C. during an award ceremony at the Law Library of Congress on April 12, 2019. The Kimble Distinguished Service Award recognizes outstanding service to Scribes and to its mission of improving legal writing.

The Kimble award is named for Joseph Kimble, a Distinguished Professor Emeritus at the Western Michigan University Cooley Law School and former Executive Director of Scribes. He is senior editor of *The Scribes Journal of Legal Writing* and the longtime editor of the "Plain Language" column in the *Michigan Bar Journal*. He has lectured on writing to legal organizations around the world. He is a drafting consultant to the Committee on Rules of Practice and Procedure of the U.S. Judicial Conference and he led the redrafting of the Federal Rules of Civil Procedure and the Federal Rules of Evidence.

Professor Kimble is also a past president of Clarity, a founding director of the Center for Plain Language, and was on the board of the Legal Writing Institute. In 2000, he was one of the first persons named as a "Plain English Champion" by the Plain English Campaign, in England. In 2007, he won the first Plain Language Association International Award for being a "champion, leader, and visionary in the international plain-language field." He has twice won a prestigious Burton Award for Reform in Law—in 2007 for his work on the Federal Rules of Civil Procedure, and in 2011 for his work on the Federal Rules of



Evidence. In 2010, he won a lifetime-achievement award from the Section on Legal Writing, Reasoning, and Research of the Association of American Law Schools. In 2017, Scribes created the Joseph Kimble Distinguished Service Award.

The Kimble award was presented in 2017 to Judge Kenneth Gartner, a civil and criminal trial judge in the Nassau County District Court, where he earned the distinction of being the most-published judge in the history of the New York State District Court. The 2018 award was presented in 2018 to Dean Darby Dickerson of The John Marshall Law School in Chicago. She is a past president of Scribes and serves now as the host institution board member.

Justice Hyman, the recipient of the 2019 award, is the immediate-past president of Scribes. He is a Justice on the Illinois Appellate Court. Before joining the judiciary, Justice Hyman was a principal at Much Shelist, Chicago, which he joined in 1979 after serving two years as an Assistant Illinois Attorney General in the Antitrust Division. He graduated from Northwestern University, Medill School of Journalism, with honors in 1974, and from Northwestern University School of Law in 1977. In addition to serving as a past president of Scribes, Justice Hyman has been president of the Chicago Bar Association, the Illinois Judges Association, the Jewish Judges Association of Illinois, and the Decalogue Society of Lawyers.

National Order of Scribes Class of 2019

Scribes congratulates and welcomes the following individuals who were nominated by 13 Scribes Member Law Schools to the National Order of Scribes Class of 2019.

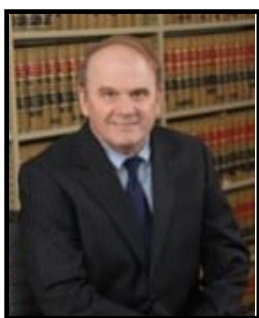
Scribes created the National Order of Scribes in 2007 as an honorary organization to recognize graduating law students who excel in legal writing. Each year, any law school that is a current institutional member of Scribes may nominate five students, or up to a number that represents three percent of its graduating class for an academic year, whichever is larger, to be inducted into the National Order of Scribes. The students below were nominated by their schools, and Scribes congratulates them for their achievement.

The new members of the National Order of Scribes are:

- **California Western School of Law:** Mimi A. Akel; Sara L. Gold; Hana E. Maazaoui Willard; Braden S. Seibert; and Melia M. Thompson-Dudiak.
- **Duke University School of Law:** Steven Beale; Samuel Howe; Sam Karson; Will Sowers; and Laura Zenzerovich.
- **The John Marshall Law School (Chicago):** Vania Cebrero; Luke Chamberlain; Sean McGrath; Thushan Sabaratnam; Ana Torres; and Zhang Shiyuan.
- **Mercer University Walter F. George School of Law:** Clayton Kendrick; Caroline Scalf; Lois Weldon; Caitlin Wise; and Robert Wright.
- **South Texas College of Law:** Simrita Chamdal; William N. Haacker; Christopher Hall Robertson; Greg Arthur Urbach; and Walter Trace Williams.
- **Stetson University College of Law:** Thomas J. Banks; Elizabeth E. Beilsmith; Jordan Elizabeth Koziol; Michelle Lee Moretz; and Kelley Ann Thompson.

- **Syracuse University School of Law:** Christopher Baiamonte; Amanda Cramer; Elizabeth Lehman; Erika Simonson; and Matthew Wallace.
- **Texas A&M University School of Law:** Cory Bennett; Megan Cloud; Zachary Ford; Isabelle Hutchinson; and Spencer Mainka.
- **Valparaiso University Law School:** Kyle Farris; Carl Hall; Paige Little; Kimberly Peterson; and Rachael Wilson.
- **University of Nevada Las Vegas Boyd School of Law:** David Chavez; Theresa Guerra; Malia Kendricks; Brianna Stutz; and Shannon Zahm.
- **University of Oklahoma College of Law:** Elaine Hsieh; Anthony Joyce; Thomas Joyce; Alyssa Lankford; and Collen Steffen.
- **Washburn University School of Law:** Jessica Barranco; Colin Halpin; Audrey Koehler; and Elias Underwood.
- **Western Michigan University Cooley Law School:** Robert Jarvis and Brittany E. Lawler.

Meet the Board Members



Meet Board Member Charles Dewey Cole, Jr., a partner at Newman Myers Kreines Gross Harris, P.C., was re-elected to the Scribes Board of Directors for a three-year term running from 2018 to 2021. He is a trial and appellate

lawyer, instructor, lecturer, and noted authority on the federal courts. He has been a lecturer or instructor in numerous programs relating to trial advocacy and has been an instructor at the National Institute for Trial Advocacy at Notre Dame Law School. He has served as Revision Author of *Jack B. Weinstein, et al., New York Civil Practice*, and has contributed to such works as *Black's Law Dictionary* (7th ed. 1999), and Edward D. Re, *Cases and Materials on Remedies* (1982 and 2d ed. 1987). Mr. Cole supervises the Federal Court practice for the Newman Myers law firm. In addition to other bar admissions, he is admitted to practice before the U.S. Supreme Court and the Supreme Court of England and Wales.

Meet Board Member

Michele M. Jochner, a

partner at the Chicago law firm of Schiller DuCanto & Fleck LLP, was elected to the Scribes Board of Directors for a three-year term running from 2018 to 2021. Before joining that firm, she served for 15 years as a judicial law clerk to two Justices of the Illinois Supreme Court: Justice Mary Ann G. McMorrow and Justice Charles E. Freeman. Michele has authored nearly 200 articles on a wide array of legal topics appearing in publications nationwide, and her two columns, "Law From a Different Perspective" and "On Appeal," appear regularly in the *Chicago Daily Law Bulletin*. She speaks at seminars on effective legal writing, appellate advocacy, and family law. In addition, for the last decade, she has appeared as part of the "Illinois Law" television broadcasts as a panelist for that series' annual review of U.S. Supreme Court decisions. She has also served as an adjunct professor at both DePaul University College of Law and The John Marshall Law School. The Illinois Supreme Court appointed her to serve as the Vice-Chair its Minimum Continuing Legal Education (MCLE) Board.



Ms. Jochner is active with many professional organizations, including the Chicago Bar Association (CBA), where she serves as a member of both the Executive Committee of the CBA's Alliance for Women and of the Editorial Board of the CBA Record, and chairs the CBA's Committee on Public Affairs. She is similarly active with the Illinois State Bar Association (ISBA), where she is a past member of the Board of Governors and the Editorial Board of the Illinois Bar Journal. She is a co-editor of the Bench & Bar Newsletter, serves as a member of the ISBA Family Law Section Council, and is an elected member of the ISBA Assembly. She also serves on the Board of Directors of the Illinois Institute for Continuing Legal Education (IICLE), as well as on three panels at her alma mater, DePaul University College of Law: the Dean's Council, The Schiller DuCanto & Fleck Family Law Center Advisory Board and the Advisory Board for the Center for Public Interest Law.



Meet New Board Member Teri McMurtry-Chubb, a professor at Mercer University School of Law, was elected to the Scribes Board of Directors in 2019. She is a Visiting Distinguished Professor of Law at The John Marshall Law School in Chicago. In 2015, Professor McMurtry-Chubb became the first person of color to become President of the Association of Legal Writing Directors (ALWD), a non-profit professional association of directors of legal reasoning, research, writing, analysis, and advocacy programs throughout the United States, Canada, and Australia. In 2018, McMurtry-Chubb was selected by the Legal Writing Institute to receive the Teresa Godwin Phelps Award for Scholarship in Legal Communication.

Professor McMurtry-Chubb researches, teaches, and writes in the areas of legal history and discourse, critical rhetoric and genre analysis. She has lectured nationally on structural discrimination in educational institutions and the workplace and is a leader in designing curricula to facilitate diversity, equity, and inclusion efforts. She previously taught at Loyola Law School in Los Angeles, the California State Polytechnic University at Pomona, the University of Iowa, Des Moines Area Community College, Drake University School of Law, and Fairhaven College of Interdisciplinary Studies at Western Washington University. While at Fairhaven College, she was a co-founder and first director of Fairhaven's Center for Law, Diversity and Justice.

Meet New Board Member Justice Gerald Lebovits was elected to the Scribes Board of Directors for a three-year term running from 2019 to 2022. Justice Lebovits is an Acting Justice of the Supreme Court of New York County and serves as President of the New York State Association of Acting Supreme Court Justices. He previously was a judge of the New York City Civil Court from 2012-2014, Criminal Court from 2011-2012, and Housing Court from 2001-2010. Elected Adjunct Professor of the Year at three law schools in New York City, he is an adjunct at Columbia Law School, Fordham University School of Law, and New York University School of Law. He has also taught at St. John's University School of Law and New York Law School. Justice Lebovitz has authored the New York State Bar Association *Journal's* Legal Writer column since 2001 and has published six books, including *The Legal Writer: Writing it Right* (2016). Judge Lebovits has given CLEs for dozens of bar associations and government organizations. He graduated from the Ottawa (LL.L.), Tulane (M.C.L.), and New York University (LL.M.) law schools.



New Members

Alisha Bobo, Paducah KY

Nadine Jacobson, Titusville FL

Michelle Johnson-Weider, Silver Spring MD

Katrina Lee*, Columbus OH

Rebecca Lowry, Flushing NY

Ned Minevitz, Austin TX

Anthony Moreno, Oakland CA

Ryan Owsley, Little Rock AR

Ian-Paul Poulos, New York NY

Edith Rudder, Tempe AZ

Lezel Safi, Edmond OK

Samuel Walenz, Tallahassee FL

Eric Walraven, Mansfield TX

William Wright, Mount Laurel NJ

* Sustaining Member

Congratulations to our 2019 Law-Review Award Winner and Finalists!

Since 1987, Scribes has presented an annual award for the best student-written article in a law review or journal. The award has the distinction of being the only national award for student authors that places no limitation on subject matter. In 2019, **Joseph DeMott of Stanford Law School** was the winner for his article, *Rethinking Ashe v. Swenson from an Originalist Perspective*.

Articles by eight other student authors from received an "Honorable Mention" from Scribes. These articles were the finalists selected by the team of law professors and other screeners who reviewed all of the articles submitted. Here is the full list of winning articles:

- **Winner: Joseph DeMott**, *Rethinking Ashe v. Swenson from an Originalist Perspective*, 71 *Stanford Law Review* 411
- **Alan Fonseca**, *Subdued Process: Onyx Properties LLC v. Board of County Commissioners of Elbert County and the Removal of "Property" from the Due Process Clause*, 71 *Oklahoma Law Review* 529
- **Daniel B. Listwa and Charles Seidell**, *Penalties in Equity: Disgorgement After Kokesh v. SEC*, 35 *Yale Journal on Regulation* 667
- **John G. Wrench**, *Non-Appropriation, No Problem: The Outer Space Treaty Is Ready for Asteroid Mining*, 51 *Case Western Reserve Journal of International Law* 437
- **Jonathan I. Tietz**, *The "Broadest Reasonable Interpretation" and Applying Issue Preclusion to Administrative Patent Claim Construction*, 117 *Michigan Law Review* 349
- **Melissa Marie Blanco**, *Sex Trend or Sexual Assault?: The Dangers of "Stealth" and the Concept of Conditional Consent*, 123 *Penn State Law Review* 217
- **Sophie Stocks**, *No Firm Ground: Fifth Amendment Takings and Sea-Level Rise*, 70 *Hastings Law Journal* 621
- **Wouter Zwart**, *Slow Your Roll Out of Body-Worn Cameras: Privacy Concerns and the Tension Between Transparency and Surveillance in Arizona*, 60 *Arizona Law Review* 783

The Law-Review Award Committee was chaired by Associate Dean Glen-Peter Ahlers Sr. of Barry University School of Law in Orlando, Florida.

The Law-Review Award Committee received 62 entries for the 2019 award, an increase from the 57 entries received in 2018. Fourteen members of Screening Committee selected the finalist articles, which were then reviewed by the Law-Review Award Committee.

The members of the Screening Committee were:

- Anna Chan, St. Thomas University School of Law (Miami)
- Lurene Contento, The John Marshall Law School (Chicago)
- Amanda Cooley, South Texas College of Law (Houston)
- Raul Fernandez, St. Thomas University School of Law (Miami)
- Emily Grant, Washburn University School of Law (Topeka)
- Karen Grundy, University of Tulsa College of Law
- Joanne Hodge, The John Marshall Law School (Chicago)

- Jessica Hynes, Quinnipiac University School of Law
- Patrick Long, University at Buffalo School of Law
- Denise Malloy, University of Rochester School of Law
- Karin Mika, Cleveland-Marshall College of Law
- Mimi Samuel, Seattle University School of Law
- Zachary Schmook, Oklahoma College of Law
- Helene Shapo, Northwestern Law School (Chicago)

The members of the Law-Review Award Committee making the final selection were:

- Glen-Peter Ahlers Sr., Barry University School of Law (Orlando)
- Mary Bowman, Seattle University School of Law
- Steven Feldman, retired legal advisor to the U.S. Army Corps of Engineers
- Richard Leiter, University of Nebraska-Lincoln