

# Voting Rights Issues Drive Scholarship of New Faculty Member

**Two things to know about Atiba Ellis:** First—in light of Wisconsin’s being one of the states where issues involving voting rights have been consequential and controversial—Ellis has studied “voter suppression basically my entire career,” he relates. And second, during the fall 2017 semester, when Ellis was the Boden Visiting Professor at Marquette Law School, he quickly became involved in the life of the school, not only in teaching a course on civil rights law but also in other ways, including taking part in an “On the Issues with Mike Gousha” program on voting issues.

If these things make Ellis sound like a good fit for joining the Law School’s faculty, he entirely agrees. “For me, this is a fantastic move and a real opportunity to work on issues that fit both my interests and the needs of the communities in Milwaukee and Wisconsin,” Ellis said.

Ellis comes to the Law School after nine years on the faculty of the West Virginia University College of Law. Ellis grew up in Havelock, N.C., and received bachelor’s, master’s, and law degrees, all from Duke University. He clerked and practiced before becoming a legal writing instructor at Howard University School of Law in 2006.

Ellis said voting rights issues have been a central

interest of his since his work in graduate school in the 1990s. His primary scholarly focus has been on “cataloguing the push–pull of expanding and contracting voter rights” in American history. He said, “I write about the people who are on the margins of democracy and why they get excluded.”

“It’s not merely about race or class,” Ellis said, or about any other factor such as gender or age. It’s about the politics that use those statuses to “harm our core identity as American citizens.” The story of who gets to vote has been a long, tense narrative across much of American history, and “that tension continues,” Ellis said. After a period when voting was easier in the United States, current controversies focus on laws requiring people to provide identification, proof of citizenship, or other proof to vote.

Ellis also is interested in trust and estates law, which he is teaching during the fall 2018 semester, and in property law.

His wife, Jessica Wolfendale, was also a professor at West Virginia University and is joining Marquette as a professor of philosophy.

Personal interests outside of work? Science fiction is the first thing Ellis mentioned. “If it’s about space and big questions, I like it,” he said.



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### Mitten Recognized by Athletic Trainers Association

**Matthew Mitten**, executive director of the National Sports Law Institute at Marquette Law School, received the National Athletic Trainers Association's Professional Responsibility in Athletic Training Award at the organization's 69th national symposium and expo in New Orleans in June 2018. Mitten was the first nonmember to receive the award, which recognizes distinction in the advancement of legal, ethical, and regulatory issues in the field. Mitten's primary scholarly interests include legal issues in sports medicine.

Mitten has been a professor at Marquette Law School since 1999 and is a member of many national and international sports organizations, including the Court of Arbitration for Sport, based in Lausanne, Switzerland. In addition to authoring numerous books and articles in legal and medical journals, he is actively involved with practicing lawyers in the field, currently serving, for example, as the immediate past president of the Sports Lawyers Association.



Professors Susan Bay (left) and Alison Julien co-chaired the site committee for the Legal Writing Institute.

## National Legal Writing Conference Is a Success in Big Ways and Small

When it comes to a successful conference, the big things—especially the program itself—are the heart of it, but the little things make a professional gathering truly special.

The big things drew nothing but praise in the aftermath of the gathering of 430 law professors at the Legal Writing Institute's 18th Biennial Conference, hosted by Marquette Law School in Milwaukee from July 11 to 14, 2018. The event offered well-chosen and well-delivered presentations on a wide range of topics related to such matters as creating a course, trends in scholarship, and new developments in using technology in teaching.

But the little things made the experience all the more of a hit. Offering Milwaukee custard, for example, and beer from local microbreweries. Or hosting the event's gala banquet on a gorgeous evening at Milwaukee's Discovery World, with great views of Lake Michigan and the city's downtown. (Yes, even the weather did its part to enhance the conference.) Or bringing in cookies from Peter Sciortino Bakery on Milwaukee's east side. The cookies were especially meaningful to Kristen Konrad Tiscione, a professor at Georgetown Law and president of the Legal Writing Institute. Her parents grew up in Milwaukee, and she fondly remembers those cookies from her childhood visits to the city.

"It couldn't have worked out any better," Tiscione said of the conference in every respect. "Honestly, I'm not making this up. It was really wonderful." She passed along emails she received from other participants from around the country, praising the program and Marquette Law School's work as the host.

People left the conference thinking more highly of the profession, of Marquette Law School, and of Milwaukee, Tiscione said.

One of the largest professional gatherings Marquette Law School has hosted, the institute's conference made mid-July one of the busiest times of the year in Eckstein Hall. Almost all of the presentations were held in the building, and the many places in Eckstein Hall conducive to informal gatherings and conversation enhanced the opportunities for networking and mingling that are important parts of such conferences. Tiscione called the work by Marquette's hosts "flawless" and the building "commodious."

Marquette's Professors Susan Bay and Alison Julien co-chaired the site committee that organized the hosting of the event. Other Marquette legal writing colleagues—Professors Rebecca Blemberg, Jacob Carpenter, Melissa Love Koenig, and Lisa Mazzie—were on the site committee, and several were presenters in conference sessions. Dean Joseph D. Kearney welcomed conference attendees in the plenary session at the Milwaukee Hilton and took part in a panel presentation in Eckstein Hall's Lubar Center.

"I was really amazed at how engaged everyone was," Bay said of the presentations themselves. The conference built on Marquette's role as a national leader in legal writing. Julien said the Law School has hosted five presentations for legal writing professors in the last 10 years, making Marquette Law School one of the most frequent legal writing conference hosts.

A sign in the facilities-and-events offices of the Law School says, "Sweat the details." The host team for this large gathering did just that, and it paid off.



Photo by Katharina Poblitzki and with permission from the New York Times

Megan Twohey

## Reporter Recounts Work That Sparked a Global Movement

The real moral horror about Harvey Weinstein's record of sexual misconduct was that "he was able to get away with this for 40 years," according to Megan Twohey, an investigative reporter for the *New York Times*. Numerous women, including a list of well-known actresses, have accused Weinstein, one of the entertainment world's most powerful figures for many years, of forcing them into unwanted sexual involvement with him. And, Twohey said, a "complicity machine" involving aides, associates, and friends protected him from the consequences of his conduct.

The way that came to an end played a pivotal role in launching the #metoo movement, which has led many women to speak out about the way they have been mistreated by men. Twohey had a big part in the downfall of Weinstein, who is now facing multiple criminal charges, including first-degree rape.

At an "On the Issues with Mike Gousha" program at Eckstein Hall on May 11, 2018, Twohey described the patient and intense work that she and her *New York Times* colleague and reporting partner, Jodi Kantor, did to bring to light a story that many people said would never get published.

The recognition the two won for their work includes a Pulitzer Prize and listing by *Time* Magazine among the most influential people in America. Twohey was in Milwaukee at the invitation of the Milwaukee Press Club, which cosponsored the program at Marquette Law School.

"It was remarkable at every turn what we uncovered," she said about the extent of Weinstein's sexual harassment in many different settings. Twohey, who has a young daughter, said she hoped the revelations reported by the *Times* and other news organizations will mean that her daughter will not find herself years from now in workplaces with such problems.

"I think this has been a big teaching moment for families," Twohey said.

## Law School Recognized for Diversity Efforts

The Law School Admission Council's 2018 annual meeting recognized Marquette Law School for its service in "hosting pipeline programs that promote access to justice and the legal profession."

The council, a national organization focused on quality, access, and fairness in law school admissions, said the distinguishing factor for the recognition was Marquette Law School's sponsorship, along with the Eastern District of Wisconsin Bar Association, of the Summer Youth Institute. The annual program gives middle school and high school students from the City of Milwaukee an introduction to the legal system and paths to legal careers. The 2018 Summer Youth Institute, based at Eckstein Hall, was held from July 19 through 27. Two dozen students learned about the legal system from judges and other lawyers, toured courts and law firms, and took part in a curriculum culminating in oral arguments in front of judges.

Marquette's program received one of four "regional excellence" awards for diversity efforts. The other law schools receiving such an award were the University of New Mexico, the University of Pennsylvania, and Stetson University in Florida.



Iman Snobar, a student at Milwaukee's Ronald Reagan High School, with U.S. Magistrate Judge Nancy Joseph, during the Summer Youth Institute.



## Remembering Professor J. Gordon Hylton:

# DEDICATED, BELOVED, DISTINCTIVE

*Gordon Hylton, a professor at Marquette Law School from 1995 to 2015, died at 65 of cancer on May 2, 2018.*

*This is an edited excerpt from a remembrance written for the Marquette Law School Faculty Blog.*

*by Professor Alan R. Madry*

**D**uring his 20 years at Marquette Law School, Gordon Hylton was one of the most interesting, wonderfully eccentric, and beloved members of the community. No one more thoroughly enjoyed and reveled in being part of the academic world than Gordon. He was a devoted teacher; a relentless, careful, and thorough scholar; and a cherished colleague.

I personally found Gordon to be one of the most interesting people of my acquaintance largely because he had so many interests, found so many things fascinating, and—aided by a legendary memory—pursued them with passion and rigor and a remarkable urge to explain everything. And he was generous. He enjoyed nothing so much as chatting with his students and his colleagues about baseball, country music, the odd personalities who had sat on the Supreme Court, the reasonableness of property doctrines, the early history of Christianity—and all of this, always, with great enthusiasm and courtesy, approaching knowledge and insight as both important and the most fun.

Gordon was a native of Pearisburg, a small town (pop. 2,699 in 2016) in Giles County, which is located in the southwest corner of Virginia. He was a graduate of the University of Virginia School of Law and received a Ph.D. in the history of American civilization from Harvard University. His dissertation was on the admission of African-American lawyers to the Virginia bar, a subject he pursued with an ever-broader focus throughout his scholarly career.

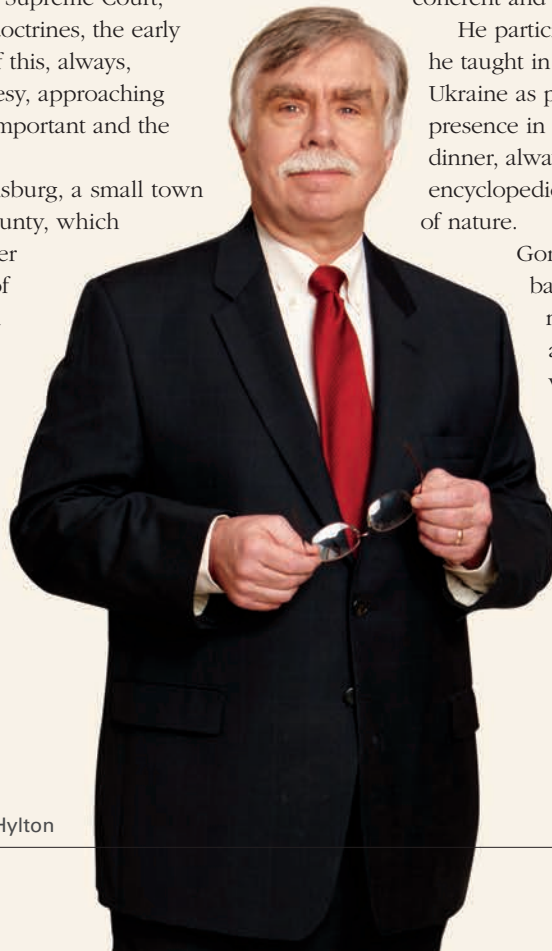
Gordon came to Marquette in the fall of 1995, after teaching at Chicago-Kent College of Law, where three times he was named professor of the year, and Washington University School of Law in St. Louis, where he was the only visiting professor to be named professor of the year. Gordon continued to distinguish himself as a teacher here at Marquette and received the Ghiardi Award for Teaching Excellence early in his tenure.

Gordon never regarded teaching law as merely preparing students for a job in the law. Education for Gordon was always *more*: It was about preparing students for a critically reflective life and, especially with law students, for wise leadership in their communities. He saw himself preparing tomorrow's senators, chief justices, and heads of corporations and nonprofits. He never just taught doctrines; he always asked if the law on the books was coherent and made good moral sense.

He participated in every aspect of the Law School's life; he taught in every one of its foreign programs and also in Ukraine as part of the Fulbright program. He was a constant presence in every workshop, seminar, conference, lunch or dinner, always contributing with courtesy and a marvelously encyclopedic memory, which itself seemed a true miracle of nature.

Gordon had an especially endless passion for baseball. Even for someone such as me who has no interest in baseball, we could talk for hours about the sport because those conversations were never about just baseball. They were about the place of baseball in the history of American culture and the growth of sport as an aspect of the country's response to capitalism and industrialization.

Gordon Hylton was particularly devoted to and proud of his four children, Veronica, Joseph, Elizabeth, and Caroline. We at Marquette were fortunate to have shared him.



Professor J. Gordon Hylton