

University of Dayton Law Review

Volume 46 | Number 2

Article 1

3-1-2021

Front Matter, Volume 46, Number 2

University of Dayton

Follow this and additional works at: <https://ecommons.udayton.edu/udlr>



Part of the [Law Commons](#)

Recommended Citation

University of Dayton (2021) "Front Matter, Volume 46, Number 2," *University of Dayton Law Review*. Vol. 46: No. 2, Article 1.

Available at: <https://ecommons.udayton.edu/udlr/vol46/iss2/1>

This Front Matter is brought to you for free and open access by the School of Law at eCommons. It has been accepted for inclusion in University of Dayton Law Review by an authorized editor of eCommons. For more information, please contact mschlange1@udayton.edu, ecommons@udayton.edu.

UNIVERSITY OF DAYTON LAW REVIEW

VOLUME 46

SPRING 2021

NUMBER 2

ARTICLES

THE LEGAL QUICKSAND 2+ PARENTS:
THE NEED FOR A NATIONAL DEFINITION
OF A LEGAL PARENT

JACQUELINE V. GAINES 105

THE DEMISE OF THE BLAINE AMENDMENT
AND A TRIUMPH FOR RELIGIOUS FREEDOM AND
SCHOOL CHOICE: *ESPINOZA V.*
MONTANA DEPARTMENT OF REVENUE

CHARLES J. RUSSO & WILLIAM E. THRO 131

COMMENTS

SOLUTION OR SETBACK: LEGAL AND PRACTICAL
IMPLICATIONS OF SCHOOL THREAT ASSESSMENTS
FOR OHIO STUDENTS WITH DISABILITIES

MARGARET MILES 167

IT IS TIME TO END ABILITY GROUPING AND
“THE SOFT BIGOTRY OF LOW EXPECTATIONS”
IT IMPOSES ON MINORITY STUDENTS

HOLLY FUDGE 197

WHAT YOU DON'T KNOW *WILL* HURT YOU:
ADDRESSING THE INEQUITIES OF PRO SE
LITIGATION IN OHIO

ALLISON MIKICIUK 221

UNIVERSITY OF DAYTON LAW REVIEW

VOLUME 46

SPRING 2021

NUMBER 2

GENERAL INFORMATION

The University of Dayton Law Review (ISSN 0162-9174) is published 2-4 times per year by students at the University of Dayton School of Law. Views expressed in this issue are those of the authors and do not reflect the policies or opinions of the trustees, faculty, or administration of the University of Dayton School of Law or the University of Dayton, the Law Review, or its editors or staff.

The Law Review is indexed in Current Law Index, Index to Legal Periodicals, and Legal Resource Index. Beginning with Volume 17, Issue 1, the Law Review is available on LEXIS. Beginning with Volume 9, Issue 1, selected articles appear on WESTLAW and beginning with Volume 19, Issue 2, full coverage of the Law Review is available on WESTLAW. The Law Review is a member of the National Conference of Law Reviews. The Law Review is printed by Western Newspaper Publishing Co., Inc., 929 West 16th Street, Indianapolis, Indiana 46202.

SUBSCRIPTIONS

The subscription rate is \$30.00 per volume. Single issues are available for \$17.50 per issue. Subscriptions are automatically renewed unless written notice of cancellation is received prior to shipment of the issue. Please notify the Law Review, in writing, of any change of address and include name, new address and old address or mailing label. Direct all correspondence regarding subscriptions and back issues to the attention of the Business Manager.

ARTICLE SUBMISSIONS

The Law Review invites submission of articles in all areas of current legal interest. Please direct articles to the attention of the Outside Articles Editor. The Law Review will not return unsolicited articles unless postage is provided.

CITATION MANUAL

The Law Review substantially conforms to *The Bluebook: A Uniform System of Citation* (21st ed. 2020).

COPYRIGHT

Copyright © 2020 by the University of Dayton Law Review. Please direct requests for excerpts or reprints to the contact information provided below.

CONTACT INFORMATION

University of Dayton Law Review
300 College Park
Dayton, Ohio 45469-2772
udlawreview@udayton.edu

Website: http://www.udayton.edu/law/academics/law_review/

UNIVERSITY OF DAYTON LAW REVIEW

VOLUME 46

SPRING 2021

NUMBER 2

ADMINISTRATION

ANDREW L. STRAUSS, A.B., J.D., *Dean and Professor of Law*
LORI E. SHAW, B.S., J.D., *Associate Dean for Academic Affairs and Professor of Lawyering Skills*
SHANNON R. PENN, B.A., M.ED., *Assistant Dean for Student Affairs and Registrar*
JEFF SCHMITT, B.A., J.D., *Assistant Dean for Graduate Programs; Associate Professor of Law*
CLAIRE SCHRADER, B.A., M.S., *Assistant Dean and Executive Director of Enrollment Management and Marketing*
TIMOTHY G. SWENSEN, B.A., M.S., J.D., *Assistant Dean and Director of Career Services*
VICTORIA VANZANDT, B.A., J.D., *Assistant Dean for the Law@Dayton Hybrid JD Program & Professor of Lawyering Skills*
LORIE E. ZINK, A.A.S, B.A., J.D., *Assistant Dean of Diversity, Equity, and Inclusion; Coordinator, Legal Profession Program; Professor of Lawyering Skills*
SUSAN N. ELLIOTT, B.A., M.ED., J.D., M.L.S., *Professor and Director of Law Library*
MARGARET L. WILSON, B.B.A., *Director of Operations and Finance*

FACULTY

MAUREEN H. ANDERSON, B.A., J.D., LL.M., M.L.S., *Associate Professor and Assistant Director for Public Services*
KATIE ARMSTRONG, B.A., J.D., *Assistant Director of Bar Preparation*
CARLOS BERNAL, LL.B., S.J.D., M.A., PH.D., *Professor of Law*
FAISAL CHAUDHRY, B.A., J.D., PH.D., *Assistant Professor of Law & History; Hanley Institute Sustainability Scholar*
JEANNETTE C. COX, B.A., J.D., *Professor of Law*
DANIEL CRAINE, B.A., J.D., *Assistant Professor of Academic Success*
ERICKA CURRAN, B.A., J.D., *Assistant Professor of Lawyering Skills; Leadership Honors Program Director*
EBONY DAVENPORT, A.A.S., B.A., J.D., *Visiting Professor of Lawyering Skills*
SUSAN N. ELLIOTT, B.A., M.ED., J.D., M.L.S., *Associate Professor and Director of Law Library*
ERICA GOLDBERG, B.A., J.D., *Assistant Professor of Law*
THADDEUS HOFFMEISTER, B.A., J.D., LL.M., *Professor of Law*
PAMELA IZVĂNARIU, B.A., J.D., LL.M., M.A., PH.D., *Assistant Professor of Law & Sociology*
MICHELINE KIDWELL, B.S.J., J.D., H.B.X., *Assistant Professor of Academic Success; Director of Bar Preparation*
DENISE PLATFOOT LACEY, B.A., J.D., *Professor of Externships*
KEVIN LESKE, B.S., M.S., M.E.L.P., J.D., *Professor of Law*
TRACY L. REILLY, B.A., J.D., *NCR Professor of Law and Technology and Director of the Program in Law and Technology*
CHRISTOPHER ROEDERER, B.A., M.A., J.D., *Assistant Professor of Law*
CHARLES RUSSO, B.A., M.DIV., J.D., ED.D., *Director, Ph.D. Program in Education Leadership; Research Professor of Law*
JEFF SCHMITT, B.A., J.D., *Assistant Dean for Graduate Programs; Associate Professor of Law*
ANDREA M. SEIELSTAD, B.A., J.D., *Professor of Law*
DALINDYEBO SHABALALA, B.A., J.D., PH.D., *Assistant Professor of Law*

UNIVERSITY OF DAYTON LAW REVIEW

VOLUME 46

SPRING 2021

NUMBER 2

LORI E. SHAW, B.S., J.D., *Associate Dean for Academic Affairs and Professor of Lawyering Skills*

ANDREW L. STRAUSS, A.B., J.D., *Dean and Professor of Law*

JAMES STEINER-DILLON, B.A., J.D., M.A., PH.D., *Assistant Professor of Law*

TAMARA TABO, B.A., J.D., *Assistant Professor of Academic Success and Academic Success Program Director*

ADAM TODD, B.A., J.D., *Associate Professor of Lawyering Skills*

VICTORIA L. VANZANDT, B.A., J.D., *Assistant Dean for the Law@Dayton Hybrid JD Program & Professor of Lawyering Skills*

PAUL D. VERNARD, M.L.I.S., J.D., *Associate Professor of Law & Reference and Electronic Services Librarian*

BLAKE A. WATSON, B.A., J.D., *Professor of Law; Samuel A. McCray Chair*

JULIE E. ZINK, A.A.S., B.A., J.D., *Assistant Dean of Diversity, Equity, and Inclusion; Coordinator Legal Profession Program; Professor of Lawyering Skills*

ADJUNCT FACULTY

ADAM ARMSTRONG, B.A., J.D.

MATTHEW R. ARNTZ, B.A. J.D.

BRIAN BACON, B.A., J.D.

TIM BARLOW, B.S., J.D.

YAVAR BATHEE, B.S., J.D.

WILLIAM BECKER, B.A., J.D.

BRUCE BEIL, B.A., J.D., M.B.A.

CHERYLL BENNETT, J.D.

BRETT BISSONNETTE, B.A., J.D.

ERICK BLAINE, B.A., J.D.

KAREN BRADLEY, B.A., J.D.

JENNIFER BRILL, B.A., J.D.

JENNIFER L. BROGAN, B.S., J.D.

KESHA BROOKS, B.A., M.P.A., J.D.

JOSEPH BROSSART, B.A., J.D.

CHAD BURTON, B.A., J.D.

TRINITY CAR, B.A., M.S., J.D.

TODD B. CARVER, B.A., J.D.

MARK R. CHILSON, B.B.A, J.D.

MOLLY COLANERI, B.S.B.A., J.D.

MATTHEW CURRIE, B.S., M.S.E.L., J.D.

SCOTT DAVIES, B.S.B.A., J.D.

NEAL DUIKER, B.A., J.D.

CHRISTOPHER B. EPLEY, B.A., J.D.

JOHN FELDMEIERS, B.A., J.D., PH.D.

JOHN FISCHER, B.A., J.D.

JACQUELINE GAINES, B.A., J.D.

JACQUELINE GALL, B.A., J.D.

SCOTT GANOW, B.A., J.D.

KEN GERMAIN, B.S., J.D.

HONORABLE BARBARA P. GORMAN, B.A., M.A., J.D.

JAMES GOTTMAN, B.S.E.E., J.D.

REBECCA M. GREENDYKE, B.S., J.D.

CHARLES GROVE, B.A., J.D.

UNIVERSITY OF DAYTON LAW REVIEW

VOLUME 46

SPRING 2021

NUMBER 2

WILLIAM M. HARRELSON II, B.S., J.D.
KIMBERLEY HARSHBARGER, B.A., M.S., J.D.
KELLY HENRICI, B.A., J.D.
ALEX HIGHT, B.A., M.S., M.B.A
JENNIFER HOSIER, B.A., J.D.
HONORABLE MARY KATE HUFFMAN, B.A., J.D.
PABLO IANNELLO, LL.M.
GEOFFREY IVNIK, B.A., J.D.
MICHAEL A. JACOBS, B.A., J.D., LL.M.
MICHAEL C. JAMES, B.S., J.D., LL.M.
KIRK JOHNSEN, B.A., M.A., J.D.
HONORABLE ERIC H. KEARNEY, B.A., J.D., LL.M.
JAMES KELLEHER, B.A., J.D.
MALIKEYA KHANTRECE, B.A., J.D., LL.M.
ROBERT KLEES B.S.B.A, M.B.A.
JAMES KORDIK, B.S., J.D.
SCOTT A. KRAMER, B.A., J.D.
KEVIN KUDLAC, B.S., J.D.
WILLIAM KUGEL, B.B.A., M.B.A.
JUDITH LAMUSGA, B.S. M.Ed., J.D.
HONORABLE DENNIS LANGER, B.A., J.D.
DAVID LARSON, B.A., M.P.A., J.D.
ROBERT LECH, B.S., J.D.
THOMAS LEES, B.S., J.D.
DENNIS LIEBERMAN, B.A., J.D.
JOSHUA LOBERT, B.A., PH.D., J.D.
BRANDON McCLAIN, B.A., M.S., J.D.
GLEN McMURRAY, B.S., J.D.
MICHAEL MCSHEA, B.A., J.D.
HONORABLE MICHAEL R. MERZ, A.B., J.D.
IRA MICKENBERG, A.B., J.D., LL.M.
MICHAEL MILLER, B.A., J.D.
PAUL MOKE, A.B., M.A., J.D., PH.D.
HONORABLE MICHAEL NEWMAN, B.F.A., J.D.
JASON NORWOOD, B.A., J.D.
SUSAN OILER, B.S., B.A., J.D.
ANDREA DEWAR OLADI, B.A., B.S.W., B.C.L., LL.B, M.S.W.
ERIN OTIS, B.A., J.D.
HONORABLE SHARON L. OVINGTON, B.A., J.D.
VIPAL PATEL, B.S., J.D.
BRYAN PENWICK, B.A., J.D.
DAVID P. PIERCE, B.A., J.D.
JESSICA A. RAMOS, B.A., M.A., J.D.
HONORABLE ROBERT W. RETTICH III, B.A., J.D.
LYNN REYNOLDS, B.A., J.D.
MICHAEL RHINEHART, B.A., J.D.
HONORABLE WALTER H. RICE, B.A., J.D., M.B.A., HON. LL.D., HON. L.H.D.
NANCY ROBERSON, B.A., J.D.
ANDREW ROSSOW, B.A., J.D.
JAMES SCHEPLEY, B.B.A., M.B.A.

UNIVERSITY OF DAYTON LAW REVIEW

VOLUME 46

SPRING 2021

NUMBER 2

ANDREW SEXTON, B.A., J.D.
CARL SHERRETS, B.B.A., J.D.
HONORABLE PETER B. SILVAIN JR., B.A., J.D.
HONORABLE GREG SINGER, B.A., J.D.
STEPHANIE L. SLONE, B.A., J.D.
SUSAN SOLLE, B.A., J.D.
BRIAN P. SULLIVAN, B.E., J.D., LL.M.
ANITA TEEKAH, B.A., J.D.
MATTHEW WALKER, B.A., J.D.
HEATHER WELLBAUM, B.A., J.D.
THOMAS P. WHELLEY II, B.A., J.D.
CHASTITY WHITAKER, B.S., M.S. J.D., PH.D.
JENIFER WILHELM, B.A., J.D.
MATHEW WILLENBRINK, B.S., J.D.
HONORABLE MARY WISEMAN, B.S., J.D.
KATIE WRIGHT, B.A., J.D.
SANDRA ZIMMERLE, B.A., M.B.A., J.D.

