

# University of Dayton Law Review

---

Volume 32 | Number 3

Article 1

---

4-1-2007

## Front Matter, Volume 32, Number 3

University of Dayton

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



Part of the [Law Commons](#)

---

### Recommended Citation

University of Dayton (2007) "Front Matter, Volume 32, Number 3," *University of Dayton Law Review*. Vol. 32: No. 3, Article 1.

Available at: <https://ecommons.udayton.edu/udlr/vol32/iss3/1>

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](mailto:mschlange1@udayton.edu), [ecommons@udayton.edu](mailto:ecommons@udayton.edu).

## ARTICLES

SAME-SEX MARRIAGE AND PUBLIC SCHOOL  
CURRICULA: PRESERVING PARENTAL RIGHTS  
TO DIRECT THE EDUCATION OF THEIR  
CHILDREN

*CHARLES J. RUSSO* 361

O CENTRO ESPIRITA: THE SUPREME COURT  
RAISES THE SPIRITS OF THE FREE EXERCISE  
CLAUSE

*PHILIP WEINBERG* 385

## COMMENTS

WIND POWER AND THE RENEWABLE  
PORTFOLIO STANDARD: AN OHIO  
ANALYSIS

*CHRISTOPHER E. COTTER* 405

AN UNCONSTITUTIONAL DEATH: THE  
OREGON DEATH WITH DIGNITY ACT'S  
PROHIBITION AGAINST SELF-  
ADMINISTERED LETHAL INJECTION

*GLEN R. MCMURRY* 441

STAKING A CLAIM IN THE TWENTY-FIRST  
CENTURY: REAL PROPERTY RIGHTS ON  
EXTRA-TERRESTRIAL BODIES

*RYAN HUGH O'DONNELL* 461

## GENERAL INFORMATION

The University of Dayton Law Review (ISSN 0162-9174) is published three 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., 537 East Ohio Street, Indianapolis, Indiana 46204.

## 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 to the attention of the Business Editor. Back issues may be obtained from William S. Hein & Co., 1285 Main Street, Buffalo, New York 14209; 1-800-828-7571.

## ARTICLE SUBMISSIONS

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

## CITATION MANUAL

The Law Review substantially conforms to the *ALWD Citation Manual* (3d ed. 2003). Where the *ALWD Citation Manual* fails to supply a rule on point, the Law Review conforms to *The Bluebook: A Uniform System of Citation* (17th ed. 1999).

## COPYRIGHT

Copyright © 2005 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

(937) 229-3642 (phone)

(937) 229-4950 (facsimile)

[udlawreview@notes.udayton.edu](mailto:udlawreview@notes.udayton.edu)

Website: <http://www.law.udayton.edu/lawreview>

## ADMINISTRATION

LISA A. KLOPPENBERG, B.A., J.D., *Dean and Professor of Law*

HARRY S. GERLA, B.A., M.A., J.D., *Associate Dean for Academic Affairs and Professor of Law*

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

THOMAS L. HANLEY, A.B., J.D., M.S.L.S., *Director of Law Library*

TIMOTHY G. SWENSEN, B.A., M.S., J.D., *Assistant Dean and Director of Career Services*

JANET L. HEIN, B.A., *Assistant Dean and Director of Admissions and Financial Aid*

TIMOTHY P. STONECASH, B.A., *Assistant Dean of External Relations*

LINDA L. COLE, *Registrar*

DRUSILLA A. BRUNS, *Business Manager*

## FACULTY

SUSAN W. BRENNER, B.A., M.A., J.D., *Professor of Law and NCR Distinguished Professor of Law & Technology*

ERIC CHAFFEE, B.A., J.D., *Visiting Assistant Professor*

REBECCA A. COCHRAN, B.A., M.A., J.D., *Professor of Law*

FRANCIS J. CONTE, B.A., J.D., *Professor of Law*

JEANNETTE COX, B.A., J.D., *Visiting Professor*

MARIA P. CRIST, B.A., J.D., *Professor of Lawyering Skills and Director of the Legal Profession Program*

KELVIN H. DICKINSON, B.A., LL.B., *Professor of Law*

JAMES GEOFFREY DURHAM, A.B., J.D., *Professor of Law*

FREDERICK DENNIS GREENE, B.A., M.Ed., J.D., *Professor of Law*

THOMAS L. HAGEL, B.S., J.D., LL.M., *Professor of Law*

CHARLES G. HALLINAN, B.A., J.D., LL.M., *Professor of Law*

COOLEY R. HOWARTH, JR., B.A., J.D., *Professor of Law and Director of Graduate Studies*

PAMELA LAUFER-UKES, B.A., J.D., *Assistant Professor*

ROBERT R. LECH, B.S., J.D., *Visiting Assistant Professor of Law*

ARVIN S. MILLER, B.A., J.D., *Criminal Clinic Coordinator and Visiting Assistant Professor of Law*

SHEILA F. MILLER, B.A., J.D., *Assistant Professor of Lawyering Skills*

JEFFREY W. MORRIS, B.A., J.D., *Samuel A. McCray Chair and Professor of Law*

RAMZI G. NASSER, B.A., J.D., *Assistant Professor of Law*

RICHARD P. PERNA, B.A., J.D., *Professor of Law*

VERNELLIA R. RANDALL, B.S., M.S., J.D., *Professor of Law and Director of the Academic Excellence Program*

TRACY REILLY, B.A., J.D., *Assistant Professor*

KRISTIN SAFIER, B.A., J.D., *Assistant Professor of Lawyering Skills*

RICHARD B. SAPHIRE, B.A., J.D., LL.M., *Professor of Law*

E. DALE SEARCY, B.S., J.D., LL.M., *Professor of Law*

ANDREA M. SEIELSTAD, A.B., J.D., *Professor of Law*

DENNIS J. TURNER, B.A., J.D., *Professor of Law*

VICTORIA L. VANZANDT, B.A., J.D., *Assistant Professor of Lawyering Skills*

BLAKE A. WATSON, B.A., J.D., *Professor of Law*

JULIE ZINK, A.A.S., B.A., J.D., *Assistant Professor of Lawyering Skills*

## ADJUNCT FACULTY

JOHN R. ACKERMAN, B.A., J.D.  
MATTHEW ARNTZ, J.D.  
ELAINE BERNSTEIN, B.S.C., J.D.  
ROBERT A. BOSTICK, B.A., LL.B., J.D.  
STEPHEN D. BRANDT, B.A., J.D.  
HONORABLE JAMES A. BROGAN, B.A., J.D.  
TODD BRYANT, J.D.  
MARIAH BUTLER, B.S., J.D.  
TODD B. CARVER, B.A., J.D.  
LEONARD M. COHEN, B.S., J.D., LL.M.  
CHRISTOPHER R. CONRAD, B.A., J.D.  
JULIETTE DAME, B.A., J.D.  
DIANA S. DICKINSON, B.A., J.D.  
PATRICK DENIER, B.S., J.D.  
CHRISTOPHER EPLEY, B.A., J.D.  
HONORABLE JEFFREY E. FROELICH, B.A., J.D.  
HONORABLE BARBARA P. GORMAN, B.A., M.A., J.D.  
ANDREW J. GOTTMAN, B.A., J.D.  
LAWRENCE J. GREGER, B.A., J.D.  
SHA HINDS-GLICK, B.A., J.D.  
HONORABLE MARY KATHERINE HUFFMAN, B.A., J.D.  
DAVID M. HUNTER, B.S., J.D.  
MY'CHAE L. JEFFERSON, B.A., J.D.  
JOANNE JOCHA-ERVIN, B.S., M.A., PH.D., J.D.  
KIRK JOHNSON, B.A., M.A., J.D.  
SCOTT JONES, J.D.  
JAMES W. KELLEHER, B.A., J.D.  
HONORABLE JOHN W. KESSLER, B.A., J.D.  
JOHN M. MCCANN, B.A., J.D.  
HONORABLE MICHAEL MERZ, A.B., J.D.  
ERIN B. MOORE, B.A., J.D.  
MARY ANNE NARDIELLO, B.A., J.D.  
HONORABLE SHARON OVINGTON, B.A., J.D.  
DAVID P. PIERCE, B.A., J.D.  
DUNCAN ROSE, B.A., B.S., M.A., J.D.  
CHARLES J. RUSSO, B.A., M.Div., J.D., Ed.D.  
ALAN SCHAEFFER, B.A., J.D.  
GARY C. SCHAEINGOLD, B.A., J.D.  
STEVEN SCHWARTZ, B.S., M.B.A., J.D.  
CARL SHERRETS, J.D.  
SUSAN SOLLE, B.A., J.D.  
JENNIFER D. THEIBERT, B.A., J.D.  
GRETCHEN M. TREHERNE, B.A., J.D.  
DONNA TWEEL, B.A., J.D.  
ANTHONY VANNOY, B.S., J.D.  
JODY WEBER, B.S., J.D.  
HEATHER WELBAUM, B.A., J.D.  
THOMAS P. WHELLEY II, A.B., M.A., J.D.  
MERLE WILDBERDING, J.D.  
HONORABLE JENIFER WILHELM, B.A., J.D.  
JEFFREY A. WINWOOD, B.A., J.D.  
MARY WISEMAN, B.S., J.D.

## EDITORIAL BOARD

### EDITOR IN CHIEF

BARRETT P. TULLIS

### MANAGING EDITOR

APRIL L. BUTLER

### BUSINESS EDITOR

TODD J. BRANNON

### ARTICLES EDITORS

RYAN P. O'ROURKE

MEENA T. VAGNIER

### RESEARCH EDITOR

JENNIFER D. HOSIER

### EXECUTIVE EDITORS FOR

#### COMMENTS

KRISTIN P. ABBINANTE

KIMBERLY B. BAKOTA

LEO C. CHMIELEWSKI

LAUREN K. EPPERLEY

KEVIN P. GRADY

K. SCOTT NEWMAN

### EXECUTIVE EDITORS FOR

#### PUBLICATION

REBECCA A. BROWN

JASON W. HILLIARD

ROBERT O. PASSMORE

JOHN W. PETERSON

NICHOLAUS R. RERICHA

CHRISTOPHER R. ROCK

### ASSOCIATE EDITORS

KELLY A. BENNINGTON

VINCENT A. DIZON

## STAFF WRITERS

VIDHYA BALASUBRAMANIAM

JEFFREY J. BLICK

CHRISTOPHER E. COTTER

DANIEL O. CRAINE

SAMUEL E. DOWSE

CHRISTOPHER M. GREEN

CASIE E. HOLLIS

JACKLYN D. KNUCKLES

ADAM J. KOMOROWSKI

JOSEPH C. KRELLA

CHRISTOPHER D. LEAPLEY

ANDREW T. MCCOY

GLEN R. MCMURRY

EMILY S. MEYER

RYAN H. O'DONNELL

ANDREW R. PICEK

ALEXANDER R. ROCHE

GREGORY A. SCHRAGE

MICHAEL J. SCHULER

THERESE M. SCHUMACHER

OMAR TARAIZI

DAVID M. TREADWAY

TIMOTHY S. WILSON

BENJAMIN J. YODER

CARA R. ZIEGELGRUBER

## FACULTY ADVISOR

HARRY S. GERLA