

Brian Ray

Associate Professor of Law
Cleveland-Marshall College of Law
Cleveland State University

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APPOINTMENTS

Cleveland Marshall College of Law

Associate Professor of Law

Aug. 2011-present

Assistant Professor of Law

Aug. 2006-July 2011

Courses: Civil Procedure I and II, Comparative Constitutional Law, Conflict of Laws, Legislation and the Regulatory State, International Law, Externship Program

Fulbright Scholar, University of Stellenbosch and University of the Western Cape, South Africa, January-August 2013

University Faculty Scholarship Initiative Award, 2011

University Merit Award for outstanding scholarship and service, 2009, 2011 & 2012

EDUCATION

The Ohio State University Moritz College of Law, J.D., *summa cum laude*, May 2001

Class Rank: 1 of 199

Order of the Coif

Topper Memorial Award (outstanding first-year law student)

Articles Editor, The Ohio State University Law Journal, 2000-2001

National Moot Court Team, 2000-2001

Foreign Language Area Studies Fellowship in Japanese, 2000-2001

Full merit scholarship

10 CALI awards for highest course grade

University of Pennsylvania, M.A., East Asian Studies, *summa cum laude*, Aug. 1996

University Graduate Fellowship, 1994-1995

Teaching Assistant Japanese and Chinese History, 1995-1996

Writing Instructor, 1995-1996

Kyoto University, Kyoto, Japan, *Fulbright Fellow*, Aug. 1993 – Aug. 1994

University of Notre Dame, B.A., *cum laude*, May 1993

Student-Athlete of the Year in Varsity Men's Fencing, 1993

LEGAL EXPERIENCE

Associate at Jones Day, Cleveland, Ohio, Jan. 2004 – July 2006

Law Clerk to Justice Richard J. Goldstone, Constitutional Court of South Africa, Johannesburg, South Africa, Feb. – Nov. 2003

Associate at Jones Day, Columbus, Ohio, Aug. 2002 – Jan. 2003

Law Clerk to Judge Alan E. Norris, U.S. Sixth Circuit Court of Appeals, Columbus, Ohio, Aug. 2001 – Aug. 2002

OTHER PROFESSIONAL EXPERIENCE

Policy Specialist, Alliance for International Educational and Cultural Exchange, Washington, DC, Apr. 1997 – Aug. 1998

Staff Assistant to Congressman Ralph Regula, Washington, DC, July 1996 – Apr. 1997

BOOKS

SOCIAL RIGHTS, SOUTH AFRICA AND THE POSSIBILITIES OF ENGAGEMENT (forthcoming 2014 Cambridge University Press)

ARTICLES & WORKS IN PROGRESS

Proceduralism's Triumph and Engagement's Promise in Socio-Economic Rights Litigation, 27 S. AFR. J. HUM. RTS. 107 (2011) (peer-reviewed)

Demosprudence in Comparative Perspective, 47 STANFORD J. INT'L L. 111 (2011)

Engagement's Possibilities and Limits as a Socioeconomic Rights Remedy, 9 WASH. U. GLOBAL LEGAL STUDIES L. REV. 399 (2010)

Residents of Joe Slovo Community v Thubelisha Homes and Others: *The Two Faces of Engagement*, 2010 HUM. RTS. L. REV. 10(2) (2010) (faculty edited)

Accommodating Science Through Weak Form Review: Lessons from the TAC Litigation, INT'L REV. OF CONSTITUTIONALISM (2009) (solicited)

Extending the Shadow of the Law: Using Hybrid Mechanisms to Develop Constitutional Norms in Socioeconomic Rights Cases, 2009 UTAH L. REV. 797 (2009)

--earlier version selected for inclusion in the New York University Center for Human Rights and Global Justice Working Papers Series No. 21 (2008)

Occupiers of 51 Olivia Road v City of Johannesburg: *Enforcing the Right to Adequate Housing through "Engagement"*, 2008 HUM. RTS. L. REV. 8(4) (2008) (faculty edited)

Policentrism, Political Mobilization and the Promise of Socioeconomic Rights, 45 STANFORD J. INT'L L. 151 (2009)

The International Legacy of Brown v. Board of Education, 35 MCGEORGE L. REV. 105 (2004)
(with Justice Richard J. Goldstone)

Note, “*Out The Window*”? : *Prospects for the EPA and FMLA After Kimel v. Florida Board of Regents*, 61 OHIO ST. L. J. 1755 (2000)

Social Rights and Waldron’s Core Case Against Judicial Review (work in progress)

Frank Michelman, Social Rights and South Africa (work in progress)

Comparing Constitutions: Lessons from South Africa’s Comparative Experiment (work in progress)

PRESENTATIONS

Sounding out the Recent Socioeconomic Rights Decisions, University of Witwatersrand School of Law, Johannesburg, South Africa, June 2012 (co-organizer and moderator)

Social Rights, South Africa and the Possibilities of Engagement, South Africa Institute for Advanced Constitutional, Public, Human Rights and International Law, June 2012

Current Issues in Electronic Discovery, Cleveland-Marshall College of Law, September 2011
(co-organizer and moderator for judicial perspectives panel)

Social Rights and Waldron’s Core Case Against Judicial Review, Ohio Law Schools Junior Faculty Forum, Cleveland-Marshall College of Law, Cleveland, Ohio, June 2011 (work-in-progress presentation)

Author Meets Reader: Heinz Klug’s THE CONSTITUTION OF SOUTH AFRICA: A CONTEXTUAL ANALYSIS, Law & Society Association, San Francisco, California, May 2011 (roundtable participant)

Comparing Constitutions: Lessons from South Africa’s Comparative Experiment, Yale Journal of International Law/Junior International Law Scholars Association joint conference, Yale Law School, New Haven, Connecticut, Feb. 2010 (early work-in-progress presentation)

Proceduralization’s Triumph and Engagement’s Promise in Socioeconomic Rights Litigation, Midwest Law & Society Conference, Wisconsin Law School, Madison, Wisconsin, Oct. 2010

Comparing Constitutions, Cleveland State University Annual Constitution Day Lecture, Cleveland, Ohio, Sept. 2010

Frank Michelman, Social Rights and South Africa, Institute for Constitutional History, George Washington University, Washington, DC, June 2010 (one of 12 proposals selected for a week-long seminar titled *Our Economic Constitution*)

Demosprudence in Comparative Perspective, Cleveland-Marshall College of Law Faculty Workshop, Cleveland, Ohio, Feb. 2010

Accommodating Science Through Weak Form Review: Lessons from the TAC Litigation, European and American Societies of International Law Science and International Law Research Forum, Helsinki, Finland, Oct. 2010. (selected in an international call for papers)

Demosprudence in Comparative Perspective, Law & Society Association, Denver, Colorado, May 2009

A Tale of Two Countries: Constitutions, Social Change and the Story of South Africa's Civil Union Act, UCLA School of Law Williams Institute, The Global Arc of Justice: Sexual Orientation Law Around the World conference, Los Angeles, California, March 2009

Current Issues in Socioeconomic Rights, Stellenbosch University, Stellenbosch, South Africa, March 2009

Extending the Shadow of the Law: Using Hybrid Mechanisms to Develop Constitutional Norms in Socioeconomic Rights Cases AALS Meeting, San Diego, California, Jan. 2009 (one of 11 papers selected for the AALS New Voices in Human Rights panel)

Extending the Shadow of the Law: Using Hybrid Mechanisms to Develop Constitutional Norms in Socioeconomic Rights Cases, South Africa Reading Group, New York Law School, New York, New York, Oct. 2008

Occupiers of 51 Olivia Road v City of Johannesburg: Enforcing the Right to Adequate Housing through "Engagement", Cleveland-Marshall College of Law Faculty Workshop, Cleveland, Ohio, Sept. 2008

Occupiers of 51 Olivia Road v City of Johannesburg: Enforcing the Right to Adequate Housing through "Engagement", Law & Society Association, Montreal, Canada, May 2008

Policentrism, Political Mobilization and the Promise of Socioeconomic Rights Comparative Law Works-in-Progress Workshop, Michigan Law School, Ann Arbor, Michigan. May 2008 (one of seven papers selected)

Teaching Sexual Orientation & the Law in Comparative Perspective: The Story of South Africa's Civil Union Act, Society of American Law Teachers, March 2008

Policentrism, Political Mobilization and the Promise of Socioeconomic Rights, Capital University Faculty Workshop, October 2007

Policentrism, Political Mobilization and the Promise of Socioeconomic Rights, Law & Society Association, Berlin, Germany, July 2007

Meiji Modernizers: Western Influences on Kabuki in the Meiji Period, Columbia University East Asian Studies Graduate Student Conference, October 1995

SERVICE

External

Northern District of Ohio Federal Court Advisory Committee, 2009-present

International Review of Constitutionalism Editorial Board 2010-present

Law and Society Africa CRN member 2006-present

Tennessee Justice Center, drafted pro bono amicus brief in *John B. v. Goetz*, 531 F. 3d 448 (6th Cir. 2008)

Assistant to the Chair of the ABA Commission on Civic Education and the Separation of Powers 2006-07

Outside reviews for *The Lancet* and Aspen University Press

Law School

Dean's Budget Task Force, 2010-present

Law Dean Search Committee, 2010

Faculty Scholarship Committee, 2010

Judicial Clerkship Committee (co-founder and Chair), 2009-present

Faculty Appointments Committee, 2009-2010

Legal Writing Director Search Committee, 2008

Ad hoc Legal Writing Committee, 2007-08

Faculty Affairs Committee, 2007-09 (elected)

International and Graduate Programs Committee, 2006-2009

Constitution Day Planning Committee, 2007

Co-author with Dena Davis and Milena Sterio of successful Fulbright EU Scholar application that brought a distinguished European visitor to Cleveland-Marshall in Spring 2010

University

Presidential Budget Advisory Task Force, 2010-2012

Faculty Senate representative, 2006-07, 2007-08 (elected); (ex officio, 2010-2011)

Faculty Senate Steering Committee, 2007-08 (elected) (ex officio, 2010-2011)

Ohio Faculty Council representative, 2007-present (elected)

Faculty Senate Budget Committee, 2008-2012 (Chair, 2010-2011) (elected)

Planning and Budget Advisory Committee, 2008-2012 (elected)

MEMBERSHIPS

Law and Society Association

American Bar Association

American Society of International Law
American Society of Comparative Law, Director and Editor
Junior International Law Scholars Association
Ohio Bar, admitted 2001
United States Sixth Circuit Court of Appeals
United States District Court Western District of Ohio