

# inventing the future

## Brave New Legal World

BY ANTON ZUIKER

The Internet since last year has seemed like a saloon poker game on a wild, lawless frontier; if you invested in technology stocks in 2000, you might have felt like a cowpoke who'd just drawn a straight flush when a barroom brawl broke out and scattered the cards.

But while the NASDAQ stumbled and lurched, a group of law students at Case Western Reserve University quietly set about bringing law to cyberspace in the form of a rich new Web site called *The Internet Law Journal*. The new realm of e-commerce, they figured, would need lawyers, and those lawyers would need to know how the laws of intellectual property, commerce, business and crime would apply to the Internet. *The Internet Law Journal*, at [www.tilj.com](http://www.tilj.com), gives Case law students a forum for publishing legal news and analysis that wouldn't otherwise make it into the more traditional *Law Review*. Such analysis – covering issues from e-mail privacy and cyber-divorce to online prescription drug sales – is a welcome counterweight to the often airy predictions of technological innovation.

*The Internet Law Journal* was the first of its kind when it went live on the World Wide Web in November 1999. It was the result of a year of pulling together a core group of student editors, seven months of planning and time spent persuading law school deans that this was a serious endeavor with a future. The outcome is an online law journal written for the business and legal communities – written, in fact, so “you don't need a

*Making a case for Internet law: Chris Gerstle, founder of The Internet Law Journal.*

dirty rotten lawyer to understand it,” says founder Chris Gerstle.

As a law student at CWRU in 1997, Gerstle was determined to become an Internet lawyer. In the mid-nineties, he had graduated from The Cooper Union in New York City and started his own Internet company, designing Web sites for small businesses. The time was ripe, of course, but Gerstle encountered unexpected obstacles nonetheless. “I kept running into lawyers who didn't have a clue about what I was selling our mutual clients, so I went to law school to become an Internet lawyer.” He parlayed that interest – and \$10,000 on his personal Visa card – into the pioneering *Journal*.

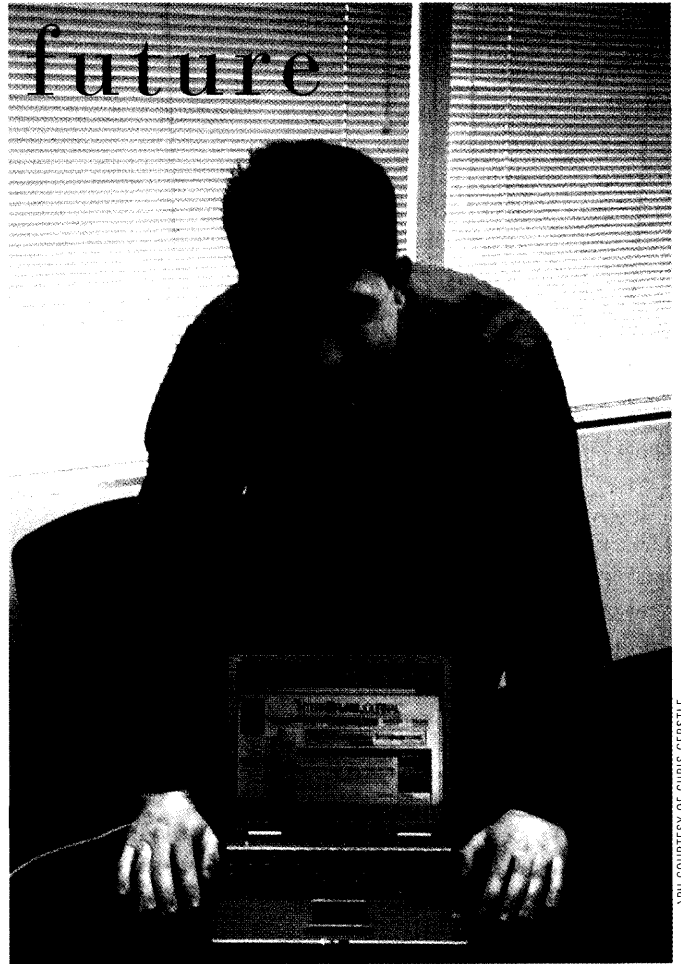
“The question I ask,” says Michele Kryszak, the current editor-in-chief of the *Journal*, “is whether my mother could read this and understand it.”

Kryszak's mother happens to be an Internet entrepreneur who owns a Michigan sports card store and has become a successful seller on the online

auction site eBay. “I talk to her about taxation,” says Kryszak, a student in CWRU's joint business-law program. Go to the e-commerce section of *The Internet Law Journal*, and you'll find a comprehensive but easy-to-read guide laying out the evolving issues of Internet taxation as well as updates about the current U.S. moratorium on Internet taxes.

What's remarkable about *The Internet Law Journal* is how pertinent it is to anyone using the Internet today. From litigation to intellectual property to electronic commerce to privacy, you'll find important news and the relevant online sources to help you understand the evolving rules of cyberspace. Even if you use the Internet simply to send and receive e-mail, you'll want to read the *Journal* – if only to keep tabs on how your messages could be used against you in a court of law.

The authors of *The Internet Law Journal* are some thirty-nine Case law students. Soon, thirty-two additional law



APH COURTESY OF CHRIS GERSTLE

students from Emory and Columbia universities will join in, says Gerstle, who still manages the development of the site, from Manhattan, as executive editor. He's had numerous students contact him to talk about his foray into Internet law. When Gerstle started at Case, the law school had no courses dedicated to law and the Internet, and the *Law Review* had only one article relating to the new technology.

Now, Internet technology issues are part of the school's curriculum: Ten cyberlaw courses were added over the last three years. Law professor Hiram Chodosh, director of the Frederick K. Cox International Law Center, says, "We look at how to attract excellent students, how to train them well, and how to enhance their job prospects once they're done with us."

Last month, the school announced that Craig Nard, a leading voice in the field of intellectual property and patent law, will head a new center on Law, Technology and the Arts. Another new faculty appointment — an e-commerce expert — is expected.

"This is a tremendous opportunity for us," says Gerald Korngold, dean of the law school. "The Center will be a focal point of the schools and will have an innovative array of courses and research into how law is facilitating technology today."

Law firms have already been calling the school's faculty, asking for names of students with technology knowledge. "Chris is a good example of how hot people with technology experience are on the job market," says Andrew Morriss, associate dean for academic affairs and Galen J. Roush Professor of Business Law and Regulation.

"I think students are interested in cyberlaw because law firms are interested," says Gerstle. "And law firms are doing Internet law because their clients want it." Those students involved

in *The Internet Law Journal*, says Gerstle, are often asked in interviews to talk about the experience.

To nurture these conversations, *The Internet Law Journal* teamed up with the law school's career services office to host a national job fair last September specifically for law firms recruiting Internet-savvy lawyers. This, too, was the first of its kind, says Susan Seliga, assistant dean for career services. Seventy-six students from thirty-four schools across the country attended, and they interviewed with about a dozen firms. A few students got their jobs because of that fair.

The online journal, too, gets a good showing. The site receives 100,000 to

construed as legal advice, say Gerstle and Kryszak; law students, since they've not yet passed a bar exam, are not allowed to give legal advice.)

"I'm 40," says Dean Morriss, "but I feel old. One of my kids once came home and said her teacher had played a round black thing with a hole in it—a record." His law students are another reminder of the changes in technology. "The main gauge I have is the number of students with laptop computers who want to take their exams on their computers," says Morriss. Seventy-five of 210 students took cyber-exams last year, up from 50 the previous year and 25 in 1998. And, says Morriss, it's inevitable

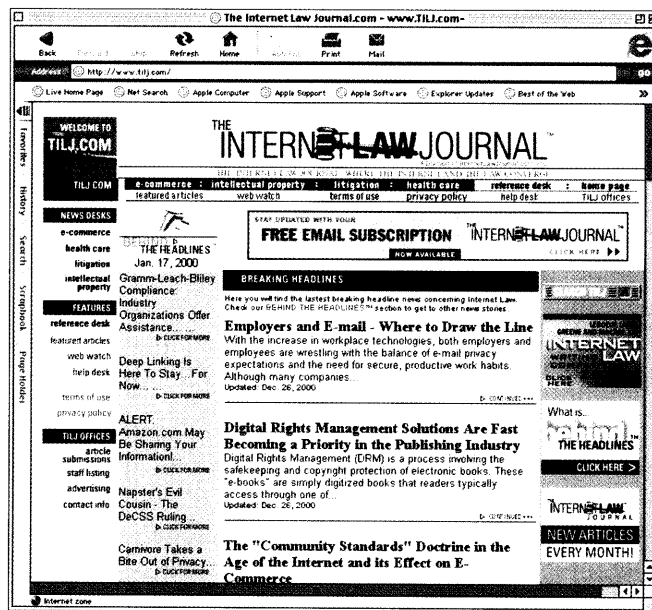
that these students will insist that their workplaces use technology and offer technological solutions for solving problems.

Back in 1998, when Gerstle was pounding the pavement in New York, looking to capitalize on his interest in the Internet, one lawyer told him the Internet was just a fad, like rollerblades. In 2000, with his résumé reflecting the birth of *The Internet Law Journal*, he approached the Manhattan firm of LeBoeuf, Lamb, Greene and MacRae and demanded a practice in Internet commerce and emerging economies. Demanded?

"I had a hard time finding a firm that would allow me to consume myself with Internet law," he says. "But I pride myself on being a pain in the butt, so I interviewed saying, 'I want to do Internet law. Do you have enough work for me?'"

Poker face or no, Gerstle got the job. And because of Gerstle and the Case law school, that once riotous boomtown known as the Internet may one day be tamed.

*Anton Zuiker covers the frontiers of technology for Northern Ohio Live.*



200,000 hits each month, which translates to about 10,000 different users visiting the site. And 15 percent of those are from countries other than the U.S.

Kryszak and her staff currently update the site once a month, but with Columbia and Emory joining, she expects they'll be able to post new articles every other week. Students typically spend six to ten hours researching and writing their article, and many students expand their articles into the legal issue "note" that they're required to write before graduation. (The online journal shouldn't be