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the GAVEL

Volume 42, Issue 1 Cleveland-Marshall College of Law September 1993

Dean Smith: In re First Year Students

By Andrea Muto
Staff Editor

Dean Smith attempted to balance with his right foot and hop on his left from the office chair to the bookshelf, but the broken leg and cast seemed to get in the way.

"Six weeks of this," he said. No heroics were involved; apparently Smith's big break came when he stepped off a curb the wrong way.

Steven R. Smith, 46, looks forward to beginning his sixth year as Cleveland-Marshall's dean this fall. For those who will begin their first year as Cleveland-Marshall students, Smith said look forward to frustration and confusion.

"Know from the start these feelings are normal and not unique," he said. "Know everyone else who has gone through law school has been frightened or at least intimidated.

"You'll spend almost all of your first semester dealing with a new way of thinking and body of knowledge. You may feel too much pressure, but the overwhelming majority of students do fine. It's not like the 1950's where two-thirds of a class wouldn't make it."

Smith said 300 students were admitted to the first-year class from 2100 applicants. Cleveland-Marshall's total enrollment is 925 students.

New students may find it difficult not only to manage burdensome workloads, but also a class structure markedly different from the undergraduate environment. All first-year students attend large, year-long courses in which the only measure of progress may be a midterm and a final exam, Smith said. In addition, some professors employ the "Socratic Method" in which students are asked to brief and analyze cases during class.

"There is very little feedback, and that creates an emotionally difficult situation," he said. "Students just have to keep slogging away without knowing how well they're doing."

Smith called grades "fundamentally external," although he conceded most large firms tend to use them as the sole means of potential performance.

"Grades can't be the motivating force in the first year," he said. "Forget about them for the most

part. The only thing you can do is the best you can do."

Smith said most law schools distribute course grades along some scheme of grading guidelines. Cleveland-Marshall professors assign first years' grades according to "standard" or "permitted" ranges. The standard range allows 10 percent of a class to receive A's; 14 percent to receive B+; 18 percent for B's; 22 percent for C+ grades; 26 percent for C's; five percent for a D+; three percent for D's; and two percent for F's.

Throughout his career as professor and administrator, Smith said he has seen the traditional law practice adopt and change to an increasingly technological society. For both first-year and upper class students, flexibility will be crucial, he said.

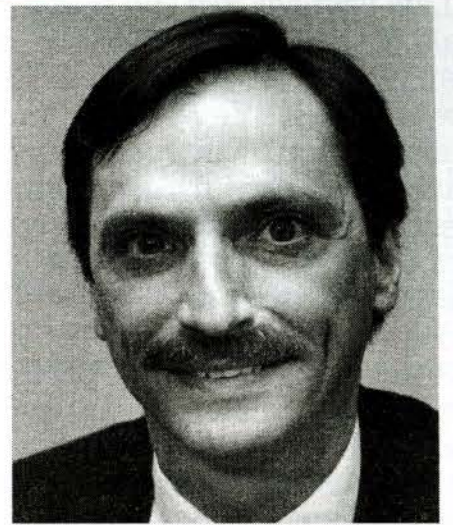
"There will be a premium on lawyers being more thoughtful problem solvers," he said. "There used to be an emphasis on merely finding the law. Now, lawyers must be creative enough to manage relationships and find non-judicial ways of avoiding and resolving disputes."

Smith cautioned any first-year entering law school with big dreams of making big money after graduation.

"Anyone here interested in making a lot of money is crazy," he said. "There are other ways, more certain and easier ways to make big money. You can make a decent living in a fine profession...but don't come here for the wrong reasons."

Smith grew up in a small, rural town in Iowa called Spirit Lake. He earned a bachelor's degree from Buena Vista College, a master's degree in economics from the University of Iowa and a juris doctorate from the University of Iowa College of Law in 1971.

That same year, Smith was hired as a law professor by the University of Louisville. While there, he taught a number of core courses, including Constitutional Law, Criminal Law and Procedure and Torts; eventually he developed seminars and courses in health and medical law that he continues to teach at Cleveland-Marshall.



Dean Steven R. Smith

\$24 million law library in the plan

By Andrea Muto
Staff Editor

By the time this fall's new class nears graduation from Cleveland-Marshall, the new \$24 million law library may be finished.

Finished, that is, if a final piece of legislative funding goes through the Ohio General Assembly this spring.

"I'm optimistic (the funding) will go through," said Dean Steven R. Smith. "Then, a two year construction period will begin in fall 1994."

The legislature is just one more hurdle the law library must vault before ground breaking ceremonies can take place behind the law school on 18th Avenue.

Last April, Cleveland State University officials were compelled to appear before a hearing of the American Bar Association's accreditation committee. At issue were the accreditation team's earlier assessments concluding Cleveland-Marshall programs and resources, particularly the library and its collection, fell below bar association standards.

Since that hearing, CSU has provided the bar association adequate assurances of compliance in areas including law library funding, faculty salary increases, student financial aid, the quality of the legal-writing program and the status of clinical teachers, Smith said.

"We remain fully accredited, and will remain fully accredited, provided the university will meet what it's promised to do," he said.

Smith said Cleveland-Marshall was beset by accreditation problems from years of inadequate funding by the university.

"Ultimately, this was the time of reckoning," he said. "Now, the resources will have to catch up."

Smith said he is confident the university will fulfill its promises, which he attributes in part to a better law school-university relationship since CSU's new president Claire Van Ummersen assumed that post.

The bar association has not dropped a law school from accreditation in 50 years, but has put two schools on probation in the last year.

STUDENT ORGANIZATIONS

Law Review

Celebrating its 41st year of publishing, the Cleveland State Law Review is the premier student organization of the Cleveland-Marshall College of Law.

Law reviews are the scholarly journals of the legal profession. In general, law reviews publish articles on new legislative developments and their legal impact, in-depth analyses of an area of the law from a historical perspective or with a current focus, articles concerning recent case law and its significance, and reviews of new books important to the profession. Practitioners, judges, professors and students all rely on law reviews for information.

In contrast to other fields, the scholarly publications of the legal profession are, for the most part, managed and produced by students.

The Cleveland State Law Review is a journal with a proud tradition. Four times each year, the Law Review publishes articles of both local and national significance.

Membership on the Law Review has been the traditional mark of an excellent law student. Potential employers highly value the membership.

Students may be invited to join the Cleveland State Law Review as

Associate members at the end of their first year of legal studies either by virtue of ranking in the top ten percent of their class or by successfully competing in a writing contest during the summer following their first year, if the student is a day student. Students in the evening division may choose, instead, to wait until the summer following their second year to enter the writing competition.

During their first year of Law Review participation, Associate members take part in the editorial work of the Law Review and produce a comprehensive Note on a topic of their choice. A select number of these Notes are published in the Law Review the following year. Successful completion of the Note may also satisfy the upper level writing requirement.

Students who satisfactorily complete their Associate year attain the rank of Editor, assuming supervisory duties over the Associates and becoming more involved in both editorial and policy-making functions.

Any questions about the Cleveland State Law Review can be directed to the Editor-in-Chief, Richard W. Jablonski, in room 22 of the Law Review, or by calling 687-2336.

Moot Court

Moot Court is an intramural, appellate advocacy program in which members participate in nationwide competitions as two or three member teams. Briefs are researched and written and then oral arguments are given by the teams. Second-year students compete for a place on the team following their first-year legal writing class. Third-year students may enter a competition in the Spring Semester of their second-year, or through the Advanced Brief Writing class.

Students can watch Moot Court members compete during the Fall Moot Court Night program. For more information on the Moot Court competitions, contact Alison Drake, chairperson (687-3980), or any other member, including adviser Professor Werber.

Student Public Interest Law Organization

The Student Public Interest Law Organization (SPILO) is an organization of students, faculty and staff which recognizes the inequities that exist in our legal system and is dedicated to developing a more just society.

SPILO serves as a resource center for students seeking employment or volunteer opportunities which focus on public service. The group tries to raise funds to sponsor summer interns in public interest law. Finally, SPILO invites national speakers and organizes panel discussions on contemporary and controversial issues affecting society.

SPILO holds activities such as "Don't Dis' your Sis' - Domestic Violence Workshop;" a spring fundraiser; and "Nontraditional Adoptions - in the Best Interest of the Children."

Meeting days and times will be announced. For more information, contact president Rose Fini at 446-1337 (H); 461-6500 (W); or 687-2340 (SPILO office); or vice president Maria Boccardi at 734-0025.

Asian Pacific Islander Law Student Organization

The Asian Pacific Islander Law Student Association (APILSA) is designed to encourage multicultural diversity in the legal profession and to promote awareness of issues facing Asians and Pacific Islanders. It provides members with a direct connection to the Asian legal community as well as to the Asian committees of Greater Cleveland. It promotes opportunities to network and to gain practical insight into the legal profession.

APILSA's activities include luncheon guest speakers, a mentor program and activities with the Asian American Bar Association.

Meetings will be held on the second Monday of each month at noon. The first meeting will be Monday, September 13, 1993 (room to be announced).

For more information, contact president Debbie Yue (348-1327) or treasurer Shirley Shah (721-4059).

International Law Society

The goal of the International Law Society (ILS) is to promote an understanding and recognition of international law. The ILS sponsors the Jessup Moot Court Team, international law speakers and other activities. The ILS meets the third Wednesday of the month at noon, and sponsors speakers every fourth Wednesday, or as announced.

For more information, contact president Andrea Muto, secretary Dee O'Hare (461-8268), or treasurer Michael Wilson (251-0049).

Hispanic Law Student Association

The Hispanic Law Student Association is dedicated to the advancement of Hispanics within the legal profession. The Organization provides a support network for all Hispanic law students, and it seeks to establish and maintain mutual cooperation with the larger Hispanic legal community.

For more information, contact Eladio A. Torres at 687-2351.

STUDENT ORGANIZATIONS

Tau Epsilon Rho Law Society

Tau Epsilon Rho is a legal professional organization that provides students with an opportunity to meet and get to know fellow law students as well as interact with practicing attorneys. In addition to organized social functions, the society also schedules speakers and participates in the various activities of our Cleveland Graduate Chapter, which consists of approximately 200 attorneys and judges.

The activities of the group include happy hours, guest speakers, biweekly luncheons with local attorneys, a scholarship and award dinner and annual conventions.

A welcoming barbecue for incoming students is planned - watch for announcements. Meeting times will be announced. For more information, contact Karin Krasner in the Tau Epsilon Rho office.

Journal of Law and Health

The Journal of Law and Health is published twice a year by the students at Cleveland-Marshall College of Law. The Journal is a publication which gives authors in the legal and health communities, and student members, an opportunity to further the dialogue in the field of Health Law and closely related topics.

The Journal staff is composed of two groups: the Board of Editors and the Associate members. The Board of Editors are responsible for the publication of each issue of the Journal. Editors oversee the solicitation, selection and preparation of articles for publication. Associate members of the Journal are responsible for ensuring that articles accepted for publication are stylistically correct based upon the most current legal writing rules and conventions.

Students become eligible for membership on the Journal staff

through demonstrated potential for scholarly writing, either through academic achievement or through successful participation in the yearly writing competition. Day students are offered membership following the completion of two semesters in the College of Law. Evening students become eligible for membership the fall semester following their completion of thirty credit hours. An associate member is eligible to become an editor the semester following the acceptance by the Board of Editors of a scholarly paper which the associate has written on a health law related topic.

Students who complete two semesters as editors of the Journal are eligible to receive two hours of academic credit.

The faculty adviser for the Journal of Law and Health is Professor Stephen J. Werber.

Ohio Association of Criminal Defense Lawyers

The Ohio Association of Criminal Defense Lawyers (OACDL) consists of students and recent graduates interested in both prosecutorial and defense aspects of the criminal justice system.

Under the guidance of Professor Victor Streib, OACDL was formed during the 1992-93 school year. Highlights of the first year included a guest speaker from Youngstown and discussion on Community Corrections and Alternative Sentencing within the Criminal Justice System. The group also participated in a "ride-along" with the Cleveland Police Department, and they are planning a second outing.

The Cleveland-Marshall Chapter of OACDL is not limited to those with a defense-oriented point of view; rather, the group is designed to accommodate all students with an interest in criminal law.

For more information, contact Damian A. Billak at 731-3912.

Federalist Society for Law & Public Policy Studies

Law schools and the legal profession are currently dominated by a form of orthodox liberal ideology which advocates a centralized and uniform society. While some members of the academic community have dissented from these views, by and large they are taught simultaneously with the law.

The Federalist Society for Law and Public Policy Studies is an organization of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of government powers is central to our Constitution and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The Society seeks both to promote an awareness of these principles and to further their application through its activities.

The Society seeks to reorder priorities within the legal system to place a premium on individual liberty, traditional values and the rule of

law. It also seeks to restore a recognition of the importance of these norms among lawyers, judges, law students and professors. In so doing, the Society seeks to advance the above principles and create an intellectual network extending to all levels of the legal community.

The Federalist Society was founded in April 1982, and there are over 125 Federalist Society Student Division Chapters at law schools and over 40 Lawyer's Division chapters in major cities in the United States. The Cleveland-Marshall Chapter will sponsor guest speakers; debates among faculty members, students and members of the legal profession; discussion meetings; publications; and academic, legislative and pro bono research projects.

Membership in the Chapter is open to any and all students, faculty and staff at Cleveland State University. For more information, contact David Seed, Alex Nagy, Nate Malek or Eric Spade or leave a note in their organization mailbox.

Black Law Student's Association

The Black Law Student's Association is a local chapter of a national network of African American Law Students. The goals of the organization are to advance the study of law among African Americans, improve the administration of justice and promote professional and social interaction among members of the American and International bar.

The group meets at 1 p.m. on the third Saturday of every month and offers activities such as course reviews, tutoring, fundraising, a scholarship banquet and a moot court competition.

For more information, contact Benita Render at 663-3349 or Liz Grant at 231-5134; or leave a message in the BLSA office at 687-2329.

Welcome to the Law Library

By Marie Rehmar
Reference Services Librarian

Change is a constant in the Law Library as new developments in technology, publishing, funding, and in the law itself bring new opportunities and new challenges for all of us. The Law Library Staff is looking forward to working with you this year and we encourage you to explore the many resources available to you through the Law Library.

A few items that may be of interest:

Copiers — Three additional copiers were acquired this past summer to make photocopying more convenient. We have also managed to hold the prices to 5 cents per copy with Vendo cards (and 10 cents for copies made using cash).

LegalTrac (InfoTrac), the CD-Rom version of the Current Law Index, is now available on one of the computers in the Reference Area. Like the online version, Legal Resource Index on LEXIS and *STLAW, it includes indexing of the legal newspapers.

Also available in the Reference Area is the **Baldwin's Ohio Revised Code** on CD-Rom. Many firms are utilizing CD-Roms to increase search capabilities over the printed products while having more control over online costs. This is your opportunity to try it out.

OhioLINK is a statewide library and information network that will link 17 major university and research libraries in Ohio and the State Library of Ohio. We are working toward our being part of this network in another year. To get a preview of this new system, and to check the catalogs of the libraries already on it (including Case Western Reserve University and the University of Cincinnati), just select OhioLINK on our computer menus of Internet access to other libraries' catalogs.

Also available on that menu is the Cleveland Public Library catalog. If

you are a registered borrower there you also have access to a number of useful online indexes.

As we are hopeful of more adequate funding, we have been able to do more acquisitions. Our monthly list of new acquisitions is available in the Library. Federal Procedural Forms has been reinstated. A few of our new journal (and looseleaf) subscriptions include:

Constitution
Estate Planning
European Environmental Law Review
Forensic Science Review
Journal of Contemporary Criminal Justice
Journal of Multistate Taxation
New Europe Law Review
San Diego Justice Journal
Survey of East European Law: SEEL
University of San Francisco Maritime Law Journal
Doing Business in Eastern Europe (CCH)

LEXIS/WESTLAW — First year students will receive their training, passwords, and software in November. All other students' passwords are automatically reinstated at the beginning of the academic year. Take a look at the new databases that are available.

We're working hard to meet your information needs and we're trying to maximize our resources to best serve you. A few areas where you can help:

- Reshelving your books (our staffing is limited and there are over 1,000 students)
- Carrying your barcoded CSU ID with you just in case you might be needing something from the Reserve Room
- Being considerate of others by not tying up the LEXIS or WESTLAW printers printing out cases or articles that are available in the Law Library

And, by not forgetting to ask in case our assistance might help you find the information you need. Have a great year!

PEOPLE TO KNOW AT CLEVELAND-MARSHALL

CYNTHIA A. APPLIN, Director, Office of Career Planning and Placement. (Assistant, Cindy Marizette).

Room: 55

Phone: 687-6871

- * resumes, job search strategies
- * on-campus interviewing
- * workshops, career counseling
- * job postings for law clerk positions

KAY BENJAMIN, Director of Student Records.

Room: 119

Phone: 687-2289

- * Ohio Supreme Court Registration
- * exam numbers, grades, class rank
- * graduation requirements and certification
- * loan deferments, tuition reimbursement letters

JEAN BOWERS, Receptionist.

Room: 117

Phone: 687-2344

- * messages or envelopes for faculty/staff
- * exam numbers
- * class handouts, Ohio Supreme court and bar applications
- * room/schedule changes

LAVERNE CARTER, Office Manager. (Assistant manager, Paul Carrington)

Room: 118

Phone: 687-2349

- * review exam blue books
- * class material purchases from support services
- * staff work assignments

SANDRA NATRAN, Administrative Assistant.

Room: 125

Phone: 687-2354

- * scheduling use of law building rooms
- * lecture, seminar and special events scheduling
- * building security
- * student employment paperwork

JEAN LIFTER, Assistant Dean for Academic Affairs (Day)

Room: 111

Phone: 687-4557

- * class registration
- * academic counseling
- * externships
- * Academic Standards Committee petitions

SOLOMON OLIVER, Associate Dean for Faculty and Administration.

Room: 112

Phone: 687-2303

- * acts in Dean Smith's capacity in his absence
- * supervises Directors of placement, admissions, and financial aid
- * oversees faculty programs and support
- * administrative member of Honor Council which hears violations of Honor Code

Reflections From Reference

by Marie Rehmar
Reference Services Librarian

In addition to settling into the routine of class preparation, paper-writing, etc., you may want to do a little thinking about the overall context of your legal education process.

Last year the ABA Section of Legal Education and Admissions to the Bar Task Force on Law Schools and the Profession: Narrowing the Gap issued a report Legal Education and Professional Development — An Educational Continuum.

This very comprehensive report has been generating discussion, planning, and action among various sectors of the legal profession. It should be especially of interest to law students as consumers of legal education and as future members of the profession.

The Report includes a "Statement of Fundamental Lawyering Skills and Professional Values" which can serve as a helpful guide to the types of skills and values one would be seeking to acquire during law school and beyond. It may provide ideas for the types of in-class and extra-curricular experiences one would want to have.

If you can't read the entire report cover-to-cover, skim the table of content and read chapters when you can.

Taking an active role in your education includes taking advantage of opportunities available to you and working to create opportunities that would be helpful.

And remember—the law librarians are interested in assisting you in the development of your legal research skills.

PEOPLE TO KNOW . . .

CARROLL SIERK, Associate Dean for Academic Affairs (Evening)

Room: 113

Phone: 687-2307

*class registration (drop/add)

*academic counseling

*Academic Standards Committee petitions

KATHERINE BUZANSKI, Financial Aid Administrator. (Assistant, Karen Popovich)

Room: 42

Phone: 687-6887

*filling out and filing aid forms

*when and how to apply for aid *who is eligible for aid

*student financial aid rights and responsibilities

MELODY STEWART, Assistant Dean of Student Affairs.

Room: 123

Phone: 687-2396

*academic assistance

*student programs

*academic counseling

*writing competition information

Gavel Deadline

Deadline for the next issue of the Gavel is Friday, September 17, 1993.

If you are interested in writing an article, please let one of the editors know the subject in order to avoid duplication of efforts.

Articles should be submitted on disk in WordPerfect along with a printed copy.

Student Bar Association

The Student Bar Association (S.B.A.) is Cleveland-Marshall's student government body. All law students are automatically members of the S.B.A. and therefore have the privilege to vote for senators to represent their class. The senators have voting privileges on senate matters and serve on various S.B.A. committees to carry out the functions of the S.B.A.. The S.B.A. is also the 'umbrella' organization for all other law school student organizations. Elections for the first year class will be held **EARLY IN SEPTEMBER** and the number senator positions available will depend upon the final number of students in the class. Please consider entering the election and watch for announcements regarding the dates. Senator positions require dedication to participation in the S.B.A., but are not so overwhelming as to preclude having enough time to study.

Meeting Times:

The S.B.A. Senate meets twice monthly on Sunday evenings. Watch our bulletin board and the glass cases near the phones for notices of dates and times.

Activities of the Group:

The S.B.A. has a strong working relationship with the Cleveland-Marshall Alumni Association. This year we will be working with them to create a Pro-Bono program which will provide real work experience to students along with the opportunity to interact with C-M alumni.

We are very excited and looking forward to the execution of ideas which have been tossed around for quite a while. We further encourage students to utilize

the C-M Alumni Association Mentor Program. Wherever possible, students are paired with alumni who are working in a field of interest to the student.

One of the most valuable services provided by the Student Bar Association is the opportunity to buy and sell used textbooks and study aids in an organized fashion. The books are sold for half of the retail price. Students may also rent a locker for the school year from the S.B.A. The fee is \$10/year and covers the entire school year through the end of the summer session. See Joe Carella, S.B.A. treasurer in room 28 of the law building if you need a locker or wish to rent an additional one.

The S.B.A. also sponsors speakers and social events including occasional Thursday evening socials and outings and Barrister's Ball in the Spring. We hope to co-sponsor events with various student groups in the future.

Note: We are YOUR Student Bar Association and are open to ideas and suggestions regarding how we might meet student needs more effectively.

Who to contact for more information:

President, Megan Hensley; Vice president, Darnella Robertson; Treasurer, Joe Carella; Secretary, Susan Rose; or Second Year Day Senators: Keira Lally, Ted Amata, Nate Malek, Lara Leibman; Second Year Night: Julie Mitzel, Debra Miller-Shlakman; Third Year Day: Rose Fini, Venetia Elsmore, Peter Flanigan, Marc Rossen; Third Year Evening: vacancy; Fourth Year Evening: Shawn Martin.

You make the call — Hypotheticals from the Underground

By Jon Sinclair
Staff Editor

A. Jim, a second-year, receives \$1000 from his grandfather for each 'A' he receives in law school. It's a policy that goes back to his childhood. Unfortunately, cigars have taken effect on his grandfathers health and he does not have much more time on earth.

It is now October 1 and Professor Z has still not posted grades from the Spring semester. Jim is anxious because his grandfather refuses to put a clause in his will to compensate for grades after he passes away - he lacks trust in lawyers and wills.

Jim visits Prof. Z in his office and pleads for him to hurry. He fibs, saying his grandfather recently purchased the non-existent Kervorkian Kit. Prof. Z finally caves, promising the grades will be posted Octo-

ber 25. Consideration for the promise is Jim's two season tickets to the remaining Brown's game. Jim decides its safe to put a bar review course on his Mastercard.

October 25 comes and goes, no grades. Jim's grandfather orders the newly released Kervorkian Kit. Jim panics, especially when he sees cobwebs through Prof. Z's office window. He calls the school secretary, who says Prof. Z is in Bermuda. She says something about the Professor coming across a lot of money, 'from scalping some tickets or something' she laughs.

Jim sees a professional counselor for his nerves. Promissory estoppel? You make the call.

B. Jill, a First Year, heads for the Chester Building to buy her first parking permit. She gets lost in the building. Surprise.

She asks for directions from an office worker in a hall-

way deep within the bowels of the Chester Annex. Unbeknownst to her, the building has an office pool in which they compete to see who can give the most heinous directions to students. A worker wins the weekly pool when the student he directs finally arrives in the parking office and screams "I've been trying to find this (censored adjective) place for (#)(censored adjective) hours!!!!" The student who alleges the longest time in route determines the winner of the pool pool.

Two weeks later a tragedy is revealed. Jill's skeleton is found in one of the unmarked and unlit hallways, a hallway that doesn't even appear on building blueprints. Jill's parents sue CSU. Is the office pool a direct cause or proximate cause of Jill's fate? You make the call.

Cleveland-Marshall's Finest: A Select

By Jon Sinclair
Staff Editor

Get to know your professors, they're not so different from yourself. Though at least ten professors have presented arguments before the U.S. Supreme Court, there are at least three you can find dropping quarters in the lunchroom Galaga machine. One Galaga player has assisted the presentation of two arguments before the Supreme Court and four arguments before the Sixth Circuit.

Please note that a lack of time prevented a review of the writing instructors and a scarcity of evaluations prevented inclusion of Prof. Frederic White. 'Students Recommend' refers to the percentage of students who indicated on evaluations that they would recommend the particular professor to a fellow student. Note that the percentage indicates those who would recommend a professor, the remaining quota includes students who would not do so or are neutral/without opinion. When possible, evaluations were reviewed from First Year courses only. Remember that professors are sometimes less or more adept at teaching such First Year courses.

The profiles were written with the greatest degree of impartiality possible. Over 1,600 student evaluations were reviewed and utilized to write the following reviews.

Evaluations are available to all students at the reference desk of the library. Please utilize the evaluations forms. The existence of the revised evaluation form is partly due to an SBA lobbying and petition drive two years ago. The new SBA form was resisted by a certain professor who typically receives a 14% student recommendation rating.

SUSAN J. BECKER

Eastern Kentucky U., B.A.; Cleveland-Marshall, J.D.
Background: Former newsreporter and photographer. Advisor to the Student Public Interest Law Organization.
Students Recommend: 88% (135 polled)
Probably no course is as difficult to teach than Civil Procedure. As you will find soon find out, the subject matter is often dry and abstract. But students agree Becker's sense of humor and application of real life examples from her experience with Jones, Day, Reavis & Pogue help make the subject both tolerable and even enjoyable. Students find her thorough and comprehensible. Quotable: "The Rules were so boring, we needed to laugh"; "She did everything humanly possible and then some to keep this material interesting"; "Becker is God. One can't change perfection."

PATRICIA J. FALK

Union College, B.A.; U. of Nebraska-Lincoln, Ph.D., J.D.

Background: Writes extensively on family and social science topics. Former trial attorney for the U.S. Department of Justice in San Francisco.

Students Recommend: 90% (40 polled)
Forget commercial outlines, you're in Falk's class. According to students, no commercial outline could be more organized than Falk's Criminal Law lectures. Students appreciate the basic outline which Falk provides at the start of each lecture. Don't expect surprises when Falk assigns class material. What she assigns is exactly what she will cover during the next lecture period. Students respect Falk because she respects the students, both inside and outside class. Said a student, "She provides a friendly atmosphere conducive to learning." Falk encourages class discussion once the cases are briefed and will silence the class to allow the most quiet student to speak his or her mind. "You could speak your mind easily and (Falk) encouraged this." However, others mentioned Falk sometimes allowed discussion "to degenerate to an absurd level."

JOEL J. FINER

City College of N.Y., B.B.A.; Yale Law, M.A., LL.B.
Background: Chief Counsel to Dr. Timothy Leary in appeal of federal marijuana charges in 1969. See Supreme Court case Leary v. U.S. 395 U.S. 6 (1969). Written topics include euthanasia and criminal defense issues.
Students Recommend: 89% (93 polled)
Many students are impressed by Finer's "phenomenal" knowledge of criminal law and procedure. Finer doesn't rely on 'old' law, he stays on top of current criminal cases and spends time discussing them in class. Students commend him for applying his personal experiences to help students understand the material. Others enjoy his good sense of humor. Said one student, "I agree (with Finer), Chief Justice Burger was often a few sandwiches short of a picnic." Sometimes has a monotone presentation.

STEVEN W. GARD

DePauw, B.A.; Indiana U., J.D.; U. of Chicago, LL.M.
Background: Published widely on Constitutional issues, especially the First Amendment. Has written numerous Amicus Curiae briefs on behalf of the ACLU in cases before the U.S. Supreme Court and other courts. See 470 U.S. 532 (1985) or Plain Dealer Publishing Co. v. City of Lakewood, No. 86-1042 (U.S. Sup. Ct.) Testimony before the U.S. Senate, Committee on Labor and Human Resources, 1984.
Students recommend: 87% (137 polled)
Students cite the way Gard uses practical illustrations to get points across. "The use of meaningful examples is the strongest point of this class" says one student. He is "very knowledgeable about the sub-

ject matter", says another. As with many law professors, students say Gard can be overly intimidating.

DAVID B. GOSHEN

Brown U., A.B.; U. of Chicago, J.D.
Students Recommend: 32% (110 polled)
Perhaps Professor Kingsfield of TV's 'Paper Chase' wasn't just a fictional character. Goshien was not put on earth to teach the weak or meek. He demands and expects hard work from his students. One student answered the evaluation question 'What stands out about the course?' with "The fact that we covered every case in the book!" Said another, "This course is well organized; Goshien starts on page 1 and finishes on page 1558!" Students who decide to do the work will be thankful. Once you've finished the year with him you're likely to be grateful for his discipline, just as a Marine looks back on Basic Training. "I did the most work for this class and I learned the most in this class", said a student. Another wrote, "I really hated you at first, but looking back, I know I really learned the subject. Thank you." But that doesn't mean you shouldn't be warned. Said one, "If you are a First Year, be afraid. Be very afraid."

JACK A. GUTTENBERG

U. of Michigan, B.A.; Wayne State U., J.D.
Background: Writes on attorney ethics and discipline, criminal law and procedure. Developed the very popular Trial Advocacy course. (Students manage simulated cases). Designed and taught Trial Advocacy courses for Cleveland's Public Defenders Office, Cleveland Electric and Illuminating Co., and Legal Services Corp.
Students Recommend: 100% (34 polled)
Known to encourage a first name basis between himself and students. Incorporates his practical experience and other real-life examples to supplement the reading and class discussion. Students find discussion refreshingly informal, perhaps due to the first name basis. Students say he does not put on airs like some professors do in First Year courses, "He talks to us like a normal person", said a student. Others commend him for his use of quizzes, which help provide feedback and encouraged continuity.

STEPHEN R. LAZARUS

Williams College, A.B.; Harvard Law, LL.B.
Background: Major participant in public interest law issues. Helped create and currently supervises (along with Professor Frederic White) the Housing Law Clinic, where students assist low-income clients with landlord-tenant and housing discrimination disputes. Practiced seven years with two agencies specializing in legal aid to the indigent. Speaks widely on

Review of First Year Course Professors

immigration topics.

Students recommend: 92% (145 polled)

You're in for a treat. Lazarus puts so much effort and concentration into his lecture that you can almost see the shine form on his forehead. Students praise Lazarus on every aspect, from the thoroughness of his lectures to the mutual respect he fosters between students. Students also appreciate his humor and the extra time he devotes to those who needs it. He often volunteers to hold optional question and answer sessions for those interested. Also helpful are the quizzes that force students to keep up with the material. Last year students were especially grateful when he took over for a less capable professor midway through the school year. One student evaluator can be forgiven for his wit. "Thank God he came. Lazarus raised this class from the dead in the Spring Semester."

TAYYAB MAHMUD

U. of Punjab, Pakistan, B.A.; U. of Hawaii, M.A., Ph.D; U. of California, J.D.

Background: Writes and speaks widely on international politics, especially international jurisprudence.

Students Recommend: 89% (151)
About the only thing Mahmud's students can't agree on is how to spell his name. Otherwise, students uniformly say that Mahmud is an "excellent" professor. Evaluations say he prepares well for lectures and presents material in an organized fashion. Others compliment his thoroughness and clear, succinct lecturing style. Yet, students don't hesitate to say he is demanding of his students and can be intimidating at times.

PATRICIA MCCOY

Background: Not available.

Students Recommend: 100%(64)

Students don't hesitate to recognize a good professor when they see one. "Bravo, McCoy!" wrote one. Another said "Thank God for Pat McCoy!" Students consistently filled entire evaluations to express their feelings about McCoy. Students say she is cogent, logical and well-organized. "She is especially capable of conveying this difficult material to students", said one. Others appreciate the enthusiasm, kindness, and patience she displays in class, especially when answering student questions. Others say she "encourages critical thinking and analysis." One student wrote "My only regret is that McCoy could not teach all First Year classes."

STEVEN H. STEINGLASS

U. of Pennsylvania, B.S.; Columbia Law, LL.B.

Fact: Known resource on Section 1983 litigation (civil rights) and other constitutional issues. Participant in numerous U.S. Supreme Court cases. See 408 U.S. 564, 457 U.S. 469, 108 S.Ct 2302, 110 S.Ct. 2430.

Students recommend: 83% (63)
Consistently reported by students to provide interesting and well organized lectures.

WILLIAM LOUIS TABAC

Case Western Reserve, B.A.; George Washington U., J.D.

Background: Former aide to two U.S. Senators. Writes on consumer law topics.

Students recommend: 93% (104 polled)
Students are consistently impressed with Tabac's "tremendous" knowledge of Contracts. His impressive knowledge of the subject matter was cited by more than one student. As with other selected professors, Tabac is commended for his "efficient organization of mater-

ial" and "use of hypotheticals to reinforce concepts". "He teaches difficult material in a superior manner," says one student. Students also enjoy a good mixture of class discussion and lecture.

STEPHEN J. WERBER

Adelphi U., B.A.; Cornell U., J.D.; N.Y.U., LL.M

Background: Writes on Product Liability issues, often automobile manufacturer liability. Continues to work for a Cleveland law firm as a Product Liability and Appellate Advocacy Consultant

Students Recommend: 83% (59)
Perhaps no professor lectures with the enthusiasm and zeal of Werber. He teaches each Contracts class with the excitement of the year's first lecture. Werber earns students' respect by supporting them and building their confidence with encouragement. He seldom lets a student pass on a case just because it is a complicated one. Instead, he guides the student through the case until the concept becomes clear. Sometimes known to boast excessively, especially about the Moot Court team he supervises, and may appear arrogant in doing so. Also known to occasionally fall behind in the syllabus and then proceed to speed through two days of material. Invites students that are without family in Cleveland to join his family for Thanksgiving Dinner.

The following are First Year student recommendation levels for remaining professors: Curry (54%)(166 polled), D.Davis (49%)(120), Gelman (48%)(188), Leiser (32%)(65), Garlock (26%)(127), M.Davis (22%)(60). Some received better ratings in upper-class courses.

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"It's Where Andy Warhol Meets Ma Kettle"

Legal Writing: A new approach to writing

By Andrea Muto
Staff Editor

Professor Deborah J. Klein sees the same thing happen every fall semester: panic-stricken students convinced there is nothing they can do to prevent the first-year Legal Writing course from shattering their academic lives.

"Legal writing and legal thinking are skills that will take more than just a few weeks to develop," says Klein, director of C-M's legal writing program. "Wait until after midterms to start worrying. If your writ-

ing hasn't improved by the time you write the brief (due spring semester), then you may have a problem."

Klein emphasizes that practice is the key to writing simple and precise legal documents.

"The best legal writing can be read easily by anyone," she says. "Don't try to write because you want to 'sound' like a lawyer."

Some students may be surprised to encounter certain difficulties writing about the law, she says.

"Just because you were an English major doesn't guarantee you'll get A's,"

she cautions. "This is a very different way of writing and researching."

Assistant legal writing director Karen Mika agrees.

"Legal writing is all about learning to be meticulous with in-depth thought," she says. "The draft process is critical. You won't be able to turn out a paper the day before it is due."

"I don't know very many first-year students who haven't looked at that first paper grade with shock and dismay. That happens when you try to incorporate things into writing that you

really don't understand."

Klein says the Legal Writing program has adopted some changes recommended by the accreditation team that visited the school last year. Among those changes are full-time instructors for nearly every legal writing section and a decrease in class sizes from 60 to 40 students per class.

C-M does not require students to take Advanced Brief Writing during their second or third year; Klein cites this as a major weakness and recommends students take that course.

Legal Research, Writing and Advocacy Program

By Les Rockmael
Staff Writer

Deborah Klein, Director

- J.D., Cleveland-Marshall College of Law
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- B.A. in Political Science, Hiram College
- Appellate Supervisor, Cuyahoga County Public Defender

Michael Harvey, Part-Time Instructor

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- Private Practice with Walter, Haverfield, Buescher & Clockley

Diane Palos, Part-Time Instructor

- J.D. Case Western Reserve University Law School
- Domestic Relations Referee

Mary Jane McGinty, Part-Time Instructor

- J.D. Cleveland-Marshall College of Law
- Freelance Editor, Banks-Baldwin Publishing
- Published in the field of Family Relations

OPINION

A CARICATURE AND A CITY

By Jon Sinclair
Staff Editor

What did they expect? Did the Chief Wahoo opponents really expect victory after only two years or so of protesting? This summer the Wahoo opponents discovered the battle was not going to be so quick and easy.

And why should the battle be so quick? Efforts made to sway public opinion have never had short lives. Americans are slow to become conscious of social wrongs and even slower to change. From the time Rosa Parks sat in a front row seat until the Civil Rights Act of 1964 spanned eight years. Americans are not so quick.

It took eight years of a recent presidency before Americans realized you can't spend your way out of the national debt. And before that we spent almost a decade pondering over our involvement in Vietnam. Why should Clevelanders be any brighter?

Once people attach a stigma they are slow to

remove it. Some people still haven't changed their view of our own city. Cleveland's river may have been set on fire in the early '70's but our out-of-town friends and relatives still won't let us forget it. Cleveland hasn't gone into default on bond payments since 1978 but people still manage to joke about it. With the arrival of Tower City and the rejuvenated Flats, and the advent of Gateway, and the R & R Hall of Fame we probably don't deserve to still hear about 'The Mistake-on-the-Lake'. People are slow to open their eyes.

Just when you thought it might be gone, another Hollywood screenwriter manages to fit us into his script, befooling us once again. And as much as we would like it to change it, we just try to smile.

It's as if our city was blotted with a great red stamp. We're like the kid in fourth grade that everyone feels compelled to scoff. Only our stamp looks like the seal of a university, with a burning river in the

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