The Gavel marks 50
at #1
By Kevin Butler
CONTRIBUTING WRITER
While most students were busy forgetting everything law school had taught them over the summer months, the staff of The Gavel passed two-mile markers. After the final edition of the 2000-2001 school year, the newspaper turned 50 years old. And we rang in our second half-century in style, having been selected by the American Bar Association as the nation’s No. 1 law school newspaper in August.

In an annual competition sponsored and judged by the ABA’s law student division, The Gavel outperformed entrants from more than 100 schools nationwide, including the number-one law school newspaper published by Columbia University. It was the first time in the Gavel’s history the paper earned the distinction and the third time in a row the Gavel has placed among the top three newspapers nationally.

Returning columnist Michael Cheselka also received top honors in the contest, winning first place in the nation’s No. 1 law school humor column.

C-M scholar shapes White House rhetoric
Forte says bin Laden’s perversion of the peaceful teachings of Islam follows the path to totalitarianism
By Tricia Hurst
GAVEL STAFF
The scholarly work of Cleveland-Marshall Professor David Forte has received the C-M professor’s writing the day after the Sept. 11 assaults. Forte observed that Osama bin Laden and the al Qaeda faction bin Laden oversees are a “new form of tyranny” that has never resided its entity for only the U.S. but extends “to blacklist Islam itself.”

Days later in the Presidential address to Congress and a global television audience, Forte’s influence became readily apparent when Bush declared, “the terrorists are traitors to their own faith, trying, in effect, to hijack Islam itself.” Forte told the Washington Post, “what they [al Qaeda] represent is an atrocity that Islam cannot reject as a perversion of the universal message of its Prophet.”

Similarly, Bush told the world, “the terrorists practice a fringe form of Islamic extremism that has not reserved its enmity for only the U.S. but extends ‘to blacklist Islam itself.’”

C-M alums bring mayoral forum to CSU
Jenny Warner
EAST-WEST
Six of the 10 candidates running for Cleveland Mayor in 2001 gathered at Cleveland State University in a Municipal Forum, Sept. 21, including Jane Campbell, Bill Denihan, Tim McCormack, Raymond Pierce, Ricky Pittman, and Kent Whitely. Mary Rose O’akar was a no-show.

Tijnan Dow, a 2001 Cleveland-Marshall graduate, pulled the event together with the aid of members of CSU’s Student Government Association.

The issues debated ranged from providing a diverse workforce to improving safety. Candidates expressed similar thoughts on the need for improved safety and education in the city, and opposition about the responsibilities and power of City Hall. It was a friendly debate where Campbell on her way back to her seat, stopped behind McCormack, a 1972 graduate of C-M, leaned in, and chatted and chatted briefly before returning to her seat.

Improving city schools was a common goal. Standing firmly on his seat. McCormack said he would add 300 police officers and move probation from the Cleveland police department. Both Pierce and Campbell stressed the importance of Cleveland-Marshall and a global television audience, Forte’s influence became readily apparent when Bush declared, “the terrorists are traitors to their own faith, trying, in effect, to hijack Islam itself.” Forte told the Washington Post, “what they [al Qaeda] represent is an atrocity that Islam cannot reject as a perversion of the universal message of its Prophet.”

Similarly, Bush told the world, “the terrorists practice a fringe form of Islamic extremism that has not reserved its enmity for only the U.S. but extends ‘to blacklist Islam itself.’”

You Should Know 1s by the Numbers

The 1L class entering Cleveland-Marshall in 2001 is the largest since 1997, with 292 students, according to the C-M office of admissions. The increase owes itself partly to an increase in the numbers of full-time day students.

This year’s class includes 195 full-time and 97 part-time students.

Applications to C-M were also up this year, along with offers to enroll going to the highest number of applicants since 1997.

1999-2001 Admissions Data

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Welcoming words of wisdom

By Steven H. Steinglass

To those of you who are returning to law school and to those of you who are at the onset of your law school career.

The Dean's Column

Welcome to Cleveland-Marshall College of Law. We're glad you're here.

I greet you during one of our country's saddest moments. We should have been filled with the excitement of a new beginning or the excitement of nearing the attainment of a goal.

I wish these opening days had been otherwise for you. Be assured you are not studying law alone but in a community of faculty, staff and students who will help you.

Our community is an old one steeped in traditions that begin with orientation and close with graduation; in between are hours and years of study. All your learning will not be in classrooms, however. Each month brings opportunities to expand your education through several special events.

In the Faculty Speaker Series, organized by Associate Dean and Law Library Director Michael J. Slinger, your teachers will give you an idea of their research interests. In October you will be able to attend the Employee Law Clinic's Women's Conference and Law in FightingFire.
Early Enrollment Discount
Until November 16th!

3-DAY “INTENSIVE” MULTISTATE WORKSHOP TUITION FEES*

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6-DAY MULTISTATE “EARLY BIRD” WORKSHOP TUITION FEES*

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COMBINED 3-DAY AND 6-DAY MULTISTATE WORKSHOPS*

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Law Student Division
B conflict with the United States.”

Get tuition refunds

When questioned in April 2001 about official C-M efforts to obtain refunds for over billed students, David Forte. “He makes civil war on Is-
tasy,” said Cleveland-Marshall Professor

Newly appointed JD/MBA

Forte characterized himself as “just a soldier doing my bit,” adding, “there should be something that we each could do to gain a sense of participation in this very im-
portant mission.”

Some C-M joint
degree students get tuition refunds

The thrust of the Khajratis’ religious and philosophical schism revolved around the premise of violent opposition to all other forms of Islam as being illegitimate. Writing in a Forte position paper, “Radical Islam vs. Islam.”

Bin Laden was also one of the six- men who built their for-
mensely wealthy Y emeni

Osama bin Laden (“Osama-

in a video-taped religious declaration or edict (“fatwa”) in order to murder Americans and Jews whenever and wherever possible. Forte drew the analogy to the extremist Khajratis sect who maintained that any leader who did not hold true to the sect’s version of Islam should be removed from power and executed.

According to Forte, Bin Laden also “targets moderate Islamic leaders like Egyptian President Hosni Mubarak, former Pakistan President Benazir Bhutto and Jordan’s King Abdullah. He has no respect for the Saudi government because it permits stationing of Western troops, contrary to his view of the ancient Shari’a’s prohibition of non-Muslims on the holy soil of Arabia.”

Forte also wrote that the Khajratis sect’s control over the government Bin Laden’s activity was visible as he artfully ne-

As a Jew who has probably done as much or more to save Muslims than any other man in this country,” said Forte.

Forte’s own sense of duty is visible as he artfully negoti-

fact by former Reagan staffer

Forte attributed the

Fortes’ own sense of duty is visible as he artfully negotiating with CNN’s “Inside Poli-
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Forte was summoned to testify to a

My guess is that he understands that even a “jew” is worth a hard job to keep confined within the lines.”

Bin Laden’s organization is a “threat to all of mankind,” ac-
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While there have always been legalistic threats to Islam, it has never been the dominant one by which the vast majority of Muslims lead their daily lives.

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While there have always been legalistic threats to Islam, it has never been the dominant one by which the vast majority of Muslims lead their daily lives.
Errant e-mail creates 1L grade privacy problem

By Peter Roche

Several weeks after final exams, all Cleveland-Marshall students were sent a spreadsheet of Professor Heidi Robertson’s Spring 2001 Property grades, containing test scores and exam numbers alongside student names. “A breach of confidentiality of that magnitude was completely inexcusable,” said Rebecca Hurst, one of 63 students in the affected class. “I was appalled something like that could happen at C-M.”

The e-mail was sent by Kay Benjamin, former C-M director of student records. It included an attachment file listing students’ grades on each of two final examinations. One spreadsheet listed the marks by exam number only. Another list, which could be opened only by clicking on it, displayed results according to exam number and student name. Twenty students received A+ and B+. The average score fell in the C+ range. Two students failed.

“People were upset,” said Robertson. “We worked hard all year long to ensure anonymity, then some things like this happens.”

Robertson confirmed e-mailing the grades to Benjamin, but said she told the registrar to post the results, without names, on the basement bulletin board. Robertson learned of Benjamin’s errant e-mail when a student called to complain. “I had a pit in my stomach over it. Kay’s been a very careful registrar for as long as I’ve known her,” Robertson said.

“Professor Robertson would never intend to harm these students in any way,” said Brian Stano, 2L. “I personally did not feel harmed by the e-mail.”

To accidentally have our grades posted was a direct breach of the confidentiality we were assured from day one,” said 2L Anthony Baecco. “People were upset that their privacy was violated.”

Dean Steven Steinglass issued a follow-up memo asking students to respect their peers’ privacy and not open the spreadsheet. Steinglass also requested that Benjamin’s e-mail be deleted immediately.

“As an accident,” said Baecco. “I believe the administration took the appropriate steps to remedy the situation.”

Benjamin has since accepted a teaching position with Cleveland State University.

GAVEL: Fifty never looked so good

Continued from page 1 —

The gavel’s history is a feature on the glossy magazine paper that has come and gone over the years. Students and staff have often debated the pros and cons of using shiny paper. Some believe it’s too flashy and doesn’t convey the seriousness of the matter at hand. Others argue that the glossy finish adds a touch of elegance and professionalism.

The decision to use glossy paper for the gavel was made in 1980. At that time, the gavel was a simple wooden block with a metal handle. The lacquer finish made it stand out from other gavels used in the law school.

The gavel has changed significantly since then. It now features embossed logos and intricate designs. The current gavel was unveiled in 2005, and it is one of the most noticeable features of the law school.

The gavel is used during all in-person events, such as commencement ceremonies, bar exams, and graduation ceremonies. It is also used during virtual events, such as online orientations and virtual graduation ceremonies.

The gavel is a symbol of authority and is held by the president of the law school. It is passed down from one president to the next, and each new president receives a new gavel.

In addition to the gavel, the law school also has a collection of other ceremonial items. These include a mace, a flag, and a set of ceremonial robes.

The mace is a ceremonial scepter that is used during processions and other formal events. The flag is used to represent the law school at various events, such as sports games and community events. The ceremonial robes are worn by students and faculty during certain ceremonies.

The law school is proud of its rich history and tradition. The gavel and other ceremonial items are a testament to the pride and dedication of the law school community.
O’Neillapalooza, Bodothsattva & Moot Pointe Blank

Notes in Brief

By JENNIFER M. GRIEVAS

Eight 3Ls were invited to join the C-M Moot Court Board of Governors based on their performance in last year’s annual 2L Intramural competition - Renee Davis, Donald Herbe, Benjamin Hilbish, Robert Roberti, Deborah Klein and Steve Lazarus.

SBA President amends the first family’s constitution - SBA President Dan Markey and his wife, Mary, are expecting their first child when asked. Markey informed the Gavel that the child is due on Christmas Eve and quipped, “we’re quite aware of the favorable tax implications.”

C-M front entrance project again delayed - While Steelstring wondered aloud at the forum if the entrance “will actually get delayed” CSU Chief Architect Ed Schmittgen said, “despite some problems, we expect the project to be completed in 2001.”

PRO BONO Bits - “The Role of the Gun Industry in Gun Violence and White v. Smith and Wesson” - Moot Court, Oct. 1, 3:30-5:30 p.m.

Habitat for Humanity – Cleveland, Oct. 6, 9 a.m.-3 p.m.

Homeless Legal Assistance - Moot Court Room, Oct. 18, 12-2 p.m.

COOL Cleveland Summit on Public Service, CSU - Oct. 20, all day.


Make-A-Difference - Cleveland Clothing and other items - Oct. 27, participating sites throughout Cleveland.

SBA funding application Deadline - The student organizations fund request application deadline is Mon., Oct. 1. All applications for funding must be submitted to Renee Zaidenras, SBA budgeting vice president.

1L SBA slate entry – The SBA will hold elections Wed., Oct. 3, 4:30-7 p.m. Four seats will be filled. 1L William McClain is registered to the general election Nov. 6.

STILL PENDING ON THE DOCKET:

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You can win $500 off your bar review tuition or a free Essay Advantage course!

It’s easy to play—simply enroll in BAR/BRI Bar Review by the last day of class, and you can be a winner! One name from the first year class and one name from the second year class will be drawn at random and will win $500 off a BAR/BRI bar review course!

One lucky third year BAR/BRI member will win a free Essay Advantage course! Plus, of those third years already enrolled in Essay Advantage, one name will be drawn and that student will win $500 off a BAR/BRI course!

But you can’t win if you aren’t enrolled in BAR/BRI or Essay Advantage.

By signing up soon, you will lock in the current tuition price, receive either the First Year or Upper Level Review Volume (before finals), and be eligible to win.
Attention: this is not a drill

On behalf of those of us who were able to do the math: We told you that 2001 A.D. marked the shift of X-years to a new millennium. 11, the consequence of our past and the promise of our future continue. That cannot be changed by any single act of terror or courage. That said, it has been heart warming and heart wrenching to watch Americas show and wave their true colors.

We have been inspired by scores of individual and collective acts of bravery. The best of what makes up America was displayed on board an ill-fated airplane. The best of America is still being evidenced by our continuing efforts to give blood, raise money, say prayers, offer support, counsel friends, make donations and answer our childrens questions. Perhaps most importantly, it is embodied by our vulnerability. Our exposure to the incident and subsequent new times may be teaching us that while our diversity is and will continue to celebrate, it is all that we have in common and it holds the key to our survival.

We have also been invaded by self-aggrandizing ac-counts. These have not been the "best of times" for certain telemarketers and televangelists. Part of what was destroyed in Washington and New York was the illusion that there can be a difference between what we do and who we claim to be. In this new millennium our president has challenged us to join the cause of ridding the world of evil. If that call is initially confined to attaining jus-tice, we are going to be busy. We will be busy as Americans and busy as lawyers. The fabric of society that must remain intact is wove with thread of an idea that we are a nation of laws, not a nation of men. That fabric may be tested, but must remain true.

The direct hit on the Pentag- on did not result in some insu- lant general pushing buttons or rushing to seize power. We did not rise. As a whole we did not organize ourselves to search for scapegoats. We realize that there are many prices to be paid as a result of this crime, yet our sense of justice still demands that those who owe the costs pay.

Law is an honorable profes-sion with the potential of becom-ing a noble one. Terrorism pro- vided our country with a whole new fact pattern and our collec-tive reaction uncovered a brand new hypothesis.

If we cannot tolerate evil and injustice from across the sea, we must not tolerate it in our own backyard. If we can respond so magni-ficiently to the needs of these victims, obviously we must respond to the victims of need. The most touchworthy argument for liberal immigration policy and courage and bringing order to our brave new world will be made in courts of law. That is where its well keep this America, America. Cheeseland is 4L

Fixing the cracks in our foundation

Apparantly, the lesson that violent attacks upon in-nocent civilians are egregious does not resonate with all Americans. In light of the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and his organization, those responsible for the Sept. 11 attack and others who support Bin Laden and...
**Disbelief. Horror. Fear. Shock. Sadness. Grief. Anger. Pride.** Such have been the emotions of countless people at home and abroad since Sept. 11.

**Roger Bundy**

Several days later, many of us have had time to reflect and ponder that day. Yet, an unanswerable number of our fellow citizens remain missing and presumed dead, forcing each of us to walk a fine line between moving on and remembering that for the thousands of us who are missing family, friends and loved ones, time stopped on Sept. 11.

**Citizens of the United States of America**

...has been a resounding success, but it has not gone unchallenged. Before Sept. 11, the most recent challenge to the fundamental principles of democracy in this nation was the attack on Pearl Harbor. That attack galvanized the American citizenry to the cold reality that powerful fascists and dictators threatened our way of life because they believed that capitalism, democracy, and freedom, our great experiment, was a failure. Americans were then called upon to articulate, define and defend the virtues and values of democracy and freedom for the rest of the world. There can be no doubt that, despite the sacrifices, they did so with distinction and honor.

A great deal has been written recently about the men and women of the WWII generation who went off to defend that which they valued. Their sacrifice galvanized the experiment, was a tremendous breakthrough by dissolving, however temporarily, the metaphoric scarlet letter that we were once called. The global war on terrorism, that which we call the Great American experiment, was challenged again. Almost sixty years after the attack on Pearl Harbor, our citizenry once again galvanized by an attack on our country, by those in this world who condone and promote democracy and freedom.

When asked directly, people often say, “What do you think you can do?” They ask, “What can we expect to spring from the ashes?”

**Paul Petrus**

Our leaders tell us that we are at war with terrorism, an elusive enemy that we must destroy. Do they believe that democracy and terrorism cannot co-exist on this planet.

Our generation, long fascinated with the paradox of patriotism and fear, is now called upon to articulate, define and defend democracy and freedom. We will answer the call because we owe a debt to those who have sacrificed so much on our behalf.

We have been told there will be sacrifices. We will do what we have to do, without question or doubt. We must. Bundy is a 4L.

**What can we expect to spring from the ashes?**

I don’t purport to have any answers, but we must continue to live in America and live the American way. Most flags were proudly flown, more now, and sadly, perhaps any other time in our history save the days following the Pearl Harbor attack. We young Americans who were not born during WWII now experience what so many seniors have—America at its most unvarnished best.

Even now, as flags wave and my fingers strike this keyboard, part of me worries as part of you does—how will we react? And when? My eyes locked in tears when a friend told me that her 6-year-old son was now afraid to sleep alone because the big tree in the back yard might get hit by an airplane and fall on the house. This boy fears, and is not the only one doing so. I have airline tickets to New York City in October, which I bought weeks prior to the attack. Are you still coming?” one of my New Yorker friends asked. I told her I was. “Are you going to fly?” she asked. I said, “Yes.”

A flight to New York with few inconveniences—our ability to travel without the government’s permission or hassle, our freedom—‘is one of the many liberties that we take for granted now but still make our nation great.

My column has reflected my beliefs as a civil libertarian leaning Democrat. I still maintain these convictions. I do not believe that our freedoms, our liberties that our country stands by should be swilled down the borders, restricted the liberties, contain our freedoms. We need to protect ourselves. We are strong, but not always chastened. And now we carry on from our homes to work to school, to work, to shop, to friends and family, to dinner, to bed, always with the unrelenting glare of CNN behind us, newspapers speaking to us, our loved ones worrying as we chitchat law books and pens, and the hands of others, or our own hands, in love, patriotism and prayer. On and on we wait for things to return to the way we were. We know they won’t, but we hope they will. And so we live.

America has been inextricably changed forever. I also believe that American life will somehow be better and that we will begin to enjoy more freedom than we have yet to taste, a sweet freedom we will certainly savor and work with one another to protect. We are already well on our way.

Petrus is a 4L.

**Into the Abyss**

**Renni Zifferblatt**

Once more humanity must contemplate maniacal, inexcusable acts of terror. This time we are unwitting witnesses before a faceless enemy whose wrath defies the boundaries of contemporary history. Accordingly, “Infinite Justice” overcomes our semi-conscious mantra; we must acknowledge that our actions may be the cause of our compelled exit from Eden.

I fear however, that the desire to conceal our vulnerable psyches and nationhood will thrust headlines and our troops collect from distant shores, we must ask who the enemy is. There is no one perpetrator here to record in our American history. In fact, as dissolving as it may be, we are antagonists for many abroad. As nations unite to light terrorism and freedom for the planet.

Our leaders tell us that we are at war with terrorism, an elusive enemy to be sure. Do they believe that democracy and terrorism cannot co-exist on this planet.

Our generation, long fascinated with the paradox of patriotism and fear, is now called upon to articulate, define and defend democracy and freedom. We will answer the call because we owe a debt to those who have sacrificed so much on our behalf.

We have been told there will be sacrifices. We will do what we have to do, without question or doubt. We must. Bundy is a 4L.

**What can we expect to spring from the ashes?**

I don’t purport to have any answers, but we must continue to live in America and live the American way. Most flags were proudly flown, more now, and sadly, perhaps any other time in our history save the days following the Pearl Harbor attack. We young Americans who were not born during WWII now experience what so many seniors have—America at its most unvarnished best.

Even now, as flags wave and my fingers strike this keyboard, part of me worries as part of you does—how will we react? And when? My eyes locked in tears when a friend told me that her 6-year-old son was now afraid to sleep alone because the big tree in the back yard might get hit by an airplane and fall on the house. This boy fears, and is not the only one doing so. I have airline tickets to New York City in October, which I bought weeks prior to the attack. Are you still coming?” one of my New Yorker friends asked. I told her I was. “Are you going to fly?” she asked. I said, “Yes.”

A flight to New York with few inconveniences—our ability to travel without the government’s permission or hassle, our freedom—‘is one of the many liberties that we take for granted now but still make our nation great.

My column has reflected my beliefs as a civil libertarian leaning Democrat. I still maintain these convictions. I do not believe that our freedoms, our liberties that our country stands by should be swilled down the borders, restricted the liberties, contain our freedoms. We need to protect ourselves. We are strong, but not always chastened. And now we carry on from our homes to work to school, to work, to shop, to friends and family, to dinner, to bed, always with the unrelenting glare of CNN behind us, newspapers speaking to us, our loved ones worrying as we chitchat law books and pens, and the hands of others, or our own hands, in love, patriotism and prayer. On and on we wait for things to return to the way we were. We know they won’t, but we hope they will. And so we live.

America has been inextricably changed forever. I also believe that American life will somehow be better and that we will begin to enjoy more freedom than we have yet to taste, a sweet freedom we will certainly savor and work with one another to protect. We are already well on our way.
The call to action
The cowardly acts of terrorism that perpetrated on the American people on September 11, 2001 have not ceased. The monstrous aim of these murderous terrorists is to tear apart at the very core of our society’s core of freedom and liberty.

This is our enemies’ fatal error. The Nation will not succumb to the crippling fear that they hope for. But there are those among us who have allowed this fear to blind them to freedom and liberty. America’s is a melting pot of people from every ethnic background—including European, Asian, African, Middle Eastern and Indian descendants. These very people are the backbone of this great society, yet, there are those among us who want to lay blame on these our fellow Americans of Middle Eastern and Indian descent. This can not be tolerated!

Terrorism equals intolerance. This country continues to fight to be color blind. And we cannot allow this tragedy and the acts of terrorism to set this country backwards on a destructive path. This would then achieve the goals of the terrorists.

This is our call to action. However, we do not allow the retaliation against Middle Eastern Americans, or Arab Americans or Indian Americans that has surfaced in your cities, communities and neighborhoods due to these acts committed by foreign terrorists.

Remember, we are all Americans and most of us are all descendants from all other countries, but we stand together with a common goal—life, liberty and the pursuit of happiness—and have one loyalty to the United States of America.

God Bless the victims, their families and friends left behind.

God Bless the United States of America.

Joseph M. Sapinors ’99

―It doesn’t matter if you are black, white or of some other race or ethnic background. If you are a true American, you feel the same pain…‖

Diversity is an important tool
During a time when the country I love is in the midst of gathering its thoughts, one would think it is not a time to speak on diversity. If you are thinking that you could not be further from the truth. This is a time when having diversity would and has benefited the citizens of America.

We all feel as though some crime has been committed against us personally. It doesn’t matter if you are black, white or of some other race or ethnic background. If you are a true American, you feel the same pain others are feeling.

Diversity is a tool.
In a time when we could all use a lesson in diversity, it is very important to get to know the minority students coming to law school. We can all learn something from each other. In order for this to happen, there has to be a minority presence. Out of 292 incoming students, there are 53 non-caucasians enrolled. The number of minority students is not increasing as a whole, although, some may say that it is in the interest of the same thing.

This year’s incoming class has 15 black students enrolled compared to 17 last year. Hispanics, Asian and others make up the other 18 students.

The questions must be asked, “why isn’t the number of minorities at this university rising and what must we do to attract more qualified minorities?” What we must do is press forward and fight for diversity as a University. The lessons we learn may well be with us for the rest of our lives and our efforts fighting for justice, we need all the tools we can get.

Michael Hudson

ConGavelations
I read the article in the Sept. 10, 2001 issue of Ohio Lawyers Weekly reporting that the Gavel was selected as the best student newspaper in the country. When you consider the competition, the award is most impressive. My congratulations to all the members of the staff for a job well done. Your accomplishments in making “The Gavel”, the best student newspaper speaks highly of your qualifications.

Alan H. Weinberg, Esq.
Weltman, Weinberg & Reis, Co., L.P.A

Conshelfion
Do you take issue with an opinion in this edition? Do you have a special perspective that would help shed light on the subject? Tell us about it—e-mail us at: gavel@law.csuohio.edu

All submissions must be signed. We reserve the right to edit for space and clarity.

SBA changes direction to help victims
By Dan Merkey
My fellow officers and I worked hard over the summer to forge our direction for 2001-2002. Our plans were thought out, but not immutable. In light of the New York and DC terrorist attacks of Sept. 11, some change in direction is appropriate. Every social event will feature a collection box for the American Red Cross. We are placing a renewed emphasis on our annual blood drive. As a result of national outsourcing, there will probably not be a great need for blood in New York City. This however, does not mean that the blood supplies are ample throughout the country. It is imperative that our domestic blood supply is kept up with demand. It is our hope these efforts will serve as stimulus for students to direct energy toward helping our fellow Americans.

We are anticipating a strong turnout for our elections in early October. In addition, we are planning a Halloween social for C-M students and friends. If anyone has any thoughts or ideas about this, please contact the SBA.

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Wilton S. Sogg, Attorney at Law

SBA Briefings
We say goodbye to our friend and three-time Gavel Editor, Kevin Butler. During Kevin’s esteemed tenure with the Gavel, we were honored by the ABA as the nation’s second (1999), third (2000) and first place law school newspaper. Kevin’s leadership and journalistic ethos set a high bar for this publication, and his commitment to informing and entertaining the Cleveland-Marshall community never wavered.

Kevin was the “Law Grant” of this newspaper who left our staff with enormous shoes that we look forward to filling. We thank him for his advice and counsel. Kevin’s talents will lead him to a very rewarding career, and the Gavel wishes him the very best in everything. Lou — one’s for you.

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Attention students!

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**Associate News** - A bimonthly newsletter for student members of the OSBA that provides the latest information on the profession of interest to students, including employment news and practice trends.

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If you are not a member of the Ohio State Bar Association, call the OSBA Member Service Center at (800) 282-6556 or (614) 487-8585 or visit us at http://www.ohiobar.org to join. Student membership is free!
Rocking and rolling with the law

Every lawyer has to figure out what kind of practice will best serve his or her life’s objectives.

By Mark Avsec

Mark Avsec, an associate with Benesch, Friedlander, Coplan & Aronoff LLP.

Prior to joining the bar, Avsec earned a living as a studio musician, producer and songwriter, writing over 300 songs and producing more than 25 sound recordings for, among other artists, Bon Jovi (“She Don’t Know Me”), Donnie Iris (“Ah! Leah!”) and “Love Is Like A Rock”), and Wild Cherry (“Play That Funky Music, White Boy”). He is an American Music Award winner and has been nominated for two Grammy Awards. Mr. Avsec earned his B.A. summa cum laude in 1992 and his J.D. magna cum laude in 1994 at Case Western Reserve University School of Law.

Judicial clerkships help get a foot in the door

Paul Petrus

The Judicial Clerkship Committee and the Cleveland-Marshall Office of Career Planning will present a Judicial Clerkship Panel Oct. 3, 2001 at 5:00 p.m. in the Moot Court Room, according to materials released by the OCI.

U.S. District Judge Donald Nugent of the Northern District of Ohio will discuss along with three present or former clerks will speak on why judicial clerkships present an excellent career opportunity and what judicial clerks do in both the trial and appellate courts. The OCI requests that students who plan to attend sign up in advance.

Information on the application procedures will also be made available at the presentation, and a reception will follow.

According to Jayne Geneva, OCI director, in the C-M Class of 2000 there were 12 clerkships at the February time of registration. These included five public sector clerkships, three state positions, three federal positions and one in the Virgin Islands (Territorial Court). In the Class of 1999 there were at least five clerks, including three in the common pleas, one in federal court, and one in state court for Chief Justice Thomas Moyer of the Supreme Court of Ohio. Statistics for the Class of 2001 are not available, according to Geneva.

On the benefits of becoming a clerk, a former clerk and current Director of Legal Writing Barbara Tyler mentioned a few.

“You will become an expert in evidence, civil procedure, and criminal procedure, because you have to,” said Tyler. “And the pay is not bad, around fifty grand.”

“I was spoken fondly of her clerkship experiences in the 8th District Court of Appeals, and even downplayed potential judicial job that the job may be too political. “I know it is for some judges, but it wasn’t for me,” she said.

Moot Court

Establishing an entertainment law practice in a secondary market like Cleveland, Ohio can be done, but you had better know the music industry cold, and you must establish and maintain connections to artists, labels and other industry sectors.

I went to college and law school late in life (I started college at the age of 33 and graduated from law school at the age of 40). Before I went to college, I made a living as a professional musician and songwriter. I spent years in recording studios and on tour buses. I still make music (regularly with Donnie Iris and the Cruisers) and in February I wrote the song I Am.

About Mark Avsec

Mark Avsec is an associate with Benesch, Friedlander, Coplan & Aronoff LLP. Prior to joining the bar, Avsec earned a living as a studio musician, producer and songwriter, writing over 300 songs and producing more than 25 sound recordings for, among other artists, Bon Jovi (“She Don’t Know Me”), Donnie Iris (“Ah! Leah!”) and “Love Is Like A Rock”), and Wild Cherry (“Play That Funky Music, White Boy”). He is an American Music Award winner and has been nominated for two Grammy Awards. Mr. Avsec earned his B.A. summa cum laude in 1992 and his J.D. magna cum laude in 1994 at Case Western Reserve University School of Law.
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Film explores Scottsboro travesty

Robert Caldwell
CONTRIBUTING WRITER

Filmmaker Daniel Anker was recently in Cleveland at Cuyahoga Community College for a screening of his award-winning film, *Scottsboro: An American Tragedy*. The film he produced and co-directed won a 2001 Emmy Award for Best Non-Fiction Program and was also nominated for an Academy Award for Best Documentary Feature.

Anker and a panel of distinguished scholars and academics discussed the significance of the Scottsboro affair after the screening.

According to Anker, “only one or two of the boys regained a sense of normal life, which is why it remains a tragedy. The fact that they were free could not make up for their whole youth lost in jail.”

Former U.S. Congressman Louis Stokes Jr., served as moderator for the discussion.

The film documents the trial of nine black youths arrested in Scottsboro, Ala., for the rape of two white women. The monumental cases rekindled friction between the North and the South and profoundly affected the law.

The nine black youths had little money, but collected $600 dollars from relatives for an attorney. The boys were defended by an alcoholic white attorney who arrived at court unprepared, encouraged the boys to plead guilty, and offered no closing statements.

Although the alleged victims gave contradictory testimony, one woman recanted her story a year later, saying that no rape had occurred, and physical examinations did not support the allegations; an all-white jury nevertheless found the nine defendants guilty. Eight of the boys received the death penalty and the ninth boy who was only 9 years old received life in prison.

The International Labor Defense (ILD), hired the renowned New York lawyer Samuel Lebowitz, who had won 78 of 79 previous murder trials, to appeal the conviction of the defendants.

Anker’s film examines the tribulations of a gregarious and flamboyant Jewish lawyer from New York experienced when he encountered 12 jurors from rural Alabama who saw him as an abolitionist attempting to revive the Reconstruction.

Ozie Powell was one of the nine boys convicted of rape. Powell’s appeal came before the Supreme Court in *Powell v. Alabama* (1932). The justices reversed the rape convictions in a 7-2 decision. The Court held that indigent defendants had a constitutional right to an appointed lawyer in cases involving capital crimes in state courts.

The nine Scottsboro boys were retried after the Powell decision and again convicted by an all-white jury. The presiding trial court judge set aside the verdict. A third round of trials resulted in yet another guilty verdict by an all-white jury.

Defense lawyers led by Lebowitz again appealed to the Supreme Court in *Norris v. Alabama* (1935). In an unanimous decision, the Supreme Court agreed that the 14th Amendment’s equal protection clause was violated because blacks were excluded from grand juries and trial juries in several Alabama counties.

After plea bargains, demonstrations, motions, appeals and 16 trials by the Scottsboro Defense Committee, the NAACP and the ACLU among others, the cases were finally brought to an end.

In 1937, after six years in prison, the charges were dropped against four of the boys. The remaining five faced charges in Alabama prisons. Eventually, all of the boys were released, pardoned or pardoned.

Anker skillfully weaves the testimony of surviving eyewitnesses with dialogue from some of the boys themselves.

Professor Linda Ammons was a news reporter for NBC affiliate WAAY in neighboring Huntsville, Ala., that covered the Scottsboro incident. Ammons and author William Bradford Henry, who wrote on the plight of accused, discussed the case on a talk show Ammons hosted.

Ammons told the *Gavel* that when the topic turned to one of the accused, Clarence Norris, Ammons said, “I was unsure whether or not he was going to receive the pardon. Then the national momentum began to build which influenced the decision to give the pardon.” Eventually, Norris was pardoned by Governor George Wallace four decades after their arrest.

Note: “Focus On,” a regular feature of the *Gavel* profile some of Cleveland-Marshall’s more interesting people.

What is your role with WOIO/WUAB?

I am a promotions writer/producer, in the marketing department. I produce the promo (commercials for 19 & 43) that you see for our news and our station image.

How long have you been working in media?

Almost five years now. I started by interning in the Promotion/Marketing Department at WEWS TV-5 in 1997, and was hired there in 1998. Later that same year, I left WEWS to come to WOIO-WUAB.

How did your career in media begin?

Basically, it was just a fluke. I’ve always been interested in journalism and the media. Then, one summer, I was bored with the thought of my usual summer job, so I applied for an internship at Channel 5 to experience something new.

What is your weekly work/school/social schedule?

I work full-time for WOIO-WUAB, 9am to 5:30 or 6pm daily, plus extra hours, when major news is happening, or when we’re the sponsor of big community events. I usually take 3 or 4 classes each semester, between 6:00 and 10:00pm, Monday through Thursday.


What do you hope to do after law school?

I hope to find a career path that combines my interests in both the law and the media. Someday I’d really love to be an agent, or somehow work in entertainment law.

Describe your typical weekend.

Sleep. Sleep. Sleep! There’s not much time for that during the week. I do read for classes when possible, and unwind by going out with friends and family, or, by going shopping.

Has your view of law school evolved over 4 years?

Actually, I don’t think it really has changed much. I’ve tried not to be too concerned with my GPA, or with getting that one best firm to hire me. There are such many different things that can be accomplished with a law degree.

Why did you decide to attend law school?

I always hoped to go to law school to help people in some way, and work directly with other people to accomplish good things.
Almost famous

By Ed Piknik

The ‘punk-power-pop’ quintet from Ocean Beach, Calif., best known as the hardest-working runners-up on VH1’s “Bandz on the Run,” sprinted through a stop in Cleveland on their national tour.

The “punk-power-pop” quintet from Ocean Beach, Calif., best known as the hardest-working runners-up on VH1’s “Bandz on the Run,” sprinted through a stop in Cleveland on their national tour.

Almost famous

Great Seats

Soulcracker’s Beastie (L) and Sutton (R) run through a stop in Cleveland on their national tour.
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