



CSU
College of Law Library

Cleveland State University
EngagedScholarship@CSU

1950s

The Gavel

2-1959

1959 Vol. 7 No. 5

Cleveland-Marshall College of Law

Follow this and additional works at: https://engagedscholarship.csuohio.edu/lawpublications_gavel1950s
How does access to this work benefit you? Let us know!

Recommended Citation

Cleveland-Marshall College of Law, "1959 Vol. 7 No. 5" (1959). *1950s*. 7.
https://engagedscholarship.csuohio.edu/lawpublications_gavel1950s/7

This Book is brought to you for free and open access by the The Gavel at EngagedScholarship@CSU. It has been accepted for inclusion in 1950s by an authorized administrator of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.



THE GAVEL



VOLUME VII - No. 5

FEBRUARY 1959

PROF. SAMORE'S REPORT ON A.A.L.S. MEET

The First General Session of the Association of American Law Schools held a three day meeting in Chicago, Dec. 28, 29, 30, 1958. The opening address was given on Sunday afternoon, Dec. 28, by Dean Griswold of Harvard. He made two interesting points:

1. Problem of the employed student.

Griswold admitted that the amendment last year to bar all evening schools was ill-advised. It is not a problem of evening v. full-time schools, but a problem of the employed student. An employed student cannot acquire a legal education in three years. Hence, it is more a problem of the full-time schools because the evening schools have an extended course.

2. Admission policy. This is not necessarily related to deficiencies in legal education because this problem comes before the courses are given. Many law students should not have graduated and if so, they probably should not have been admitted. If an applicant is not endowed with intellectual ability, he should not be admitted. Essentially, it is a problem of how to separate the sheep from the goats before they enter school.

At the same meeting, Dean Gray Thoron, Cornell University, Chairman of the Special Committee on the Status, Function, and Future of the Association of American Law Schools, presented his committee's report. The main points, but not calling for action at this time, were (1) vest in the A.B.A. sole accreditation for membership in the A.A.L.S. and (2) that another organization of individual professors be created.

Dean Thoron said there were four possible alternatives open to the association:

1. Retain the present set-up. The committee rejected this alternative because the very setting of minimum require-

(continued page 2)

A CODE OF CONDUCT by Judge Lee E. Skeel

One of the characteristics of a great lawyer is his ability to understand and be sympathetic toward what he considers the shortcomings of others. Under some circumstances he realizes that it is possible that his own judgment on matters in controversy may be wrong and the one with whom he does not agree might be right. A person of sound judgment is big enough to understand or realize such possibilities. In all events because of his understanding of the problems of others, he will speak out in support of the right as he sees it, make constructive criticism in the interests of good conduct on matters of common interest where he has a right to speak, and keep the urge to make destructive criticism to himself. Justice Oliver Wendell Holmes once said: "To see as far as one may, and to feel the great forces that are behind every detail, makes all the difference between philosophy and gossip." And so it is that there are some who are so busy giving expression to destructive criticism, to the benefit of no one, that they do not have the time or the capacity to benefit by the great cultural advantages that are about them and are available.

The Cleveland-Marshall Law School, for sixty years, has been an important agency in the community through which many have been able to make otherwise undeveloped ability available for their personal success. These students will now be found as leaders in every walk of life. They are lawyers, judges, bankers, civic leaders, industrialists and merchants. They did not achieve success by backdoor destructive criticism of the institution which made self help available to them or destructive criticism of its trustees, management, faculty or members of the student body. Their attitude was to make the best of the opportunity and in the

(continued page 3)

Report on A.A.L.S. Meet (cont. from p.1)
ments causes them to become maximum re-
quirements in some schools' thinking.

2. Secession. Such a proposal was made by about 30 strong schools in San Francisco in 1957. These 30 are desirous of setting standards so high that only the 30 could hope to meet them. This, too, was rejected by the committee for obvious reasons.

3. Retain minimum requirements. But set them at a higher level, but not so high that all members could not reasonably be expected to achieve them within, say, the next 10 years. This proposal was rejected because any minimum standards stultify advancements in school not affected. Strong schools criticize weaker schools, but tend to forget to be self-critical. Finally, Dean Thoron declared that there was too much dissension created by the setting of standards and too much wasted effort since the ABA could be expected to do a competent job of accreditation. The Committee's proposal would eliminate the duplication, dissension and waste, so that members of the A.A.L.S. could devote their time to more worthwhile projects.

Dean Thoron's committee held an open meeting the next day, Dec. 29. Dean Thoron again presented his arguments, but these were coldly received. Although there was general approval that the ABA would be competent, too many spokesmen felt that the Committee had not established a real need for a change, that is, it had failed in the "burden of proof."

A vote was taken that almost unanimously directed the Committee to desist pursuing any further study of the accreditation and individual membership proposals. The committee was certainly not bound by this vote, since it was not a vote at a general session.

However, at the next and last day, Chairman Thoron accounced that the Committee had, because of the above vote, dropped its study of these two proposals.

Two proposals that the Committee was asked to explore during the coming year:

1. Proportional representation, since the smaller schools' votes have as much weight as the larger schools'.

2. Classifying the law schools as Class A and Class B, a la medical schools, so that eventually all Class B schools will elevate themselves or go out of existence.

STUDENT BAR PREXY SPEAKS UP - by M.Coffey

Constructive remarks or questions directed to the Student Bar Association are always welcome. Questions asked in the last issue of the Gavel are hereinafter answered.

The questions and answers are:

1. What happened to the student directory? The student directory program is a carryover from previous years. Mr. Don Harrington, Sophomore representative, has taken up the task this year and has done a very formidable job. It has been in its rough stage for five weeks and the only thing that has been holding this up is getting a right price for printing. We hope to get the "directory" into everyone's hands in the very near future.

2. What happened to the posting of Student Bar minutes on the bulletin board? The minutes of every Bar Association Meeting have been posted after they were approved and seconded. The minutes of the last meeting have as yet not been seconded and approved, thus they have not been posted.

3. What happened to the \$2.00 "student activity fee?" The activity fee upon being turned over to us was deposited in a local bank. No money can be withdrawn except with the signature of the president, a fourth year student who lives in Mentor, Ohio, and the secretary, a second year student who lives in Southwest Cleveland. Monies thus far spent have all been accounted for.

4. How did a legal publishing house get a list of students before students themselves? No legal publishing house has received a list of all students from the "Student Bar Association." The names of the Senior class upon graduation are obtained by the nation's largest reporter system.

(Editor's note: The names of the students in Ohio law schools are available from the Supreme Court offices in Columbus, Ohio, upon written request by an authorized body.)

THE GAVEL is published monthly by and for the students of Cleveland-Marshall Law School, 1240 Ontario Street, Cleveland, Ohio.

Editor-in-Chief: Robert E. Loew

Contributing Staff: Leon Nagler, Robert Dunsmore, Harold Holdridge, Janet

Eterovich, Mike Coffey, Don Harrington

Amicus Curiae: Mary Blazys

Faculty Adviser: Prof. William Samore

Conduct Code (cont. from page 1)
 process, to strengthen the ability of the school to be of service to others. It is not supposed that there are not times in the affairs of Cleveland-Marshall when constructive suggestions or criticism would be helpful, but destructive attitudes have no place in any institution particularly one where every member of the group owes a moral duty to uphold its standards of scholarship so necessary for the school's success and that of every member of its student body.

To acquire a legal education, particularly while attending to the duties of making a living, requires a thrust of purpose beyond the usual requirements of duty, a willingness to sacrifice to a great extent leisure hours otherwise available, and the realization that success is within the grasp of such a student when you yourself dedicate your efforts to the task at hand. This is one place where "easy" does not do it.

A STUDENT'S REQUEST

While rummaging through the Gavel "suggestion box" the other day, we came upon "A Student" request that the Gavel run a poll, "among all the students and find out what are the main things that they want to be done, or not done, in the school. Couldn't you mimeograph up a questionnaire on one sheet of paper, with room for the student to answer? You could put a list of issues, questions and problems about the school, student facilities, classrooms, remodeling, students' social lives (if any), etc. In addition there could be room for suggested ideas.

"If you gave this sheet to each student at the beginning of class you sure would get a lot of worthwhile ideas and you could make a tabulated summary in the Gavel. This would really be something." Signed - A Student.

The Gavel appreciates receiving notes from students and hopes that they will continue to be deposited in the "suggestion box." In this instance, however, we regret that this item is not within the realm of operation of a student newspaper but rather an item for the "Student Bar Association" to consider and possibly conduct. In the event a poll is taken we will be happy to publish the results as determined by the "Association."



WALLY

THE

WALRUS

"The time has come the Walrus has been told

To not talk and speak his piece,
 Of cabbages and kings as they unfold,
 But rather hold back in silence and peace."

WALLY HAS GONE FISHING THIS MONTH

LAW STUDENTS' CONTEST FOR 1958-59
 ANNOUNCED BY AMERICAN LAW STUDENT ASSOC.

For the sixth successive year the Conference on Personal Finance Law and the American Law Student Association, and joined for the second year by Scribes, sponsor a law students' contest open to any law student organization affiliated with the American Law Student Association. The contest will be in the form of a written opinion letter from an attorney supported by an office memorandum of law, written in response to a letter from his client, licensed small loan company setting forth the facts in connection with a certain loan and requesting advice as to how the client may accomplish his objective. The contest therefore will afford the law student experience with the character of work he will be called upon to perform following his graduation.

The locale of the controversy is the mythical State of Franklin. The letter of the client which the contest entrant will be required to answer will be supplied with the entry blank available from the American Bar Association.

Prizes are: First prize-\$500.00 cash, Second prize-\$250.00, and Third prize-\$150.00.

Students interested in entering this contest should contact Professor Samore as soon as possible in order to obtain the necessary entry blanks and other material. An opportunity of this nature affords the student a wonderful chance of winning fame and fortune for himself and recognition for the school.

SENIOR CLASS NOTES - by Janet Eterovich

OUR LAST WILL AND TESTAMENT: (Subject to change without notice.)

1. All right, title and interest in the POPE-SICLE to the Junior class is a generous bequest from its celebrated inventor George "Pope" Gallas, coronated in Evidence class by Professor Miller. "Pope" George has created the "Popesicle" by freezing the holy water.

2. A slightly chipped Pipe to the Sophomore class from Mr. Cave who threw his out the window when Judge Artl announced a smoking ban in Trial Practice.

3. A Shovel from Mr. Ken Preston who on being called to give a case in Professor Gardner's Pleading class finished the recitation with - "...and the court swiftly rejected the syllogism as mere sophistry." There was more (we didn't get), so we give him a shovel to dig out his classmates after the swell snow job.

4. A Pail full of tears, sincere sympathy and condolences to the Freshman class. It does get worse, so don't let them kid you.

WEDDINGS, BIRTH, ETC...

Congratulations to Aaron and Barbara Jacobson who announced the arrival of a 6 lb. 11½ oz. girl, Amy Elizabeth, on November 10, 1958. Amy has two brothers, Daniel and William. Barbara is a graduate of Cleveland-Marshall Law School.

Our very best wishes are extended to Don Bridinger who will be wed on February 14 to Carol Wiest.

INTERVIEWS (One of a series)...

For the past seven years, Jim Morey has been in the insurance business and is presently Assistant Claims Manager of Statewide Adjustment Company which is not an unusual background for the study of law. What is unusual, however, is the rest of the story. He has a Bachelor's Degree in Music (yes, we said music) from Baldwin-Wallace College and a Master's Degree in Music from Western Reserve University. He also studied music at Columbia U. in New York. He has played the trombone with the Cleveland Philharmonic Orchestra, Akron Symphony and the Parma Symphony. Most of all, he is a jazz enthusiast, having played in dance bands throughout the State.

Currently, Jim gives private lessons part-time and directs church choirs. He taught music in the Medina and Cleveland Public Schools years and headed marching bands there. His wife, Betty, is a graduate musician and plays the violin, piano, and does solo work as a singer in the

Cleveland Area. Their son, 6 year old Craig, and 4 year old daughter, Gail, also play the piano.

Jim began studying the law with the thought in mind of only taking a few courses. Now, here he is 3½ years later, planning to practice law after he takes the Bar this coming summer. Those of you who dabble in the arts, that is, compose music of anything from the long hair stuff to rock and roll, are invited to see him. He will be glad to give you a musical interpretation of the legal aspects of your works.

FIND LAW SCHOOL COSTS COMPARATIVELY LOW
"American Bar News"

Figures just compiled by the American Bar Association Section of Legal Education and Admissions to the Bar show that total operating costs of the 128 ABA approved law schools in the United States were slightly less than \$31 million for the 1957-58 academic year. The total cost per student was \$795.96.

Complete information was received from only 119 law schools. But projections extending the averages to the other schools indicated that total operating costs for all 128 schools were \$30,909,514 with 38,833 students enrolled. The 119 schools reporting estimated they would need about \$32,345,000 for 1960-61 operations, an increase of \$4,676,000 over 1957-58. They also estimated that by Sept. 1, 1960, they would require over \$45 million in capital improvements. The figures were supplied by the law school deans.

John G. Hervey, adviser of the section of legal education, said an announcement published last April in the New York Times stated that the "average cost of educating a doctor is estimated at \$4000 per year." A later report of the American Medical Association for 1957-58 showed an even more startling disparity between medical and law school operating costs.

Of the 119 law schools reporting in the survey, Hervey said 43 are state-related and that those would no doubt "look to state legislative appropriations for needed funds." "But what about the independent, private and church-related schools?", he asked. The problems merit the attention of the organized profession.

PRESIDENT EISENHOWER HAS PROCLAIMED MAY 1ST AS "LAW DAY USA" - STATE AND LOCAL BAR ASSOCIATIONS TO JOIN IN WITH MANY PROGRAMS & PUBLIC RELATIONS EVENTS.

FRATERNITY NEWS - by Don Harrington

Delta Theta Phi held their annual election meeting December 19, 1958, and as usual the action was very spirited. The officers elected to lead the fraternity during the year are:

- Dean Pat Moran
- Vice Dean Fred Lick
- Clerk of the Rolls . . Don Harrington
- Clerk of the Exchequer . . Gene Flynn
- Master of the Ritual . . Edward Ryska
- Bailiff Tom Murray
- Tribune Paul Flanigan

Outgoing Dean, Mike Coffey, was congratulated for his efforts and splendid job by all members of the fraternity. Mr. Coffey expressed his appreciation to all members for their cooperation and particularly the great help extended him by his fellow officers and committee members.

The new Dean, Pat Moran, announced the appointment of the following as his committee chairmen: Membership-Fred Lick; Social-Russell Sherman and Keith Weber; Finance-Eugene Flynn; Scholarship and Awards-Gerald Carlisle; House-Edward Ryska and Walter Johnson; Welfare-Ronald Werner; Publicity-Ed Patton; Parliamentarian-Norman Musial.

The Membership Chairman has planned the next rush party for March 13, and all members are urged to bring any students they desire to sponsor. The time and location will be posted on the fraternity bulletin board.

Many of the social meetings will be open to the entire school and as in the past well-known Cleveland speakers will be featured for everyone's enjoyment.

The first dance of the year is being planned for April 25, to coincide with the initiation and luncheon. The Cleveland Room at the Cleveland Hotel has been suggested as a possible location but as yet this is not definite according to Chairmen Russ Sherman and Keith Weber.

On Friday, January 30, members and their guests were privileged to hear Mr. Abe Dudnik, prominent Cleveland attorney and Cleveland-Marshall instructor, speak to our social meeting. Mr. Dudnik gave an excellent description of some of his more interesting cases which he has handled during his career, along with many interesting sidelights. He gave many valuable tips to the many prospective lawyers attending, concerning the handling of juries and the art of cross-examination. Mr. Dudnik stressed

proper timing as the key and most important tool the young lawyer should develop and use.

As was evidenced by the question and answer period, everyone in attendance fully enjoyed themselves. The fraternity, its members and many guests wish to take this opportunity to thank Mr. Dudnik sincerely for a very worthwhile evening and that we look forward to the time when he will once again be in our midst.

GAVEL TO ENTER STUDENT NEWSPAPER IN NATIONAL CONTEST

Again the American Law Student Association announced the Fifth Annual Student Bar Newspaper Competition.

Every year member associations with student bar newspapers have very favorably received word of the competition. Since we are very proud of this publication and its achievement we can think of no better way of showing appreciation of the work accomplished by the various contributors than by national recognition of the Gavel, for it is a real honor to win one of the awards.

The competition will be divided into three categories, so that equal opportunity will be given to all styles and types of newspapers.

Aside from the wide publicity given the Law Review we hope to promote the School through recognition of this type. Though we lack a publicity or public relations coordinator at Cleveland-Marshall, a function so necessary to the fulfillment of administrative policies and goals, we hope that in this respect we may serve the students, the faculty and officers of this worthy institution.

Won't you help contribute to this cause by contributing your articles and/or news items for inclusion in subsequent editions??? Contact Bob Loew or Professor Samore as soon as possible regarding the part you can play in making the Gavel a success.

COMMEMORATING TEN YEARS OF SERVICE (Anyone interested, contact Bob Loew)

The 1959 Annual Meeting of the American Law Student Association will be held August 22 thru 26 in Miami Beach, Florida. This meeting will be the 10th in a series which began in 1949 and it will also serve to commemorate the founding of the association 10 years ago. A very active program is planned.