By Paul Shugar
Gavel Co-editor-in-Chief

The 46 first-year Cleveland-Marshall College of Law students in Professor Reginald Oh’s civil-procedure class returned for spring semester to find their professor missing along with his grades from their fall-semester report cards.

Turns out they were not alone in waiting for their marks.

Nine professors in 12 classes were late turning in their fall-semester grades. Oh was the worst offender, filing his grades on Jan. 30, 20 days after his school-mandated deadline. While Cleveland-Marshall Associate Dean Mark Sundahl admitted that some professors are usually late submitting their grades each semester, he could not remember a time when so many professors were late.

“With 40 professors teaching in a given semester, I don’t think it has ever occurred that a professor has not turned in grades late,” Sundahl said. “It happens to some extent every semester, but typically I’m talking about only two to three professors getting their grades in a day or two late. I think this last semester was particularly bad for some reason.”

On average the professors were 4.8 days late turning in their grades. Professors Gwendolyn Majette, Harold Babbit, Lolita Inniss, Peter Garlock, Peter Traska and Patricia Falk all missed their grading deadlines by three days or less. Behind Oh, Professors Alex Frondorf and Chris Sagers were the worst offenders, missing their deadlines by eight and seven days, respectively.

Sundahl said adjunct professors who repeatedly turn in their grades late could face consequences such as not being asked to return to teach at the school. Tenured and tenure-track faculty members who were late might not receive bonuses or their yearly pay increases depending on their histories regarding grade submissions. Whether or not professors turn their grades in late is part of Dean Craig Boise’s annual performance-review process.

As for Oh, both his present and his future at the school remain in doubt. Sundahl said he did not receive any explanation as to why Oh’s grades were late. He also refused to comment on why Oh has not returned to teach this past semester.
Getting to know Albion Tourgée

One of Ohio's own, Albion Tourgée, was the most renowned and activist civil rights lawyer of the 19th Century. Today, we would call Tourgée a man who had difficulty controlling his emotional boundaries. Courageous, impetuous, judgmental, passionate, self-aggrandizing, rebellious against even reasonable authority, and dedicated, the cause of emancipation was in his heart from the time he reached manhood until his death.

He was born in Williamsfield, Ohio, in southeast Ashtabula County and raised in the radical abolitionist atmosphere of the Western Reserve. His hero was John Brown. When Fort Sumter was attacked, signaling the start of the Civil War, President Lincoln called for volunteers to preserve the Union. Tourgée was a luckless student at Rochester University at the time and immediately enlisted, joining the 27th New York Infantry. With the 105th suffered casualties amounting to one-third of its complement. During the hottest part of the fighting, a shell exploded among the troops and a fragment slammed into Tourgée’s side, breaking his hip. Taken off the battlefield, Tourgée had to endure more painful recovery and therapy. But astounding, after a few weeks, he was once more on the line as the army moved into Tennessee.

At Battle of Murfreesboro in 1863, Tourgée was captured. He was taken to the notorious Libby Prison in Richmond, where he spent the next four months. He then was released as part of a prisoner exchange and rejoined the 105th and fought in the Tullahoma Campaign, at Chickamauga, Chattanooga, Lookout Mountain, and Missionary Ridge. Through his service, his passion for emancipation only increased. He called the Civil War a revolution, he declared, “For Union, suffer, toil, or die.” He believed that slavery and the Southern culture that supported must be destroyed. The 105th had little regard for Southern sensibilities in Kentucky and Tennessee. One of their artilleryists observed when they took Tullahoma, the “street resounded with the noise of demolition.

The houses were torn down, every conceivable article of furniture was carried off to the camps… the soldiers seemed wild with the idea of emptying the town.” Tourgée himself said, “A burning house gives me light to write by.”

At the end of 1863, ailing from his wounds, breasting under the discipline of army life, and disappointed in failing to be appointed as an officer in a colored regiment, Tourgée left the military.

He married and, from 1865 to 1879, Tourgée and his bride settled in Greensboro, North Carolina. He rallied support for black suffrage, designated the Southern plantation culture and became rounded by the Ku Klux Klan. As a superior court judge, he won praise for his even handedness, and soon became a popular novelist. In 1879, as Reconstruction ended, and the tide turned against his point of view, he returned north to raise his family and soon became the most outspoken advocate for black equality. In 1895, a petition to have him nominated to the Supreme Court was ignored by Grover Cleveland, who was beholden to South Cleveland, who was beholden to South

The opinions expressed within this publication do not necessarily reflect those of the editors, Cleveland-Marshall, or Cleveland State University.
Lott debunks connection between Roe and crime

By James Booker
Gavel Contributor

On January 25, the Cleveland-Marshall Federalist Society held “Abortion and Crime.” The event featured a presentation by author and scholar Dr. John Lott. Dr. Lott’s presentation focused on the theory that a decrease in crime from the 1970s to the present can be attributed to the increase in abortions as a result of the decision in Roe v. Wade.

John J. Donohue III and Steven Levitt wrote a paper titled The Impact of Legalized Abortion on Crime in which they developed the theory that the legalization of abortion was the cause of the decrease in crime the United States experienced in the 1990s. Donohue and Levitt based their theory on a study that was conducted in Sweden in the 1930s and 1940s. The study followed the lives of children whose mothers attempted to abort them but were denied the abortion by their government. Results of the study showed those unwanted children were more likely to engage in crime. Donohue and Levitt claimed that because of decreases in unwanted children brought on by abortion, crime decreased in the United States.

Dr. Lott’s presentation focused on debunking Donohue and Levitt’s findings. After Roe v. Wade, Lott claims that abortion has led to an increase in crime. Because of the widespread availability of abortions after the Roe v. Wade decision, Dr. Lott stated pre-marital sex drastically increased. With more sex came more pregnancies, and while many pregnancies during this time were aborted, some mothers could not make the decision to end their child’s life.

Dr. John Lott

Dr. Lott claims this led to increases in out-of-wedlock births and children raised by single-mothers. Dr. Lott went on to claim that because there were more children raised by single mothers who could not provide the care and guidance needed to raise a child, individuals raised by single mothers committed crimes at a disproportionate rate compared to individuals who were raised by two parents. Due to the increase in births of children to single mothers and the increased likelihood of those children committing a crime, the crime rate in the 1990s was higher than what it would have been had abortions not been widely available.

Then to what does Dr. Lott attribute the decreased crime rate? He claims the decrease was a result of various factors, including a change in strategy concerning the war on drugs, more arrests, longer prison sentences, and improved economic conditions.

Dr. Lott was one of the many speakers the Cleveland-Marshall Federalist Society brings to campus. Please check your e-mail for upcoming speakers and events hosted by the Federalist Society and other student organizations.

Law school holds annual Jump Start program for high school kids

By Steve Antol
Gavel Contributor

Cleveland-Marshall held its annual Jump Start program on Jan. 27. Jump Start is a diversity-focused program held by Cleveland-Marshall College of Law that targets local high school students to participate in a half-day conference on college and law-school preparation. Students attending this event obtained information about college and law school opportunities to get a “jump start” on a career in the legal field, as well as promote higher education opportunities in general.

The event provided an opportunity for these students to interact with local magistrates, attorneys, and current law students at Cleveland-Marshall.

Some of day’s scheduled activities included a “Discover Law, It’s More Than You Think” workshop, which included attorney Tyresha Brown, and Magistrate Retario Rucker leading a panel discussion on diverse practice areas of law. The school presented an American Bar Association video presentation entitled “Choose Law: A Profession of Owns.”

Additionally, there was an undergraduate admission visit at the Welcome Center as well as a law school admission presentation in the Most Court Room. The event concluded with a lunch panel with the law students and tours of the law school, which featured a look at the new trial court room.

This year students from the Cuyahoga Community College Upward Bound program, C.A.S.T.E.L.E. High School and Range of Change Enrichment Center attended the Jump Start program. In the past, the program has had students attend this event from Warrensville High School, Maple Heights High School, Bedford High School and The Arts Academy.

The Law School Admission Council’s Diversity Committee developed DiscoverLaw.org to encourage racially and ethnically diverse high school and first- and second-year undergraduate students to discover career opportunities in law and to choose paths of undergraduate study to help them succeed. Cleveland-Marshall is committed to diversity in the legal profession and proud to sponsor this important event. Cleveland-Marshall College of Law was selected to receive the Diversity Matters Award from the Law School Admission Council in 2010 and was recognized as one of the top law schools for diversity in 2011.
During some rare down time, the crew of Star Trek: Deep Space Nine gets together for a group shot.

Forget Star Trek: The Next Generation, DS9 is the best

By James Booker
Gavel Contributor

Many of you were in preschool or elementary school when Star Trek: Deep Space Nine (DS9) first aired in 1993. If your parents allowed you to watch television, you were likely watching Rugrats or some other animated program. If you were a bit older, though, you might have watched one of the greatest shows ever produced – Star Trek: Deep Space Nine.

The early seasons revolve around the Bajorans, a recently liberated alien race, and their relationship with their former occupiers, the Cardassians (not to be confused with the attention-mongering seeds of the late Robert Kardashian). The United Federation of Planets sends Commander Benjamin Sisko to the formerly-owned Cardassian space station called Deep Space Nine to command the station and to oversee the Bajorans’ entry into the Federation. Many of the show’s stories are based on the random happenings at the station and the conflict that still exists between the Bajorans and the Cardassians.

The show’s greatest strengths are the rich assortment of the characters that appear in various episodes and the show’s great stories. In combination with well-developed storylines, the viewer is entertained when watching the various characters deal with adversity and how they solve problems. Even characters with smaller roles, such as Quark, the Ferengi barkeeper, are so well developed that they can carry episodes by themselves without the help of any other of the show’s main characters.

Many of you may be familiar with Star Trek: The Next Generation and its strong cast of characters. Even with Captain Picard, Data, and Geordi, The Next Generation cannot compete when compared to the depth and quality of characters that appear on DS9. While this might sound like heresy to some of you science-fiction fans, once you take the opportunity to watch DS9, you will find my claim to be true.

DS9 is responsible for several great individual episodes. My favorite episode of DS9 is “In The Pale Moonlight.” The episode examines the moral struggles of individuals in wartime conditions and the fine line between honor and treachery. Many of the show’s parables are applicable to events that affect us in 2012 (without sounding preachy).

If you are bored and have an itching for some Star Trek or a good television series, I suggest you take the time to watch DS9. It is currently available to be streamed on Netflix. Live long and prosper!
The investigation more closely resembles an inquisition. The efforts of Rep. Stearns becomes. Come to light, the more reprehensible it becomes.

There were all the facts, the Komen Foundation’s decision to stop funding Planned Parenthood’s breast cancer screenings would be far more understandable, and, perhaps, even a laudable attempt at strict oversight of its beneficiaries’ dollars. Unfortunately, there was much more to this decision than an objective application of Komen’s rules, and the more the circumstances surrounding this decision came to light, the more reprehensible it became.

The efforts of Rep. Stearns more closely resemble an inquisition than an investigation. The investigation began six months ago and has no timetable. Further, the investigation is congressional, meaning it is not being conducted by a law enforcement agency, is not based on probable cause or even reasonable suspicion of wrongdoing, and is not even focused enough to articulate how Planned Parenthood supposedly broke the rules. The notion that a member of Congress thinks he can slap a badge on his chest and call himself the arrest police is troubling in and of itself, but what’s more troubling is that a reputable charity like the Komen Foundation would choose to lend credence to such nonsense.

On top of all that, Komen recently hired a Senior Vice President for public policy. Her name is Karen Handel and, while she was losing her race for governor of Georgia, she spoke out loudly in favor of defunding Planned Parenthood. Suggesting that Komen’s sudden decision to amend its rules in a way that only affects Planned Parenthood shortly after hiring Handel is as disingenuous as it is insulting to the intelligence of Komen’s supporters.

Komen has been providing Planned Parenthood with funding for cancer screenings for years, typically with an annual grant around $600,000, which Planned Parenthood reports has funded more than 170,000 exams during the history of the partnership. Planned Parenthood, for its part, has performed more than four million cancer screenings during the last five years and estimates that abortions comprise about 3% of the organization’s work. Arguments that Komen could have just shifted funding to a less controversial group with no drawback are misguided because many of Planned Parenthood’s patients are uninsured or without regular access to health-care services, meaning that in the absence of Planned Parenthood’s cancer screenings, many of its patients would simply go without — meaning more undetected cancer cases and more cancer deaths.

Some in the anti-choice camp are upset that Komen has been providing funds for cancer screenings to an organization that also provides abortions. Setting aside the fact that a decision which leads to more cancer deaths axiomatically can’t be “pro-life,” the more important realization is that money is fungible.

Ultimately, Susan G. Komen for the Cure made things right again, but fighting cancer shouldn’t be a red issue or a blue one. Tragically, the foundation’s willingness to compromise its singular objective, combating breast cancer, for the sake of a political agenda leaves the question open: is pink just another shade of red?
Both the Multistate Bar Exam (MBE) and the Multistate Professional Responsibility Exam (MPRE) differ from multiple-choice exams you have taken in the past. Unlike the traditional multiple-choice exam where you simply pick the right answer, the National Conference of Bar Examiners (NCBE) has devised a different kind of multiple-choice, called a “best answer choice” exam. That means you can expect to see each question followed by four imperfect answer choices. Your job is to pick the “best” choice from among those presented.

With Valentine’s Day upon us, it got me thinking that the multiple-choice portion of the bar exam is a lot like dating. When you enter the dating world, you start off with an idealized vision of your perfect mate. But you quickly discover that such a person does not exist (with the exception of the one you will probably meet), for the “least wrong” person you were filed late. Some professors gave reasons as to why the various grades Sundahl received differed.

Continued from page 1

Bar-exam takers do not have to show up for the test with flowers, but it probably would not hurt their chances.

Dating is a lot like the MBE

By Marc D. Rose
CMR LAW CLASS OF 1994
SUPREME BAR
PRESIDENT, FOUNDER AND DIRECTOR

GRADUES

CONTINUED FROM PAGE 1

semester and what disciplinary sanctions he might face for the late grade because personnel matters are confidential.

Sugars said his underestimation of his end-of-semester workload caused him to be late in his Corporations and Banking Regulation classes. While Sugars admitted to being late filing grades in the past, he said his grades have never been filed later than a few days past his deadline.

Working with one of the school’s moot-court trial teams and penning scholarly articles is why Sugars said he fell behind. He also contended with larger-than-normal class sizes this past semester, leaving him with an estimated 400,000 words in the form of take-home exams to review. To eliminate subjectivity as much as possible from his grading process, Sugars said he grades every essay question on his tests one by one, and this process requires plenty of time to be done properly.

“She can’t race through it,” said Sugars, who estimated grading exams for one class often takes him a week and a half to complete. “I got myself in a pickle of getting a whole bunch of other stuff done then realizing I had only four to five days until my grading deadline. I could have tried to race through them, but I have learned through hard experience that you just can’t grade them quickly.”

Both Sundahl and Sugars expressed regret about the effect the late grades had upon the students. Sundahl sent an email to the entire student body about the issue, and he visited Oh’s class to discuss the problem with Oh’s students. Sugars also sent an email to his classes, apologizing for any effects the late grades might have upon the students’ bar applications or job searches. Sundahl said the late grades did not affect when class ranks were released this semester.

Sundahl said in the process of drafting a letter that will accompany the transcripts of students who had late grades make them miss deadlines for various job applications. The letter will inform potential employers that any late transcript submissions are not the students’ faults. The administration said this should minimize any trouble the late grades might have caused.

As for correcting the problem, Sundahl said he is talking to other associate deans through listervs to determine the procedures other schools use to ensure timely grade distribution.

“We take it very seriously,” Sundahl said. “We understand why it’s important, and we are really talking actively about everything we can do to rectify the situation.”
The unfortunate tendency among modern American males to underdress is, by now, well-known. We see a necktie as a noose, a sportcoat as a straitjacket, and we’re damned if anyone tells us that blue jeans aren’t appropriate for the occasion. It’s not your fault, though. Forget beyond your control created this monster. The freewheeling ’60s counterculture made it chic to dress like a bum, and the meritocratic Silicon Valley culture of the ’90s made casual dress a status symbol: the more innovative you were, the less you had to worry about conforming to other people’s expectations.

This is fine if you’re Abbie Hoffman or Steve Jobs. But you’re not. You’re a law student, preparing for entry to a tradition-minded profession where your decisions will have a profound impact on your clients’ lives, so you should look like you’re capable of handling this responsibility. Of course, style is not replacement for substance. A sharp suit won’t improve your research, and a classy tie won’t help you write the winning brief.

But like it or not, the way you look has an impact on your professional relationships. Your appearance is a message to the people around you. And it starts with your clothes.

For most, this is not a stunning revelation. You knew that eventually you were going to have to start dressing up a little. But what many don’t realize is that dressing up and looking good are two different things. If you want to look like a confident adult professional, and not a 5th grader at his uncle’s wedding, stuffing your only collared shirt into a cheap pair of slacks isn’t going to cut it. So here’s some food for thought as you build your professional wardrobe:

Knowledge is Power. Don’t let the 19-year-old clerk at J. Crew make decisions for you. Educate yourself on the governing dynamics of men’s style. Blogs such as Put This On and books like Alan Flusser’s Dressing the Man are invaluable resources in determining what looks good, and why. Get smart, so when it comes to time to go shopping, you’ll know what you’re doing.

Focus on fit. Whether you prefer a fuller American cut or a slimmer Euro-style silhouette, it’s important to make sure everything fits correctly. Ensure your pantlegs aren’t too long, your shirt sleeves aren’t too short, and your jacket fits through the chest and shoulders. You’ll look better and feel more comfortable. Remember: the tailor is your friend.

Quality over quantity. A tightly edited collection of well-made, versatile classics is preferable to a closetful of sweatshop-made junk that will wear out in a year. Buy the best you can afford, and take care of it – you’ll save money in the long run, and your clothing will get better with age. But don’t let the tag fool you: many “luxury” brands don’t live up to the standard of quality the high price might lead you to expect.

Your goal should be style, not fashion. There’s a difference, so don’t confuse the two. Fashion is about cutting-edge trends; style is about timeless principles. Fashion is about flash; style is about class. Fashion is a photo album. Fashion is Justin Bieber; style is James Bond.

WHERE TO BEGIN

BROOKS BROTHERS: The standard in traditional American menswear and the go-to clothing of lawyers, businessmen, and politicians for nearly 200 years. Retail may be a bit pricier for a student budget, but holiday sales can save you 40% or more. Tower City, 240 W. Huron Rd., Cleveland, or BrooksBrothers.com.

LANDS END: A great choice for very affordable, decent-quality wardrobe staples (and outstanding customer service). Superstar attorney David Boies can attest: an inexpensive, blue Lands End button down is THE place to get amazing quality.

Available at select Sears locations, or LandsEnd.com.

EBAY: If you’re patient, eBay is a great way to find excellent new, like-new, or gently-used clothing for pennies on the retail dollar. Just make sure you contact the seller with any questions (especially about sizing) as most sales are final. Ebay.com.

Keys to building your professional wardrobe

\section*{Saving time and money in the grocery store}

Law students are incredibly short on two key assets — money and time. We live entirely off student loans, and our school responsibilities claim any free time we once used to buy necessities such as groceries and toiletries. For most, the idea of saving time and money when it comes to food is buying a $5 foot-long sandwich from the neighboring Subway.

Yet through trial and error, I have learned effective ways to maximize both my free time and my money. The first step is cutting your grocery costs. Here are my top three tips on how law students can save money on their groceries.

1. Become a Coupon Lady (or Man)

The most obvious way to save money on groceries is to clip coupons. After watching one episode of Extreme Couponing on TLC, I was hooked.

These coupon-obsessed people made it seem simple to go to the store, whip out your coupons, and home with a huge stockpile of goods for pennies on the dollar. While I do possess the coupon skills exhibited on the show, I have been able to cut costs on groceries, toiletries, and other household goods.

In my short-lived attempt to be an extreme couponer, I found most difficult was figuring out how to get the most bang for my coupon buck without wasting time putting in time to find the best deals (i.e. the work).

After some online research, I stumbled upon the Coupon Mom Website (couponmom.com), which solved this “doing the work” problem for me. Not only can you access free online grocery coupons to print from your computer, but the web site does pretty much everything but put the coupon in your hand and drive you to the store.

When you register for free access to the web site, you can sign up for email alerts on deals at stores such as Wal-Mart, Target, Sam’s Club, Giant Eagle, Aldi’s, etc. Then, the web site sends you an email every week for each store you selected to inform you of each store’s best deals. The email includes a link to a spreadsheet stating the item on sale, the sale price, the date and location of the applicable coupon (i.e. printable online, or in a Sunday newspaper), the percentage you will save by using the coupon, and the ultimate amount you will spend.

A couple weeks ago, a coupon email made me $5 for buying a Brita Water Filter. You cannot beat getting paid to shop.

2. Buy in Bulk

The best way to buy in bulk is shopping at either Costco or Sam’s Club.

The downsides to this approach are the cost of the membership fee and the large upfront cost of the items. Membership at Costco costs $55.00 per year. The Advantage Membership at Sam’s Club costs $40.00 per year and includes two household membership cards.

If you have the money to spend upfront, I suggest shopping for at least non-perishable items at one of these wholesale stores because of the savings and the convenience.

For example, Sam’s Club sells 81 rolls of Charmin Bath Tissue for $19.98, which is roughly $0.25 per roll of toilet paper. Wal-Mart sells 24 rolls of the Charmin Bath Tissue for $7.97, which is roughly $0.33 per roll. If you paid the Wal-Mart price for the 81 rolls of toilet paper, you would spend $26.73. By shopping at Sam’s Club, you save $6.75 in toilet paper alone.

If you expand these savings out, you are likely to at least cover the cost of membership and will save both money and time.

3. Go to the West Side Market

I am embarrassed to admit this, but I lived in Tremont for almost a year before I went to the West Side Market. A huge mistake. The West Side Market is not only part of Cleveland’s history; it is THE place to get amazing deals on fresh produce, bread, and meat. The market is open year round on Mondays and Wednesdays from 7 a.m. to 4 p.m. and Fridays and Saturdays from 7 a.m. to 6 p.m.

It is incredibly difficult to find parking on Saturday mornings, so I recommend going either during the week or late Friday afternoons when the free public lot is less likely to be full. When dealing with the produce vendors, make sure to examine your produce before buying to make sure it will not go bad within two days of bringing it home.
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