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## 1994 Vol. 43 No. 3

Cleveland-Marshall College of Law

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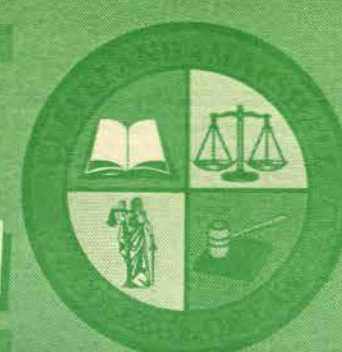
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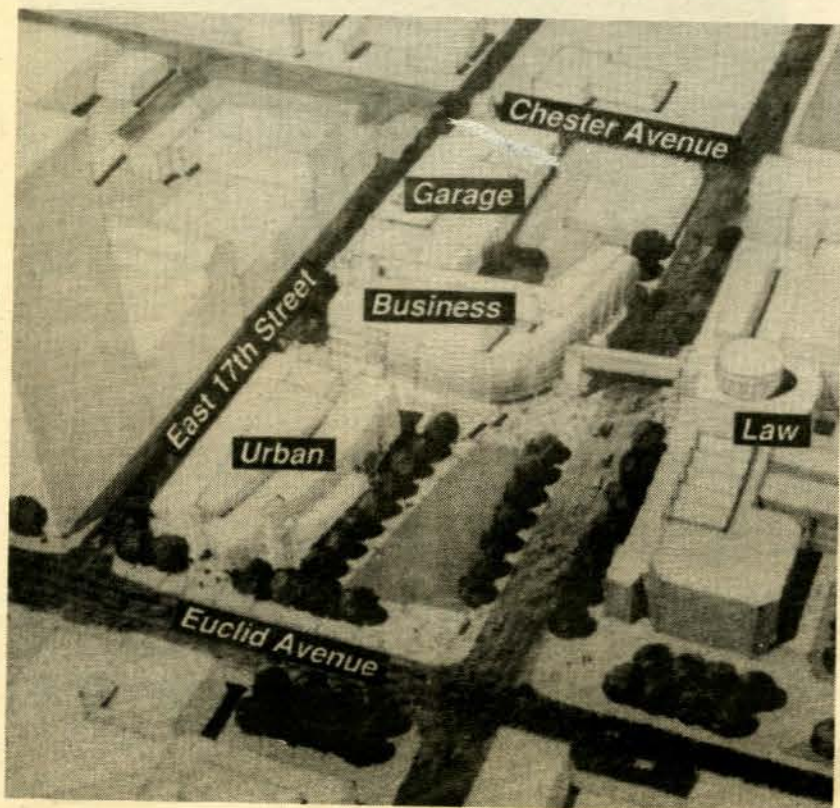




# THE GAVEL



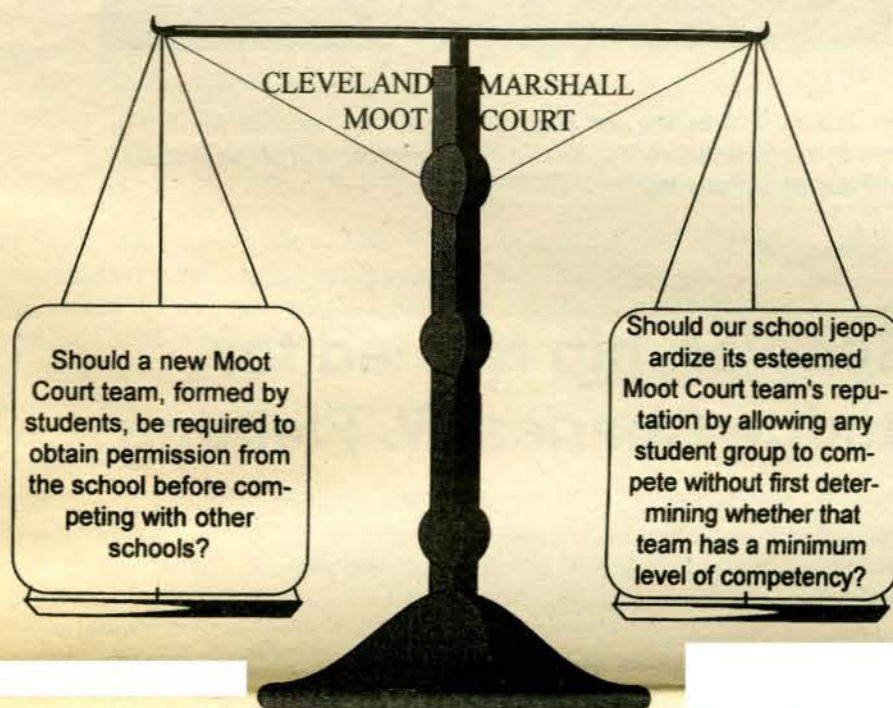
Volume 43, Issue 3 Cleveland-Marshall College of Law



Groundbreaking ceremonies for C-M's new Law Library were held on Oct. 6. This diagram shows the new library amidst the 17/18th Street Block Project.

## New Moot Court Team Stunned by School Regulations

by Joshua Marks  
Staff Artist



## "One Whopper and a Cyanide Pill, Please..." Drive-in Suicide Joints Discussed at Physician-assisted Suicide Debate

by Jon Sinclair  
Staff Editor

According to a member of the audience at SPILO's Physician-assisted suicide debate in September, C-M Professor Kevin O'Neill is "looking forward" to the day that physician-assisted suicide can be requested in the same manner one orders a Big Mac and fries.

Professor O'Neill, who spoke at the event in his capacity as State Legal Director of the American Civil Liberties Union, denied the suggestion to no avail. The audience member insisted that his allegation was based on a "gleam in O'Neill's eye".

Professor O'Neill was joined on the debate panel by State Senator Gary Suhadolnik, who spoke about legislation which proposes to prohibit physician-assisted suicide, Dr. John Glasson, Chair of the American Medical Association's (AMA) Council on Ethical and Judicial Affairs; Dr. David Rodgers, president of the Ohio Psychological Association; and Cleveland-Marshall student Stephanie Blasko, who related her own personal experience with the subject. Professor David Forte moderated the discussion.

Dr. Glasson, of the American Medical Association, expressed what seemed to be an almost equivocal position on the legislation that has been

proposed to prohibit assisted suicide. Glasson stated that while it is the goal of the medical profession to "affirm life, not hasten death", the AMA opposes any legislation which serves to interfere with the sanctity of the doctor/patient relationship.

Before offering a legal perspective, Professor O'Neill explained why modern medicine has made it necessary to consider physician-assisted suicide a serious option. 'Accelerated' deaths from communicable diseases are today far fewer than decades ago, explained O'Neill, and extended illnesses and subsequent deaths from chronic diseases have taken their place. From the ACLU's perspective, Professor O'Neill argues that there exists a "right to bodily integrity" that is secured by the liberty guarantee of the 14th Amendment's due process clause, and this right should be afforded to medical patients.

Dr. Rogers, of the Ohio Psychological Association offered a more neutral perspective. In his opinion, a rational and level-headed decision process should be the primary goal of legislation or regulation. He is in favor of legislation which would permit assisted suicide, though only when it can be certified that the competent patient made a rational decision.

Should students who are not members of the school's merited moot court team be allowed to compete in national moot court competitions under the law school's name? Surprisingly, this issue surfaced for the first time in almost four years when the Environmental Law Association (ELA) asked permission from Dean Smith and Professor Werber, the faculty advisor to the Moot Court Board of Governors, to compete in the Pace Moot Court Competition on Environmental Law. Since no other student organization has challenged the controlling statute since its revision in 1991, friction and compromise were evident in forming the resolution under which the school granted permission for the ELA to compete.

Currently, the language which governs the issue of whether or not law students may compete who are not on the Moot Court team is as follows:

With the exception of interscholastic competitions whose rules mandate that participants be members of specific student organizations, absent permission of the Dean and the Faculty Advisor to Moot Court, no student may participate in interscholastic moot court competitions unless such student is registered in this course, or is a member of the Moot Court Board of Governors or is invited to do so by the Moot Court Board of Governors as a result of achievement in an intramural competition.

*Continued page 10*

## White House Counsel to Visit C-M

Abner J. Mikva, former Chief Judge of the U.S. Court of Appeals for the District of Columbia and now White House counsel, will visit Cleveland-Marshall November 15 & 16 to speak to a number of law classes, dine with faculty, and deliver a speech titled "The Treadmill of Criminal Justice Reform".

Judge Mikva, a 1951 graduate of the University of Chicago Law School, has had a career which has graced all three branches of government, both state and local. He has served in the Illinois Legislature, the U.S. House of Representatives, and has been a judge for the D.C. Court of Appeals since 1979. He has just recently joined President Clinton in the Executive Branch.





*Mrs. Norma E. Fleming and sons Charles E. (left) and Carlos A. pose in the Dean's Office following an announcement of the Charles W. Fleming scholarship.*

### Scholarship Named for Judge Charles W. Fleming

by Jon Sinclair  
Staff Editor

A minority scholarship in the name of the late Charles W. Fleming (C-M '55), a Cleveland Municipal Court judge for 19 years before his sudden death this summer, was announced October 10 by Norma Fleming, her two sons, and friends.

The scholarship fund reached the endowed level only six weeks after the fund was established. Associate Dean Frederic White said this was astounding and demonstrated how much the Cleveland community appreciated Mr. Fleming. "It sometimes takes three years for scholarship funds to reach the endowed level." Mrs. Fleming said gift to the funds have ranged from \$10 to \$2,000.

Assistant Dean Melody Stewart was especially pleased to learn of the family's wishes to establish the new scholarship, as it will aid her recruitment efforts on behalf of the school.

Mrs. Fleming said she would like economically disadvantaged minority students to benefit from the scholarship. Gifts to the scholarship are still needed and requested. For information please contact Louise Dempsey (687-2344) or Louise Mooney (687-6886).

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### C-M Bible Study Group on Campus

Would you like to find out more about what the Bible says? A group of Cleveland-Marshall students is meeting on campus to study the Bible. The group meets every Monday at noon on the second floor of the Price building, outside the Fair Employment Clinic offices. The faculty advisor is Professor Gordon.

The group will be starting a study called **Loving Justice**, a study in Biblical concepts of justice published by Intervarsity Press. Topics include, "Does God Care About Injustice?", "The Lesser Become Greater, and "The Temptation of Materialism."

All are welcome, regardless of religion. If you would like to attend, come with your lunch to the second floor of the Price building at noon on any Monday. For more information, call Alex Nagy at 921-8545, or Professor Beggs at 687-3948.



*Charles W. Fleming*

### Charles W. Fleming: Experience in the Trenches came during Cleveland's Turbulent '60s

by Jon Sinclair  
Staff Editor

"One reason why he was such a good judge was because he knew what it was like to be in the trenches," recalls Attorney Stanley Tolliver (C-M '51), a former friend and legal partner of Mr. Fleming. "He knew all the difficulties of arguing cases, and I think this is partly why he was so fair and compassionate."

To say Mr. Fleming 'knew the difficulties of arguing cases' is to put it mildly. Before joining the bench in 1975, Mr. Fleming gained litigation experience in the 1960's while defending local civil rights activists. He had the challenge of defending activists - often black nationalists - in front of all-white juries. Needless to say, it sometimes felt like a losing battle.

"We almost went broke, defending some of those cases together," says Mr. Tolliver, a former Cleveland School Board Member and now practicing privately. "We were driving back and forth between Canton and Cleveland when we defended Rabbi David Hill in 1969, and we couldn't afford it. We took the case without a fee."

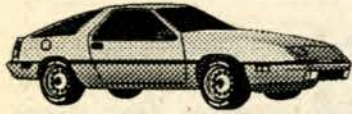
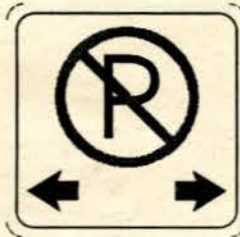
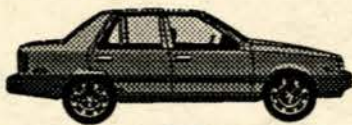
Rabbi Hill was arrested for blackmail because of his role in organizing boycotts of McDonalds Restaurants on the east side. At that time, every McDonalds in Cleveland was white-owned, and Rabbi Hill and other protestors believed McDonalds was refusing to sell franchises to interested blacks.

Mr. Fleming and Mr. Tolliver lost the case. The all-white jury found Rabbi Hill guilty of blackmail. Two years after the trial, however, four of the boycotted McDonalds Restaurants had black owners. Today, 23 are black-owned.

Mr. Fleming and Mr. Tolliver also defended Fred Ahmed Evans, who was convicted in 1969 of killing Cleveland policemen during the Glenville riot. "I always loved to try a case with Charlie," says Tolliver, "He was always well-prepared. We would sit down together and split up trial duties. He might do the opening statement, I might do the voir dire, we would split the closing argument, and so. There were never any 'ego problems' between us."

Prior to his defense work, Mr. Fleming was a Cuyahoga County assistant county prosecutor, and a former legal partner of U.S. District Court Judge George W. White.





## Gotta Get Here Early in Order to Park

By Robin Wilson  
Staff Editor



Well, I almost missed my Constitutional Law class earlier this year. No, I wasn't blowing it off, I hadn't stayed out late. It was the first week of campus-wide classes, and I COULD NOT FIND A PARKING SPOT. Silly me, I thought nine a.m. would be an early enough time to arrive for my 10 o'clock class. Because I just knew that eventually I would find a spot in the 18th Street parking lot, I stubbornly refused to park elsewhere and continued to circle the block until it was too late and all lots were filled. Finally, at 10:20 I caught a friend of mine pulling out of a spot and, along with two other frustrated drivers, vied for the space. I won! It was an incredible scene. All of the parking lots were clogged with cars as people illegally parked three cars deep in "no parking" spaces. I was shocked to arrive in class to find almost everyone else already there. How could that be? It seemed impossible after the scene I had just experienced outside. Could I be the only one having trouble finding a parking space??

I was comforted to hear that I was not the only one. In fact, signs started appearing that very day which read "Call John Oden, Manager of Parking Operations, with parking complaints." Well since I don't like to miss classes, especially after I have dragged myself downtown to attend them, I thought, yeah, I'll call John Oden. I have a parking complaint! Needless to say, mine was not the only phone call he has received this year. In fact Oden said he has had lots of complaints from students-- more this year, than ever. "This has been the worst quarter since I have been here. Lots of letters from disgruntled students," Oden said. According to Oden, he has never seen a Fall quarter where the lots on 19th, 21st, and 22nd streets including those on the north side of Chester have filled up.

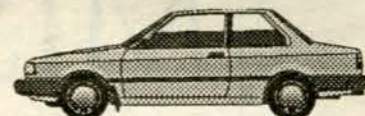
"So," I asked him, "just how many parking spaces are there here at CSU?" There are 4,400 parking spots and approximately 16,000 students and 1,100 faculty and staff, according to Oden. As of the beginning of October, there were 10,277 parking passes sold. Three thousand of those passes are for pre-paid parking the balance of the passes sold are the daily \$1.50 parking. While Oden acknowledges that "the ratio looks bad," he said you have to understand that some students come in for Monday, Wednesday and Friday classes or for Tuesday and Thursday classes. "You are not gonna get all 10,000 people with parking passes down here all day, every day." Well that's a relief I thought. "If you drive, we can't tell you that you can't buy a decal," Oden said. "We don't sell a decal with a guarantee that you will get a space. The daily decal gives you a right to park if there is a space. The prepaid decal only tells people that you have paid less than if you paid the \$1.50 daily parking rate." "Oh," I thought, "is that what it meant?" "Yes," Oden said, "it means that you don't have to fumble around for six quarters every morning. It is a convenience factor, that is all."

Of course, what some of us at C-M like to think of as the law school parking lot on 18th street is in reality no such thing. And that lot is going to get a lot smaller in the next month. Due to construction on the 17th-18th Street Block Project, the parking lot, which currently has 300 parking spaces, will be cut to 100 spaces for about a year while a new parking garage is constructed, according to Oden. The garage, which will add 600 parking spaces is scheduled to be completed by November 1995. "There is no immediate answer to the problem," Oden explained. "We have to suffer along till the garage is complete." I told him about a suggestion I had heard from one C-M student who said, "I think the 18th Street lot should only be for law students. God knows we pay a hell of a lot more than undergraduates for school," the student added. Yeah, sounds like a plan to me, I thought. That suggestion went over like a lead balloon with Oden, however, who said, "No way. That is discrimination as far as I am concerned. Faculty, staff, students, visitors, I can't say who is more important. In essence law students are only students, and if I did that, or the University allowed that, then every other group would say I want the same thing and you would have to provide it." Okay, I meekly replied even though I did not know that students were a protected group. Oh well, I'll accept that.

Oden said the second half of Fall quarter will be the worst but "Winter quarter usually has the lowest enrollment so it should not be too much of a problem." Spring quarter, however, will be bad. Oden's best advice is to get here early. "For those students who come at 10 o'clock, there is a serious problem: everything is full," Oden said.

## A Legal Analysis of a Parking Problem

by Wendy Zohar

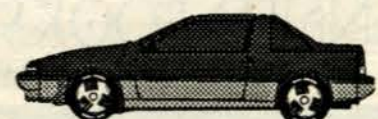
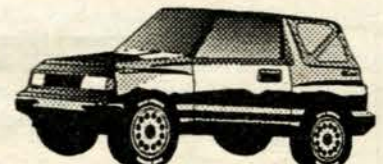
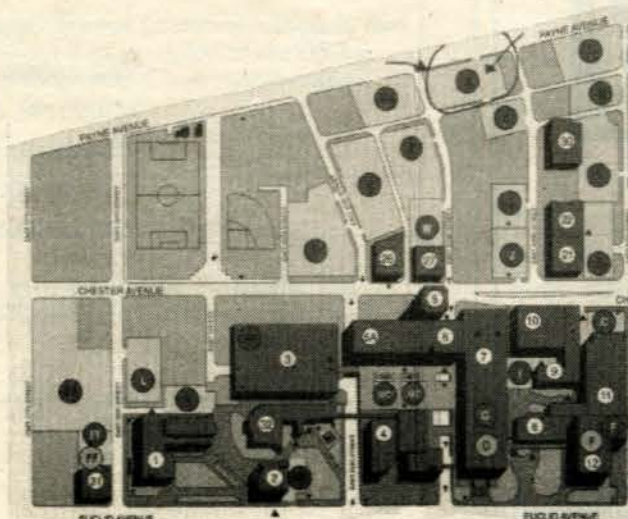
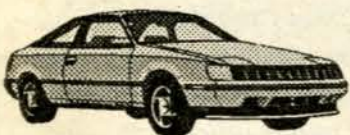


One sunny morning in late September, after spending nearly an hour lacing up and down CSU's narrow lanes looking for a space, in desperation I finally left my car in what looked like a half empty unmarked lot, at the corner of Payne and E. 22nd, and ran the distance with my heavy book bag to a 10 a.m. class. Does this scene sound all-too-familiar to you? What happened next hopefully will not be familiar.

I returned to my car at the end of a long day to find it missing. At first I thought it had been stolen as there were no clues as to its disappearance. I then spotted a green "University Parking" van and learned from its occupants that K&M Towing owns the lot, uses it for its "overflow" and, according to those in the van, regularly tows cars off to its west side lair. Now I was boiling because I had not seen any signs posted at the lot indicating "no parking" or "private property." I was determined to fight. Nevertheless, it wasn't until eight hours later and 80 dollars poorer that I was reunited with my car and able to head home.

The lot sits like bait to catch students anxious to park and frustrated by inadequate parking facilities. The anchor fence which surrounds the lot has no markings or signs. An abandoned gas station on the lot has broken windows but no overhead marking showing ownership, save one small black and white sign with small print that is not visible when you enter from E. 22nd Street. If you get right up to it, you can read it. It says: No Parking - K&M Towing - Violators Will Be Towed. But I challenge that the sign does not meet the requirement of the Ohio Revised Code which states that a privately owned city lot must be clearly marked designating ownership, especially if an individual's car - his chattel - is at stake. And especially if that lot is located adjacent to sparse university parking facilities.

It turns out, I later found out, that the lot in question appears as lot "M" on materials CSU issued last year entitled "Parking Guide and Campus Map." If any student has had a similar experience of being ticketed or towed from a poorly marked lot or space while displaying a prepaid parking sticker, please leave your name in my mail box. We may have a case!





Opinion

# Election 94

by Les E. Rockmael  
Staff Editor

Election time is upon us once again and the Republicans are foaming at the mouth envisioning attaining a majority in both Houses of Congress. The Democrats currently hold a 256-178 seat edge in the House while in the Senate they hold 56 of the 100 seats.

To gain a majority in the House, the Republicans need a 40 seat net gain while they only need a 7 seat net gain to get control of the Senate. While I do not believe that the Republicans will attain a majority in either house, they will gain enough seats to bring back gridlock in a major way and be a large thorn in the side of President Clinton.

Amazingly in spite of all his recent success, President Clinton seems to get no credit. The economy is moving along well with all leading economic indicators showing sustained moderate growth in the future. Unemployment is down sharply, inflation is virtually non-existent and the deficit is the lowest as a percentage of Gross Domestic Product as it has been for the last 15 years.

Internationally, President Clinton seems to be getting his bearings. While it is true that mistakes have been made early in his presidency, recent events seem to be reversing this trend. The peace talks in the Middle East are moving along well with an apparent Jordan-Israel peace treaty near completion. Exiled Haitian President Jean Bertrand-Aristide was restored to power with the help of our armed forces and in the Middle East a quick response by President Clinton in deploying forces made Sadaam Hussein remove soldiers that had once again massed on the Kuwaiti border. Perhaps if President Bush had done the job right the first time we would not have to still be dealing with this clown.

Other successes of the Clinton presidency include passage of the crime bill and the long awaited Brady Bill that mandates a five day waiting period when purchasing guns. Despite all this success, the president's approval ratings remain low. The question is why.

One factor to consider for the low ratings is that he was elected with only 43% of the popular vote and no matter what President Clinton does few of those who did not vote for him will give him credit for the good he does. Secondly, there continue to be questions about his character and people just do not seem to trust him.

After several missteps along the way, President Clinton seems to be getting a better grasp of what it takes to be President. It will be interesting to see if his approval ratings go up in the face of future successes. If they do not, then it is possible that if the Republicans find the right candidate then President Clinton will be bounced from office in 1996.

Anyway, back to the 1994 elections. The Republicans right about now should be wiping those big fat smirks off their faces. After an apparent strong start the Republicans seem to be losing steam. Perhaps they peaked too soon. Several mistakes reveal why more likely than not their momentum has slowed.

Majority Leader wannabe Rep. Newt Gingrich (R-Ga.) was recently gloating that the Republicans were going to gain 70 seats in the House and end up with control of both Houses of Congress. While being smug, ole Newt screwed up big time. First the Republicans were pushing a contract with America. They are promising to introduce legislation within the first 100 days of the next Congress dealing with term limits, a balanced budget amendment and a middle class tax cut in exchange for the votes of the American people.

The problem with this contract is that they are only promising to propose legislation and they have so far refused to say where the spending cuts would come from for the middle class tax cut. This contract is nothing more than an attempt to revisit failed policies that the Reagan administration passed while in power which seemed like the right thing to do at the time but which we now realize we are going to be paying the bill for, for a long time.

The second major screw up was that Mr. Gingrich recently had lunch with lobbyists in which he bragged that the Republicans killed off a lobbyist reform bill as a major favor to them. For this Gingrich requested that the lobbyists donate money to the Republicans and not to the Democrats. Hey Newt, with policies and plans like this is it any wonder why it has been over 40 years since Republicans have had a majority in the House of Representatives.

I predict that when all is said and done, the Republicans will have a net gain in the House of 17-27 seats and a 1-3 seat net gain in the Senate. These losses would be within the normal range of losses for the majority party in an off year election.

# MISSING

Waldo



Local censors forced a New York school library in 1993 to remove *Where's Waldo?* because of a tiny drawing of the side view of a woman wearing a bikini bottom but no top in a crowded beach scene.

## BANNED BOOKS WEEK

Celebrating the Freedom to Read

## Banned Books Week

*"Experience should teach us to be most on guard to protect liberty when the Government's purposes are beneficent. The greatest dangers to liberty lurk in insidious encroachments by men of zeal, well-meaning but without understanding."*

U.S. Supreme Court Justice Louis D. Brandeis, *Olmstead v. United States* (1928)(Dissenting).

*"Debate on public issues should be uninhibited, robust and wide-open and that...may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials."*

U.S. Supreme Court Justice William Brennan, *New York Times v. Sullivan* (1964).



Make a Statement...  
Write for The Gavel

The Gavel is always seeking interested students, staff, faculty and administrators to contribute to this publication. If you are interested, stop by this office, LB 23, or call 687-4533. Opinion pieces, news articles and cartoons are welcome. Please contact an editor regarding your topic to avoid duplication of efforts.

Contributors become staff members after publishing two articles in The Gavel. Staff members are eligible to participate in editor elections at the end of the school year. Three editors are elected, each receiving a full stipend from the University.

The opinions expressed herein are those of the author and not The Gavel. The Gavel is not responsible for article content, including factual matters.

Your opinion may be  
worth \$1,500.

Entries for the 1994-95 OSBA-sponsored writing competition are now being accepted.

Awards First place: \$1,500 Second place: \$1,000

**Answer this question:** The Spangenberg report\* found that only one of every six low-income Ohioans who has a civil legal problem is able to obtain the assistance of a lawyer. In order to fill this unmet need, should all attorneys be required by the Code of Professional Responsibility to provide a minimum amount of pro bono service to low income clients?

*\*The Spangenberg report was commissioned by the Ohio State Bar Association, Ohio State Bar Foundation and the Ohio Metropolitan Bar Leaders Conference. The report, prepared by the Spangenberg Group in 1991, studied the legal needs of Ohio's poor.*

**Eligibility:** All associate student members of the Ohio State Bar Association are eligible to participate. Non-members may apply for membership when submitting an entry by including a completed membership application and dues.

**Deadline:** All entry forms and essays must be received by the OSBA no later than Jan. 31, 1995. Winning essays will be chosen in March 1995 and will be published in Associate News and may be published in Ohio Lawyer.

**Rules:** All essays must be the original work of the student. Research is not required, although any quotes must be attributed to the source, either in the body of the essay or as endnotes. Entries must be typed, double-spaced and no longer than five pages. The OSBA reserves the right not to award the scholarship if no suitable essays are received. All entries must be accompanied by this entry form or a copy of it. Essays must answer the above question.

Name \_\_\_\_\_

Permanent address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Law school \_\_\_\_\_

☐ 1st year      ☐ 2nd year      ☐ 3rd year

School address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Permanent phone (    )      Other phone (    )

I attest that I am the original author of the essay enclosed for consideration in the OSBA Law Student Writing Competition. I assign all essay rights to the OSBA. The OSBA reserves the right not to award the scholarship if no suitable essays are received.

Essay title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Send entries to: OSBA Writing Competition, P.O. Box 16562, Columbus, OH 43216-6562. For more information, call 800/282-6556 (487-2050 in Franklin County).



Moot Court Night

The Moot Court Board of Governors is pleased to announce that its 26th Annual Moot Court Night will be held on Wednesday, November 9, 1994 at 7:30 p.m. The oral arguments will be held in the Moot Court Room and will be followed by a wine and cheese reception in the atrium. Moot Court Night provides all students an opportunity to see oral advocacy at its best. The experience is particularly beneficial for first year students as an example of what they will face during the second semester of Legal Writing.

Our Nationals Moot Court teams will argue before a panel consisting of Magistrate Judge Patricia Hemann, United States District Court Judge Leslie Brooks-Wells and Ohio Court of Appeals Judge Leo Spellacy. The case to be argued addresses important, albeit technical, issues of environmental law. The arguments will focus on the liability of a successor corporation for the clean-up costs of toxic waste on land which the company gave to the National Parks Service and on whether the word "disposal" as used in the Super Fund Act includes "passive disposal."

The teams are comprised of third year students Matt Alden, Benita Render and Lynn Grabiak arguing for Plaintiff, the United States, and Brit Dietrichs, Michael Fanning and Jennifer Sorce, arguing for Defendant Stewart Corporation.

Faculty Activities

Associate Dean Steven H. Steinglass participated in the 1994 Lawyers Training Institute held by the NAACP Legal Defense and Educational Fund at the Airlie Conference Center in Warrenton, Virginia in September. He made a presentation on civil rights litigation in state courts, with a discussion of removal to federal courts by defendants.

Professor Steven J. Werber was the primary speaker and chair of a Continuing Legal Education Program sponsored by the Cleveland-Marshall Law Alumni Association in September which addressed "Effective Legal Writing". Judge Burt W. Griffin of the Cuyahoga County Court of Common Pleas and Judge James M. Porter of the Court of Appeals offered judicial perspectives on the quality of legal writing and its effect on judicial decision making.

Letters to the Editor

Applaud us, amuse us, or argue with us. Drop off your Letters to the Editor at The Gavel office in Room 23. Letters must contain the writer's name. Letters may be edited for brevity and for clarity.

Correction: New times for Racial Fairness Hearings

Public hearings sponsored by the Ohio Commission on Racial Fairness will be held on November 18, from 3-7p.m. in Cleveland City Council chambers, as listed in the last issue of the Gavel.

However, on November 19, public hearings will be held from 10 a.m.-5 p.m. at the same location. City Council chambers are located in City Hall, 601 Lakeside Avenue.



# So You Want to be a Clerk.

by Susan French-Scaggs  
Staff Writer

Just exactly what are law students doing at work? How much money are they making? Is there discrimination against women law clerks? All law clerks seem to be underpaid and overworked, no matter what their sex. As a general rule, 2Ls (2nd years) without prior experience are usually not thrown right into researching and writing. Most will have to do some docket work (court filings), typing, filing, etc., before they are allowed to get on to the good stuff - researching and writing. The 3L's are treated even better as far as job duties.

## LAW CLERKS WORKING FOR SOLE-PRACTITIONERS

Beware of the sole-practitioner who sometimes hires law clerks (men and women) to do everything from typing to photocopying. One 2L female who worked for another female practitioner over the summer said she worked approximately 24 hours per week, at a rate of \$7.50 per hour. She estimated that she researched 2% of the time, wrote 5% of the time, typed envelopes 10% of the time, photocopied 35% of the time, ran as a messenger 35% of her time, and spent the remaining 13% of her time on personal errands and scheduling for her employer. This 2L said the worst part was that the attorney didn't trust anyone, and would lock the 2L out of her office when she wasn't there. The 2L would be stuck in a little reception area with no air-conditioning. The 2L only wrote one answer and one motion. She said the only real qualifications needed for this job was someone with 2 legs and 2 arms. This attorney could have gotten a secretary to do the same job. This 2L thought that her employer would not hire a male because a male would not have done the work. The experience was so bad for this 2L that it made her question why she ever really wanted to become an attorney.

Another 2L female working for a male sole-practitioner considers herself very lucky and thinks of her employer as her mentor. She spends 30% of her time researching, 50% writing, 20% clerking and filing. She earns \$8 per hour plus reimbursement of her expenses. She does much more legal work than she anticipated

and does not experience any discrimination. She gets to discuss the facts of a case, the legal issues and various approaches with her employer. She also gets to rough out the briefs and do a little detective work. Unfortunately not every male attorney is the same. She has had experiences with other male attorneys who acted condescending or patronizing.

A 3L female who has been working for a male sole-practitioner for approximately 8 months said she works approximately 20 to 25 hours per week at a rate of \$6.00 per hour. She spends approximately 20% of her time researching, 20% writing (she does her own typing), 35% legal messengering and about 25% on personal errands and appointments for her employer. She has been told that a law clerk's only mission in life is to make the lawyer's life easier. Although her employer is admittedly a male chauvinist, he asks everyone to let him know when he is stepping over the line. One of the personal errands she had to run involved shopping for plastic collar stays that were needed to complete her employer's court ensemble. However, she believes that he would have sent a man to shop just the same.

## LAW CLERKS WORKING FOR SMALL FIRMS

A 2L male says he is already being groomed for partnership at his small firm. This 2L was a paralegal prior to attending law school, and is expected to know everything about practicing law. Although he has only been working since August of 1994, he spends approximately 90% of his 20-25 hours per week drafting complaints. He spends very little time researching, as he already knows the law. He also occasionally files documents in court. He states that there is no blatant discrimination against females in his firm, but he believes that women attorneys as a class, suffer from discrimination. He says he would never practice discrimination, and plans to do as much as he can to eliminate this problem in the future.

A 3L male working in a small firm approximately 25-30 hours per week states that there are no women law clerks in his office because most of the men are very loud and abrasive. There are no policies against hiring women, and women are hired but they soon quit because of the intense atmosphere. He states that women who have previously worked have a greater chance of weathering the stormy atmosphere. This 3L spends 70% of his time writing (he does his own typing) and the remaining 30% of his time researching. He actually does all of the legal work and has control over processing the original complaint through the discovery stage. The attorney just signs on the dotted line, and shows up to court for scheduled hearings.

The attorneys are loud and demanding, but you get a lot of hands on legal experience. This 3L does not perceive any wide spread discrimination against women in the legal profession.

One 3L female says that the males get more of the dirty work, like digging through old, dirty, heavy files -- but that's okay with her. She enjoys working at her small firm for 10-15 hours per week at a rate of \$7 to \$8 per hour. She spends 65% of time researching, 15% writing, 10% typing (mostly things she wrote), 5% messengering, and 5% answering the telephones. She also says that many of the firm's clients are located in bad neighborhoods, and single younger women are never allowed to go out alone -- but that's okay with her too. She works for a female attorney, and experiences no discrimination because of her sex. However, she does know that there are hints of sexual favors being traded for a better or easier work load for some of the women.

## LAW CLERKS WORKING FOR MEDIUM SIZED FIRMS

A 2L male has been working for a medium sized law firm for 1 year. He works approximately 20 hours per week at a rate of \$6 per hour. The majority of his time, 60%, is spent drafting complaints. He also spends approximately 20% of his time researching, 18% legal messengering, 1% typing (although he is not supposed to type), and 1% on personal errands for his employer. When he first started working, he did mostly messenger work and did very little researching and writing. As time went on, he received more and more law clerk responsibilities. He thinks he is getting better "lawyer like" experience than most law clerks because of the fact that he is working in domestic relations. He indicates that there is discrimination in hiring women at his firm. One of the attorneys stated that they did not want to hire women because the firm did not want to deal with any type of sexual ha-

arrassment charges -- they just want to avoid any and all possible problems. So women law clerks are not hired at all at this firm.

A 3L male tells a very different story about his medium sized firm. He works approximately 20 hours per week at a rate of \$10 per hour. He spends about half of his time researching and the other half writing. He has some client contact and does some typing once in a while. He says that the female law clerks in his firm are treated with a great deal of respect, and are very happy working there.

A 3L female works 16 hours per week, at a rate of \$12 per hour for her firm. She spends approximately 60% of her time doing research, 25% writing, and 15% on the phone working with clients. At first, she had to do a lot of filing and more menial type tasks. Now she is getting to do more legal work. She says that the women as a class are not treated differently, however there are some chauvinistic attorneys.

## LAW CLERKS WORKING FOR LARGE FIRMS

Although this 3L male says there is high turnover in the large firm that he worked for, he did get great legal experience. He worked for 3 months during the summer. He averaged 45 hours per week at a rate of \$1,250 per week (\$27+ per hour). Although he expected a more cut-throat atmosphere he says there was a lot of "butt kissing" going on. He was assured by his employer that he would get to go to depositions and hearings, but actually ended up doing research most of the time. He spent approximately 75% of his time writing and 25% of his time researching. He stated that he didn't see much discrimination against women at the law clerk or associate level, but there was definitely discrimination at the partner level.

He says it is true what they say about large firms, they get you in the door and they work you hard.

A 3L female working at a large firm relates a similar experience. She works approximately 20 hours per week, at a rate of \$12 per hour. Approximately 80% of her time is spent researching, and the remaining 20% writing. Although she doesn't see any blatant discrimination at her level, it is clearly seen at the partnership level.

## LAW CLERKS WORKING AS RESEARCH ASSISTANTS

After interviewing a couple of research assistants, I decided this was the best job of all. You only work about 5 hours per week, but this is very flexible time. You make \$7 per hour, and there is no perceived discrimination against women. Most of the time is spent researching, and it is described generally as a rewarding experience.

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# Woman Convicted in Kirtland Cult Murders Speaks Out From Prison

by Alice Lundgren

**EDITORS NOTE:** The following is an article written by Alice Lundgren who is serving 150 years to life in connection with the cult-related murders of a family of five. Lundgren was not present when her husband, cult leader Jeffrey Lundgren, led religious followers in the 1989 kidnapping and murder of a man, his wife and their three daughters. However, prosecutors say she was present in meetings at which the killings were planned. The family was shot and buried in a barn on a farm in Kirtland. Mrs. Lundgren has claimed she had no control to stop the killings because she was a battered wife. The article was submitted by C-M student Marlene R. Jennings who was a friend of the victims and is now a supporter of Mrs. Lundgren.

The day began like any other day, they unlocked our cells at 8:05 in the morning and we were told we could go outside for the day. It was the volleyball 4 on 4 tournament to raise money for Aids. The day began with a double elimination tournament and ended with creative dance, singing, and speeches by the inmate organizers. At 2 p.m., the band began to play 60's music and about 700 women sat calmly and attentively on the ball field...

I was overwhelmed by several things. I was overwhelmed at how calm, attentive and well behaved all the women were. These were Ohio's most offensive women. They are the residents of the Ohio Reformatory for Women at Marysville. These are the female counterparts of the Ohio men who made national news because of the riots and killings, on an Easter weekend just a short year ago. These women, nor the events of the day, would not be making the national news.

Although they were repeat-

edly told they could get up and dance, not until the Warden herself, her Deputy Wardens, and her Administrative Assistant came out on the ball field and began dancing the twist, did these inmates understand it was acceptable for them to do the same. I was instantly reminded that victims of childhood abuse have lost the ability to have fun and play. This mass of women -- held accountable by judges, juries, and society as mature responsible adults, were in fact a mass gathering of abused and terrorized victims. Once they saw staff having fun and giving permission to laugh and smile and dance -- only then did these women know it was acceptable to do the same.

Then I began to look at individual women and recount in my mind the crimes for which they had been convicted. I saw many strong survivors -- convicted of killing their abusers, working tirelessly to raise funds to stop the killer -- AIDS. I saw some women sitting quietly listening to music and I knew they were co-defendants of men. Men, who had been the principle offender, yet she had received a greater sentence for a lesser crime. One woman I saw had stolen baby formula to feed her infant. Other women I saw had been convicted of drug abuse, and some were convicted solely because they had been unable to stop their husband from committing hideous crimes against their children or other members of society. Her inability to act was equated as consent and compliance, and she was thus held equally responsible for his crime.

I watched as they calmly sat, listening with smiles, soaking up the bright sunshine, and watching huge clouds float by overhead. Then I thought, "Why -- why are they here? Why have these 'violent' offenders been thrown away by society? And what of their male co-defendants?"

Even as these women swayed to music and softly sang along, I thought about the men's institution several miles north of this one. It's locked down. It's

locked down because rival gangs have been fighting. They have been slicing one another and continuing to perpetrate acts of violence on one another, perhaps because they don't have one of these women to beat upon and blame for their rage.

What's wrong with this picture? Why are these women here? Why is this prison at 125% capacity? Why do these women silently submit to these conditions, while their male counterparts riot over medical testing and overcrowding? Women take what they are given. Men fight for what they want or think they deserve.

Why do women get more time at parole board hearings? Why, when she has no record of rule infractions, has obtained an education, and has diligently and successfully worked at an institutional job for years? Why do the men on the Adult Parole Authority Board ask a woman, stabbed by her abuser, "What did you do to provoke him?"

How do we open the minds of the public to understand that the vast majority of incarcerated women are convicted of felony crimes because they (1) fought back in a lethal encounter with an abuser, or (2) surrendered to his abusive demands and threats to her safety or the safety of her children resulting in the commission of crimes? She is damned if she does and she is damned if she doesn't. How do we break down the ignorance and stereotypical thinking?

How does one show the difference between men slicing one another into pieces over gang related issues and women swaying to music quietly celebrating a fund raiser of their own monies to stop a dreaded killer -- AIDS.

When will society hold men responsible for their own actions without affixing a degree of responsibility to "his" woman as well? When will society hold men solely responsible for their own behavior and not hold a woman responsible for her behavior as well as the male offender's behavior?

We can no longer operate on the premise that "boys will be boys" and women are responsible for anything that goes wrong in our homes. We must expose the falsity of the notion that "BEHIND EVERY MAN IS A WOMAN." The truth is, behind every man lies the responsibility for his own actions.

Let my sisters go. Let each be free of the socially imposed responsibility of his crime and only suffer unto her the demands of justice



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## Building an Obscure Vocabulary

by Susan French-Scaggs  
Staff Writer

I can't believe it -- we are talking like law professors. Just this year, my classmates have started to use those awful words that were drilled into our heads during our first year of law school. You know the words, the ones that no one understands, unless they look them up in Black's Law Dictionary. Of course, no one will openly admit that they don't understand these words -- that would be showing complete ignorance.

The first time I noticed this phenomenon occurred while discussing a case with a classmate, and I said, "but this case **turns on** ...." DID I SAY THAT? When I first heard Professor Gard say "this case **turns on** ..." I had no idea what he was talking about. I thought maybe he meant that a particular case turned something around, or turned something on. I have to admit, I didn't have a clue. I was also sure that everyone, but me, knew exactly what it meant and I was not going to show my ignorance.

After the first slip, I began to notice even more legal lingo working into our everyday conversations. Now we all casually throw around words like **mens rea**, **consideration**, **due process**, **venue**, **jurisdiction**, **cause of action**, **public policy**, **compelling interest**, **reliance**, etc. I also find myself using latin terms that I learned in legislation, like **ex post facto**, **expressio unis** and **sui generis** when analyzing statutes.

I will admit that I have not acquired the habit of pronouncing **rationale** as eloquently as Professor Goshien, nor have I had an opportunity to use the words **effractor**, **sua sponte** or **appurtenant** in my daily conversations, but I will work on it.

One of the most surprising experiences that I have had was during a discussion with a classmate regarding the parking problem at school. We were talking about how irresponsible the university was for not allocating sufficient parking for law students near the law school. My classmate said, "I think it is **egregious** ..." And of course, I knew just what she meant.

## Public Interest Law Conference Questions Student Commitment

by Rachel Schmelzer

The Alliance For Justice conference brought together students, faculty, practitioners and advocates at the local, regional and national levels for a day-long look at the state of public interest law. Law students from the University of Akron, Case Western Reserve University and the University of Toledo joined their C-M colleagues in the Moot Court Room on October 3. The purpose of the conference was to facilitate communication about how students can utilize their legal education to aid social and economic justice.

A Keynote address given by the Honorable Patricia A. Blackmon was followed by several panel discussions. The first discussion addressed civil/racial equality, and economic and criminal justice. The second panel discussed Ohio's unmet legal needs and featured organizations such as the ACLU, Cuyahoga County Public Defender's Office, Legal Aid Society, Ohio Legal Assistance Foundation and Templum House.

One of the highlights of the conference was the mid-day satellite broadcast from Washington, D.C. There was a national panel featuring groups such as Capital Representation Resource Center, The Children's Defense Fund, The International Brotherhood of Teamsters and the Sierra Club. Conferees around the country called to voice their opinions about national public interest objectives and to ask the panel questions about their particular organization's goals.

Perhaps the most inspiring aspect of the conference was the panel discussion featuring law students and faculty from each of the participating Ohio law schools. A lengthy discussion resulted when it was asked why so many law students aspire to pursue lifelong careers in public interest but ultimately lose their enthusiasm before graduation.

Participants responded that law students have the desire to pursue public interest work, however there is a need for greater support from curriculum reforms, loan forgiveness programs, accessible role models/mentors, and assistance in identifying opportunities in this area of law. The participants discussed student's economic concerns. Many explained that loans obtained for law school had put limitations on their career choices.

The last panel discussion featured practitioners who explained how they are able to practice law in the area they desire, while at the same time live well. It was inspiring to listen to these panelists explain how they use their lawyering skills to remedy societal injustices and impact the lives of individuals. The participants were clearly excited about what they do. They were eager to share the feelings of reward and content they experienced as a result of working in a public interest capacity.

As a law student listening to this panel I was inspired not so much by what they said, but by their ardor and commitment to their work. I left the conference feeling optimistic and reassured that I could fulfill the dreams which motivated me to go to law school. Support for students who maintain an eagerness to practice public interest law can be found locally from legal faculty, practitioners and community advocates.

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Since I live in the City of Cleveland, all of these problems are not very near or dear to my heart. If I were an out of townner, I would certainly want to do more than complain. I would want ANSWERS and ACTION. Who has control of the purse strings anyway? We can control what we are purchasing with our hard earned dollars. We all have a voice - so go for it all you out-of-townners.

## The “Why Am I Doing This” Stage

[illegible]



Continued from page 1

On its face, the above paragraph specifically denotes five ways in which a student may compete in an interscholastic moot court competition: (1) by being a member of an organization, such as the Black Law Students Association (BLSA) or the International Law Society (ILS), which sponsor its own moot court competitions for its members; (2) by being registered in the Moot Court seminar; (3) by being a member of the Moot Court Board of Governors; (4) by being invited by the Moot Court Board of Governors to compete as a result of some achievement in intramural competition, (generally the first year writing program's oral arguments); and (5) by obtaining permission of the Dean and the Moot Court's faculty advisor. The first four alternatives of gaining participation in a moot court competition are relatively straightforward and leave little room for interpretation; the fifth, however, ostensibly offers two faculty members the absolute authority to veto a student's ability to compete—and does this without any guidelines or objective standards with which to evaluate the student's ability! Professor Werber, after discussing this obvious deficiency with Dean Smith, Deborah Klein, Karen Hamilton (president of the SBA), other faculty members, and David Epstein (the president of the ELA), presented his own criteria to evaluate whether permission would be granted to a student who desired to compete in a moot court competition.

### **Werber's Guidelines are Necessary . . .**

It would be difficult to deny that there is a compelling argument in establishing a minimum criteria which would serve to evaluate a student's competence for a given competition. Students may have the best of intentions in a thorough preparation but may fail to apply themselves in a "crunch time" due to other priorities (such as classes) where academic credit is on the line. Further, if students are offered credit to facilitate adequate preparation, won't this lessen other students' desires to go through the rigors of joining the Moot Court Board of Governors when they could just form their own team and compete on their own? Since many competitions only allow one team to compete, there is certainly a potential conflict if both the Moot Court Board of Governors and an independent school team both wish to participate in the same competition.

Professor Werber's criteria are not officially recognized by the school, nor will they be, as his guidelines are solely for his own use in determining whether or not to allow students to participate in a competition. In a memo to Deborah Klein (the Environmental Law Association's Moot Court team advisor), Professor Werber acknowledged that "In terms of [future] team qualifications, I will not consent unless the team members comply with the following academic requirements: (1) Enrollment in Advanced Brief Writing; or (2) Enrollment in a course in Environmental Law; and (3) At least one team member has completed either the first semester of Advanced Brief Writing or a course in Environmental Law." Are these standards really fair and/or adequate means with which to gauge a team's preparation or competency? Consider that before a Cleveland-Marshall Moot Court Board of Governors member is allowed to compete, that individual has participated in the Advanced Brief Writing class, has successfully competed in the upper division spring intramural competition (if not a first-year student who gained admission through the legal writing program's oral argument competition), has vigorously practiced and has passed Professor Werber's personal competency appraisal. On a couple of occasions, with the mutual agreement of the affected students, Professor Werber has determined that the students were not adequately prepared to compete and subsequently these students withdrew from the competition. While this may seem a bit harsh, it is precisely this high level of standards which has facilitated Cleveland-Marshall Moot Court teams to earn an outstanding record of four first-place awards, four second-place awards, and a handful of other top honors in national competitions during the 1993-1994 academic year. Though the primary goal of moot court program is education, the process involves a great amount of dedication and hard work. In view of the exacting requirements imposed upon the Moot Court Board of Governors, at first glance Werber's guidelines seem to be a relatively modest threshold to be able to participate in a moot court competition.

***"I will not consent unless the team members comply with the following academic requirements: (1) Enrollment in Advanced Brief Writing; or (2) Enrollment in a course in Environmental Law."***

***--Professor Werber,  
Faculty Advisor to the Moot  
Court Board of Governors***

### **. . . But Need Refinement.**

While Professor Werber and any other assisting faculty should be commended for attempting to establish a fair and objective standard with which to evaluate a potential team's competency, the current criteria alone are insufficient. The focus on any moot court program should be on *education*-- no student who wishes to compete should be barred by the decision of any one individual. While taking a class in the subject area or mechanics of a specific competition may directly have an impact on an individual's ability to compete in that arena, these factors alone *are not necessarily* the key ingredients of a successful team. After all, if a topic affects and/or interests students to the extent that they desire to enter a national competition, won't their engrossment with the subject matter, spirit, and dedication also be significant factors in determining their chances of success? If an individual is going to compete as an oral advocate, chances are that he or she will prepare competently and not attend a competition with the intention of embarrassing themselves. Moreover, even though the prerequisites for competition for the Moot Court Board of Governors are far more rigorous and demanding than those may be for an independent team, the two teams are easily distinguishable in the fact that the Moot Court Team receives academic credit from the law school-- the independently competing team does not. Why is it that *one single individual*-- whoever the Moot Court team's faculty advisor happens to be-- has the absolute authority to grant or veto a student's petition to participate in these competitions? Supposing a team is granted permission to compete (and cognizant of the fact that it does not receive the same level of assistance or credit from the school as does the Board of Governors), can (or should) a faculty member ever have the authority subsequently to revoke that team's eligibility to compete?

Lastly, the current guidelines present other potential dilemmas as not all students are motivated by thoughts of winning or even placing in the competition. Students may seek these various competitions to contribute an alternative view point, to gain personal experience, or simply to enjoy the pleasure of an advocacy-based competition. Werber's standards, if strictly applied, would bar students who would otherwise be adequately prepared but had not foreseen the necessity to take the prerequisite classes.

Although rational and compelling arguments can be made on both sides whether prerequisites should exist on (non-moot court) interscholastic competitions, Professor Werber's guidelines present a good foundation but need to be refined to include other relevant information. Indeed, Professor Werber noted in the memo to Deborah Klein that other factors needed to be considered, but did not detail them. However, having spoken to both Moot Court Governors and ELA members alike, I cannot divine the combination of characteristics, if any at all, which would decisively resolve this issue. Nonetheless, the team (composed of Donna Andrew, Sandra DeBalzo and Bill Mangano) has already received permission to compete from Dean Smith and Professor Werber. Although the team would have passed his criteria anyway, Professor Werber used his own judgment and did not impose his criteria retroactively. Members of the Moot Court Board of Governors will help the ELA team to prepare for the Pace Moot Court Competition. Despite the perceived lack of adequate guidelines, the ELA's direction and the cooperation of members of the Moot Court Board of Governors is certainly a solid step in the right direction.

### **What do YOU think?**

As students and faculty of this law school, you can share your insight on this issue by submitting your opinions and/or comments to The Gavel. Please submit all responses by November 15, 1994.



# Disillusioned Dave's "Horror Scope" For October

by David Bentkowski  
Staff Writer

**LIBRA** (Sept. 23 - Oct. 22): I think Libras are the most beautiful people in the world. After all, my mother is a Libra. (I know, I know, sob, sob. Hey, I need the rent money - leave me alone). But, as I've mentioned, they are not the brightest folks. Once, while watching the World Series, they showed a close-up shot of the second-base umpire. On his hat, he had the letters AL, representing the fact that he was from the American League. Kelly, a Libra friend of mine asked, "Is his name Al?" "Yes, Kelly, now rest your little blonde head." I can also recall her asking whether Kevin McHale of the Boston Celtics was Russian. "Russian," I asked? Why on Earth would you think Russian? Kelly replied, "You know - McHale - like Mikhail Gorbachev." You know, if you listen close to Kelly's head, you can almost hear the hamster running on the treadmill. Libras, keep on studying.

**SCORPIO** (Oct. 23 - Nov. 21): I am thankful to be alive. Last week, while driving to school, I was flipping through the local radio stations. I came across one that was playing Debbie Boone's "You Light Up My Life." I froze instantly. My heart stopped beating. My hands went cold. My whole life flashed before me. "So many nights, I sit by my window." NOOOOOOOO! This can't be happening. "But you, you light up my life, you give me hope, to carry on . . ." I thought to myself, "God, please, kill me. I can't take listening to this song." Beads of sweat poured down my face. After all those years, the nightmare of that song was back. What next? "Feelings?" An ABBA song? Or, worst of all, could a Barry Manilow song be too far down the road? The pain in my ears was intense. I only had one chance - the cassette deck. With the little strength I had left, I dove for it. As Marv Albert would say, "YEEEEEEEESSSS!" Instantly, my ears were relieved by the smooth, playful Bob Marley ballad, "Is This Love?" Ahhh, God bless Bob Marley. It was the kind of relief grandpa gets after eight bowls of bran. All I know is that if that DJ ever plays that song again, they should charge him with attempted vehicular homicide. Scorpions, you should have two cassette tapes with you at all times: one for emergencies like this, and of course, one make-out music cassette. I.e., Harry Connick Jr., Frank Sinatra, etc.

**SAGITTARIUS** (Nov. 22 - Dec. 21): Poor Sagittarians. They have to celebrate their birthday while everyone is out buying Christmas presents. For

those of you who are fortunate enough not to work at a mall during Christmas, count your blessings. I once worked at a mall and I can't tell you how disheartening it is to have fat old ladies with Marge Simpson hair hold up size fifty underpants and ask, "Do you think my husband will like them?" Yeah, right, only if your husband is Ray Charles, cuddles - now drop and give me fifty. Just for fun I would yell out "BINGO" every now and then and a few of them would have a heart-attack. Sagittarians, shop early this year.

**CAPRICORN** (Dec. 22 - Jan. 19): Was Aquaman a Capricorn? Was Aquaman a human? Was Aquaman an idiot? (You know what I wanted to say but it is not politically correct.) Ah, the hell with it, was Aquaman gay? He had to be. You cannot tell me that he would not have been all over Wonder Woman if he wasn't. Was she great, or what? She had tons of money (she had her own plane). She was super kinky (she was always tying everyone up with her magic rope). And, she wore Madonna-type underwear all the time. Of course, if I had to be a superhero, I would be Superman. One, because he was created in Cleveland. Two, because like him, I am often referred to as the "Man of Steel". (Well, at least for a couple of hours. Okay, for about fifteen minutes - let's see any of you do any better.) Capricorns, wear a cape next time and see if your mate likes it.

**AQUARIUS** (Jan. 20 - Feb. 18): Aquarius people are the ones who started the "blonde joke" cycle. These are vicious, cruel jokes that demean and stereotype a relatively harmless sector of society. All Aquarians should make it a point this month to discourage this ugly trend. (Hey, how come blondes can't make Kool-Aid? They can't figure out how to get 8 oz. of water into those little envelopes. Did you hear about the blond who used White-out on her computer screen?) Members of NOW can send their hate mail to me. . . Ahh, don't bother, I'll never read it anyway.

**PISCES** (Feb. 19 - March 20): I was taking a shower today (something a few of my friends should try) and guess what I realized? I am a male (my ability to perceive never ceases to amaze me). Even though I am a male, I am still uncertain as to why males have certain habits. For example, why do males always have to give exact change when purchasing something? The bill could be \$9.99 and rather than just give a \$10 bill, a

male will dig in his pocket for twenty minutes looking for the \$.99. Or, when guys go to the bathroom, why do they tilt their head back? It's as if they are looking up to the heavens for some type of Divine Intervention. Other guy-quirks include scratching, hitting the seat, watching sports, and more scratching. But, then again, women are no better. For example, why do they go to the bathroom in groups of six? Is there some type of ride in the bathroom that only operates with groups of six? Other female rituals include talking, shopping, and sharing with other girls - as in, every personal thing I ever tell them. Male Pisces, remember to put the seat down. Female Pisces, remember to not talk to us until half-time.

**ARIES** (March 21 - April 19): Did you ever see those cute McDonald's commercials where the little, old ladies are working? "How would they survive without me?", they ask. Well, it wasn't so cute the other day when I was late for work and it took granny a half hour to punch up my order because she couldn't see the register. Then the arthritis kicked in and she kept hitting the wrong button. Then she started telling me about how her grandson got his first pimple . . . how her husband thinks she should retire but she needs the money so she can buy things from the Home Shopping Channel . . . how her daughter's husband is an alcoholic . . . etc. . . etc. . . . Until I jacked her. That's right, I wound-up and jacked her with a right hook, grabbed a couple of burgers and split. (Writer's embellishment). Don't expect to see her running for the blue light special at K-Mart this week. Aries, pack a lunch from now on.

**TAURUS** (April 20 - May 20): I was a Theta Chi while in undergraduate school and I often wondered if Jesus ever thought about rushing a fraternity. I could just hear the brothers interviewing Him - "Jesus, you have little money, you're kind of unkempt, and you don't seem to get along well with chicks. How are we supposed to let you in?" "Well, I can turn water into wine and feed the whole fraternity with a few fish and loaves of bread." "Jesus! Thats great! Not only are you in, but you should consider running for President." Taurus, this is a good time to join a social group.

**GEMINI** (May 21 - June 20): Speaking of Jesus (I hate to turn religious on you), did you ever think of how it would be if He really did come back to the modern world. He could sign all the apostles up for the MCI Friends

and Family Plan. I could just see the commercials - Peter: "So, uh, Jesus, who else did you give my number to?" Maybe he could do a Top Ten list on Letterman. "From the home office in Nazareth - Top Ten Signs One of Your Friends Is Going To Sell You Out - Number Ten, "Keeps on telling you to not make any plans for the weekend." Or, maybe He could do Docker's commercials. ""Nobody does robes and sandals like Dockers." Gemini, remember that your God, whoever He is, probably has a good sense of humor. So joke away. (He had better or I'm up the creek.)

**CANCER** (June 21 - July 22): My friend has the coolest job - he's one of those perfume sprayers in the mall. What is so cool about this job, you ask? Well, according to him, he can pass gas anytime he wants. "Sniff . . . sniff. Oh, that smell? It's our new cologne, "Wind." No, we don't have any samples. Well, unless you want to wait until after I have lunch." Cancer, stay away from the fruits.

**LEO** (July 23 - Aug. 22): I am trying to come up with a program to encourage young people to read the classics. My program mixes children's stories and contemporary icons with the time-proven works of literature. My first attempt is the chronicle of Edgar Allen Pooh. He is a cute stuffed bear with an obsession with mortality and a bad morphine habit. In his first story, Pooh gets stuck in a honey tree and has to chew his own leg off to escape. Leos, look forward to future entries such as Marky Mark Twain and Sodom and Gomorra 90210.

**VIRGO** (Aug. 23 - Sept 22): Did you ever get a stupid song in your head and you keep on singing it the whole day? You know, the only way to get rid of it is to "pass it" onto someone else. You have to be very clever to do this. Just sneak up next to someone and start whistling the song. Once the person next to you starts whistling it, you know your free. It's one of those freaks of nature - kind of like how you yawn when you see someone else yawn. I don't understand that. It's not like I pick my nose when I see someone else pick theirs. If someone out there can explain that to me, I'd be much obliged. Virgos, it's good to ask yourself these "why" questions every now and then. They keep you thinking.





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