Pass/Fail Option Given to M. Davis Students

by Robin Wilson
Staff Editor

A number of students in Professors Dena Davis and Michael Davis' Torts class from last year may be ranked higher than they thought when the new class rankings come out due to their opting to take Torts pass/fail.

The Academic Standards Committee voted to allow the grades to be changed to pass/fail for any student who wished to because of complaints about the administration of their final exam. The class, which started out the year with Professor Dena Davis as its professor but she spent Spring semester in India on a Fulbright fellowship and Professor Michael Davis took over the class second semester.

For the final, Professor Davis apparently gave the same exam to his night class as he gave Professor Dena Davis' day class two months later. A number of students complained and petitioned the Academic Standards Committee that the grades should be thrown out. The students complained that some classmates got information and possibly even the exam from the night class. Professor Michael Davis collected the exam after giving it to his night class but the suspicion of the students persisted and the Academic Standards Committee agreed to hear the complaint.

After hearing all sides of the debate the Academic Standards Committee gave students in the day section the option of choosing pass/fail or of sticking with the letter grade that they got in the course.

There was a deadline to make the decision and anyone who did not respond by the deadline kept their letter grade. It will change students' GPAs.

First-year students who took the pass/fail option get credit for 30 hours but their GPAs will be based on 25 hours, minus the Torts class. Those students in the day section whose rank changed due to their taking the Torts class pass/fail will be re-ranked for last year if they request.

"It was a difficult situation," said a spokesperson in the Dean's office. "The committee felt so strongly against giving the same exam that this was perhaps the only way to get the message across. There was no perfect solution but to give relief to people disadvantaged in that class. It was important to do something to show that the committee did not approve of that practice."

The Committee is chaired by Professor David Forte who did not want to comment on the Committee's decision saying it was confidential. In addition to Professor Forte, Professors Buckley, Falk and Martin all voted that students be given the opportunity to take a pass/fail in the class. Two students also sit on the Committee. Denise Dickerson participated in the vote and voted in favor of the decision. David Gareau abstained that by telling the story it will illustrate the decision and anyone who did not re-grade the course.

May 7, 1995

126 Students Help Out on ABA's Work-A-Day

by Stacey McKinley
Staff Writer

This year 126 Cleveland-Marshall students and faculty members took part in the American Bar Association's Work-A-Day Program on Saturday, January 28th, further enhancing C-M's reputation as a leader in this pro-bono effort.

"This year's national program is modeled after Cleveland-Marshall's," according to C-M's Work-A-Day Director Rachel Schmelzer. Schmelzer helped organized the First Work a Day at C-M last year. "This is something that put us on the map. At least two Cleveland television stations sent news crews to cover this year's event, which was sponsored by several C-M student organizations. Between 50 and 60 law schools nationwide sponsored Work-A-Day projects.

The Work-A-Day Project gives students an opportunity to volunteer at local community service organizations. This year participants could choose from 18 sites, up from eight last year, including the City Prosecutor's Office, Habilat for Humanity, Ronald McDonald House and Clean-Land Ohio. This year's theme was "youth," and many of the activities were geared toward children.

With 108 students taking part last year, C-M led the nation in law school participation. That led to a write-up in the ABA's Student Lawyer magazine and an award for Most Successful Program. In addition, Schmelzer was invited to give a presentation on C-M's Work-A-Day program to the ABA national convention in New Orleans. "Cleveland-Marshall has always been a leader in public service. This is consistent with that tradition," said Dean Steven Smith.

"The students were enthusiastic and happy to be able to help others." Schmelzer added.

The program also provides students with an opportunity to gain work experience in a field of law.

"Students gain a better understanding of what their future careers may entail," Schmelzer said. "It is also a way for them to see the real world.

In 1939, Zev Kedem was a 5-year-old boy living in the Polish countryside with his family when Germany invaded Poland. His family included his mother, step-father, sister and one set of grandparents. In 1942 word came that Kedem and his family were to be forcibly relocated to the Krakow Ghetto. His grandparents believed the resettlement was nothing more than a hoax. Because of their advanced age they came to the realization that they would be of no value to the German war effort and would end up murdered in a concentration camp. Kedem's grandparents chose to die on their own terms. One night before they were relocated, his grandparents took some poison before they went to sleep and were found the next morning in their bed, hand in hand.

In order to finance the war effort, the Germans stole all valuables from the Jewish people as they were processed into the ghetto. In 1943, Germany decided that the only people that should remain in the ghetto were those with work permits. Being only 9 years old at the time, Kedem was subject to death in the gas chamber as a result of the German policy that all children under 13 were of no use. (Of the 6 million Jews murdered during the Holocaust, 1,500,000 victims were children.)

When the liquidation of the ghetto began, Kedem's parents decided that he would have a better chance of survival by smuggling him into the Plazow concentration camp. They believed that he possessed the skills that would somehow keep him alive. Kedem was smuggled into the concentration camp in one of the wagons that contained see Holocaust p.6
Faculty and Staff Activity: Papers, Forums & Speeches

SUMMER LAW STUDY in Dublin, London, Oxford, Paris
San Diego
FOREIGN LAWS PROGRAMS
SAN DIEGO UNIVERSITY OF CALIFORNIA
5988 Alcala Park
San Diego 92110-2492

Hypothetical Case Competition

Science Fiction Law Society of Loyola Law School (Los Angeles) is conducting its first nationwide competition. Copies of the following fictional case have been shipped to all ABA law schools in the U.S. for publication in those schools' newspapers and journals. If you are interested in competing:

1) Read through the case.
2) Research and compile a complete holding; replete with case and statute law (sources and references can be factual, fictional or both).
3) Submit to either LLS mailbox #240 (Lahore Rogers) or mail in to the address at end of this introduction. Deadline for receipt of articles is March 30, 1995.
The top ten winners will be printed in a limited-edition anthology and distributed to all participating schools.
The competition will be judged by: two law school professors, one professional law editor and the SFLS board.

Winners will be notified by April 15, 1995.

For more information or to submit off-campus, please contact:
John Rogers
SF Law Society
LLS Los Angeles
c/o Daily Journal
915 East First St.
Los Angeles, CA 90012
(213) 229-5351

Case scenario available from Gavel, Run 23 (leave note)
Finish in the Top Third. Guaranteed.

"I changed from an average student (GPA 2.9) to an honor student (3.3, Dean's List)!

"I rose from the top 50% of my class to the top 25% — my results speak for themselves!"

"My GPA jumped from 2.5 to 3.6 after learning your system! Thank you!"

- P. Yoon, Temple '94
- A. Agtagma, Boalt Hall '95
- M. Sewicky, U. Detroit '95

Cleveland Seminar on Saturday, March 4, 1995
Call 800-748-6953 to Enroll or Use Form Below

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TAPE PROGRAM
- $99.95 — Tape set and shipping
  (California residents: please add $8.25 tax with tape set orders for total of $108.20.)

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Phone: 800-748-6953
Fax: This form to 310-393-2672
Mail: This form to:
Ace Seminars  •  225 Santa Monica Blvd.,
Suite 1104  •  Santa Monica, CA  90401

PAYMENT METHOD:
- Check
- Visa
- MasterCard
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YOUR NAME AND ADDRESS:

Last Name  First Name
Street Address
City  State
Zip Code  Telephone
Law School  Class Year

AC E 
SEMINARS

SEMINAR LOCATIONS:
All seminars 1:00 p.m. - 5:00 p.m.
(Please check desired location)

- Atlanta  •  Saturday, March 11
- Austin  •  Saturday, March 25
- Boston  •  Sunday, March 26
- Chicago  •  Sunday, February 26
- Cleveland  •  Saturday, March 4
- Detroit  •  Sunday, March 19
- Durham, NC  •  Saturday, March 25
- Houston  •  Sunday, March 26
- Los Angeles  •  Sunday, February 26
- Miami  •  Sunday, April 2
- Minneapolis  •  Saturday, February 25
- New Orleans  •  Sunday, March 12
- New York  •  Sunday, March 5
- Philadelphia  •  Saturday, March 18
- San Diego  •  Saturday, February 25
- San Francisco  •  Sunday, April 2
- Washington, DC  •  Saturday, April 1

ENROLL EARLY — SPACE IS LIMITED AND MAY SELL OUT.
Grades: We’re Never Satisfied

Grade Deflation Comes to Stanford

by Dr. Harry Cleaver

The subject of Cleveland-Marshall’s grading guidelines has been a topic of debate since the beginning of time. Even Congressman Steve LaTourette debated this issue in a 1978 Gavel issue. The debate continues with this new perspective. The following article is an excerpt of an essay which originally appeared in the Stanford University Magazine.

Bleary-eyed, I sip my caffeine and flip through the Stanford Newsprint looking for inspiration to get the blood flowing. Finally, page ten, a title jumps out at me: "At Stanford, A Rebellion on Grades." All right! Something’s stirring at my alma mater.

"The grade F does not exist here," I read, "The C is fast becoming extinct." Hmm. The current generation has things well in hand, I think to myself. Maybe they are pushing for the complete abolition of grades.

But no, reading on I discover that instead of students in rebellion against grades, a handful of conservative faculty members are trying to crack down on students, to whip up faculty support for harder grading. So the anti-grad inflation counter-revolution has come to Stanford.

If it has been going on for years here at the University of Texas, where I teach, the arguments for harder grading are familiar, especially: (1) the desire to get the blood flowing. Finally, well in hand, I think to myself. Maybe they are pushing for the complete abolition of grades.

...some professors dream of teaching with no grades, where the only people who come to class are those who are there because they want to be...

...statements really mean, of course, is that employers can’t identify students who do what they are told and work hard because their grades are high. But how do I stand out if the grade hierarchy is too narrow? Standard ploy: mobilize the workaholics against the slackers who would be CEOs against the independently-minded who resist discipline and follow their own paths of learning.

The fight over grade inflation is about the importance of work and how much freedom students have to pursue their own studies, in the classroom and out. The harder the grades, the more time and energy are invested by each student (or for groups of students) to think independently, following their own paths of learning.

Grades, on the other hand, are seen as the money workers get in return for working for business. The harder they work, they are told (often fraudulently), the more wages they will earn. Grades, on the other hand, are supposed to be IOUs on future wages. Good grades now, educators promise, will mean good jobs later. Finally, a high grade, like a high diploma, are both an index of work performed and an indicator of an individual’s willingness to work in the future.

There is a basic homology between grades and wages. As a general rule, wages are the monies workers get in return for work for business. The harder they work, they are told (often fraudulently), the more wages they will earn. Grades, on the other hand, are supposed to be IOUs on future wages. Good grades now, educators promise, will mean good jobs later. Finally, a high grade, like a high diploma, are both an index of work performed and an indicator of an individual’s willingness to work in the future.

Some have discovered, and rebel against, the way the university administrators pit professors against students by using a professor’s grading record in deciding promotions; rewarding hard grades and penalizing those who are perceived as easy graders. Some students are also being forced to help professors when student course evaluations are used not to improve teaching but to impose more discipline.

Some professors can be found, I think, to be on page 3.

Editorials & Opinion

The GAVEL

Bag the JAG

Dear Editor:

I stand in protest of allowing the military Judge Advocate General (JAG) Corps to recruit students from Cleveland-Marshall College of Law. The JAG Corps has a long-standing policy which discriminates against persons over the age of 35. I have spoken to several recruiters regarding this policy. According to the recruiters, only candidates 35 years old and younger will be considered for the JAG. Any person over the age limit may request a waiver, but waivers are not often granted. The candidate must have extraordinary skills or experience in order to be granted such a waiver. Persons under 35 years of age are not required to possess extraordinary skills and experience. Furthermore, even with extraordinary skills or experience, it is highly unlikely that a waiver will be given.

The recruiters acknowledge that if a student would be 'successful in combat positions, JAGs are not required to complete the traditional physical bootcamp training required of enlisted personnel. The age requirement does not seem to be associated with ability to perform in a combat situation. The Office of Career Planning has no knowledge of this discriminatory policy since at least November, 1994. Yet the Army JAG Corp was recruiting on-campus this month. The notice posted around campus did not inform students that persons over the age of 35 need not apply. Some students may have been surprised to learn that regardless of grades or intellectual ability, they were not eligible for the JAG Corp.

If the JAG Corp had a policy of recruiting women, minorities or a particular religious group, would the Office of Career Planning facilitate their on-campus recruiting efforts? If all independent law firms were to have a similar policy, would we welcome them for on-campus interviewing? Whether or not the military, or the Office of Career Planning, calls the JAG policy discriminatory, the result is that a particular group of law students is precluded from this opportunity. I believe that our student fees should not support any recruiting efforts by any group or agency which seeks to discriminate on the basis of age, gender, race, or religion.

Majie Moore Bond

Career Planning Responds:

Career Planning wishes to respond to the letter submitted by Majie Moore Bond. She believes that the JAG Corps should not be allowed on campus. We respect her opinion. The Office of Career Planning, however, cannot be in the business of filtering out employers whose policies or practices may be offensive to some. The decision to work for the Army JAG or any other employer falls to each individual student.

Sincerely,

Cynthia A. Applin, Director
Sonia M. Winner, Assistant Director

Write a Letter to the Gavel:

We'll Even Print the BAD words
Domestic Violence Coincides With O.J. Trial

by Robin Wilson
Staff Editor

The same week that opening arguments were heard in the O.J. Simpson civil trial, the Student Public Interest Law Organization (SPILO) held its annual Domestic Violence Conference in the Moot Courtroom. The conference, which was entitled "The Gavel: Law and His Heirs Conspire at the Family Reunion on Blackacre," was mid-way through when I thought I was a brief summary when, from the left of the table, my cousin Jimmy interrupted with, "How bout those Indians." This interruption may (or may not) seem improper on its own; it is made all the more so by the fact that Jim doesn’t even like Indians. It continued. My point was that a familiar description of a battering man. I pointed out that the former was in fact the case and the search for something pious because it is loved by the Gods, or is it loved by the Gods because it is pious?". philosophy and my cousin jim

there is, most likely, no student who has more frequent challenges to justify his or her major and passion. The challenges are common to other fields and often difficult to overcome. The practical and political thought could be traced to a number of Philosophers, including, ironically, Locke.

The difference, explained Spartaceans, was crucial because if a thing was pious in and of itself, i.e. independently of what the Gods in any case believed, then pointing out that the Gods would amount merely to pointing out an incidental characteristic, or consequence, of piety. If, however, a thing became pious by the very act of the Gods loving it, then the Gods must have had practical impact on their way into the Declaration of Independence. "What is piety?" continued Spartaceans. "It is something pious because it is loved by the Gods because it is pius!"

Socrates rejoins: "Piety."

Philosophy has "absolutely no practical applications to everyday life," said Cousin Jim....

In February 1999, after enduring another assault by her husband, Mann ran to the phone to call the police. She had her phone's number dialed, and then she was answered by the police. She had her phone's number dialed, and then she was answered by the police.

The batterer "sees his woman as a victim, someone to control. He relishes in her fear, and batterers because he gets away with it. He is not much of a man, he is a criminal, yet we refer to his crime as "domestic violence," said Cousin Jim.

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Grades, from pg 5

1. 80% of the students who dream of teaching with no grades, of a world where the only people who come to class or lab are those who are there because they want to be, who are eager to learn, who come with a positive enthusiasm that only comes with self-motivation.

2. The battle over grades is about the soul of the universe. Those who say “Grade Inflation!” and campaign for tougher grades are choosing discomfort over the freedom to choose. Those who fight against such increased discipline are choosing greater freedom for students and faculty alike.

3. Dr. Craver (Stanford P.D., 1975) is a Professor of Economics at the University of Texas at Austin.

4. by John C. Coyne

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Holocaust from p.1

the valuables stolen from the Jewish people, the Jews had nowhere to store them in the gas chambers or the storage shed and went about the matter of his villa whenever he felt the urge.

Kedem, the dehumanization began in the wits of the adult to stay alive while at the same time he had a mind of a child to pure insanity. The final step of the dehumanization process was the tattooing of a number that the Jews despite the fact that death could there was no resistance in the camps by any of the Jews including their children. The commander had the children along with their fathers sent to Auschwitz. The concentration camp Birkenau is the most notorious concentration camp of the Holocaust due to the fact that 1,500,000 people were murdered there.

When he arrived at Auschwitz, Kedem noticed his mother and sister being loaded onto a train. He truly wanted to wave to them but decided not to. He knew if he tried to come closer to them he would most likely have ended up shot. Kedem would not see his sister for another 20 years and his mother until 40 years later.

In 1945, the Russians counter-attacked in the East and the Germans realized they were vulnerable. It was at this point that Kedem realized that he just had to survive alive. The SS had to leave that the Germans needed the 10,000 people left at Auschwitz for slave labor and to help dig up the mass graves and to burn the bodies.

In the face of the advancing Russian attack, the 10,000 people were marched to Germany to support the failing industrial war effort. The walk took 5 days and those who couldn’t keep up were left at the side of the road to die. Kedem was subsequently liberated in 1945 from Mauthausen concentration camp in Germany. He ended up being sent to England where he attended Oxford University. From Oxford he emigrated to Israel and Kedem became an environmental engineer. He later became a documentary filmmaker and emigrated to California.

Kedem was also the subject of the "total dehumanization" the Germans employed against the Jews. According to Kedem, the dehumanization began in the gas chambers or the concentration camps. Dehumanization was obtained by making all the Jews wear standard identical uniforms, shaving their heads, reducing them to a fraction of the normal amount of food one would eat daily. This way Jews were fed enough to be kept alive and productive.

The most horrific aspect of dehumanization was obtained by building the concentration camps on the land of the Jews. The isolation that the Holocaust extracted from its victims.

Kedem also spoke about the "total dehumanization" the Germans employed against the Jews. According to Kedem, the dehumanization began in the gas chambers or the concentration camps. Dehumanization was obtained by making all the Jews wear standard identical uniforms, shaving their heads, reducing them to a fraction of the normal amount of food one would eat daily. This way Jews were fed enough to be kept alive and productive.

According to Kedem, Goethe was "arbitrarily vicious and totally indifferent to human life." Goethe "represented everything Germany stood for and had by that time almost extinguished the Jewish people and death." Kedem only encountered Goethe once, but according to Kedem it was one of the most terrifying moments of his life.

Despite all the insanity of the times, Kedem managed to keep himself alive. He went about this by managing to get a job in the brick factory. He would surround himself with brushes to show theSS that he was a productive worker and thus to essential to their war effort. This high level of productivity and his ability to convince the Germans that he was a productive worker saved his life, since he was a small boy helped to stave off the automatic execution that was mandatory for children's age only.

Kedem likened his survival to playing a game. For Kedem, each day he was able to stay alive meant that he was beating the Germans and thus winning the game. It is most amazing that a child in the middle of one of the most atrocious concentration camps, Dehumanization was obtained by making all the Jews wear standard identical uniforms, shaving their heads, reducing them to a fraction of the normal amount of food one would eat daily. This way Jews were fed enough to be kept alive and productive.

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Cousin Jim, from pg 5...

want to know about it because it is a "material risk".

My second example involved Criminal Law. In Regina v. Justus, the court examined the relationship between moral obligation and legal duty. It concluded that although every legal duty involves a moral obligation, not every moral obligation involves a legal duty. The court, therefore, suggested that moral obligation was the more extended concept, of which legal duty was a part.

Drawing again from Euthyphro, I suggested to cousin Jim that the court in Regina v. Justus was making the same point regarding moral obligation and legal duty that Socrates considered with regard to "piety" and "justice", later in the dialogue. Here, the view was that "justice" was the broader concept, of which "piety" was only a part, namely, that part of justice that pertained to one's attention to the Gods. However, when pressed by Socrates to state what precisely this attention to the Gods, was, pure Euthyphro ends up with the same definition of piety that had been discussed earlier.

The application to cousin Jim's challenge was that they try to pick through the arguments in Plato's works. This might help a student to better understand arguments made in the law books.

If he agreed to this, he would then also have to agree to the study of philosophy did in fact have a practical application to "every day life"; unless, of course, he was of the opinion that the study of law also did not have a practical application to "every day life." That debate, however, would have to wait for next year's dinner.

Having expressed the opinion above, I threw my crinkled-up dinner napkin to the table for emphasis, leaned back in my chair and looked over to cousin Jim. His response was, "How about those Caro?"
Humor & Some News

Don't Fight With Skunks, He Says

When he was a budding law student, Congressman Steve LaTourette wrote the following response to a 1977 Gavel editorial. The Gavel had "awarded" a Houdini award to a C-M student who had practically disappeared from the law school after he lost an election for SBA president.

Evidently the Gavel editors weren't scorned when he called the paper a rag, because the paper endorsed him for SBA president five years later. He later contributed to the Gavel and became a staff writer.

Gavel Editors:
My God! How far will you push us? . . . [y]our "staff writer". . .

Don't Put AVI's Coffee Between Your Legs

C-M's Automated Vendor Serves It Hot

Remember what happened when the elderly lady in New Mexico put her cup of McDonald's coffee between her legs? That's right, she won a scalding verdict for a cool $2.9 million. Of course, it was later scaled back to a tepid $480,000, but half a million bucks ain't lukewarm work—especially considering C-M's AVI vendor coffee is only eight degrees away from the temperature that puts McDonald's in the midst of a court case.

Before you start looking for a hot plaintiff to pursue AVI, remember the McDonald's case is in the midst of appeal. It might not be worth taking a spill quite yet. Consider the following too:

Boiling Point—...212 Fahrenheit

Recommended Temp. by the National Council of Chain Restaurants—...180-190.

Recomm. Temp. by the Specialty Coffee Association of America—...185-190.

McDonald's Guilty Temp. —...180.

C-M's AVI machine —...172.

Expert says "Danger Zone"—...165-170.

Expert says industry norm—...160.

Expert says "sippable"—...154.

Most home coffee makers—...135-140.

Don't Let Midterm Grades Get You Down

Profs Recall Their First Year

by Stacey McKinley

Staff Writer

"I was sure I would flunk out. "I was in a panic before exams." You enter thinking everybody is smarter than you are." These are reflections on the first year of law school— not from second and third year students, but from Cleveland-Marshall professors.

First year students are now dealing with the reality of their first set of grades, many with frustration and disappointment. Some might feel better by knowing that many of their professors, now appearing so confident in their legal knowledge, experienced similar feelings during their first year of law school.

Some of the best law professors I know started their law study career by getting a "D" in Contracts," according to Professor David Goshien. Goshien, who earned his law degree at the University of Chicago, admits struggling with Contracts himself. "I thought Contracts was the toughest in the first year by far and that's why I became interested in teaching it." Property was my toughest," according to Professor Stephen Lazarus, a graduate of Harvard Law School. "I also had a tough time with Civil Procedure. One of the reasons I decided to teach Property was that I never felt satisfied that I learned it while I was in school. This was my last chance to learn it well."

"My lowest grade was in Criminal Law. I think it was a C+, and it's what I ended up doing," admits Professor Jack Guttenberg, who spent his first year of law school at Emory University. "I remember blowing the crime of attempted for the Model Penal Code on the final exam. Obviously, it's not the only thing I screwed up."

"Every lawyer has one fluke grade. I did not hold them back," says Professor Patricia McCoy who earned her law degree at the University of California, Berkeley. McCoy recalls a first year exam in which the professor ran into the room an hour into the exam and told the class he left out the word "not" in a question. "That was the course I got the worst grade in. At the time it seemed unfair. I came to learn, in the long run, it didn't matter."

Professor Dawn Martin, who went to New York University Law School, says she did not know about briefing cases during her first semester of law school because she missed orientation. "When the end of the semester came around, I had nothing to study from. I just about went out of my mind. So, I stress to my students the importance of briefing and keeping up as you go along."

"I got 54 out of 100 on my Contracts midterm," recalls Professor Karin Mika, a C-M graduate. "I didn't know what was good or bad. I assumed everybody was as lost as I was." Mika says it came together for her once she started working in her second year of law school. "As I started working, I began learning the pragmatics of practice and that would remind me of concepts covered in class. Working made me better substantively." Mika adds, "Don't be intimidated by people who get an earlier grade than you do."

Exam-taking techniques are the key to improvement according to many professors. "You can't change intelligence or educational background, but you can change exam-taking techniques," according to Goshien. "How? The same way you get to Carnegie Hall: practice and feedback." Goshien recommends that students read over their old exams thoroughly, confer with classmates, and...

A Grade Translation Guide For First Years:

Everything You Wanted To Know, But Were Too Afraid To Ask

Ever wondered how your friends did on exams? Of course you did!! As you know, the problem is that too many students think this information should be private! (Darn snobs). Here's how to find out what they got. When you ask "How they did" in a class, listen closely to the response;

1. "I was really surprised" (eyes twinkling) - This guy got an "A" - you can put money on it.
2. "I was pretty surprised" (simply nodding head) - They probably got a B+.
3. "I did a lot better than I thought I would" - A "B" for sure, never fails.
4. "Anngh...I did alright" - A "C+".
5. "I did O.K." - In 9 out of 10 times, it'll be a C+, but can be a B. Tone inflection is important, so listen closely.
6. "Oh, I'm not too happy with it" - A "C" usually.
7. "Why does it matter what I got?" - This response is a red flag for a C or lower.
8. "Prof ( . ) is a @#&&% and obviously can't teach, that's what the professors say" - Sometimes a D+, but can be an F for Gavel's security.
9. "Look, grades aren't that important. Law firms value experience more than grades." - This person got C+'s across the board - count on it.

-Jen Sinclair
Fair Employment Clinic Appeals to D.C. Circuit

by Rami Bishay

Before we knew it, we were in Washington D.C. We were there for an important purpose - to attend an oral argument in the federal D.C. Court of Appeals. The case we were involved in dealt with people who suffer discrimination in an employment situation due to their sex, color, religion, age, or disability, to name a few. The clinic experience involves everything from investigating potential clients to actually litigating in court. For example, I prepared the book of cases for the oral argument and updated research on the relevant opinions of the presiding judges while another student wrote a memo on the income tax ramifications of a money order. This entire process is supervised by our instructors: Gordon Beggs, Ken Kowalski, and Jane Picker who are highly regarded attorneys in the field. Nevertheless, let's get back to my story.

The six and a half hour drive down to Washington D.C. wasn't that bad. Hey, it was better than being in a hotel room again for days. We reached Washington the night before the oral arguments and since our hotel was walking distance from the famous Georgetown area, a couple of us planned to scope it out that night. After we checked into our hotel, we prepared ourselves to dine with our instructors and wait in our room until they were ready to go. They were extremely busy with an important case related to the argument - a case that they were made aware of that morning, 24 hours before the scheduled oral argument. As we were waiting, one of our fellow clinic students coughed so hard due to her cold that she actually fractured one of her ribs.

What a way to start a night. She laid down, took a couple of painkillers as suggested by her doctor, and we all went to dinner - one big happy family. Mark, a clinic colleague, and I decided to do the town after dinner while the injured student and another student who was supposed to accompany us to Georgetown decided to take it easy.

As a law student about to enter the legal profession, the conscientious individual might ask himself the following question: What might I do to satisfy my desire to pursue truth, justice and self-sufficiency? For a law student, one way would be to do pro bono/public interest work, according to Kevin O'Neill, Legal Director of the American Civil Liberties Union (ACLU) of Ohio and C-M adjunct professor. The spirit of pro bono is once again alive in American Law Schools. "It was dead in the 1980's," O'Neill told some 23 students attending his work-A-Day program lecture on Thursday, January 28, 1995. "Pro bono work is something you can do throughout your career," said O'Neill, who uses his law degree to advance causes "that I believe in."

O'Neill's initial involvement in pro bono work was with battered women. He was also successful in having a Fairview Park ordinance prohibiting the placement of political signs on front yards declared "unconstitutional on its face," and hence struck down. These experiences, according to O'Neill have caused him to become "addicted to ACLU work."

"I don't know that its the best idea to try to get a job in public interest right out of law school," O'Neill cautioned his audience. "It's easier to find work with public interest organizations such as the ACLU, Sierra Club, Natural Resources Defense Council and the Wildlife Foundation "if you've got some experience" doing conventional work in a regular law firm. An interested lawyer "can work for any number of these organizations," said O'Neill, "they're all crying for help."

The ACLU is 75 years old. Originally founded as a First Amendment organization in response to governmental persecution of individuals, such as Eugene Debs, the ACLU has grown to 13 affiliates (Debs v. United States, 249 U.S. 211 (1919), who were opposed to World War I). Debs' "suggestion that we not get involved in World War I," said O'Neill, which at the time, was not a radical notion. Eventually, "1900 individuals were criminally prosecuted for their opposition to World War I."

The ACLU "is not a left wing liberal organization," as it is often perceived, but rather it is "a watchdog organization for Constitutional rights," said O'Neill. The ACLU does not "believe in keeping young lawyers in the dark" concerning what they're seeking to do, "as some other client's do."

There are 47 statewide affiliates of the ACLU, "with chapters in every major city," according to O'Neill. O'Neill also stated that "there is a strong chapter in Cleveland."

Cleveland Once the Nation's Crime City

by Jon Sinclair
Staff Writer

The year is 1922 and Cleveland is the 5th largest city in the nation. The chief judge of the Cleveland Municipal Court has just been indicted for "an atrocious and sordid crime." Those are the words of an 700 page Cleveland Foundation report called "Criminal Justice in Cleveland." The book is the result of an investigation by Roscoe Pound and Felix Frankfurter. Names sound familiar? At the time, Pound was Dean of Harvard Law School, and Frankfurter was a professor of the same. Later of course, Frankfurter became a Supreme Court Justice.

As part of their inquiry, Justice Frankfurter and Pound investigated the quality of the city's criminal justice system, including legal education. They discovered great proportions of John Marshall Law School students and Cleveland Law School students were attending

without high school diplomas. Instead, students were studying law three nights a week and going to high school classes the other two nights of the week.

In recommendations, Pound and Frankfurter wrote that Cleveland law students should be required to get their high school diplomas before beginning law studies to study each student "is not in the position of earning his own living, attending high school and night school of law all at the same time." They concluded that "until the criminal law is studied as zealously and scientifically and is regarded by teachers, students, lawyers, and judges as being worthy of their best and most intellectual efforts as is the civil side of the law, the administration of criminal justice will continue to fall short of public expectation."

By, if they could only see the OI trial.
Work-A-Day Event Results in Letters to Local Officials

Cleveland school-kids know the City's problems all too well

For Work-A-Day, the Gavel sponsored a letter writing workshop for school children who attend the Comprehensive Learning Center located at the Cleveland's Martin Luther King Library. Here are a few of the letters which were written with the help of C-M law students.

Dear Supt. Sammie Campbell Parish,

I am a student of Cleveland City Schools. I'm writing this letter because I think that some of the things Cleveland school teachers do are irrelevant. One day when I was in the school lunch room playing with my friend, the teacher, I guess got mad and told me he'd pay someone to whoop my ass!

I think you should test teachers better than you usually do because some teachers are not right for the job, because some don't seem to care for kids they are teaching. Because I think it would make the schools a better place to be if you interviewed teachers better, and also it would make the world a better place to live in.

I think you should start right away with making changes. Thank you for your time and consideration.

Sincerely,
C. S.

Dear Mayor White,

My name is H. My school is George Washington Charter. I think you should get rid of guns. I think too many people are getting hurt. Guns hurt them. I want them out of the whole city.

Get police to take them from gangs and give them for their guns. Have gangs bring them to the police and the police take them to Mayor White. Thank you for reading this letter.

H. T.

Congratulations to all Work-A-Day Participants & Organizers, Especially Rachel Schmelzer

D.C. Circuit, from pg 8....

After scoping out the initial drinking establishments, the luckless group was at a bar that had "any coin, any draft beer" sign. So we courageously ventured in. While we were using our spare change to get slightly inebriated, Adina, a German exchange student who was, mind you, unfiltered, sneaked into our room quietly since we were signed up for in law school.

While we decided on the thought of being rejected for a few minutes, we lied and told her "any coin, any draft beer". Finally, we reached the court house - a slightly inebriated, Adina, a German ex-student who was, mind you, unfiltered. We have not been able to mention it in passing. Loans. They have to be repaid. Interest on them is like taking charity. Neither a thought. You're attending the 38th meeting of the American Intellectual Property Association, give scholarships for writing the best paper in a particular field. Ever feel guilty! Especially, considering that the ACLU, from pg 8, said O'Neill, who emphasized that...what time would be good for could possibly offer.

Financing Law School: Are You Leaving Options Unexplored?

by Steve Blount
Staff Writer

The next time you pass Cleveland's Society National Bank (the ones who dish out the financial aid) down the street on Euclid, take a look at the sculptures at the top of the building (you know, the ones like the Supreme Court has) and in the center, you'll see a lady with her arms outstretched, like she's trying to embrace a student. In one hand, she's got one of those - what do you call them? The other, she has a student's promissory note(s). If you look closely, you'll also see she has a slight grin on her face, which broadens with each passing year, as the cornucopia gets lighter, and the stack of notes gets thicker. To keep that smile from becoming a full-fledged cherub grin, I've decided to list a few ideas you may decide to try to help you save money while you're in law school.

Get good grades. Since no one seems to care about this subject, I'll just mention it in passing. Loans. They have to be repaid. Interest on them is like taking charity. Neither a thought. You're attending the 38th meeting of the American Intellectual Property Association, give scholarships for writing the best paper in a particular field. Ever feel guilty! Especially, considering that the ACLU, from pg 8, said O'Neill, who emphasized that...what time would be good for could possibly offer. Loans. They have to be repaid. Interest on them is like taking charity. Neither a thought. You're attending the 38th meeting of the American Intellectual Property Association, give scholarships for writing the best paper in a particular field. Ever feel guilty! Especially, considering that the ACLU, from pg 8, said O'Neill, who emphasized that...what time would be good for could possibly offer.

Note Bene:

Tax and Ad. Law Will No Longer Be Tested on the Essay Portion of The Ohio Bar

ACLU, from pg 8...

O'Neill is presently involved in filing a lawsuit on behalf of the Nation of Islam against the City of Cleveland, because the latter has refused to allow Louis Farrakhan to speak publicly at the Convention Center.

Among the other more interesting ACLU cases in Ohio is the one in Dayton, where the police have "used hot irons to extract confessions out of suspects," said O'Neill, who emphasized that...what time would be good for could possibly offer.

I don't think they need to be taught anything they already know how to do.

Overheard on "This Week with David Brinkley" following Surgeon Gen. Elders' final faux pas.
O.J. Deserves Some Privacy

Do We Have to See Everything?

by Susan Franch-Scaggs
Staff Writer

When one is charged with a crime, especially murder, it can be expected that the prosecution will try to introduce every shred of evidence that either implicates specifically, or tends to show that one is a certain type of person that could have committed that crime. In the OJ Simpson case, we have probably all seen the famous Bronco chase and arrest. We have all heard portions of the famous interview with Barbara Walters. But have we heard about the conversations he thought were private between him and his friends are being retold and broadcast for everyone to hear. But, in my opinion, the most revealing and most intimate glimpses into OJ's life have been brought in the courtroom and displayed as big as life for all to see. I am referring to the photographs that are being shown on screen for the jurors and all to see. Without even leaving the courtroom, the jurors have access to Nicole's house and its bloody walkways. Because of the technology available today, we were all able to see OJ's Ford Bronco, his house, his bedroom and even his socks that were carelessly dropped at the foot of his bed without even leaving our living rooms.

Although I enjoy seeing all of this in the comfort of my own home, I wonder whether OJ will suffer in the long run from media exposure. I know that when you are a celebrity, along with the big bucks, you have to also accept the fact that everything you do will be in the public eye. I also know that trials are typically open to the public and are a matter of public record as a general rule. But this has gone beyond being public. I have peeked into OJ's house and bedroom, known his in-laws by name, and know about OJ then I really want to know. I have even seen OJ practically naked, and shown pictures of many parts of his body. Now I wonder what happens if OJ is innocent, and we all have this extensive information about him and his family. How does he go about reconstructing his life?

Maybe we are seeing too much. Maybe we should only see those parts of the trial that would not be so private and so personal. Public trials such as this one invade one's privacy to the extent that there is no more privacy. No private life such as this is possible when you are an OJ. If OJ is innocent until proven guilty, then I think we should be much more careful about invading a person's privacy to the horrible extent that we have invaded OJ's.

Old Stone Church is 175 Years Old

by Susan French-Scaggs
Staff Writer

The Old Stone Church is celebrating its 175th Anniversary. The church has been located in the heart of the city of Cleveland since 1820 and has been located at 91 Public Square since 1834.

Originally established by 16 Christian families in 1820, the Old Stone Church charter was established as the First Presbyterian Church. The original members met in the log courthouse or school house until the first building was completed and dedicated on February 26, 1834. The second building was constructed in 1855 to accommodate the growing community. The church got its name because the gray sandstone darkened over time and people began calling it the "old stone" church. The church has witnessed not only the normal aging elements, but also two fires. The church served as a shelter on the Underground Railroad during the Civil War. When Abraham Lincoln's funeral cortege passed through Cleveland, it stopped at Public Square at the Old Stone Church. This church is the only building on the Warpath that was in existence when the first street light was lit at Public Square in 1879.

Old Stone has been the meeting place for many organizations and religious groups. The chapel was used as a worship center for the Cleveland Christian Church from 1966 to 1983. The church currently provides a meeting place for over 100 civic and social organizations. There is a 24 hour prayer line, and counselling, financial aid, food and clothing are provided for the poor. The church is also home to an alternative school which is the combined effort of the church and the Cleveland Public School system which teaches high school girls who are either pregnant or have children.

The beautiful sanctuary and exposition pipe organ have seen many Sunday morning worshippers as well as many weddings. The choir is composed of all professional musicians and singers. In commemoration of the 175th anniversary, the choir has recently released a CD of holiday and inspirational music that can be purchased from many local bookstores. There are many four events planned to celebrate the 175th anniversary which include special sermons and music.
Valentines!

Sweet Nothings!

These Valentines allowed the Gavel to raise a small but encouraging sum for a good cause. Each message cost 50 cents. The Gavel will be sending a check in the amount of $20.00 to the Comprehensive Learning Center.

Prof. L - Ever since you took on Justice Scalia last year and cooled his wicked heels, I have fallen for you. Can we meet? WATB.

Prof. F - You've got the brains, I've got the brawn. Let's violate the MPC together. WATB.

Prof. Barnhizer - Roses are Red, violets are blue, just thought I’d trip your day by sending this Valentine’s message to you. Happy Valentine’s Day.

Happy Valentine’s Day Mushball. From Boo Monster's Mommy.

To my soon to be legal eagle, Defender of the downtrodden and misunderstood. Happy Valentine’s Day from the psycho-woman in your life. Remember - the Constitution is not a technicality.

To ____ - Pretend this is a real card. R.F.

Ms. Grammatically Correct, Can I tuck you into bed on Valentine's Day? Love ya, Double Negative.

Dear EBEB, A Valentine haiku.

September Mornings
Body Slips from sheets
Opaque eyes squint as you dress.
Cool breeze shivers skin.

Lick me All Over
Oh, Boy, Oh Boy, Oh Boy, Oh San Francisco Treat.

To Boo Boo -- You're the spark in my day, you're the love of my life, now I can't wait to say I'm you're newly-wedded wife! Love ya, Lady Di.

To Counselor Vancura - The bar is ahead, its coming this summer and from all that I've heard, it's really a bummer. But for you it's no problem - and passing you shall, cause you chose the best -- you went to Marshall! Love ya, Di.

To Scott - You may have the numbers and I have the rhyme, but we always manage to have a good time. Love, Di.

Manuel, thank you for all your support and love, and for being so understanding. I could not survive law school without you. I love you with all my heart. Your wife, Iris.


To Karen Hamilton: Thanks for being such a great friend & for picking me up when I'm down. Love, Case.

Delta Theta Phi - To all my officers and brothers and sisters, I hope we can continue in our quest for greatness. Fraternally yours, Dean Cate

Prof. Gard - You are cute. A former student and admirer.

Marie R. - Thanks your generous donation. The Gavel.

V. Secret - When all is said and done, will you still be my Valentine? Amicus Curiae.

To all my of.

You may have the brawn. Let's violate the MPC. But for you it's no problem.

DME were good students. I could not survive law school without you. I love you with all my heart. Your wife, Iris.

Some Predictions for 1995

May, 1995 - A third-year law student authors a book for first year law students called "Does Authority Always Wear a Suit & Why You Went to Law School: Answers Your Mother Could Never Give You". Professors roll their eyes when they see copies of the book on the desks of students, and many profs chuckle when approving requests to bring the book to final exams for moral support. Prof's learn too late the book is a condensed, comprehensive outline of first-year courses. The third-year author is denied permission to take the bar, but is hired by Gilbert's.

November 1995 - The College Football Bowl Commission gains notoriety after approving two new college bowls for January, 1996; the Electroly-Eggbeater Bowl and The Trojan-Lifestyle Bowl. Five commission members resign after Trojan and Lifestyle stage a half-time competition that is very similar to Bud Bowl, complete with animation. Terry Bradshaw participates on the voice-over, saying "Let me tell you Tom, I think Trojan has the more impermeable defense this year."

August 1995 - Tim Russert, moderator of Washington's “Meet the Press” and the first C-M graduate to leave Cuy. Co., releases his autobiography called “Everything I Know I Learned in Prof. Stierk's Tax Class”.

Jon Sinclair.
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