Police traffic crash report and Det. James McNamace, Roupe was operating a 1995 Toyota Camry owned by R&A Auto Sales of 6605 Clark Avenue in Cleveland, on Saturday, June 29 when Cwiklinski was killed. Roupe was allegedly operating the stolen Camry with a suspended Ohio driver’s license at approximately 70 mph when he struck Cwiklinski’s driver side door at the intersection of Fulton Road and Lorain Avenue in Cleveland. The report further states that, “[Roupe] failed to stop for a red electronic traffic control device and collided into [Cwiklinski’s BMW].”

The collision occurred at 5:24 a.m. Cwiklinski was traveling northbound on Fulton when Roupe allegedly struck him while traveling eastbound on Lorain. According to the narrative and diagram of the traffic report, the impact of the collision was so severe that it killed Cwiklinski.

See CWIKLINSKI, page 2

1L class proves leaner and meaner

School sees strong applicant pool, C-M enrollment down, scores and diversity up

By Colin Moeller

Some basic information about the 2002 1Ls

- Number of Students: 264
- Full-time Day: 185 (70 %)
- Part-time Day: 14 (5 %)
- Part-time Night: 65 (25 %)
- Male: 111 (42 %)
- Female: 153 (58 %)
- Resident: 212 (80 %)
- Non-resident: 52 (20 %)
- Minority: 49 (19 %)

LSAT: 154 (25th percentile) 195 (75th percentile)
UGPA: 3.48 2.16

Information courtesy of Roslyn Perry

Man charged in 3L’s death

By Jay Crook and Ed Pekerek

Russell H. Roupe of Prosser Road in Slavic Village has been charged with multiple counts of aggravated vehicular homicide, involuntary manslaughter and receiving stolen property (motor vehicle), in connection with the death of Cleveland-Marshall 3L, Frank Cwiklinski.

Roupe appeared before Cuyahoga County Common Pleas Judge Lillian Greene Sept. 5 for a pretrial hearing. Cwiklinski, who will celebrate his 24th birthday Oct. 1, has been convicted of multiple felonies, including priors involving other stolen vehicles, possession of criminal tools, breaking and entering, vandalism, theft and felonious and aggravated assaults. Roupe has never served a sentence longer than six months and was extradited from Cleveland as a fugitive from West Virginia authorities in 1997. He currently remains free on $2,500 bail.

According to the Cleveland Police traffic crash report and Det. James McNamace, Roupe was operating a 1995 Toyota Camry owned by R&A Auto Sales of 6605 Clark Avenue in Cleveland, on Saturday, June 29 when Cwiklinski was killed. Roupe was alleged to be driving the stolen Camry with a suspended Ohio driver’s license at approximately 70 mph when he struck Cwiklinski’s driver side door at the intersection of Fulton Road and Lorain Avenue in Cleveland. The report further states that, “[Roupe] failed to stop for a red electronic traffic control device and collided into [Cwiklinski’s BMW].”

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See CWIKLINSKI, page 2
Advertiser bends under pressure

By Colin Moeller
Managing Editor

Towering above Ridge Road in Parma, not far from Ridge Park Square and just off I-480, a billboard advertising pressure washer equipment featured a nearly nude model in a suggestive pose, for everyone stuck in traffic to see.

Today, this billboard is gone thanks to the determination of 3L Tania Meola. Meola worked to have a resolution passed in Parma opposing the advertisement and urging its removal.

Meola, described the billboard as "insulting and degrading to women." The billboard for Roman Equipment Consultants Inc.'s pressure washer advertised "the only thing you can't clean with a pressure washer from Roman is a filthy mind!!!" Meola said the advertisement pitted the pornographic advertisement would invoke sexual thoughts about the "girl" on the billboard.

In the Feb. 9, 2002 edition of the Plain Dealer, Roman President, Jack McManus was quoted as saying, "More people get a bang out of it than it offends." McManus was further quoted, saying, "When I put up a boring billboard, the phone doesn’t ring. When I put up an entertaining billboard, the phone rings." McManus noted that the billboard changes every month and that it was common to use "girls" in advertising. According to McManus, he recruits models from bars as his "pressure girl of the month."

"The explicit sexual content of the billboard subjected the community to the offensive and unacceptable display of women," said Meola. As a law student and professional woman, I found this advertisement to be unacceptable, unnecessary and intolerable. These ads must be prevented in order to prevent further reprehensible advertisements from invading our society and the morals of our community.

Protest is exactly what Meola did. Her first line of defense was to call Roman and express her disapproval. The call not only failed to rectify the situation but according to Meola, made it worse. According to McManus, Meola's defended his billboard, invoking his right to free speech. McManus further advised Meola, referring to her as "dumb," that if she would have looked at the billboard instead of looking at the girl she would have known that the purpose of the billboard was to sell pressure washers. He concluded the conversation by telling Meola to give him a call if she needed a pressure washer.

Meola contacted Parma Mayor Gerald Boldt and Parma City Council to voice her complaints about the billboard. Unlike McManus, Parma City Council offered Meola assistance in her crusade as she convinced them to pass an official resolution "opposing and urging the removal of the billboard advertisement." The resolution declared the billboard to be "an offensive nature" stating the "explicit sexual subject, community to the offensive and unacceptable display of women."
The Parma City Council declared the resolution, "an emergency measure necessary for the immediate preservation of the public health, safety and well-being of the city of Parma."

Meola's persistence not only gave her an early opportunity to exercise her law-yeering skills but successfully brought down the offending billboard.

Cwiklinski: Man faces felony and misdemeanor charges in Cwiklinski's death

continued from page 1

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Cwiklinski: Man faces felony and misdemeanor charges in Cwiklinski's death

continued from page 1

By Steven H. Steinglass

I am writing to welcome all our new and returning students to the 2002-2003 C-M school year. By now, with the calen-
dars distributed and all our events listed on the Web, you must have an idea that you are studying law in a school that does not confine learning to the classroom. This year you will have an opportu-
ity to hear some of the country's eminent jurists, law-
ies and public servants at C-M. Soon after our award-winning Gavel prints its first edition of the year, students will have met former United States Attorney General Edwin Meese, an im-
portant figure in the Reagan ad-
ministration, in an informal cof-
fee hour. The Criminal Law
Faculty has put together an im-
pressive roster of speakers, who will discuss subjects from eth-
nic profiling in the wake of Sept. 11 to infanticidal mothers.

Our 30-year-old Visiting Scholar Program brings five dis-
tinguished lecturers, including Marshall University Prof. Jean
Edward Smith, a noted author-
ity on the life of John Marshall. Professor Smith will speak on Marshall's contributions to the American system of govern-
ment, as we commemorate the bicentennial of Marbury v. Madison. In April, the law school will join with the rest of the state in celebrating the bicen-
tennial of the Ohio Constitution. We will hear a two-day con-
ference. This year, with the support of the law firm of Devin Calh & Hutton, the Employment-Labor Law faculty are in-
augurating a three-lecture series on issues relevant to the employ-
ment law practice.

Prof. Alan Weinstein begins the Faculty Speaker Series Sept. 30 with an arresting subject, "What Do Nude Dancing and Churches Have in Common? Dealing with Legal and Policy Issues Where the First Amend-
ment Meets the Street."

In this brief overview, I have only hinted at the abundance of opportunities stored on the calen-
dar. Gavel is a student newspaper, soon to be up-and-running website, created by the law school's journalism students, David Genzen '98. The new site will make student life easier, allow-
ing you to navigate the site more easily and to stay tuned to life beyond the classroom. I wish each of you a productive and successful year.

Steinglass is Dean of C-M.
Williams named assistant dean and head recruiter

By becoming the new C-M Asst. Dean of Student Affairs and recruiting, Gary Williams ’84, has completed a personal quest of sorts.

“I’ve always wanted to be in academia full-time,” said Williams, who assumed the position in June. “I’ve done part-time a number of years. The spot opened up, I looked at it, and it seemed like I could do a lot of good for the school.

The chief projects entrusted to Williams include developing a comprehensive long-term assistance program for students and improving the bar passage rate. In the end, Williams said those tasks can be combined under one umbrella, because doing well on tests in law school refining traits prospective lawyers require while taking the bar exam and in practice.

You’re teaching people to think like lawyers,” Williams said. “You’re teaching people study skills, analytic skills. You’re teaching people critical thinking, and you’re teaching people how to articulate well what they learn.”

Williams is interested in a pilot program that emphasizes small-group teaching for at-risk students. He would like to make this program available for students to incorporate cooperative learning methods.

Williams arrived at C-M after serving as law director for the City of Shaker Heights for nine years. He also had stints as chief prosecutor and assistant law director of Shaker Heights, as both an assistant prosecutor and assistant labor director for the city of Cleveland, as a trial attorney for the United States Solicitors general’s Office and as a litigator in private practice.

A Cleveland native and CSU graduate with a bachelor’s degree in psychology, Williams started teaching as an adjunct professor at C-M in 1994 and taught at David Meyers College from 1985-88.

REAGAN’S ATTORNEY GENERAL FRIDAY AT C-M

Former Reagan, U.S. Attorney General, Edwin Meese, III, is coming to C-M this Friday, Sept. 20. Meese, who currently holds the Ronald Reagan Chair in Public Policy at the Heritage Foundation, was invited to speak at C-M by his colleague and friend, Prof. David Forte. Forte is a member of the Philadelphia Society, an intellectual association in which Meese is the president.

Throughout his career, Meese has undergone the scrutiny of two Special Counsel investigations, both of which resulted in no charges. Forte attributes this success to Meese’s “full cooperation, open communication, and his high standard of ethics.” Despite his vast experience and his significant position, Meese still relates well to the legal minds new to the profession. Forte agrees, noting Meese has appointed some of the best young legal clerks in the United States. As U.S. Attorney General, he “cultivated a staff of these young legal minds and turned them loose on the U.S. Constitution.”

Forte said C-M is honored to host a guest of such integrity. Forte said that even now, after being friends with the former Attorney General for years, he and many others in Washington, D.C. still refer to him as “Mr. Meese” as a means of demonstrating their utmost respect. U.S. Attorney General Meese’s colloquy will take place Friday in the faculty lounge at 11:00 a.m.

C-M ON THE WEB

C-M’s new website is nearly complete. The website will launch any day now...

AMBROSE ALUMNI HEAD

Former Browns’ player Dick Ambrose ’87 is the new C-M Alumni Association president.

E. 18TH CONSTRUCTION

The Howard Shanker building, which once stood at the corner of E. 18th Street and Chester Avenue, was demolished this summer. The acreage will be developed into a green space as part of C-M’s efforts to replan and renovate the Law Building.

Oh the times, they are a changin’.

Notes in Brief

DELTA THETA PHI CLAMBAKE

The Cleveland Alumni Senate of Delta Theta Phi Law Fraternity will hold its annual clambake Sept. 22 from 2-6 p.m. at River Oaks Raquet Club in Rocky River.

Schwartz and Steinglass greet Ohio Supreme Court Justice Thomas Moyer.

OAKAR SEEKS A J.D.

Former U.S. Rep. Mary Rose Oakar recently joined the class of ’06 as a J.D. this year.

MOOT COURT NEWS

The John Marshall Competition team of Christine LeSalvia, R.J. Roberto and Denise Salerno are headed to the competition in Chicago, Oct. 16-18.

2002-2003 C-M FACULTY SPEAKERS SERIES

The annual C-M Faculty Speaker Series begins Mon., Sept. 30 at 5 p.m. in the Student Services Center. Prof. Alan Weinstein discussing, “What do Nude Dancing and Churches Have in Common: Dealing with Legal and Policy Issues where the First Amendment Meets the Street.”

IL ORIENTATION

Ohio Supreme Court Justice Thomas Moyer joined CSU President Michael Schwartz in welcoming the incoming C-M 1L class this August. Schwartz will be officially inaugurated on Thursday, Sept. 23. All afternoon classes are cancelled for the ceremony, which commences at 1 p.m. at the Palace Theater.

CRIM LAW FORUM

The first Criminal Justice forum is Tuesday, Sept. 24 at 5 p.m. in the Moot Court Room. David Harris, University of Toledo Balk professor of law will discuss racial and ethnic profiling post-Sept. 11.

Tips for Notes in Brief may be submitted to the Gavel at, 687.4533, or via e-mail, gavel@law.csuohio.edu
A Triathlete’s Guide to Law School

I ran my second triathlon this August, a small-scale sprint version or the Ironman. We swam, biked and ran, but at distances far more realistic than the body-shattering triathlons for which the sport is most famous. When discussing the event with another law student, it was mentioned that there are several parallels between law school and triathloning.

After first looking at him incredulously, and then questioning exactly how much beer he had drank, I will admit he got me to thinking. So after much pondering, and more than a few beers between that time and now, here is the triathlete’s guide for 1Ls.

1. Know yourself - to be good at triathlon, you have to very clearly evaluate your strengths and weakness and plan your training and your race accordingly. I am a much better cyclist than a swimmer. Ammer is runner (4 sink like a stone and run like a penguin with a limp); therefore I have to work harder at the bike, but strive to stay competitive. At the same time, I don’t get upset when I get regularly passed by those more athletically than I who swim by me like a barracuda or dart past me gazelle-like while I muddle along. I have my moment to shine in the run, and take my satisfaction from it; while at the same time work hard before the race to ensure my run and swim don’t negatively affect my overall time.

The same goes for law school. If you’re just starting take a good hard look at yourself. Are you a better writer than speaker? Do you study better in groups or alone?

by Jay Crook

Know yourself - to be good at triathlon, you have to very clearly evaluate your strengths and weakness, and plan your training and your race accordingly.

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Everyone else have a 4.0, win the moot court competition and be editor of the law review. This is going to hurt going in should make the pain less of a shock.

At the same time, there is fun to be had in law school. I’ve made some great friends that I am never going to lose. I’ve been able to do, and have tipped more than one pint to wash away the sting of a particular miserable week of classes. By accepting the fact that law school sucks, yet still seeking the good things to be had has made law school a much more bearable experience.

So there you go 1Ls. Welcome to law school, and let the games begin.

OCP’s Fall Interview Program helps students get a foot in the door

by James Lucas

CONTRIBUTING WRITER

As the 4 semester kicks into gear, C-M 2Ls and 3Ls receive and sharpen their resumes and pull their best suits from their closets in preparation for the Fall Interview Program. The program is coordinated by the Office of Career Planning (OCP) to introduce students to the art of effective legal job interviewing as well as the competitive job market.

Recruiters from nearly 50 firms of all sizes, primarily from Ohio, hold interviews with students who bid for interviews on eAttorney.com. Successful bidders interview with potential employers for positions for the following summer.

Every summer associate who participated in the program last year that we know of has received an offer for permanent employment so far, even in Washington, D.C.,” said Bernadette Salada, assistant director of the OCP.

The OCP encourages all students to prepare for a successful interview, from the proper appearance and demeanor, to having the right answers. “Why did you come to law school?”

An interviewing skills workshop and mock interview recently held by the OCP to help students prepare for the interview process. “Interview skills should play an important role in dictating your approach to law school. At the same time, you must look into your weakness and plan your training to overcome them.”

Getting a job requires standing out from the law student-stereotype.

Salada. “You need a positive mental image, and what you think is really who you are.”

The OCP’s program has been growing every year since its inception in Spring 1999. Accord-
Be a part of the biggest paper on East 18th Street (south of Superior)

We may not be as prodigious as the Plain Dealer, but we are the most accessible publication our law students produce.

And recently, the most successful.

Writers, photographers, illustrators,

Join Us.

Come to our first staff meeting, Thursday, Sept. 19 at 5 p.m.
SBA welcomes you back

By Chris Tucci
SBA President

Welcome back C-M students! I am happy to announce that the Student Bar Association (SBA) will have a column in each issue of The Gavel. This column will be an excellent way to convey “what is going on” with SBA and the law school. SBA would like to thank the editors.

The SBA book sale was a success for both students and the SBA. Compared to SBA’s in the past, we were able to gross as much money and give a larger cut to those students who donated their books for sale. Thank you to all who participated!

SBA held its first social Sept. 12 in the student lounge. This year, SBA will be holding socials around the greater Cleveland area; therefore, we need your help.

We are asking our fellow students to contribute their input on where SBA should hold these so-called socials. Please e-mail suggestions to our Vice President, Matt.Basinger@law.csuohio.edu, or write to me directly at: Christopher.Tucci@law.csuohio.edu.

The more students involved with these socials, the better they’ll be! By far, the most important social of the year for the law school is the Barrister’s Ball. This event has it all: food, drinks, dancing, etc. In past years, SBA has held this event at the Renaissance Hotel Ballroom, Cleveland Browns Stadium and Jacobs’ Field. The event will most likely be held in early March. That may seem far away; however, SBA needs to approve the venue for Barrister’s soon. SBA is looking for your suggestions for alternate venues.

We need your ideas. Please e-mail Matt Basinger or myself with suggestions. 1L senator elections are coming up. They will be held Sept. 24 and 25. The voting times will be announced soon. 1Ls, I encourage everyone to run for a senator position. As I expressed at orientation, if you want to make a positive difference for your law school, and you want a great resume component, run for a senator position. Please e-mail me if you have any questions about the elections.

SBA is looking forward to an exciting year, but we cannot do it without our fellow students. I know that law school is a lot of work, but any way you can contribute this year will be greatly appreciated by everyone in the C-M community.

Tucci is a 3L.

A winning argument

AFTER SEPT. 11, pundits began speculating. Irony was dead. Pop culture would never be the same.

We were told our laughter would never sound the same, drowned by the sounds of Sept. 11 echoing.

We were told that our lives changed, and that in the wake of the nation’s worst disaster, nothing would be the same.

What did that mean? Some things were certain to change. And the evidence was clear: longer lines at the airport; Ashcroft’s color-coded terror-warning system; and, the slumping economy.

(But, wasn’t the economy headed that way already?)

Or did “change” in the post-Sept. 11 U.S. mean more than the inevitable? Would we be forced to abandon parts of our culture and part of our national identity?

If that is the sort of change Americans are being sold, we are not buying.

Granted, things have changed; but by no means has our way of life changed as drastically as some would have us believe.

Once we sort through the cable news stations, network news and magazine news shows that tell us to say goodbye to yesterday, we will eventually run into Friends, Everybody Loves Raymond, The Sopranos and David Letterman taking shots at color-coded warnings.

Irony is not dead. The comedy, violence and drama that permeated American pop culture on Sept. 10 remains.

If you can shake off the code orange warning to take in a movie, you’ll see more than just news reels. You will probably find many people there with you who want to see a good film. And it is a real possibility the film you take in will have explosions and all the gratuitous violence Hollywood does so well as our nation’s largest export.

Come Saturday night, you will need to make your restaurant reservation because people are still eating out. And don’t worry, that annoying “talker” will still be sitting next to you on the plane when you travel.

When you head to New York, you will find Fifth Avenue still packed with credit card-wielding shoppers and a sea of people and taxis in Times Square.

It did not take our nation very long to return to those things we enjoy. The economy may be sluggish, and air travel may be lighter, but for the most part, life went on.

Unfortunately, there is a tendency to declare, “we changed.” A sense of guilt trails this sentiment attempting to make those who do not feel “different” appear shallow and callous.

Guilt is unnecessary and counterproductive. Our resistance to change should be celebrated as our resiliency as a nation.

The most potent weapon we have against enemies that feed on fear and strike with terror is our strength.

Time Square brims with people cheering for Bon Jovi in a concert to kick off the NFL season, Aug. 29.
The following is the first in a six-part series following a first year C-M student from orienta-
tion to spring exams.

By Grant Monachino
CONTRIBUTING WRITER

Heartbreak heard over cheers

By Ed Pekarek
NEWS EDITOR

No, I’ve been on the verge of tears more than once be-cause of the atrocities com-mitted against the United States one year ago. A year later, I’m physi-cally ill and unequivocally depressed... It’s the anni-ver-sary of this generation’s Kennedy and King assassi-nations. It is a day that most, if not all, can vividly recall down to most minute of details. It is the most shocking and horrific mo-ment of our young lives.

I knew a Morgan Stanley executive who sleeked down 90 flights in 1993 when Sheikh Rahman was reimpris-oned a rental truck in the bun-year (I gave up on the Cavs over to this season’s opener, the reality of being a fan in this season)

Heartbreak heard over cheers

By Grant Monachino
CONTRIBUTING WRITER

Once again, Cleveland fans are treated to a dose of the reality of being a fan in this city. For those of you who: don’t care about sports; Cleve-

 заполнив место, признаюсь, когда я была в студии. Я рассказывала о том, что я всегда хотела выйти на сцену, и с тех пор все мои мысли были заняты тем, как бы я могла начать свою карьеру в сценическом искусстве. Я всегда была уверена, что я смогу этого достичь, и теперь я знаю, что это возможно.

Scared by the Socratic and other horror stories

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CONTRIBUTING WRITER

Once again, Cleveland fans are treated to a dose of the reality of being a fan in this city. For those of you who: don’t care about sports; Cleve-

 zapолнив место, признаюсь, когда я была в студии. Я рассказывала о том, что я всегда хотела выйти на сцену, и с тех пор все мои мысли были заняты тем, как бы я могла начать свою карьеру в сценическом искусстве. Я всегда была уверена, что я смогу этого достичь, и теперь я знаю, что это возможно.

Scared by the Socratic and other horror stories

The following is the first in a six-part series following a first year C-M student from orienta-
tion to spring exams.
NYC Photo Gallery

Counter-Clockwise from top left – 1. Airport security remains a question, 2. WTC recovery workers have forged ahead despite the elements 24/7 (the DuetscheBanc building in background still held victims’ bodies), 3. A memorial photograph at the Brooklyn Promenade shows the gaping hole left in the Manhattan skyline, 4. Recovery workers return to the western side of the WTC site, 5. NY news crew conducts an interview from the Promenade, 6. Mourners pay their respects at the northern side of the site - the “NEVER FORGET” banner is attached to the eastern edge of the site (left), 7. The depth of the chasm is illustrated in this view of the southern side of the site, 8. The unexpected memorial at the center of the site, support members recovered from the wreckage stand prominent in the downpour.

Guilt is unnecessary and counter-productive. Our resistance to change should be celebrated as our resiliency as a nation.

The most potent weapon we have against our enemies that feed on fear and strike with terror is our strength.