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Barnhizer hosts conference
by Sheri Schoenberg

Over fifty clinical law teachers, with less than five years clinical teaching experience, converged on Cleveland from October 20-22. The reason for this massive emigration from all parts of the continental United States and Puerto Rico was the National Clinical Teachers Training Conference. The Conference provided three full days of clinical law teaching methods and theory provided by a diverse and notable faculty, under the direction of Professor David Barnhizer, director of the Cleveland State University Legal Clinic. Included on the teaching faculty were: Gary Bellow, Harvard Law School; David Binder, UCLA; Robert Condlin, University of Virginia Law School; William Greenhalgh, Georgetown Law Center; Joseph Harbaugh, Temple Law School; Michelle Hermann, University of New Mexico Law School; and Stephan Landsman, Cleveland State University College of Law.

The teaching faculty addressed the assembled clinical teachers on subjects including: Professional responsibility, trial advocacy, interviewing, counseling, negotiating, teaching methods, and legal services and clinical education. After each large lecture session, the conference participants had a chance to converse in small group sessions to further explore common problems and goals.

The conference culminated with a banquet at which Dean Bogolmony presented Dean Norman Redlich, of New York University who addressed the assembled law teachers on “Clinical Education: Strangers in an Elite Club.”

Effective midnight, Dec. 31st, 1977, Professor Samuel Sonenfield will “retire” from the faculty of Cleveland Marshall. In his letter of November 2nd to Dean Bogomolny announcing his resignation, Professor Sonenfield expressed his sincere regret at taking such action but added that, “My sense of personal integrity does not permit me to remain here longer...” Professor Sonenfield further stated “I deplore the personnel practices which, in so far as I am concerned, commenced under Dean Christopher, continued under Dean Hyman Cohen and which, although finally brought to you attention by me, remain unchanged.”

The story behind Prof. Sonenfield’s resignation is perhaps best told by a letter from Prof. Sonenfield dated July 28th, 1977 directed to Dean Bogomolny. The relevant portions of that letter are as follows:

I ask your attention to a situation which yesterday came to my knowledge and which is of great concern to me. I learned in 1976 when a previous set of such data came to be published that Professors Buckley and Willey were receiving compensation greater than that which I receive. I promptly took up the matter with Dean Cohen. His explanation to me was that in making salary recommendations last year for this year (1976-77) he had merely used the same percentages of increase which his predecessor had used in the Spring of 1975 for the year 1975-76. I seriously question the validity of such an arbitrary method (and so stated to Dean Cohen), but assuming for the moment that it is a valid method, it indicated that at least one of the said two faculty members with whom I make comparison was already, at that time, receiving compensation in excess of that which I received.

I am senior in age, and what is more important, teaching experience here and elsewhere, to each of them. I am senior to them in general professional experience in the law, and in time at this law school. I achieved full professional...
Letters to the editor

To the Editor:

As Prince Charles cannot answer for himself, I will, you are a stinker.

I suggest you read “Intrepid” by William Stevenson and see how the Irish American with W. Stevenson worked against a fanatic, and another Irish American who should have been shot like the two British traitors and still is helping to send money and arms to Ireland, if not true, libels would follow.

If you think Britain is wrong guarding all sides, what about America, give back Texas to Mexico and then back to the owners Indians, the same for Canada.

Myself being part Irish, Scottish and British have somewhere to go, can you say the same.

continued on 3
More letters......

KILROY CALLED A STINKER

I have Irish friends and they agree with me, they have been back to Ireland and found their past just the same as when they left it.

Your Britishes has been through two wars, have you seen 1000 houses and shops knocked out with one rocket? I was there, I guess from what you say you are around 24, not old enough to know what you are talking about.

Prince Charles could beat you in many ways, he is not allowed to talk politics and we are glad that he will be King of England, etc. While he is there he can get rid of three persons, his generals, judges and Prime ministers.

Lord help America with people like you. Although your name denotes Irish Scottish ancestry, go to Ireland but go all over, don't let religion into it. I believe in God but No heads of Churches see the money and property they have, do good by helping the unfortunate.

M. Miller
Winnipeg, Manitoba

Editors Note: The letter above is reproduced in the same form as it was received. The spelling and grammatical errors appeared in the original letter.

CRITICIZE STUDENTS

To the Editor:

The remarks of 2nd and 3rd year CSU law students at the dedication of the Marshall College of Law building, greatly disturbed me. Some responded to John P. Kilroy’s question to Prince Charles pertaining to the treatment of political prisoners in Northern Ireland, by saying that they were embarrassed, that it was unnecessary, that Mr. Kilroy’s career was jeopardized, and that he chose the wrong time.

Yes, I believe the students should have been embarrassed. Embarrassed that their colleague could be whisked away by security men for asking a legitimate question in a non-threatening manner. Embarrassed that they haven’t as yet learned the Bill of Rights.

Was the question unnecessary? Well, I guess it should have been after 800 years, but according to current events, the question is still relevant and timely. What other time was there to pose the question to the symbol of British authority.

As for Mr. Kilroy’s future career being in jeopardy, this I would seriously doubt. Although not yet a graduate, he is a newspaper editor, a member of the National Lawyers Guild, and a proven proponent of free speech. Since, however, he has an Irish heritage, it would be stretching a point, to think that he would ever become a Knight of the Garter.

One thing becomes very apparent that Cleveland State University, Cleveland Marshall College of Law can say with pride that “KILROY WAS HERE.”

C.J. Bennett

KILROY Praised

Today’s mail included page 8-A of the October 21, 1977 Plain Dealer -- the story about how Jack Kilroy took on that mainstay of civilized, egalitarian societies, the Prince of Wales. As the Prince was about to address an audience at the Cleveland-Marshall law school, Jack (a law student), in a mild-mannered fashion, impolitely and visibly interrupted the ceremony to inquire about “when England is going to stop torturing political prisoners.” The disapproving responses of the Prince, Jack’s fellow law students, and PD reporters Van Fliet, et al., to this awkward interruption fit a pattern all too common these days: “We must be civilized, you know.” One ought not to discuss such things as from what portion of the steer’s anatomy one’s steak was bloodily removed or with what sort of blade the chopping was done while in dignified dinner company, I agree. But people aren’t cattle, and now and then it becomes necessary, and justified, to be a bit impolite in order to point out that certain people tend to use dull, rusty blades on certain other people. The failure of the law students interviewed by the PD to see this point, and the general tendency by those interviewed to applaud the Prince’s maintenance of the Royal Reserve rather than the content of Jack’s message disturbs me.

I should add that I’ve known Jack since High School, in the Sixties, and shared an apartment with him in undergraduate school. Jack has always done things like this, and I hope he continues to do so. Some people might call his particular tactic of consciousness-raising (or even the mere fact of its occurrence) “dated.” From the limited perspective of the Seventies, this may be true but it nevertheless stands in refreshing and healthy contrast to the mercenary interests of most of his classmates and the present generation of co-opted college students.

William K. Gabrieleya, Jr.
Dept. of Psychology and
Center for Research on Social
Behavior
University of Missouri

First Annual
Houdini Award

The Gavel presents the Harry Houdini Award, for the best disappearing act of the year, to law student George Kuhlman. After losing an SBA president election in which he campaigned heavily as the candidate who brought us coffee and doughnuts and the student directory, he has virtually vanished from the law school scene this fall.

Congratulations, George, on your selfless service to the student community. Houdini himself would appreciate the deftness of your vanishing act following the election.
Block grants challenged

An administrative complaint has been filed with the HUD area office in Columbus, pursuant to 24 C.F.R. §570.300(c), asking that the City of Cleveland be required "to comply with certain statutory and regulatory requirements of the Community Development Block Grant (CDBG) Program" of the Housing and Community Development Act (HCDA) of 1974. The complainants are the Cleveland Committee of the Citizens' Coalition for Block Grant Compliance; the Community Development Committee of the Buckeye-Woodland Community Congress; the Housing Advocates, Inc.; the Commission on Catholic Community Action; the League of Women Voters of Cleveland; and five named individuals. They contend that the city has failed to comply in five major areas:

1) the use of $1,050,000 of CDBG funds to subsidize the delivery of normal, previously existing police services, which is an ineligible use under the regulations,

2) the utilization of CDBG funds as a substitute for local financial support of community development activities,

3) the failure of the City to affirmatively promote fair housing as required by 42 U.S.C. §5304(a), and 24 C.F.R. §570.303(e)(I)(ii), or to provide adequate assurances in its application—a precondition to grant approval—that it had undertaken such activities,

4) the failure of the City in its Grantee Performance Report for Year II (GPR-II) "to document and/or analyze several aspects of its CDBG program as required by HUD," including Citizen Participation requirements, and

5) the existence of glaring discrepancies in the GPR-II between reported performance, and the actual obligation and/or expenditure of CDBG funds.

The primary relief sought by the complainants is:

(i) that the City be required to reimburse from its general funds the CDBG program account for CDBG funds used for ineligible activities or for the purpose of supplanting prior local funding; or, in the alternative, that HUD institute proceedings to terminate or condition future grants and recapture funds improperly spent by the City,

(ii) that the City be required to submit an amended third year application which (a) reallocates unexpended but improperly allocated funds, toward activities authorized under the HCDA, (b) promotes fair housing, and (c) provides an adequate opportunity for citizen participation in the amendment process.

According to Peter M. Iskin, attorney for the complainants, the City has as yet failed to respond to the complaint, which was filed on July 27, 1977, despite having received a grant by HUD of a 45 day extension after the original 30 day response period had expired. The extension period has now also expired.

The CDBG Program

The CDBG program, enacted as a part of the HCDA of 1974, was an attempt to simplify application procedures for various federal assistance programs, and to return a share of control over use of federal funds to local governments. This goal was hoped to be achieved by combining several previously existing categorical grant programs (such as Model Cities, Urban Renewal, etc.) into one "block grant" program. Congress made it clear, however, that the CDBG program was not be a form of general revenue sharing with unfettered discretion over use of the funds given to localities. Rather, it limited local discretion to several categories of eligible activities, with the additional caution that funds were to be used for the elimination of slums and flight, and similarly for activities benefiting low- and moderate-income families. (This has been strengthened in recently proposed regulations into a requirement that 75% of the grant be used for such purposes.) The Act provides for ongoing review and maintaining by HUD through requirements of various certifications and assurances by the applicant, combined with an annual performance report.

Furthermore, CDBG funds are not to be used to support ongoing local development activities. 24 C.F.R. §570.1(f), 570.906(b)(7). Such a use would, in effect, constitute a form of local tax relief, which is not an intended use of the program. In Cleveland, the complainants contend, the uses of funds, and certain procedures in the application process, have run afoul of these program purposes and requirements.

With regard to the use of $1,050,000 of CDBG funds to support police activities, the City stated in its application that a Concentrated Crime Patrol (CCP) would, through special deployment of police personnel, reduce crime in the CDBG target areas. The complainants, however, state that the CCP is simply a machination to use CDBG funds to subsidize the Cleveland Police Department in its delivery of normal, previously existing police services throughout the City of Cleveland." City Council president George L. Forbes agrees: "Concentrated Crime Patrol: It's a sophisticated name that we use to subsidize salaries of a policeman. A very sophisticated name. We take $16,000,000 of revenue, shared monies that should be split up and delivered in various categories throughout the City. We take federal revenue shares and we give it to the police for their salaries, and that's not right, it is not right." (CDBG Public Hearing at Cory Methodist Church, October, 27, 1976, transcript at page 35.)

Complaint, p. 4

According to the complaint, a city cannot utilize CDBG funds to...
Fox sheds light on library

by Marty Nadorlik

Librarians in general have not been recipients of very favorable images. Who among us has not been told to take our feet off a table, to be quiet, or to comply with some other seemingly nonsensical rule. Perhaps the orderliness and precision of the library milieu attracts persons of like persuasion. C-M's circulation librarian Jacqueline Fox has been somewhat of an enigma at times. She can be apparently jocular at one moment, then abruptly shift to the role of cold-eyed enforcer. The Gavel interviewed Ms. Fox to shed some light on herself and on the library, the latter being in need of light in any form.

Jackie stated that her aloof and sometimes abrasive manner is not the result of bad temperment. When busy, she admits to being curt and abrupt, but that this behavior is unconscious rather than intentional. "It's part of the guard that people put up" she said. When asked if there were any other factors that would help enable understanding her, she replied "I suppose that there and those who feel I do a bad job. The truth lies somewhere in between."

Ms. Fox is often visible during her morning search and confiscate rounds, snatching coffee away from unwary violators. She claims not to relish this task, and stated that the purpose was more to familiarize herself with which areas of the library were being used rather than to check on library patrons. Jackie tried to downplay the food/coffee issue, but these incidents along with her policy of personally dealing with unpleasants at the circulation desk have combined to form somewhat of a hatchet woman image. "I get along well with most students" she stated, adding that most have been "pretty cooperative" in complying with library procedures. The rationale behind the ban on food is to preserve books, the physical area of the library, and to prevent a peridious plague of cockroaches. Considering the trophy-sized jumbos that one roamed the Chester Building, the threat is probably more real than imaginary.

Jackie is a native Clevelander who dislikes the negative image frequently associated with the city. After completing a degree in Theater Arts, she did graduate work in Library Science at Case Western Reserve University. Then asked about the absence of a head librarian at C-M, she claimed no aspirations for that position, adding that Pat Gordon is doing a fine interim job. Dr. Kain); Banks v Perk, 341 F. Supp. 1175 (N.D. Ohio 1972).

Finally, the City has either failed to document and/or analyze its performance under the Act; or where it has so documented, there exist great discrepancies between reported activities and obligations and/or spending of program funds. This greatly hinders the monitoring process, and at worst, indicates intentional misrepresentations by the City in an attempt to circumvent program requirements. Again, the complainants' contentions are well documented. See, Complaint, pp. 24-29.

According to attorney Iskin, unless the City responds, HUD may resort to use of its available sanctions. These include withholding, or conditioning of further funds upon compliance with program requirements.
Fraternity plans for new year

Delta Theta Phi, one of the nation's largest professional fraternities, is the second oldest law fraternity in the country. It is not primarily a social fraternity. Delta Theta Phi seeks to provide its membership with a variety of activities designed to broaden their professional associations. Through informal student parties, as well as gatherings with fraternity alumni in the Cleveland and Ohio legal community, the members discuss many topics of current interest.

First and second year students are encouraged to fill out an application which can be obtained in Room 27. Upon completion of the application and acceptance by the membership, the new brothers and sisters are initiated in a ceremony conducted at the U.S. District Court for the Northern District of Ohio.

Last summer the Cleveland chapter of Delta Theta Phi hosted the fraternity's national convention in Sawmill Creek, Huron, Ohio.

Persons who have obtained applications should turn them in to their sponsors or to one of the following.

Newly elected officers: Nick Tomino, Dean; Bill Caine and Hank Reder, Vice Deans; Andy Hoffman, Clerk of the Exchequer; Sherri Boring, Clerk of Rolls.

Guild meets at Marshall

The National Lawyers Guild held its orientation meeting for law students who are interested in becoming involved in the Guild's program here on October 5. In an informal setting, law students and Guild lawyers enjoyed wine and cheese while discussing various aspects of progressive legal work.

Former Guild regional Vice President Terry Gilbert presented the history and national program of the Guild, founded in 1937. Initially a liberal alternative to the American Bar Association, the Guild concentrated its earlier efforts on legal support of the labor union movement as well as New Deal legislation.

The cold war era brought the Guild into combating repression of left wing organizations (including the Guild itself) by the House Unamerican Activities Committee and other governmental agencies as well as into the forefront of the civil rights movement.

During this period, the Guild lost over 90% of its membership to anti-Communism, a loss which has taken twenty years to recover from.

During the sixties, the Guild continued to be involved in civil rights work but also lent its legal and organizational resources to the anti war movement. As the Guild grew along with the anti war movement, it was able to expand the scope of its national program.

Attica and Wounded Knee became focal points of national Guild activity in the early seventies. Although no similar focal points exist today, the Guild has further expanded its national program to include labor, immigration, international, prison, native American, housing, grand jury and military law as well as combating the oppression of women and minorities.

After the initial presentation, several Guild members described their work on the local level. Ted Meckler, director of the Teamsters for a Democratic Union's Education and Defense Fund discussed the importance of providing legal support for rank and file union caucuses.

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rank and tenure earlier than either of them. As you will see by examination of the sheets subsequent to the first two pages, in 1976-77 I was almost equal in weighted hours of teaching to one of them and considerably in excess of the weighted hours of teaching to one of them and considerably in excess of the weighted hours taught by the other. In actual class room hours of teaching I considerably exceeded both. In the total number of students taught I far exceeded their combined total. I leave to you an examination of student evaluations of the efficiency of teaching.

All of this I pointed out to Dean Cohen in the interview which I sought with him when I first discovered the discrepancy in remuneration and expressed my displeasure. I received from him what I thought was an assurance that the invidious disparity would be corrected.

I again broached this matter at the outset of our individual discussions during the past Spring (1977) of salaries for this coming academic year. I stated to Dean Cohen in what I believe was a clear and unequivocal manner that while I do not (and can not) insist upon receiving a higher salary than the higher paid one of them, I must insist upon receiving as much as that one of them who received the higher salary. I received from Dean Cohen what I thought was an assurance that in the recommendations which he was about to make to University Administration, not only would my increase for 1977-78 be greater (as it would necessarily have to be in order to bring me to such parity) but that I would be paid an amount equal to the higher of their two salaries. I fail to comprehend how Dean Cohen would have misapprehended me position and I believe (though I could be mistaken) that I did not misunderstand his assurance to me.

The fact remains that the disadvantageous disparity remains. It is undeniable that whereas in 1975-76 I ranked fifth (if ties are disregarded) in salary scale, in 1976-77 I have ranked ninth and will still rank ninth. Apparently not even by running hard can one stay where one is! I give the go-by, for the moment that another professor junior in age, experience and tenure, and who was not even here this past year, has passed me.

Frankly, Sir, I consider that I have been used, and that, shabbily. If I have not been mistaken in my understanding of the explanations given to me, I have been dealt with in less than a straightforward manner. Had I been aware before yesterday of the continuation of the disparity of which I complain I would have taken appropriate action before this admittedly late date.

It is true that upon receipt of the contract offered to me which calls for $28,300.00 for 1977-78, I immediately signed it and returned it to the Finance Office. I did so because I believed that my complaint had received the curative attention which I insist it merited. I would not have done so had I known or even suspected that the situation remained just as it was. I do not feel legally or morally bound to honor that contract in the light of the events which have since occurred contrary to the assurances which I received.

It may appear that the difference amounts only to $500.00. That is not the issue and never has been. The issue is one of principle—my professional self-respect—and that alone.

I do not like ultimata, but I fear that I must now come close to one. For the moment let it be simply this: Please advise me promptly whether you will take immediate steps to increase my compensation for the year 1977-78 to $28,800.

Ultimata notwithstanding, steps were not taken to increase Professor Sonenfield's salary. When Professor Sonenfield met with Dean Bogomolny to discuss the matter he was informed among other things that the Dean “doesn't pay much attention to student evaluations” when it comes time to set salary for faculty members.

In his interview with The Gavel Professor Sonenfield emphasized that he considered his forte teaching and not writing. He believed that too much emphasis within the academic community generally (and Cleveland-Marshall specifically) was placed on publishing and not enough on teaching. He emphasized that “postcard warfare” may be well and good for the reputation of a faculty and school but contributed little if nothing to the learning experience of the students.

Professor Sonenfield emphasized that though he is leaving with regrets he harbors no hard feelings toward the faculty or administration. It is his hope to set up a private practice after leaving C-M.

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**BULLETIN**

At the Student Bar Association meeting of Saturday, Nov. 17, a resolution calling for the SBA to award Prof. Sonenfield a plaque for his service was narrowly defeated. A subsequent motion calling on the administration to urge Sonenfield to remain at C-M failed for lack of a second.

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Guild
from page 6
Chris Stanley related his experience in successfully litigating cases on behalf of inmates at Ohio's maximum security prison at Lucasville. He also discussed the ongoing legal support of the May 4th Coalition at Kent State.

Donna Powali, a CWRU student, described the recently completed domestic relations project. The project, completed almost exclusively by women law students, produced a handbook on divorce law.

Phil Star, director of the Cleveland Tenants Organization, presented various opportunities for law students to become involved in dealing with housing and landlord-tenant problems.

Legal Aid attorney Steve Saltzman concluded the meeting by discussing the Guild's role in fighting affirmative action cutbacks as well as in Cleveland's school desegregation case.

Jackie Fox
from page 5
Jackie feels that the law school is generally on the upswing, with both students and faculty reflecting a more positive attitude. In her opinion, the library presents a congenial atmosphere for study. The University recognizes the inadequacy of the lighting at present, and steps are being taken to remedy the situation. Among her current projects is an attempt to get faculty and students to more effectively utilize library service. It is difficult and often dangerous to label people. More often than not a trite cliche or summary description is woefully inadequate and unfair, because no one personality can neatly fit into a single category. In Jackie's case, however, a basic statement can be made that helps clarify without oversimplifying. She plays by the rules and expects others to do likewise.

Conference
from page 1
and would be useful for clinicians that were unable to attend the conference.

The obvious enthusiasm of the participating clinical teachers assembled was a welcome relief from the usual ambivalence of law faculty. The Conference, made possible by a grant from the Counsel on Legal Education for Professional Responsibility, with the help of the Association of American Law Schools, was deemed a resounding success and hopefully will be repeated in the future.

Ohio Women in the Law
Sample copies of the new Ohio Women in the Law newsletter are available in the Women's Law Caucus office, Room 26. The newsletter is being distributed free by subscription to all women law students in Ohio. If you would like your name added to the mailing list, write to: Mary Griesinger, Ohio Women in Law, CWRU School of Law, Cleveland, Ohio 44106.

Christian Legal Society
There will be a meeting of all interested law students who would like to meet for Bible Study on Tuesdays at 12:30 in Room 207. For information call Elaine Williams at 229-6460 or Glen Richardson at 531-1897.