When the defense counsel in the Susan Smith case needed research and supportive data in connection with women and the death penalty, it is no surprise that they contacted Professor Victor L Streib.

Although Professor Streib has been teaching for 25 years (and would never give it up) he does have a second love, which is research. Having been a prosecutor as well as a defense attorney, he has been exposed to all sides of criminal cases and the political arena in which crime is a major concern. Since he believes that the law does not effectively address all of the necessary issues of crime, and since most of the powers that be have their own political agenda in mind, the answers to criminal and legal reform must come through extensive research. Only through knowledge and study can the truth be ascertained. There are no quick fixes, no one answer to any of our criminal problems.

Some of the areas in which Professor Streib continues to research include death penalty for juveniles, death penalty for women, and juvenile crime. In connection with his research, Professor Streib has published many books, chapters in books, articles, and major papers. He has assisted in numerous cases which have caught the attention of the Larry King show as well as 60 Minutes. Although the current trend is for greater punishment for criminals, Professor Streib believes it is more important to save the next victim than punish the last offender. At the same time that society is crying out for greater punishment, violence is still being promoted through the media and other sources. Statistics show that longer incarceration for juveniles is good as it allows sufficient time for maturity, but at the same time, there has to be some amount of rehabilitation and training for these people so that they can enter the society without returning to crime, said Streib.

In his research concerning the death penalty, Professor Streib indicates that statistics show the death penalty does not reduce the number of homicides that are later committed. Although most would believe if you put a murder to death, there will be less murders, this is far from the truth. Actually, the number of people killed on the streets increases in the 10 days following an execution. Statistics also show that juries usually do not give the death penalty to women.

In connection with the Susan Smith case, the defense attorneys with help from Professor Streib attempted to get the prosecution to accept a guilty plea in exchange for a sentence of life in prison. Although Professor Streib's research indicated that the death penalty increases the number of homicides, that women rarely get the death penalty, and that Smith would get the benefit of having the trial in her home town, the prosecutors insisted in going through with the trial. In the end, Professor Streib was right. Smith did not get the death penalty.

PROFESSOR STREIB ASSISTS IN SUSAN SMITH'S MURDER CASE

By Susan Freneh-Seaggs
Staff Editor

CLINTON CABINET MEMBER GIVES COMMENCEMENT ADDRESS

By Robin Wilson
Staff Editor

Secretory of Health and Human Services Donna E. Shalala gave the keynote address at Commencement Ceremonies for Cleveland-Marshall College of Law graduates. An estimated 275 students received their Juris Doctorate degrees at the Palace Theatre at Playhouse Square May 21st. Shalala is originally from Cleveland's West Side. Her mother, Edna C. Shalala is a 1952 C-M alumna and she participated with her daughter during the commencement ceremonies. As Secretary of HHS, Donna Shalala is responsible for 230 health, welfare, food, drug-safety and income assistance programs. She entered public life in 1975 as treasurer of the Municipal Assistance Corp. which rescued New York City from the brink of bankruptcy. Shalala then went on to become an assistant HUD secretary in the Carter administration. Shalala has also spent many years in academia. She became president of Hunter College in 1980 and in 1988 became Chancellor of the University of Wisconsin at Madison. Unlike her mother, Shalala is not an attorney but she holds a PhD from Syracuse University in New York.

During her speech Shalala stressed the importance of Americans finding pragmatic solutions to what she called their greatest challenges. "You and I have lived at a central juncture in our nation's history. How ironic that at a time when the cold war has ended and democracy is replacing totalitarianism throughout the world that we see fault lines of division ripping through this country. Part of our responsibility as Americans will be to re-ignite the American values of civility and consensus," Shalala said. She believes that the partisan politics of Democrats and Republicans is ripping the country apart. "Policy debates have become too polarized and sound bites have replaced substance," Shalala said.

The Student Bar Association at C-M is busy working on a keynote speaker for the 1995-96 graduating class.
TUITION INCREASES ONCE AGAIN AT C-M

By Robin Wilson
Staff Editor

For the third year in a row tuition at Cleveland-Marshall College of Law is up. Tuition increased 12% at C-M for the 1993-94 school year and has increased 10% each year for the last two years. Director of Financial Aid at C-M Catherine Buzanski said she is surprised at the double digit increase each year. However, Buzanski said the cost is still very reasonable and inexpensive compared to other law schools in the region. "It is a bargain because look at what you are getting. For a state school there is a lot here," said Buzanski.

While tuition at the school is increasing the number of students on financial aid at C-M is increasing also. Two years ago, 60 percent of C-M students had law school loans. This year 75 percent of those attending C-M have applied for and received financial aid. On average, students who graduated last May owed $42,000 for their law school studies. Many students also have undergraduate debt in the amount of five to 20 thousand dollars.

Recently the federal government has increased the number of years students have to repay their school loans. Depending on how much you borrow, students can get up to 30 years to pay off their school debt. Under the previous program, most loans had to be repaid in 10 years meaning that some students had loan pay off amounts of four to six hundred dollars a month.

Full time law students who are residents can borrow up to $17,000 a year. With the price of a year's tuition currently at around $6,500 that leaves about $10,000 for living expenses. If you haven't borrowed the full amount already, you can borrow more but it will take some time for the money to be approved.

The Financial Aid Office receives an estimated $400,000 a year to distribute in grants based on merit and need. Any student with a 3.3 gpa or above is eligible for $700 a year in free grant money. Even if you do not need financial aid you are eligible for the money. All you have to do is fill out the financial aid application. Buzanski said because more students are now applying for aid, grant money will be distributed on a first come, first serve basis as of the 1996-97 school year. "It used to be that if you applied by a certain date you could expect to receive some free assistance if your met certain criteria. Because of the numbers of students applying that will no longer be guaranteed," said Buzanski.

Buzanski said she is proud of the fact that counselors in financial aid are almost always available for students. "We have an open door policy in the Financial Aid Office. It is rare that a student has to make an appointment. If students have a problem or are frustrated they shouldn't sit in the atrium and complain. Come down to talk with us. Everyone is treated equally."

The Financial Aid Office has a new assistant director this year. Jane Stiefvater has replaced Karen Popovich as second in command. Stiefvater comes to C-M from the Financial Assistance Office at Cleveland State. Popovich took the position at Stiefvater's former office.

the American Bar Association demanded be made during an accreditation scare three years ago. Dean Smith said all of the improvements that were called for are in the process of being made. Students do not need to worry that C-M is going to lose its accreditation, said Smith.

According to Smith the new law library is going to be great and large enough to handle all of the students' needs. However he cautioned that there will be a disruption at the school during the next 20 months as the construction continues on the new law school building. "We will all live through that with varying degrees of humor," Smith said. The new law library is going to be state of the art with a great combination of legal information formats. C-M has the largest collection of legal publications in its library in the state except for the law school at Ohio State University. In addition, it ranks among the top 10 in the midwest in its volume of books in the library. Eventually, the current library will house additional faculty offices, administrative offices, a mock trial room, and additional student facilities.

Dean Smith said incoming students should feel complimented by way of their own life experiences and credentials and feel honored to have been admitted to C-M. "The competition for admissions is intense," said Smith. As for media reports that there are too many lawyers in the United States, Dean Smith said students should not worry. The demand for almost all occupations is down, according to Smith. M.Ds, M.B.As, engineers. He said the vast majority of graduates will have a position within six months of graduation and that the legal market is improving. "Law is a very solid profession," according to Dean Smith, "but nobody should go to law school for placement reasons. Go cause you want to and because you want to help others. If you are going for the money, don't go," Smith said.

Does this sound like a plot from a Sunday night trash TV movie? Reality, these are some of the highlights from the Gavel editors' election for the 1995-'96 school year. Based on contested election results from last spring's editors' election, the Gavel is currently functioning with two of its standard three editors. As of the time the writing of this article, the Gavel is awaiting a final resolution on the editors' election from the University Department of Student Life. At stake is the in-state annual tuition stipend which each Gavel editor receives.

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C-M STUDENTS GET INTERNET ACCESS FOR FREE

By Leslie A. Pano
Faculty Services Librarian

The Joseph W. Bartunek III Law Library provides all currently enrolled law students in good academic standing their own individual internet accounts. Students are able to access the Internet from the Law Library PC Lab and from their home computers which has a modem and the Lab for your home system. You must follow in order to obtain and keep an Internet account. An account holder must not allow others to use one's account, nor provide anyone with knowledge of one's user password. An account holder will not attempt to break into other accounts or resources, that are not part of the account holder's privileges. This includes attempts to figure out passwords to other accounts or resources, be they on the originating machine or on any other part of the network.

An account holder will not intentionally use their accounts to violate state or federal law, nor will the account holder violate C-M student policy nor the Cleveland-Marshall College of Law Honor Code. There are many advantages to having an Internet account. Through email one can contact friends and colleagues from around the world at no cost. The law library offers a MIME compliant email package known as Pine which includes attachments. The law library offers a MIME compliant email package known as Pine which includes attachments.

There are a few conditions you must follow in order to obtain and keep an Internet account. An account holder must remain a law student at C-M in good academic and financial standing. An account holder must not allow others to use one's account, nor provide anyone with knowledge of one's user password. An account holder will not attempt to break into other accounts or resources, that are not part of the account holder's privileges. This includes attempts to figure out passwords to other accounts or resources, be they on the originating machine or on any other part of the network.

At issue is whether an absentee ballot should have been counted in last April's election. If it had been counted the results of the election would have been different. Since a decision is pending the election's outcome, the Gavel editorial staff has decided against releasing the details of the case. A decision is expected this month. Until a final decision is reached, third year students Robin Wilson and Susan French-Scaggs were elected last spring will assume all duties of the Gavel's management. Based on the confusion in last year's election the Gavel's Bylaws have been modified to clarify the use of absentee ballots and proxy votes. This is intended to eliminate the possibility of this type of controversy arising in the future.

CAREER PLANNING OFFICE GETS A NEW DIRECTOR

By Robin Wilson
Staff Editor

There is a new acting director in the Office of Career Planning and Placement at Cleveland-Marshall. Assistant Director Sonia Winner has been promoted to the top spot. Winner replaces outgoing director Cynthia Applin who left Cleveland-Marshall after four years in the post. Applin has taken a position at Towson State University near Baltimore and will be pursuing a Ph.D. at the University of Maryland. 1995 C-M graduate Rena Lubell has taken over the job of assistant director on an interim basis. In an interview prior to leaving Applin said she really enjoyed her time in Cleveland, particularly her job at C-M. She said Cleveland has a lot to offer culturally, socially, and professionally. "The job market is pretty steady in Cleveland. There are so many things happening here that the stability should continue. Gateway, the Rock and Roll Hall of Fame, and the Lakefront development are really good signs," said Applin.

Applin said the job situation for graduating C-M students has really improved during her years in Cleveland. "When I first got here we were in the worst part of the recession of 1988-92. It was really bad. People were out of money, and they were closing down firms," Applin said one of her main objectives coming into the job was not to ignore the big firms but to put them on a back burner. Because of that, according to Applin, they found an unappalled pool of employers for C-M students. Applin said she sent out a lot of mass mailings and public relation letters to public interest organizations and government agencies.

That provided a slow but steady surge of people who got hooked on C-M and job opportunities have really grown out of that." Applin said that in the last year and a half the Office of Career Planning and Placement is focusing once again on larger firms because they have more money now, they are hiring again, and they are interested in C-M students.

This year, the Office of Career Planning and Placement will be conducting its On Campus interview program from September 18 to the end of October. Applin said the majority of firms coming to campus this Fall are larger law firms, corporations, and industry organizations. They will be looking for second and third year students to work as law clerks for the Summer of 1996. In addition, the Office is implementing a new Viking Job Line. The Job Line will give law students and job opportunities have really grown out of that." Applin said that in the last year and a half the Office of Career Planning and Placement is focusing once again on larger firms because they have more money now, they are hiring again, and they are interested in C-M students.

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**JUSTICE DEPARTMENT CRACKS DOWN ON THE ABA**

By Robin Wilson

Staff Editor

The Justice Department and the American Bar Association have reached a settlement over charges that the ABA is fixing salaries of professors at accredited law schools. According to a June report in the Wall Street Journal, the ABA has been using salary data in evaluating law schools for accreditation thereby ratcheting up the salaries of law school professors. Joel Klein, a deputy assistant general in the Justice Department’s anti-trust division said “once a school raised its salaries under pressure from the accreditation committee, it became part of the pool from which salary averages were calculated and was presented to schools seeking accreditation or renewal.”

Under the settlement, the ABA did not admit wrongdoing but agreed to no longer use faculty salaries as a factor in their accreditation process. The settlement also prohibits the ABA from refusing to accredit a school simply because it is for-profit. As of now, the ABA has never accredited a for-profit law school. In addition, the settlement mandates that the ABA cannot refuse to allow its approved schools to accept credits for classes taken by students at schools that are state accredited, but not ABA-accredited. There are 178 ABA-approved law schools in the country.

Also as part of the settlement, a special committee has been formed to study whether there are standards that the ABA uses in judging law schools should be changed. Those include keeping student-faculty ratios at less than 25 to 1, limiting the teaching hours of faculty members, limiting the hours students can work at outside jobs, and setting certain standards for school libraries.

The Justice Department investigation began after the Massachusetts School of Law sued the ABA in November of 1993 and complained to the antitrust division when it was denied accreditation by the ABA according to the Wall Street Journal report. In addition to the Massachusetts School of Law complaint, deans of a number of prestigious law schools, including Harvard and the University of Chicago, last year began pressuring the ABA to overhaul the accreditation process stating that it was intrusive and inflexible.

**NICHOLAS COQUILLARD — Editor-in-Chief**

**Undergraduate Degree:** Nicholas attended Michigan State University where he majored in journalism.

Why Law School: The main reason he decided to go to law school was that he wanted to achieve a higher level of education. Since the journalism field was saturated, he felt that he could combine his journalism degree with a law degree and find a “niche” where he would happily fit.

Worst First Year Experience: Although Professor Werber was a great professor, and tried to help, Nicholas was still unable to grasp the intricacies of contracts. The material just didn’t sink in. Overall, it was also hard to switch from journalism, to law, and it was very hard to learn exactly how to take law school exams.

Study Habits: Nicholas studied an average of approximately 6 hours per day for class preparation, and when it was time for exams, he spent approximately 20 to 30 hours preparing for each exam class.

Study Aids: He relied more on treatises than canned outlines or study aids. Before he came to law school, a professor told him to pay more attention to the treatises than anything else.

Helpful Hints: When you can pick some courses for yourself, make sure you take courses that are fun and that interest you. Don’t just pick classes because they are on the bar exam.

**MELODY HARRIS — Executive Editor**

**Undergraduate Degree:** Melody attended 4 different colleges. The first was the University of Cincinnati, then on to 2 schools in Florida, finally finishing at Cleveland State University with a major in marketing. Since she attended so many different schools with so many different core requirements, Melody chose a marketing major because it was the quickest degree to earn.

Why Law School: When she lived in Miami, Melody worked for an attorney who inspired her to learn and love the law. Although she had no previous legal experience, Melody was quickly promoted from secretary to paralegal. She loved the attorney she worked with and gave him a great amount of responsibility as well as challenging work. It was at this time that she knew she wanted to be an attorney.

Worst First Year Experience: Legal writing was the worst experience. There was no direction given for the first year case analysis that had to be completed during orientation. Melody did not have information in the case analysis and was very frustrated by her low grade.

Study Habits: Melody participated in study groups for certain classes, studied alone on one in other classes, and also studied alone. Whether she participated in a study group or studied alone depended on the type of class and the dynamics of the group. She studied every waking minute she was not in school, but took off Fridays to go out and have fun. When exam time approached, she spent approximately 30 hours studying for each exam.

Study Aids: She preferred preparing her own index cards over outlines. Don’t spend a lot of money buying all of the study aids as you won’t have time to read them all and many of them are available in the library. Audio tapes are very good, and give tips for test taking.

Helpful Hints: Do at least one past exam for each class as many professors cover the same aspects or points of law every year. The exams are on file at the reference desk in the library. When you are able to choose your classes, make sure you choose the classes with that particular professor. You can also check out grades that are posted to see how the distribution falls. Find an upper class person who has some of the same professors that you are taking and see if they have any hints. And if you are ever lost when reading a case, you can always go to the West case books and read the headlines to see the major issues involved in the case.

**DAVID GAREAU — Executive Editor**

**Undergraduate Degree:** David attended Ohio University. His major was communications and political science.

Why Law School: His father is an attorney and David was exposed to law as well as politics, which peaked his interest. His major was publishing, and he was very interested in news and current events as the year progresses.

Worst First Year Experience: The worst has to be the “unknown” aspect of test taking. Contracts was a shock. He answered the contracts exam questions as he would any other law course exam question, when he should have explored more options in his answer.

Study Habits: During his first year, David studied an average of 20 hours per week and usually took off Friday evenings as well as most of the weekend. In preparing for each exam, he spent approximately 25-30 hours making and studying outlines, etc., some classes required more study time and some required less.

Study Aids: He did not use study aids as a rule, he preferred to work in groups and prepare outlines. He did refer to Gilbert’s Barbook, which is a great outline book.

Helpful Hints: Brief cases your whole. The exams are on file and you don’t have to work too hard. You can read each case before you read the headnotes to see the major issues involved in the case.

**LAW LIBRARIANS ARE HERE TO HELP**

By Marie Rehman

Reference Services Librarian

If you have little questions (that don’t even have to be law-related) you can ask us.

If you have a major research or writing project, the Law Library Reference staff can assist you in developing your research strategy.

We can help you find information in our library and can get materials for you from other libraries around the country.

We can also help you learn more about the “tools of your trade”: how to use the basic print sources and how to access expanding online and CD-ROM sources.

These abilities are important since an integrated approach is increasingly necessary.

This is a more collaborative, ongoing relationship than you may have previously experienced and can be very helpful in your research. Let’s work together to help you be successful in meeting your objectives, whether short-term (like a paper or term project), or long-term (career considerations).

What’s new at the Law Library?

Professor Michael J. Slinger is our new Law Library Director. He has come well-received from Suffolk Law School in Boston, a law school somewhat larger, but very similar in demographics, with many other programs, strong developing history, active urban setting, etc. He is very interested in how we can best help you. We welcome your thoughts and encourage you to stop in. His office is to the left as you enter the Law Library.

OhioLINK is the new shared library and information network created by the Ohio Board of Regents. This includes all of the 120 academic libraries in Ohio. You can search WorldCat (available as part of OhioLINK) which lists the holdings of libraries across the country. You can then work out arrangements with our Interlibrary Loan staff.

OhioLINK also has research databases, including those indexes not on LEXIS or WESTLAW.

In addition to acquiring books, videos, journals, etc., we are increasing the number of titles on CD-ROM. Some titles may be available on LEXIS or WESTLAW, however, we will make them available to the more familiar with CD-ROMs. Law firms are getting more of them so as to increase search speeds.

You will be hearing more about these developments as the year progresses.
**DIRECTOR OF LEGAL WRITING SAYS UNFORTUNATE BUT GRADES ARE ALL IMPORTANT**

By Stacy McKinley
Staff Writer

First year professors have the challenging task of guiding students through their initial transition from the law and law school. If you ask second or third year students about their first year teachers, you will get a variety of answers. They may say they were intimidating, or inspiring. So, we asked a number of professors who teach first year classes to talk about their expectations on their jobs, their approach to teaching and the first year of law school.

**CIVIL PROCEDURE**

S. CANDACE HOKE
B.A., Hofstra University; M.A., Wesleyles College; J.D., Yale University

Professor Hoke is beginning her second year of teaching at Cleveland-Marshall. "My goal is to facilitate students' precise thinking, to help them realize that law is constantly changing and that there is a necessity of thinking rather than a certain kind of content. In the first year that's a tall order. So many people assume they have to memorize the stuff." Hoke said law school can be all encompassing. "It's very important for students to not allow that to happen. You must maintain a balance of the theoretical aspects and the practical aspects requiring students to think like a lawyer."

**CONTRACTS**

DAVID GOSHIEN
B.A., Brown University; J.D., University of Chicago

Professor Goshien is entering his 28th year of teaching at C-M. This year he is teaching Contracts. He said many of his students have done their own work and have acquired their own skills. "The give and take of classroom discussion and the freshness of each new group of students is what Professor Goshien enjoys most about teaching law. His advice to students is very plain: learn to analyze cases by practicing briefing cases. Professor Goshien quotes one of his professors at the University of Chicago, Soza Menteshkoff, who said, 'I believe, you don't see final results right away, but if you do your best, you will see a tip in five minutes. If you can't see a tip in five minutes, it's because you don't know the case.'"

**FIRST YEAR PROFESSORS SAY PREPARATION AND STUDY IS THE KEY**

By Steve Blount
Staff Writer

Whether Professor Deborah Klein, the Director of Legal Writing, Research and Advocacy at Cleveland-Marshall first came to the law school, it wasn't as an assistant professor. Klein graduated with honors from C-M in 1978. After graduation, Klein clerked on the Eighth District Court of Appeals and practiced in private practice as a criminal defense lawyer before taking a position as a legal writing instructor 16 years ago. She became director of the program three years later.

Klein enjoys teaching first year law students and said it is really a lot of fun. "The students are so eager and so bright and they know nothing. They go from lay people to lawyers in one year and they know nothing. When you are competing for those students, you've got to cater to them. We want our students to get the learning experience.

"I'm a lawyer myself, so I focus on practical skills, as well as theory, for example, how to conduct a business meeting, or how to lead a meeting, or how to give a background and environment that is not a case; getting across what an appellate opinion is, and where it fits in the process."

"I played the lawyer and the client in a small case in law school. I do more explaining in this class than in any other of my subjects." Professor Finer particularly enjoys teaching first years. "There's a special quality to the first year. You have an opportunity to influence the whole perspective on law, to carve new pathways of thinking," he says. "The students aren't jaded; they're excited, eager to absorb, learn and work."

**JOEL FINER**
B.A., City College of New York; M.A., LL.B., University of Colorado; J.D., University of Arizona

Professor Finer has been teaching law students for 30 years. He previously taught a year at the University of Texas, where he is currently on the philosophy faculty as a visiting faculty member, and a year at the University of Arizona. This year he is teaching criminal law to first year students. "I try in the early sessions to give a background and environment that is not a case; getting across what an appellate opinion is, and where it fits in the process."

"I played the lawyer and the client in a small case in law school. I do more explaining in this class than in any other of my subjects." Professor Finer particularly enjoys teaching first years. "There's a special quality to the first year. You have an opportunity to influence the whole perspective on law, to carve new pathways of thinking," he says. "The students aren't jaded; they're excited, eager to absorb, learn and work."

**VICTOR STREICH**
B.S., Auburn University; J.D., Indiana University

Professor Streich has been teaching criminal law for 25 years. This year he is teaching Criminal Law to first year evening students. "Criminal Law is a lot of fun for first year students."

**IN RE: DROPPING OUT**

By Steve Blount
Staff Writer

Every year, about 10% of the first year class drops out during the first few weeks of class, at least according to one of my former teachers. Another 10% drop out sometime in the course of the year. Is this a loss to Cleveland-Marshall? Probably not. They probably over-enroll, taking into account this is a loss to the community? Maybe. If the person dropping out has an IQ of 205 and is selling dog food for a living, then yes. But if they are not a gifted teacher thinking of switching to law, then you tell me. Is this a loss to the person dropping out? Yes!!

Most people don't understand that law school simply takes a little getting used to. They get nervous, find the material difficult, and find the future nebulous. The truth is, everyone is nervous, everyone finds the material difficult at first, and while most will agree that basics an entire year's worth of work on one final is a pretty crummy way to teach, this only has to be done once. Next year, you'll choose your classes, know the teachers better, know the students, and have perfected your study habits. Remember, only about three to four percent of all the grades given out last year were D's, and there were hardly any F's at all.

If you simply decide to stick around to see what happens, you'll get free lexis and westlaw time, get to use all the university resources, get good help with career planning, get to participate in the student activities (what student activities?!) and many other things. For my part-time fees of $2,290, I consider it the best deal this side of the universe. At worst, switch to the evening program.

So if you're thinking of taking your way out of here, think about it, go jump in the pool, have a beer and pizza courtesy of the SBA, and go read your favorite magazine on Lexis. The second semester really goes fast, and it's a lot of fun to watch the leaves change color outside the front door, something I enjoy seeing again now that I am back in the midwest. For the evening students who choose to leave or drop out, the relevant question is: what are they doing with their time? Is there a business opportunity, an interest that means something that you have been interested in? Is there absolutely no correlation between grades and having to work. I believe it. The best students in last year's evening sections all carried full time jobs. It's partly explainable by the fact that it doesn't take long to zero-in on what the teacher thinks is important. Take all notes, review all homework.

In spite of what I've said, if you do decide to leave, then as Professor Goshien says, leave properly. You may want to come back later. Last year, a student wasn't going to take his midterms, but then he heard he could get his next semester's financial aid if he did, so he took the exams and ended up getting to Las Vegas go to look for a job. Now that's what I call quitting in style!
students because it’s a subject they know a little about, about which they have opinions and care," says Streib. "My course has evolved as I’ve learned more about how students learn. My job is to help them to learn, not to teach. It’s everyone’s professor’s dream to end up with bright people. Here you’re dealing with bright, very educated stu-
dents. Interacting with bright, motivated people is fun." Professor Streib’s advice to first year students is to get control of their major problem students run into is that something goes crazy in their lives—job, mar-
riage, major life crises, which divert them from their studies. Professor Streib says, "You can, put everything on hold." Streib said he’s never met anyone who wasn’t intellectually able to get through law school. "You just have to do the work.

PROPERTY

STEPHEN LAZARUS
A.B., Williams College; L.L.B., Harvard
Law School

Professor Lazarus has been a member
of the C-M faculty for 22 years. This year
he is teaching Property: Principles for your day stu-
dents. Professor Lazarus likes the idea of
having a dialogue with the students. "My
approach is to foster that dialogue rather than
just talk to students." Professor
Lazarus says that in his Property class there,
usually aren’t that many pages to read, but
students must go over the material several
times. He advises students to not only
read the material before class, but to re-read
it after class. Professor Lazarus’s advice to
students is to work real hard and not to ex-
pect that it will come easy. "People tend to
think that you have this analytic ability or you
don’t. If they don’t get it right away, they get
discouraged and stop doing the work. They
must stay with it.

TORTS

DEAN DAVIS
B.A. Marlboro College; Ph.D., University
of Iowa; J.D., University of Virginia

Professor Davis is in his sixth year
of teaching C-M. This year she is teaching
Torts to first year day students. "The reason
I like Torts is that it is really a series of one-
act plays," she says. "The things that happen
to these people are things we can all relate to.
You can then develop an individual approach.
Attending class unprepared is not better than not showing up
at all, but as the Boy Scouts say, ‘Be prepared.’

PETER GARLOCK
B.A., L.L.B., Ph.D., Yale University

Professor Garlock, who is in his 3rd year of teaching at C-M, will be teach-
ing Torts to first year day students and Crim-
inal Law to evening students this year. "I ask students a lot of questions at
the beginning. We really pick the cases apart,
particularly in Torts. I try in Torts to explain
the interrelationship between procedure and sub-
gravity." Garlock likes to pick cases in
which the author gives frequent dissents, so
the cases are easy to remember." Professor
Garlock advises student to not panic and to
take things as they come, because the adminis-
tration feels that it is what the students de-
sire. Please read the five points below and sign if you would prefer
to be categorized by a similar design.

Cut this petition from the Gavel and return it to the SBA
office, LB 28 at your earliest convenience.

FAIR EMPLOYMENT PRACTICES CLINICANS
TAKE TO THE ROAD

Last year, students enrolled in the Fair Employment Practices Clinic went on the
road for a couple of appellate arguments. The FEP Clinic represents actual clients in employ-
ment discrimination matters before administrative agencies.

Two of the Clinic’s cases last year were argued before federal Courts of Appeals
and clients who had worked on the cases travelled for the oral arguments.

One of the cases Mahoney v. Radio Free Europe (REE), presents important ques-
tions involving the application of American employment discrimination laws overseas.
The case was brought under the Age Discrimination in Employment Act (ADEA) by two former
employees of Radio Free Europe who had been working in Germany when they were forced to
retire. The Clinic filed suit on their behalf in federal District Court in Washington, D.C.

See F.E.P. next page.
AVOIDING ACADEMIC DIFFICULTY IN LAW SCHOOL

By Professor Susan Becker

Caveat: This article is based upon my own experiences and observations as a Cleveland-Marshall law student, professor, and member of the Academic Standards Committee during the past five years. The views expressed are not necessarily those of the administration or other faculty members.

Students are often dismayed by their academic performance during law school. Individuals who have never received anything lower than a "B" from kindergarten through college are shocked when final and midterms grades rank their performances as average or even below school. Individual s who have never experienced serious academic difficulty, and to suggest a course of action for students who find themselves in that precarious position.

Avoiding Academic Difficulty

"I don't think we're in Kansas anymore."

Dorothy's observation to Toto when she awoke to find herself in the Land of Oz is equally applicable to finding yourself in law school. Even if you have taken classes that are related to the law, commercial law or other law-related courses in undergraduate or graduate school, the law school experience is a world unto itself.

Indeed, most students have devoted their entire academic careers to finding one perfect answer for each well-defined problem. A solid legal education demands just the opposite. The legal problems or hypotheticals posed are often incapable of precise resolve, and thus a variety of possible solutions must be raised and thoroughly considered.

Reliance on commercial outlines also evokes one of the most frequent lamentations that my colleagues and I hear from students dissatisfied with an exam grade: "I can't believe I did so poorly when I knew the material so well."

Despite the students' implication that seeking answers in a commercial outline has been fatally flawed, the low grades are appropriately awarded because the students' "knowledge" of the subject (as demonstrated in their exam answers) is often limited to definitions of terms of art and legal doctrines as set forth in the commercial outline. A very conclusory statement such as "therefore, B wins" fails to demonstrate definitions and black letter law.

An exam answer which demonstrates "knowledge" of the law but omits any meaningful legal analysis conveys two messages to the professor, neither of which enhances the grade accorded the exam: (1) the writer has not developed the analytical skills essential to competent lawyering; and (2) the student has missed the fundamental function and value of legal education, to wit, learning how to solve problems by applying applicable legal principles to the facts as presented by clients.

In my experience, analytical skills can only be developed by thinking about the black letter law in the context of the cases and problems discussed in class, and by incorporating that thought process into an outline of your own design. Memorization of commercial study aids will not further the skills necessary for competent lawyering.

It is perhaps unrealistic to expect students to fully comprehend complex commercial material when consulting sources outside the textbook and classroom discussions. But if you encounter difficulty, ask the professor to recommend a good hornbook on the subject rather than seeking answers in a commercial study aid. Hornbooks provide a textual treatment of the material which is generally much more enlightening than outline form. The books are available at the reference desk in the library.

Another useful technique for learning the law is simply talking with other students. Discussion in study groups is not necessarily required, although some students find that meeting with others on a regular basis substantially improves their comprehension of the law. Similar benefits can be derived by simply chatting with other students before, after, or during the exam season.

Attendance at school-sponsored sessions on topics such as preparing for and taking exams is highly recommended. Members of the faculty and students who participate in these programs offer solid, practical advice on how to approach each exam and how to study for the next one.

Even if you have attended previous sessions, attend again. At a minimum, repeat attendance provides an opportunity to stop and organize your thoughts and your time prior to the onset of Reading Week dementia.

And finally, listen carefully to what the professor stresses in class regarding the substantive material covered in the format of the exam she intends to give, and her expectations regarding your exam answer. Because the law is so vast, every instructor devotes an inordinate amount of time and energy on course content.

Accordingly, you are not going to impress the professor by writing page after page on a topic in 10 minutes of class time, especially if you are severely curtail your discussion of other subjects that spanned multiple class periods. Also be attentive to any information provided about the exam. Any good piece of advocacy starts with identifying your audience and learning what the recipient needs to hear to render a decision in your favor. Exam writing is no different.

The District Court granted summary judgment to the Plaintiffs and after a trial on damages, the case was appealed by RFE to the United States Court of Appeals. Clinic students worked on the briefs and in preparation for oral argument. Seven of them went to Washington to view the oral argument and Professor Smith also attended the argument.

Unfortunately the D.C. Circuit reversed and held that the collective bargaining agreement did not cover the foreign laws exception.

The other case argued by the Clinic in circuit court last year was also an age discrimination case. The District Court in Cleveland had dismissed the case for failure of the plaintiff to timely file a charge of discrimination with the EEOC. The Clinic took over representation at the appellate stage.

Clinic students prepared and filed briefs with the Sixth Circuit Court of Appeals, arguing that the time limitations should have been tolled on equitable grounds. Four students then traveled to Cincinnati in April for the argument itself. The Court has not yet issued its decision.

Ken Kowalid
ATTY.
E.F.P.C.

HOW TO SUCCEED IN LAW SCHOOL

- Open your mind to creative analysis and problem solving.
- Consider a number of possible solutions rather than searching for one definitive answer.
- Read the assigned material.
- Spend time thinking about the material covered in each course.
- Talk with other students about the legal principles you are learning and the application of these principles in various situations.
- Create your own outlines for each subject.
- Do not use canned briefs for cases.
- Consult the hornbook or treatise recommended by the professor to clarify difficult legal concepts.
- Attend school-sponsored programs on exam preparation and other skills critical to success in law school.
- Heed the professor's advice regarding how to approach an exam.

Make a Statement...

WRITE FOR THE GAVEL

The GAVEL is always seeking interested students, staff, faculty, and administrators to contribute to this publication. If you are interested, stop by the office, LB 23, or call 687-4333. Opinion pieces, news articles and cartoons are welcome. Please contact an editor regarding your topic to avoid duplication of efforts.

Contributors become staff members after publishing two articles or three cartoons in the GAVEL. Staff members are eligible to participate in editor elections at the end of the school year. Three editors are elected, one of study groups is not necessarily required, although some students find that meeting with others on a regular basis substantially improves their comprehension of the law. Similar benefits can be derived by simply chatting with other students before, after, or during the exam season.
STUDENT ORGANIZATIONS AT CLEVELAND-MARSHALL

LAW REVIEW

Law reviews are the scholarly journals of the legal profession. In general, law reviews publish articles on new legislative developments and their legal impact, in-depth analyses of areas of the law from an historical perspective or with a current focus, articles concerning recent case law and its significance, and reviews of new books important to the profession. Practitioners, judges, professors, and students all rely on law reviews for information.

In contrast to other fields, scholarly publications of the legal profession are, for the most part, managed and produced by students. The Cleveland State Law Review is a journal with a proud tradition. Four times each year, the Law Review publishes articles of both local and national significance.

Membership in the Law Review has been the traditional mark of an excellent law student. Potential employers highly value the membership.

Students may be invited to join the Cleveland State Law Review as Associate members at the end of their first year of legal studies either by virtue of their ranking in the top ten percent of their class or by successfully competing in a writing contest during the summer following their first year, if the student is a day student. Students in the evening division may choose, instead, to wait until the summer following their second year to enter the writing contest. During their first year of Law Review participation, Associate members take part in the editorial work of the Law Review and produce a comprehensive Note on a topic of their choice. A select number of these Notes are published in the Law Review following the year. Successful completion of the Note may also satisfy the upper level writing requirement. Students who satisfactorily complete their Associate year attain the rank of Editor, assuming supervisory duties over the Associates and becoming more involved in both editorial and policy-making functions.

JOURNAL OF LAW AND HEALTH

The Journal of Law and Health is a law review devoted to publishing timely and informative articles in the area of health and law. Two issues of the Journal are published each year. Students are not eligible to become members of the Journal until they complete their first year. Students in the upper division spring intramural competition. To compete in the 1996 upper division intramural competition which is part of the Legal Writing program. Qualified first year students compete inter-scholastically as second year students with the advice and assistance of the Board.

ENVIRONMENTAL LAW ASSOCIATION

The Environmental Law Association provides students with an opportunity to meet fellow law students with an interest in environmental law. Activities will include social functions as well as having guest speakers.

INTERNATIONAL LAW SOCIETY

The goal of the International Law Society (ILS) is to promote an understanding and recognition of international law. The ILS sponsors The Jessup Moot Court Team, international law speakers and other activities.

AMERICAN CIVIL LIBERTIES UNION (ACLU)

The American Civil Liberties Union chapter provides students with an opportunity to meet fellow law students as well as interact with practicing attorneys with an interest in civil liberties.

Activities of the group will include social functions, guest speakers and debates. The chapter plans to work closely with the American Civil Liberties Union of Ohio.

MOOT COURT

The Moot Court Board of Governors is a student organization and program designed to develop and refine brief writing and oral advocacy skills. Students in the program are members of the Moot Court Board of Governors and they participate in interscholastic competitions, which are judged on the quality of written briefs and oral arguments.

Any student may become a member of the Moot Court Board and thereby be eligible to compete in national level competitions by completing 1807, Advanced Brief Writing, and successfully competing in the upper division spring intramural competition. To compete in the 1996 upper division intramural competition students must enroll in Advanced Brief Writing in the Fall 1995 semester. Winners are invited to join the board. The balance of board members (6-8) are selected through a first year intramural competition which is part of the Legal Writing program. Qualified first year students compete inter-scholastically as second year students with the advice and assistance of the Board.

Since 1985, Moot Court teams have earned fifteen first place brief awards in inter-scholastic competitions and have won the Benton Moot Court Competition in Information Law and Privacy, the Cardozo Entertainment/Communications Moot Court Competition, the Jerome Prince Inviational Evidence Competition and the F. Lee Bailey National Moot Court Competition.

Moot Court is excellent for developing and refining your brief writing and oral advocacy skills.

HISPANIC LAW STUDENT ASSOCIATION

The Hispanic Law Student Association is dedicated to the advancement of Hispanics within the legal profession. The organization provides a support network for all Hispanic law students, and it seeks to establish and maintain mutual cooperation with the larger Hispanic legal community.

WOMEN LAW STUDENT'S ASSOCIATION

At the last meeting of the previous school year, Women's Law Caucus held elections and made changes to the organization. The name was changed from Women's Law Caucus to Women Law Student's Association (WLSA). Officer positions were changed by combining the positions of Secretary and Treasurer into one office. Also, members voted to have a different person, each month, chair the speaker's committee instead of a single person. The decision to have a rotating chairperson was made so no one student become overwhelmed with the task and to encourage other members interested in a specific women's issue to organize an event.

Congratulations to the new officers: President, Linda Sandich; Vice President, Susie Charbel; Treasurer/Secretary, Kelley Campbell. Leslie Huff and Marilyn Jennings have volunteered to organize an event for September and October, respectively. Campaigning positions for the Speaker's Committee are still open. WLSA also welcomes Professor Phyllis Crocker as the new advisor.

The purpose of WLSA is to promote the role of women in the legal profession, engage in activities that enhance the role of women in society, and provide networking and support to members. WLSA sponsors various guest speakers and awards a scholarship to female candidates with financial need. WLSA looks forward to adding new members from the incoming class as well as other classes. All are welcome to join.

Meetings will be held on the first and third Mondays of every month at noon for day students and 5:00 p.m. for evening students. Meetings will last one hour. WLSA's bulletin board is on the west wall of the cafeteria and the office is located in Room 26.

Linda Sandich
President WLSA & Gavel Staff Writer
STUDENT ORGANIZATIONS AT CLEVELAND-MARSHALL

BLACK LAW STUDENT ASSOCIATION (BLSA)

BLSA is a national organization with chapters at law schools across the country. The C-M chapter of BLSA sponsors and co-sponsors various educational and social events throughout the year. Our biggest event is the BLSA Scholarship Banquet, which is held every year in April. Although BLSA's primary purpose is to provide assistance in preparation and retention of African-American law students, BLSA membership is open to all students.

DELTA THETA PHI LAW FRATERNITY

The Delta Theta Phi Law Fraternity is an international professional law fraternity with over 100,000 members. Delta Theta Phi bridges the gap between law school and the successful practice of law. By networking at fraternity functions, mutual benefits are derived for both students and alumni. Many attorneys who need law clerks or associates for example will often look to the fraternity first. In general, the Fraternity provides a framework for its student members to substantially further their range of personal contact and professional opportunities. Members are able to borrow study aids from our own small library of donations from past members. In addition, there are several social functions throughout the school year.

FEDERALIST SOCIETY FOR LAW & PUBLIC POLICY STUDIES

The Federalist Society for Law and Public Policy Studies is an organization of conservatives and libertarians interested in the current state of legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of government powers is central to our Constitution and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The Society seeks both to promote an awareness of these principles and to further their application through its activities.

The Society seeks to reorder priorities within the legal system to place a premium on individual liberty, traditional values and the rule of law. It also seeks to restore recognition of the importance of these norms among lawyers, judges, law students and professors. In so doing, the Society seeks to advance the above principles and create an intellectual network extending to all levels of the legal community.

The Cleveland-Marshall chapter will sponsor guest speakers; debates among faculty members; students and members of the legal profession; discussion meetings; publications; and academic, legislative and pro bono research activities.

As a group, Asian and Pacific Americans represent the fastest growing segment of the U.S. population. This group has only recently entered into the legal profession in significant numbers. The Asian Pacific Islander Law Student Association (APILSA) was formed to address the concerns of Asian students as well as to provide support to its members. APILSA is beginning its fourth year of service to the students of Cleveland-Marshall. APILSA welcomes and encourages all students, not only those of Asian descent, to participate in the many events APILSA sponsors throughout the school year. Many of these activities are aimed at educating persons to the many issues facing Asian Americans.

APILSA also offers a forum for its members to meet Asian American Lawyers working in the Cleveland area through its guest speaker series and through its close ties with the Asian American Bar Association of Ohio.

Meetings are held regularly with times and places usually posted a week prior to the meeting. If you would like more information regarding APILSA contact any of the officers or leave a message at our office.

STREET LAW OFFERS A DIFFERENT PATH

If you think that you are going to law school at an interesting time and you have completed your core requirements and you are considering diverse career options then read on.

Street Law is a one or two semester course that offers two or more hours of credit each week. Street Law students meet at noon or at 4:00 on Tuesday in room 206 and talk about teaching practical law to lay people.

Each week the law students teach law in an area junior high or high school including Cleveland-Marshall's "own" high school, the Law and Public Service Magnet High School (LPS) in the Hough neighborhood. The Hough neighborhood is proud of Cleveland-Marshall's role in making LPS part of this come-back community. Hough has the most new housing starts, the fastest growing residential tax base and youngest councilwomen. David Epstein taught there last year. With students there he discussed environmental law and "how to start your own business."

Through Street Law Cleveland-Marshall law students have taught at urban, suburban and rural schools including Avon, Lake, Brunswick, Lakewood, Brush, Cleveland Heights, Benedictine, St. Ignatius, Law and Public Service, Mayfield, Shaw High Schools and at Cleveland Works.

Last year law students started projects that we hope to continue this year. One project, a mock legislative hearing, involved two high schools last year. We would like to make it a bigger event. The other, the Bill of Health Project, involved law students working with middle school students to design an opinion survey about health care and life style issues.

See Street Law on p. 11
The top 10 ways Cleveland-Marshall Discriminates Against Evening Students 
(with apologies to David Letterman):

1. The restrooms are really dirty by the time we arrive for class.

2. The snack bar closes at 6:00 p.m., the coffee in the vending machine is unpalatable, and the food selection in the other vending machines is unhealthy and of poor quality. In the event that we indeed wanted to drink a cup of coffee and review our study materials in the lounge or atrium, the lighting is so poor in the evening that perhaps the powers that be will realize that evening students are not receiving the support, programs, or educational opportunities that Day Division students enjoy and will discount our tuition accordingly.

3. The restrooms are really dirty by the time we arrive for class.

4. The snack bar closes at 6:00 p.m., the coffee in the vending machine is unpalatable, and the food selection in the other vending machines is unhealthy and of poor quality. In the event that we indeed wanted to drink a cup of coffee and review our study materials in the lounge or atrium, the lighting is so poor in the evening that perhaps the powers that be will realize that evening students are not receiving the support, programs, or educational opportunities that Day Division students enjoy and will discount our tuition accordingly.

5. The restrooms are really dirty by the time we arrive for class.

6. The snack bar closes at 6:00 p.m., the coffee in the vending machine is unpalatable, and the food selection in the other vending machines is unhealthy and of poor quality. In the event that we indeed wanted to drink a cup of coffee and review our study materials in the lounge or atrium, the lighting is so poor in the evening that perhaps the powers that be will realize that evening students are not receiving the support, programs, or educational opportunities that Day Division students enjoy and will discount our tuition accordingly.

7. The restrooms are really dirty by the time we arrive for class.

8. The snack bar closes at 6:00 p.m., the coffee in the vending machine is unpalatable, and the food selection in the other vending machines is unhealthy and of poor quality. In the event that we indeed wanted to drink a cup of coffee and review our study materials in the lounge or atrium, the lighting is so poor in the evening that perhaps the powers that be will realize that evening students are not receiving the support, programs, or educational opportunities that Day Division students enjoy and will discount our tuition accordingly.

9. The restrooms are really dirty by the time we arrive for class.

10. The snack bar closes at 6:00 p.m., the coffee in the vending machine is unpalatable, and the food selection in the other vending machines is unhealthy and of poor quality. In the event that we indeed wanted to drink a cup of coffee and review our study materials in the lounge or atrium, the lighting is so poor in the evening that perhaps the powers that be will realize that evening students are not receiving the support, programs, or educational opportunities that Day Division students enjoy and will discount our tuition accordingly.

And the number one (1) way that evening division students are discriminated against at the Cleveland-Marshall College of Law is:

Course offerings are so sparse and the scheduling conflicts are so great in the Evening Division, that it is very difficult to acquire an adequate foundation for the bar exam or tailor one's curriculum to focus on certain practice areas.

Perhaps, if courts hold that Evening Division students at Cleveland-Marshall are a suspect classification, this discrimination will be rectified. In the alternative, perhaps the powers that he will realize that evening students are not receiving the support, programs, or educational opportunities that Day Division students enjoy and will discount our tuition accordingly.

I am not holding my breath for either solution.

Neil Rubin
3L, Evening Division
The A.B.A. is instrumental in many areas, including making policy decisions at all levels - it approved the nomination of Stephen Breyer to the Supreme Court. At a more local level, the group sponsors special speakers throughout the year as well as a variety of public interest programs, including the very successful Work-a-day program, in which students go out into the community and "work a day" for a good cause. This year, the group plans to initiate a "Shadow-an-Attorney" program to offer students an opportunity to observe the litigation process first-hand.

Although first year students are just becoming acquainted with the law school environment, it is not too early for them to learn what life will be like upon graduation. The Cleveland-Marshall Law Alumni Association's Mentoring Program is designed to help students learn about the realities of law practice.

"The purpose is to give students a better knowledge of the practical work of a lawyer, the real world," says Alumni Association Executive Director Mary McKenna. "Students should go to court. They should see what a deposition is like."

The Mentoring Program matches students with C-M alumni attorneys. Last year 55 students were matched with mentor attorneys. The program strives to match students with attorneys in their area of interest although, McKenna says that is not always possible. McKenna says the most common areas of legal practice for mentor attorneys are criminal, probate, general practice, real estate, personal injury and corporate law.

"I highly recommend the program," says C-M 3rd year student Cynthia Lowenkamp, who signed up for a mentor last year. Lowenkamp was matched with attorney Richard Koblenz '75. "I signed up because I wanted to see what it was like in a law office. We learn so much theory in class and I wanted to see how it is used."

Lowenkamp's mentor gave her the opportunity to gain some hands on experience in his office. "They allowed me work on files, work in the library and prepare documents for court," Lowenkamp says. The registration forms for the Mentoring Program will be distributed soon after first year orientation. The Alumni Association is currently recruiting attorneys for the program. McKenna says "matches" will be made in mid to late September. Students and mentor attorneys will be invited to take part in the Alumni Association's Life Member reception in December.

McKenna encourages students to take the initiative and be persistent in setting up a meeting with their mentors once the matches are made. She emphasizes that if students make an appointment with their mentor they should keep it or be sure to let him or her know if they must postpone a meeting.
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