C-M slips to tier four

By Amanda Paar

C-M slipped to the 4th tier in the 2003 law school rankings. Although the rankings are widely criticized as unscientific, many people look to the magazine to evaluate higher education.

Several factors drive a law school’s rank. Full-time entering student undergraduate median GPAs and LSAT scores, along with the school’s acceptance rate, comprise 25 percent of the final ranking. C-M Associate Dean Jack Guttenberg said part-time students’ scores are not included for any school. Part-time C-M students tend to score higher than full-time students, so the exclusion deflates C-M’s numbers. Guttenberg also said that adding these scores might improve C-M’s numbers. Guttenberg also said that adding these scores might increase the C-M’s ranking because not all law schools have part-time programs.

The acceptance rate is determined by dividing the total number of applications into the number of matriculants. C-M’s acceptance rate for the 2003 ranking was 25 percent of the final ranking.

Closure plan panned

By Ed Pekarek

The Ohio House Subcommit-tee on Higher Education recently withdrew a controversial amendment to House Bill 125-95 to compel the Ohio Board of Regents (OBR) to eliminate one of Ohio’s five public law schools. The amendment did not identify a target, but Cleveland-Marshall was named by the Plain Dealer as the school slated to have its doors shut.

C-M Dean Steven Steinglass quickly marshaled widespread opposition to the amendment. Two hundred Northeast Ohio judges expressly opposed the measure and impromptu testimony from James J. McMonagle ’70, and Michael P. Cassidy ’83, as well as lobbying from Larry James ’77, all played key roles in halting the amendment.

Steinglass was alerted to the closure threat March 31 by Cleveland State University President Michael Schwartz. Steinglass said he had “heard dozens of different rumors” within the next few days. An April 1 Plain Dealer report briefly mentioned the amendment without naming a target.

Ohio’s medical schools were also considered for the cuts.

“Were we targeted? I have no evidence that says we were, but it’s the kind of proposal that catches your attention,” Steinglass said. Columbus Republican Jim Hughes is the subcommittee chair and a graduate of the private Capital Univer-sity Law School. Bill co-spon-sor Chuck Calvert heads the Fi-nance Committee. The Medina GOP representative was a CSU graduate student.

C-M leaders established a strategy with Schwartz and CSU Trustees, including Michael Cline ’72, “which included ensuring that our key constituencies — alumni, students, judges and friends all knew what was going on,” said Steinglass.

The proposed section 88.14 of 125 H.B. 95 required the OBR to “eliminate duplications of aca-demic programs.” Section 88.15 of the same GOP amendment titled, “Elimination of One Pub-lic Law School,” stated, “[p]rogress not made before September 1, 2003, the OBR shall identify one public law school for elimination.”

See RUMORS, page 2

Court hears oral arguments in Michigan cases

By Eric Doeh

The U.S. Supreme Court heard oral arguments in the University of Michigan Law School admission cases of Gratz v. Bollinger April 1. Maureen Mahoney, attorney for the University, argued the gov-ernment has a “compelling interest” in having an institution that is both academically excellent and racially diverse.

Kirk Kolbo, attorney with the Center for Individual Rights (CIR), argued that plaintiff Barbara Grutter has a right guaranteed by the U.S. Constitution that race does not exceed the level of compelling interest. Justice Antonin Scalia agreed with Kolbo, stating that Michigan does not have a compelling interest to warrant overstepping equal protection guaran-teed by the Constitution. Scalia asked, “if Michigan really cares enough about racial imbalance, why doesn’t it do as many other state law schools do, lower the standards, not have a flagship elite law school?”

Mahoney responded to Scalia, say-ing Michigan does not feel it should be forced to choose between academic excellence and racial diversity.

Justices Anthony Kennedy and Sandra Day O’Connor, both of whom many refer to as the “swing votes on this issue,” referred to Michigan’s ad-mission policy as a “disguised quota.” Kennedy went on, however, to say that the impact of having fewer minorities in the legal profession is a legitimate social and political concern when so few minorities are members of a profession which is designed to protect our rights and to promote progress.

O’Connor expressed some concern about Michigan’s affirmative action policy with respect to its duration. O’Connor asked whether Michigan’s policy was for a fixed time period or was permanent.

Michigan’s lawyers stressed that the University’s affirmative action policy is not permanent, stating the current policy would end when the number of high-achieving minorities had grown and when society realizes that the experience of being a minor-ity does not make a difference in people’s lives.

A related case, Grazier v. Bollinger, was also before the Court, John Payton, attorney for the University of Michigan, page 3
The Dean’s Column

By Steven H. Stein glass

I received a call from CSU President Michael Schwartz March 31, informing me that the Subcommittee on Higher Education in its efforts to balance the Ohio Board of Regents to eliminate one of Ohio’s public law schools. “You have a new client,” Schwartz said. “The client,” Schwartz said. “The client, in its efforts to balance the budget and perhaps to make a statement about lawyers,” was considering a proposal to require the Ohio Board of Regents to eliminate one of Ohio’s public law schools. “You have a new client,” Schwartz said. “The client, in its efforts to balance the budget...”

Support for C-M was immediate, overwhelming and gratifying. In short order, 100 state court judges and all of the attorneys of whom were our graduates, signed a letter to House Speaker Larry Householder and to members of the Finance and Appropriations Committee, opposing the proposal. All the county’s federal judges wrote on our behalf; the Eighth District judicial conference adopted a unanimous resolution supporting the law school. Countless e-mails and letters poured into the General Assembly. I traveled to Columbus with James J. McMonagle ’70 and Michael P. Cassidy ’83, April 5, to testify in an extraordinary Saturday session before the House finance committee. We were joined in our efforts by Larry James, Schwartz and CSU Trustees.

We stressed the law school’s central role in providing opportunity to men and women from many cultures and backgrounds. McMonagle and Cassidy spoke eloquently of what opening the doors of the legal profession had meant, not only to their own families, but also to generations of Northeast Ohio citizens in search of a better life. And we reminded the Committee that studies conducted by the Ohio Board of Regents in 1996 determined that the number of public law schools in Ohio was appropriate.

We sensed that our efforts had been successful. Early in the week, State Representative Tom Patton of Strongsville made a speech on teleprompter and to members of the Columbus underworld and that Finance Committee to held public hearings in an unusual Saturday session.

As nervous murmurs on campus grew, C-M leadership went to the Eighth District judicial conference to garner support from influential jurists. The effort resulted in unanimous support from the bench.

It was fortuitous that the Eighth District was having its conference, which they only have once every 18 months,” said Stein glass. “The buzz” at the conference was in total support of C-M’s. “People were saying no one could seriously think of minority and women students of any school in the state. Stein glass said the opposition by the federal bench was especially strong. Stein glass and CSU Trustees were told that no legal advisor to the school to participate in politics.

RUMORS: Ohio General Assembly cuts closure from budget bill

Continued from page 1–

the amendment’s momentum was based in part on “bad information” suggesting the OBR recommended closing a law school in a 1996 study. “Some people misread or misrepresented the 1996 report from the OBR,” he said.

Stein glass insisted the OBR “never made any formal or informal recommendations to eliminate a law school” in the 1996 study. “In fact, the OBR performed studies that de- fended the number of schools based on the population distribution.”

C-M’s response was de- signed to halt the amendment at the subcommittee level. Stein glass said, “All we had to do was tell people the motion was seconded and approved.

I am grateful to our numerous supporters. I am certain that, if the challenge went to the Supreme Court, we will have, once more, the ample resources of many talented men and women behind this college of law.

By Jason Smith

Cooperation leads to $1 billion

“What made this case work was the fact that David Wise [chief counsel for Sulzer] realized early on that the best result for the company was to settle.”

This initial settlement would give the settling class a lien on Sulzer’s assets, which would give settling plaintiffs collection priority over the plaintiffs filing separately. Through the cooperation of counsel, this plan was laid out to solve the potential problem of insolvency.

The proposed settlement, with the lien, was approved by O’Malley and survived several challenges. The settlement led some lawyers representing individual plaintiffs to claim their class-action plaintiffs agreed to a deal benefiting the class and the company at their expense. O’Malley said that many attorneys challenged the arrangement, arguing that the agreement violated the constitutional right of due process. O’Malley said, “any- time lawyers have nothing else to argue, they always argue a violation of due pro cess.”

While the lien was not part of the fi- nal accepted settlement, it was effective to get most of the 26,000 to join the class. Less than 10 plaintiffs opted out of the class action settlement. Those cases have yet to be heard. O’Malley said, “what made this case work was the fact that David Wise [chief counsel for Sulzer] realized early on that the best result for the company was to settle.” She said that Sulzer had sympa- thies for the injured plaintiffs and wanted to compensate all of them, and Sulzer knew that reaching a settlement was the most fair and efficient way of doing so.

Amanda Paar and Eric Doeh contributed to this article.
Fair Housing Clinic sues Ohio insurers
City Council backs investigation of alleged race-based red-lining

By Ed Pekarek
NEWS EDITOR

A 15-month investigation by the attorneys and students of the C-M Fair Housing Clinic of what attorney and C-M adjunct Prof. Ed Kramer, at a press conference at Cleveland City Hall, called “the shock case of racial profiling” of insurance billing practices.

Cleveland City Council recently backed legislation sponsored by Councilman Michael O’Malley ’92, to establish a subcommittee to investigate the pricing practices. Some insurers consider Clevelanders double for identical coverage in the rest of Cuyahoga County.

The case was brought under Ohio’s fair housing law and falls under the jurisdiction of the Ohio Civil Rights Commission (OCRC), according to Kramer. Cleveland’s fair housing ordinance also gives the city’s fair housing board the authority to investigate. 4L Bernard Houston, Cleveland’s assistant administrator for fair housing, said he was encouraged by the investigation and hoped it would result in fair insurance pricing for all Ohio homeowners.

Kramer asked City Council to employ its investigatory power to issue subpoenas for records from named insurance companies to find out if there are “smoking guns” that would establish they intended to discriminate against the city of Cleveland based on race.

Representatives Matthew Zone, Merle Gordon, Joe Cimperman, Joe Jones, Fannie Lewis, Council President Jack-Johnson ’84, and O’Malley appeared at Kramer with a press conference at City Hall April 2 to announce the lawsuit and Council’s investigation.

A statistical study performed by the non-profit Housing Advocates, Inc. acted as the basis for determining the pricing policies are discriminatory. The study was performed in conjunction with staff from the CSU College of Urban Affairs. Kramer said the study assessed 57 companies representing 85 percent of Ohio’s insurance market and concluded that 52 of the companies require a higher premium for identical policies for homes in the city. Kramer called the study the “first that has been done on the issue of territorial base rates in the U.S.”

Urban Affairs adjunct Prof. Doreen Swetkis developed the study with Urban Affairs Prof. Mark Salling. Swetkis also serves as the associate director of development for Housing Advocates. Swetkis said of the 57 companies studied, not one charged Clevelanders a “base rate” lower than rates for homeowners in the Cuyahoga County suburbs. Insurers use various proprietary formulas and are expected to contend that such trade secrets are protected from discovery.

Swetkis said that while the public is not privy to the methods used for establishing premium pricing, the methods are well known within the industry. Kramer said Clevelanders must pay a premium average of $100 more per year for the same “real victims” of affirmative action. “By using a vastly different academic criteria to evaluate minority students, the university is reinforcing exactly the racial stereotype that it should be seeking to minimize,” said Pell. “They [African Americans] are told that they are being accepted according to the same standards as everyone else, when Michigan knows for certain that this is not the case.” The result, said Pell, is when African Americans students show up in Ann Arbor, they cannot compete very well with the other students who are picked according to highly refined measures of cognitive ability, like standardized test scores.

Vasvari said in response to Pell’s argument, “I think this argument is deeply disingenuous. How are minority students who are given the chance to succeed in a challenging environment victimized by the opportunity?”

Vasvari said Caucasians do not have a moral claim of right to admission seats. “It is profoundly dishonest to say that we can now forget about race in the effort to build a color-blind society, when so much inequality has been premised on race.”

Diversity, Vasvari said, is important for America today because the world is increasingly interconnected and our own society is increasingly diverse.

Vasvari went on to say the nature of a university as an autonomous community provides that it reserves the right to decide who will teach, who will be taught and what will be taught. Both Vasvari and Pell agreed race is important but they differ with respect to how programs should be implemented to achieve diversity, yet preserve democracy and social equality.

MICHIGAN: Behind the Points

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Michigan, said that the diverse environment created at the university allows students to set aside previously held stereotypes through their interactions in small settings such as classroom and residence halls. Payton later described the centerpiece of Michigan’s admissions system known as a selection index.

The index has a maximum of 150 points. For example, an applicant is awarded 20 points for race, 20 points for athletics, 20 points for being at a socio-economic disadvantage and 12 points for test scores.

University of Michigan President Mary Sue Coleman said, “in our undergraduate admissions systems, 110 points out of 150 are given for academic factors including grades, test scores and curriculum.” Coleman emphasized that students do not earn 20 points for race and 20 points for being at a socio-economic disadvantaged, the 20 points is only awarded once. Payton emphasized learning is only possible if minority students are present in sufficient numbers to create what Michigan refers to as a “critical mass.”

“Critical mass is where you have enough of those students (minorities) so they feel comfortable acting as individuals.” Payton said if there are too few African-American students, there is a risk those students will feel they have to represent their group and their race. Kolbo said the court should not rely only on educators to define what is fair. Whether a factor is considered a racial preference or whether race could be considered as one of many factors in admissions (as was permitted in the 1978 case Bakke v. Regents of California) would depend on how the school uses race as a factor. He said that race should only be considered in “extraordinary and rare circumstances, rising to the level of life or limb.”
Grading gaffe may bar one Ohio licensee

By Ed Pekerek

Ohio Bar Exam applicants were informed they had passed, only to later have the results nullified by a massive Multistate mistake.

The scoring error was made by American College Testing, Inc. (ACT) of Iowa City, Iowa, and affected roughly 20,000 Multistate Bar Exams (MBE) scores all over the U.S., including 114 C-M applicants. The Ohio Supreme Court announced May 8 that 27 of the 28 whose status were in jeopardy had passed after retabulation.

C-M represented more than one-in-five of all February applicants in Ohio and one-fourth of all applicants with a degree from an Ohio school. Sixty C-M alumni who originally passed may have been affected.

The aberrant multiple choice question was also graded on a sliding scale with scores measured in tenths of points. Court Clerk Marcia Mengel stated in a May 6 memo that a national scoring error was likely to change as a result of number crunching and some “could change from ‘pass’ to ‘fail.’” The memo stated every exam would be retabulated and scaled using new ACT data and scores “close to the pass/fail line could see a shift in their status.” The Court notified numerous applicants they would not be sworn in May 9 at a Columbus ceremony because of the inaccuracies. Overall, 294 test-takers at American College Testing were affected, 53 percent of the 551 who took the test. Of the 294 passing, 227 have Ohio law degrees, 60 percent (60) from C-M.

The Court also stated that scores less than 405 but over 404 after corrected results will be eligible for an automatic essay review. Only one applicant fell into that category.

Ohio State graduate Greg Lestini told the Plain Dealer he received a 413, yet was informed his career must remain in limbo. Jennifer (Brown) Matay, ’02, told WOIO CBS-19’s Bill Younkin that ACT is “giving her life.”

Exam procedures came under fire at a C-M faculty meeting last year when professors reportedly saw Bar graders at exams with a local coffee shop and during breaks at court. Critics noted the high percentage of essay grades there when no control measure is in place.

Office of Career Planning Director Jayne Genevab said Ohio is one of the few states to use a “re-grading” policy.

Geneva called placement officials across the country to discern what responses and remedies other states may provide. In Missouri, where John Regenbogen ’02, just passed, has reportedly already sworn in their next crop of lawyers and done away with all reverse licenses. Michigan plans to announce its policy imminently, according to Geneva.

Mengel’s memo stated, “[ACT] expects to be able to provide corrected scores to the jurisdictions before the end of the week.” It is the first mistake of this type on the Ohio Bar Exam since Mengel began administering the test 16 years ago. Mengel said the Court will hold a special ceremony in June for any applicants who pass after retabulation.

Geneva spoke with Justice Maureen O’Connor, ’80, May 7. O’Connor indicated a silver lining to the ACT fiasco might be a review and revamp of Ohio’s examination standards and procedures. Geneva also said there would be no state fee for the pulled licensees to retake the test. Mengel also said the Ohio Court is only currently contacting applicants whose “pass” status could be reversed.

C-M finished precisely at the state average for the test, but fared far better statewide than on first and second-time takers. First-time takers from C-M passed at a higher clip than alumni from Capital, Case Western Reserve University (CWRU), Ohio Northern and Dayton. C-M second-time takers fared better still, passing at a rate other than only 21 percent in CWRU. C-M also had the highest total number of test-takers from any school in February, followed by Capital’s 85.

Ohio State and Akron led first-timers, passing at 78 and 80 percent, respectively. A dismal 29 percent of C-M third-timers passed, with only Capital lower. C-M also had 21 percent who took the test for at least a fourth time. The Ohio Supreme Court does not release data on test-takers beyond a third attempt. At least two C-M alumni are also known to have dozens of attempts, but are not described in the report. The court’s overall average.

Trends suggest that Associate Dean Jack Guttenberg’s C-M Bar Exam strategy is taking hold. First-time pass rates for C-M climbed ten percent from 1997 through 2000, compared to the state average of 61 percent, with the state average de-clined. C-M administrators also noted that full-time day students now consistently pass in the upper quartile of Ohio.

RANKING:

The potential of C-M closing, “much less the threat of it being proposed in budget enactments of the state legislature, would not be uttered, no matter how vicious the regionalism”

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The system’s overall rank is comprised of assessments from law faculty, deans, lawyers and judges. This year, faculty and dean assessments had a 70 percent response rate with a 25 percent weight on the ranking. The lawyer and judge assessments had a 34 percent response rate with a 15 percent weight on the ranking. C-M’s assessment numbers are somewhat higher than both Akron and Toledo.

It is important to consider what factors make up the rankings and the weighting, there are also many factors that are not considered in the ranking. Prof. Joel Finer said that the breadth and support of C-M’s alumni network, the intensity of writing instruction, law library services, pass rates, alumni placement, career interest assistants, the quality of teaching, racial and gender diversity within the faculty and student body and the size of full-time student body. Prof. Joel Finer said that the breadth and support of C-M’s network, the intensity of writing instruction, law library services, pass rates, alumni placement, career interest assistants, the quality of teaching, racial and gender diversity within the faculty and student body and the size of full-time student body.

Despite the unscientific nature of the rankings, Finer said the fact that the public puts value in the rankings is an “unfortunate reality.” He said the rankings tend to generate reputation rather than measure them.

Guttenberg said the rankings are appealing to the public because they are “quick and easy to read” and provide a wide range of information in an uncomplicated forum for every law school in the nation. Despite the flaws, Prof. Candice Hoke said, “The rankings have a great impact on garnering respect within the academic community.” She said they impact respect C-M faculty and students receive from within professional and educational environments.

This year, while there are still four tiers, the first and second, which previously included 50 schools each, were combined into one, including now all 100 schools. Guttenberg said that the only difference is that the 50 schools that would have been in the second tier can no longer say that they are in the top tier.

“C-M were ranked substantially higher, employers would show greater interest in our students and University accreditation would accord our faculty and law reviews far greater respect,” Hoke said. The potential of C-M closing, “much less the threat of it being proposed in budget enactments of the state legislature, would not be uttered, no matter how vicious the regionalism,” she added.

Money won’t buy happiness

By Karin Mika

LEGAL WRITING PROFESSOR

Q: I am graduating this May and, unfortunately, I am neither in the top 10 percent of the class, nor even the top 20 percent. Like so many students, I started out thinking I might be a Supreme Court Justice and didn’t discover until later about law school hierarchies and grade stereotyping. Realistically, what are my chances as a C-M graduate to have a decent, fulfilling career where I can still repay all my student loans?

A: I am always amazed and even perplexed by the amount of people who believe success and fulfilling careers are related to everything else except what the individual sets out to do for him or herself. Who you know, where you go to school and even what grades one receives might make it easier to get a few doors opened initially. But ultimately the performance of the person going through that door that makes the only difference as to what happens next.

Just ask Pete Rose, Jr. He spent his life being groomed to be a MLB player and wound up floundering in mediocrity for years. For a non-sports analogy, consider many members of the Kennedy clan who went on to live unhappy, unfilled lives.

Not every person who graduated from Yale or Harvard is happy, fulfilled, wealthy or even employed. And the only people who are limited by graduating from a top school are those who choose to assign blame for their limitation to a source other than themselves.

If Jones Day won’t interview you, then establish a career for yourself better and more fulfilling than the one you would have had at Jones Day. Then, years down the road when you’re the “big shot” and they come calling, tell them they have nothing to offer you.

If you want to work at the U.S. Supreme Court, head down to Washington, D.C., park yourself at the courthouse and figure out how to get a job there (deliver the mail if you have to) and then how to get noticed.

Despite what the media often represents, not too many people are handed anything in life, those who are, often don’t make the most of it. So, as this school year comes to an end, make it a point to make the most of it. As C-M remember the only limitations you have are the things you perceive to be limitations.
Editorial clarification

The article, “Affirmative Action on trial in Supreme Court,” appearing in the April 2003 issue of the Gavel, incorrectly identified the University of Michigan law school admissions as awarding points for minority status. The undergraduate school, not the law school, uses race as one of many factors in its admissions process. The Gavel would also like to clarify the statement in the same article attributed to Prof. Frederic White. According to White, when a school uses race as one of many factors in its admission process, it is probably acceptable. Thus, using race is not a cause for alarm.

Gavel welcomes new editors

The Gavel welcomes its 2003-2004 editorial staff. Returning for a third year as a Gavel editor is 2L Colin Moeller, who will serve as Editor-in-Chief. Moeller is currently Managing Editor. Amanda Paar and Jason Smith, both 1Ls, will serve as editors. Paar and Smith were both staff members this year. Current Editor-in-Chief Clare Taft and News Editor Ed Pekarek both graduated May 24. Pekarek was elected a Gavel editor as a 2L, and served as Editor-in-Chief in 2001-2002. Taft has been a Gavel staffer since 1L and served as Managing Editor in 2001-2002.

SBA execs elect wish C-M good tidings

By Sasha Markovic

As the end of the Spring Semester draws to a close, everyone’s thoughts are focused on preparing for final exams and planning a rejuvenating, if relaxing, summer. However, before the actual close of the semester, a few words of thanks from the incoming SBA officers are in order.

First, we would like to thank the outgoing SBA officers and Senators for a job well done. As incoming officers, we hope to build on the foundation that 3Ls Chris Tucci, Matt Basinger, Brian Stans and 2L Anne Zende put in place. The guidance already provided by Chris and his officers, as well as the insight of the returning Senators, will be crucial to next year’s success. We would also like to thank the entire C-M student body for the large turn out in voting this year. The large number of voters shows the level of involvement and the dedication that the student body has toward C-M.

Upon the arrival of the Fall Semester, we look forward to working with a veteran Senate, the many student organizations and the C-M faculty, staff and administration to achieve our collective goals. The new school year will bring many challenges that will require the cooperation of the entire C-M community.

Last but not least, we would like to congratulate the graduating class and wish them good luck on the July Bar Exam. Imagine the Cuyahoga County Justice Center litigating without a C-M judge. Without his C-M office as a 2L, and served as Editor-in-Chief in 2001-2002. Taft has been a Gavel staffer since 1L and served as Managing Editor in 2001-2002.

C-M’s Wonderful Life

Rumors of C-M’s demise prompted the Gavel to consider the effects of C-M and its graduates since 1897. Although the inane budget cut proposal was quickly thwarted, the mere suggestion is cause enough to celebrate the many achievements of C-M alumni.

Like the Frank Capra classic, “It’s a Wonderful Life,” the Gavel took a glimpse at Pottingerville: Ohio without its “school of opportunity,” and without the contributions of the more than 10,000 attorneys who have or had C-M degrees on office walls.

In the past 106 years, C-M launched many successful careers in and out of the legal field, and although these notable C-M graduates may have found success at another law school, it is likely that without a public law school in Cleveland, many would have looked elsewhere for their legal educations.

What would Ohio’s legal community look like without the first law school in Ohio to admit women, with its first female graduate in 1908. According to Prof. Arthur Landever’s essay, “Hard-Boiled Mary,” the Cleveland Law School admitted women to its night program from its inception in 1897. In 1904-05 bulletin stated, “No distinction will be made in the admission of students on account of sex.” Legal pioneers like Mary Grossman ’12, the first woman (ever) to serve on a Municipal Court bench, might have been limited to lesser achievements without C-M.

Many notable Ohio politicians would be missing from the campaign trail. This includes, Carl Stokes ‘56, the first African American mayor of a major American city; former U.S. Rep. Louis Stokes ‘53; former Cleveland mayor, five-time governor of Ohio and former U.S. Sen. Frank Lausche ‘21; former Cleveland City Council President George Forbes ’62; current Cleveland Council President Frank Jackson ‘84; and U.S. Rep. Steve LaTourette ’79. Picture the Justice Center without C-M graduates on the bench. Imagine the Cuyahoga County Prosecutor’s Office without Prosecutor Bill Mason ’86, and many of his staff members.

One hundred federal, state and municipal benches filled by judges such as Patricia Anna Blackmon ’75, James Sweeney ’73, Maureen Adler Gravens ’78, Ralph Park ’83 and John Corrigan ’68, would sit empty. There would be two fewer justices on the Supreme Court of Ohio without Maureen O’Connor ’80 and Francis Sweeney ’63, as well as the Court’s newest Justice, Terrence O’Donnell ’71. The U.S. Supreme Court may also be without its Chief Deputy Clerk, Chris Vasil ’75.

Imagine the 2000 election without Tim Russell ’76, tabulating electoral votes on his dry erase board. Without his C-M degree, the NBC vice president and “Meet the Press” moderator might have been relegated to hosting a show on Fox.

Working Clevelanders hoping to pursue a J.D. part-time would pack their bags and head elsewhere without the oldest part-time law program in the state to educate them.

Clevelanders with cases to litigate would have to search high and low for counsel to take their causes without C-M alumni filling the Northeast Ohio Yellow Pages.

Cleveland would look quite different with a dearth of attorneys and would not be the “top ten” legal market it is today. Imagine the Warehouse District renaissance without law firms in the spaces above the clubs.

Thankfully, for the time being, it is clear that law without C-M would be law not worth practicing, and that should earn all of us our wings.
President Bush is a businessman with an MBA who’s well aware that debt is not necessarily a bad thing

The tax cut also provides relief and incentives for small businesses to help them grow and prosper. Because small businesses employ half of this country’s work force, the tax cut would create new jobs. The Council of Economic Advisers estimates that 1.4 million jobs would be created by the tax cut, and Price Waterhouse Coopers forecasts the cut would create an average of 1.2 million jobs per year over the next five years. A key component of the tax plan is the elimination of the dividend tax. The dividend tax works as a double taxation on corporate profits – the double taxation can take up to 60 percent of the profits. Even some opponents of the proposed tax cut, like Alan Greenspan, Chairman of the Federal Reserve, support the elimination of the dividend tax. Some opponents in Congress say it is fiscally irresponsible to cut taxes while increasing spending to create a deficit. These are the same members of Congress who had no problem approving $15 billion of pork barrel spending in 2002 and almost $10 billion more already in 2003. This pork included $270,000 to combat the goth culture in Blue Springs, Missouri; $150,000 to study the Hatfield-McCoy feud; $219,000 to teach college students how to watch television; $1 million to preserve a sewer in New Jersey as a historical monument; and $11 million for a private pleasure boat harbor in Cleveland. Talk about fiscal irresponsibility.

President Bush is a businessman with an MBA who is well aware that having debt is not necessarily a bad thing. If the government is making more off the deficit than the interest being paid on the deficit, the deficit actually helps build and grow the economy. As the tax cuts increase spending and create jobs, the economy grows. As the economy grows, the government receives more money via taxes. At some point, the economic growth creates more income for the government than the government pays in interest. Now the deficit is working for the government.

Although it does not appear that Congress will pass Bush’s initial proposal of over $700 billion in tax cuts, he probably never expected them to do so. As a savviness businessman, President Bush asked for the stars with the hopes of ending up with the moon. With Congress on board with a tax cut between $350 billion and $550 billion, President Bush got what he hoped for.

President Bush learned from his father’s mistakes. He will be rewarded with a recovering economy and a different result in his campaign for re-election.