Spring 1983

1983 Vol.10 No.2

Cleveland-Marshall College of Law

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CLEVELAND-MARSHALL LAW NOTES
40TH ANNIVERSARY of the CLEVELAND-MARSHALL LAW ALUMNI ASSN.
Please join us in celebrating the
40th ANNIVERSARY
of the
CLEVELAND-MARSHALL LAW ALUMNI ASSOCIATION
at the
ANNUAL OPEN HOUSE
WEDNESDAY, MAY 25, 1983
5:00 p.m.
at the
LAW COLLEGE ATRIUM
Cleveland-Marshall College of Law
1801 Euclid Avenue
Cleveland, Ohio 44115
Short business meeting and election of officers: 5:00 p.m.
Cocktail Reception Following — Door Prizes
JOIN YOUR COLLEAGUES IN A CLEVELAND-MARSHALL TRADITION
MEET AND MINGLE WITH FELLOW ALUMNI OVER COCKTAILS AND HORS D'OUVRES
ADMISSION FREE FOR 1983-84 DUES PAYING MEMBERS
Please complete the enclosed membership form below and return to
the Cleveland-Marshall Law Alumni Association, 1801 Euclid Avenue, Cleveland, Ohio 44115

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DUES STATEMENT
June 1983 - June 1984

I wish to support the Cleveland-Marshall Alumni Association.
Enclosed is my check to cover:

_____ Annual Dues .................. $40.00
_____ Annual Dues (Graduate Class of '80) ........ $20.00
_____ Annual Dues (Graduate Class of '81) ........ $15.00
_____ Annual Dues (Graduate Class of '82) ........ $10.00
_____ Annual Dues (Graduate Class of '83) ........ $ 6.00
_____ Sustaining Membership ........ $100.00
_____ Life Membership ................ $1,000.00

(If you pay your dues)
Endowment Fund $ __________
Law Review (Vol. 32) ........... $15.00

(If you pay your dues)
Law Alumni Association School

__ Law Alumni Association School

_____ I will attend the
Annual Open House
_____ I am unable to attend

Name __________________________ Address __________________________
City __________________________ State, __________ Zip __________
Phone __________________________ Graduating Class __________________

WE THANK YOU — YOUR DUES ARE TAX DEDUCTIBLE
Make checks payable to the Cleveland-Marshall Law Alumni Association,
and mail to 1801 Euclid Avenue, Cleveland, Ohio 44115.
For further information, phone 216-687-2368.
C.M. Alumni Celebrate 40th Anniversary

Alumni relations began in the early 1800's, over 162 years ago. Williams College, the pioneer, formed the first alumni association in 1821. Its purpose, "that the influence and patronage of those it has educated may be united for its support, protection, and improvement," still holds with alumni associations today throughout the country.

The Cleveland-Marshall Law Alumni Association began 40 years ago, with Ellis Diehm and William Tolio among its first presidents. At that time, the Cleveland Law School was in the Engineers Building. The law school consolidated with John Marshall Law School and moved to Ontario Street. According to alumni treasurer Leo Rossman, C-M '29, an active alumni association then began with the first Annual Open House.

The current Cleveland-Marshall Alumni Board of Trustees includes a representative cross section of the alumni body: alumni with long records of leadership as well as notable but uninvolved alumni; younger and older alumni; both practicing and non-practicing alumni.

Of the nearly 5,000 living graduates of Cleveland-Marshall College of Law, alumni are located in every state in the U.S. and in many foreign countries, and hold key positions in various levels of local and national government. Although the majority are practicing attorneys, many alumni hold leadership positions in the business, communication, and corporate fields.

Alumni will remain an integral part of its alma mater, for better or worse, bound by its ideals of education. Alumni can do things for its alma mater that could not otherwise be done, for the alumni population is the reflection of the College of Law. The law school has helped make its alumni what you are today.

Faculty may come and go, administrators may come and go, but you, the alumni, will always be a part of the institution. The value of your law degree is measured by how good the same institution is today.

It is, therefore, so important for you to have a vested interest in your alma mater, so future graduates can be as proud of Cleveland-Marshall College of Law as you are of your success today. Don't leave it up to your fellow alumni to help. Be sure you are doing your part to make your children, and their children, proud of your alma mater, whether or not they might wish to attend.

Our new membership year begins June 1, 1983. Won't you support the alumni association's new beginning by paying your membership dues now?

Membership benefits include:
- Use of an expanding 207,000 volume library, open seven days a week (Monday-Friday, 8 a.m. to 11 p.m.; Saturday, 10 a.m.-6 p.m.; Sunday, 10 a.m.-10:45 p.m.) The library is centrally located at 1801 Euclid Avenue. Public parking available on the west side of East 18th Street.
- Practical seminars and conferences sponsored by the Association and the Law College available at a discount.
- Law Notes, a quarterly publication featuring news about the college, your class members, and timely articles on the ever-changing law.
- The Annual Open House.
- Class reunions and use of the Law atrium.
- Support of the Association's scholarship program and of a fine College of Law.
- The Cleveland-State Law REVIEW, which is internationally recognized and which will feature, in the immediate future, articles by many prominent legal scholars. ($15.00 additional).

Your membership dues allow the alumni association to keep in step with other strong alumni associations throughout the country, serving as a support group for our College of Law. They also provide an economic base of communication between the alumni, the Association, the students, the College, and the community. Dues allow provisions for future seminars, publicity, activities, information, scholarship, and achievement.

If nothing else, your membership dues maintain good fellowship, good contacts, and support for a good college of law. In essence, they are the lifeblood of the alumni association's attempt to survive. They are an indication of your loyalty to the Cleveland-Marshall College of Law.

Please join us in celebrating 40 years of alumni support to the Cleveland-Marshall College of Law. Your membership is so appreciated.

Sincerely,

Leon Plevin, Membership Chairman and the Board of Trustees

Please complete the dues tear slip attached to the inside cover with your remittance.
The Surrogate—
Are the Risks Worth It?

There can be little doubt that the next frontier to be explored by domestic relations attorneys is the practice of surrogate parenting.

Surrogate parenting refers to that situation in which a married couple, due to the infertility of either the husband or the wife, seeks to engage an outside party (the Surrogate) in order to produce a child. The child is then delivered to the married couple pursuant to an Agreement. If the Surrogate acts in accordance with the standard agreement, he or she relinquishes all rights and responsibilities with respect to the child in return for a fee, generally amounting to $10,000.

In the most common scenario, it is a woman who acts as the Surrogate for a married couple composed of a wife who is unable to bear or carry children. The Surrogate mother is in most cases artificially inseminated with the sperm of a married man whose wife cannot conceive or carry a child.

Although the surrogate parenting practice is still in the embryo stage as far as legal fees charged in connection there with are concerned, the going rate appears to be upwards of $3,000. A major reason for the relatively high legal fees charged for such services is, it appears, to compensate the attorney for the many risks attendant to the drafting and otherwise arranging of the surrogate contract. At this point in time, the enforceability of such a contract is highly speculative.

Conservative estimates indicate that within the past seven years, 75 to 100 surrogate babies have been born nationwide. At the standard rate, this would yield one million dollars to participating surrogate parents and roughly $300,000 in attorney fees.

The Family Division of the Cuyahoga County Probate Court reports that there have been a handful of surrogate parenting cases before them. However, in that court, a surrogate parenting case does not significantly differ from an adoption proceeding. As long as (1) the surrogate mother consents to the adoption of her offspring by the natural father and his wife and (2) the evidence through blood tests reveals that the natural father is in fact the contracting party on whose behalf the Surrogate carried the child, then the child will be placed with the contracting couple, given that it is within the best interest of the child to do so. If the Surrogate mother is married, the natural father must be proven because under state law he presumed father of the child would be the Surrogate’s husband. Such a presumption is of course rebuttable.

Note also that the Surrogate mother can only consent to adoption after the child is born and not before.

There are no known cases in the Cuyahoga County Common Pleas Courts involving the construction or enforceability of surrogate parenting contracts.

Legal complications would of course

Alumni Assn. Presents 2 Scholarships

The Cleveland-Marshall Law Alumni Association has presented scholarships to Douglas C. Cormack, Sr., and Paul Herdeg, both first-year students.

Douglas C. Cormack, Sr., 33, is a night student. He received an associate of art degree from Lakeland Community College and a B.S. degree from Cleveland State University, majoring in political science.

Cormack served in the armed forces, which enabled him to pursue an education. He was raised in South Euclid and Chesterland, and hopes to remain in the Cleveland area after completing his studies at Cleveland-Marshall.

"If I had my choice of any area law school, I would still choose the Cleveland-Marshall College of Law," he said. "The practical education received in the night school is the best in the area, and I am grateful to be a part of it."

Cormack works as a law clerk during the day, and resides in Bedford with his wife and three small children.

Paul Herdeg, 25, a day student, is from Beverly, Massachusetts. He migrated to Cleveland in 1976, where he attended and graduated from Case Western Reserve University with a B.S. degree.

Before attending Cleveland-Marshall, Herdeg worked as a computer programmer and as a community organizer in the Union Miles area of Cleveland.

Herdeg chose the Cleveland-Marshall College of Law because he felt he would meet a broader spectrum of people at a state school than at a private school. On campus, he is active in the National Lawyer's Guild.

"Many of my friends have had to drop out of school due to financial aid cutbacks. I am grateful that this scholarship will help me to continue my studies," said Herdeg.

Robert L. Bogomolny
A Tribute to President Bill Monroe

1982-83 president Bill Monroe has a long and distinguished career of service to the Cleveland-Marshall Law Alumni Association.

Having served on the Board of Trustees in every office, Bill Monroe began his commitment over fifteen years ago, at the Annual Open House.

"The Annual Open House was always so much fun to attend," he said. "It was an afternoon out with the guys—a pleasant way to reminisce with my colleagues."

Realizing that one does not become an officer unless you are going to do a good job, Monroe says "it is really easy and lots of fun, once you become involved. You certainly reap the returns of your investment."

Monroe began this year as President with a statement of philosophy—"to build upon a foundation." "This year was the building of the basement," he said. With a dedicated and enthusiastic Board of Trustees and the hiring of an alumni coordinator, the foundation of communication is well under way.

"I hope the Alumni continue to build our Association, so it will become a meaningful professional-related facet of their lives," said Monroe. He hopes to see Cleveland-Marshall students assimilate into the legal community, while socializing at Alumni events. "It is good to be with those of like mind," he says.

Bill Monroe was born in Cleveland on May 18, 1926. He graduated from St. Ignatius High School and John Carroll University, where he received a B.S. degree.

"I had no intention of becoming a lawyer," said Monroe, who changed his mind after being involved in a car accident, which prompted him to research his legal rights.

Monroe attended law school at night, while selling governmental accounting systems during the day. He became a partner of Charles Vanik in the late fifties, and is currently in the general practice of law, with emphasis on trial work.

Monroe resides in Euclid with his wife Pat and four sons.

When asked what the highlight of this year's presidency was, he responded, "knowing that we had built a better basement."

Alumni Happenings

Cuyahoga County Common Pleas Judge ANN McMANAMON, C-M '50, was recently appointed by Governor Richard F. Celeste to the Ohio Court of Appeals (8th District). She will fill an unexpired term that ends January 2, 1987.

MICHAEL L. SHATTEN, C-M '52, has retired as attorney general from Ohio Bell after 45 years of service. He resides in Shaker Heights.

MICHAEL T. CANCLON, C-M '59, was appointed Supervisor of the Cleveland Service Office, U.S. Department of Housing and Urban Development, on January 31. In this capacity, Scanlon directs all multifamily and single family housing functions for the 35 counties assigned to the Cleveland office.

IRWIN N. PERR, M.C., JD, C-M '61, a professor of psychiatry at Rutgers Medical School-MDNJ and adjunct professor of law, Rutgers Law School-Newark, has been elected as secretary of the American Academy of Forensic Sciences for the 1983-84 year. The AAFS is a multidisciplinary group representing various sciences applied to legal purposes and includes sections on pathology, toxicology, criminalistics, psychiatry, forensic odontology, human anthropology, questioned documents, and engineering.

Auxiliary Bishop JAMES A. GRIF-FIN, C-M '72, was appointed 19th bishop of Columbus, Ohio, by Pope John Paul II in February, and began his new post on April 26th. Griffin is both a canon and civil lawyer, and is considered an expert in the laws of the Roman Catholic Church.

CAROL WEISS, C-M '72, was appointed legal counsel for the Ohio Department of Commerce in March. Prior to this appointment, Weiss was the assistant counsel for the Huntington National Bank, where she provided legal advice regarding banking laws to branch, department, and operations personnel.

ROBERT PLAUTZ, C-M '73, will be graduating from New York University with an LLM in Corporate Law. He is currently assistant counsel to the New York State Department of Taxation and Finance.

CORNELIA BYRNE, C-M '75, has been elected president of the Cuyahoga County Law Director's Association. She serves as assistant prosecutor for the city of Macedonia, Ohio.

RICHARD L. AYNES, C-M '75, received an early promotion to Associate Professor at the University of Akron School of Law where he teaches in the areas of Constitutional Law and Civil Procedure.

PAUL L. COX, C-M '75, a former Ohio Assistant Attorney General, is an associate in the Columbus office of Landskroner & Phillips and general counsel for the Ohio Fraternal Order of Police.

LEO F. SHARPE, C-M '75, a former assistant commonwealth's attorney, is a partner in the firm of Moore & Sharpe in Portsmouth, Virginia.

HOWARD M. COHEN, C-M '76, former attorney to the U.S. Environmental Protection Agency, is now associated with the law firm of Temkin & Miller, Ltd., in Providence, Rhode Island.

WALTER KOBALKA, C-M '76, has been appointed reporter for the Ohio Supreme Court.

KATHLEEN S. AYNES, C-M '77, a former law clerk to Appellate Judge LEO A. JACKSON, C-M '50, is currently in private practice in Twinsburg, Ohio.

BARBERA REAL, C-M '77, has been appointed Assistant Vice-President for Student Service at the Ohio State University.

MARK REAL, C-M '77, is in charge of the Ohio office of the Children's Defense Fund, a national public interest organization.

WILLIAM MITCHELL, JR., C-M '78, has been appointed to the Victim's of Crime Commission of the Ohio Court of Claims.

CHRISTOPHER A. BOYKO, C-M '79, is an assistant prosecutor for the city of Parma.

HECTOR RODRIGUEZ MORENO, C-M '82, earned the status of Diplomate of the Court Practice Institute at the Trial Advocacy seminar held in Fort Lauderdale, Florida in March.

Class Reunions Underway

Three class reunions are currently underway.

The Class of '73 is planning to meet in the Law College Atrium on Saturday, June 4th for cocktails and dinner. Class representative John Heusche can be reached at 216-232-0994 for further information.

Alumni president Bill Monroe is working with several classmatens on the Class of '53 reunion, to be held on Wednesday, August 17th, in the Law College Atrium. The 30 year alumni will meet in the atrium for cocktails, followed by an optional dinner at The Colony. Contact Bill Monroe at 216-241-2500 if you wish to serve on the committee.

The Class of '63 committee, under the chairship of Jerry Kraig, has its event planned for Saturday, October 15th at the University Club. Class members can contact Kraig at 216-696-4009 for further information.

If you wish to become involved as a class representative, contact the alumni office at 216-687-2368.
Sonnenfeld Award Established

At the Annual Recognition Luncheon of March 4, 1983, Alumni President William T. Monroe announced the establishment of an annual award in honor and memory of the late Professor Samuel Sonnenfeld.

At one time or another during his teaching career, which included both Cleveland-Marshall and Case-Western, Professor Sonnenfeld taught code pleading and practice, common law pleading, estate and gift taxation, legal history, military law, municipal law, property, and wills and trusts.

In addition to his teaching, Mr. Sonnenfeld served as trust officer to Union Commerce Bank (now Huntington Bank) and was law director for four cities, Brunswick, North Royalton, Strongsville and Westlake.

The Sonnenfeld Award will be given each year to the outstanding student in municipal law and in legal history. If funding proves sufficient, the Award may be expanded later to include scholarships for deserving students. Initial funds were provided by five (5) members of the Class of 1975, Bruce Tyler Wick, James R. Burge, Stephen M. Gentry, Hobert C. Kreps and Michael E. Murman.

Those wishing to contribute should make their checks payable to The Cleveland-Marshall Law Alumni Association (unlike political campaigns, corporate checks are welcome) and mailed to William T. Monroe, 1525 Leader Building, Cleveland, Ohio 44114. Please indicate on your check or elsewhere that your contribution is intended for the Sonnenfeld Award.

Young Lawyers Group Joins Celebration

Alumni of classes 1978-79 through 1982-83 will join the Alumni Association in celebrating its 40th anniversary at the Annual Open House on Wednesday, May 25, beginning at 5:00 p.m.

After the Open House, the Young Lawyers group will have its second annual cocktail hour in honor of recent graduates at the Uptown Lounge.

Committee members are: Terry Mrennan, C-M ’78; Michael O’Grady, C-M ’79; Susan L. Grage!, C-M ’80; Jerry Walton, C-M ’80; Susan Carroll, C-M ’82; Mark Masterangelo, C-M ’82; and Ralph Streze, C-M ’82. They invite all Young Lawyers to “spend some time with your friends and acquaintances from the good old days, and make a few new friends for the good new days.”

If interested in further information, please contact the alumni office at 216-687-2368.

The Surrogate (Continued from Page 2)

arise in the case where the Surrogate mother would refuse to give the requisite consent to the adoption of her child by the contracting couple. Although such a situation has not as yet presented itself in Ohio, under current law the Surrogate mother could bring a paternity action against the natural father. Assuming the natural father to be the husband of the wife on whose behalf the Surrogate mother was engaged, he could quite possibly be charged with child support.

Such a risk to a couple seeking Surrogate parenting looms as a likelihood given the statistic that forty per cent of private adoptions never come about primarily due to the natural mother’s reluctance to part with a child she has labored and brought to term. Reports indicate this may subject the parties to charges of prostitution.

Clearly, the risks both legally and otherwise are great for clients and attorneys engaged in Surrogate parenting.

The Surrogate mother now has agreed to care for the child. More profoundly, the Surrogate birth industry has become increasingly popular, with agencies opening all over the country. These agencies, for a fee, match up Surrogate mothers with married couples seeking children. The Ohio Attorney General’s Office has recently addressed itself to the development of Surrogate agencies by stating, in opinion dated January 3, 1983, that such agencies are required to be licensed in accordance with rules and regulations of the Department of Public Welfare as a child-placing agency. The problem which arises should the Surrogate parenting agencies be required to be licensed by the Department of Public Welfare is that such agencies quite possibly would fail to meet the specific requirements for certification set forth in the Ohio Administrative Code. Case in point is the requirement that, “No agency shall secure or attempt to secure the surrender of a child by its parents through threats, intimidation or offers of gain or reward.” 7 Ohio Adm. Code 5101:2-5-01 (E) (3)

These significant considerations are set forth in footnote number five of the aforementioned Attorney General’s Opinion.

Attorneys providing services to Surrogate parenting agencies and organizations should take particular notice of the criminal sanctions that may be imposed due to an appropriate organization’s failure to submit to registration by the Department of Public Welfare.

Finally, in those particularly rare situations where Surrogate parents engage in actual sexual intercourse rather than through artificial insemination, there is concern that such activity may subject the parties to charges of prostitution.

Editor’s Note: A special thanks to Judge John J. Donnelly and Referee Stan Friedman of the Cuyahoga County Probate Court.

Blood tests allowed into evidence revealed that, in fact, the natural father of the child was the husband of the Surrogate Mother and not the contracting Father. A breach of the contract was alleged and a major lawsuit is now pending between the parties. The Surrogate mother now has agreed to care for the child.

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Students Volunteer for Alumni Event

First year law students enthusiastically volunteered their time to help with registration at the Annual Recognition Luncheon on March 4th.

Karen Brown, Leslie Gieci, Jay Hanson, Missia Hoffman, Mark Kruse, Mickey Sue Lako, Patty Margolis-Shannon, and Gus Saines made a great impression on alumni guests who attended the event.

The students handled themselves in a most professional manner. The Alumni Association was grateful for and appreciative of their help.
The Lie Detector

It was over 60 years ago that Robert W. Brown, M.D., was found shot to death in his office. The family offered a $1,000 reward for the arrest and conviction of his murderer. Later, a young black named James Frye was arrested for robbery. The routine investigation included questions regarding the Brown murder. At this time, Frye denied the Brown murder.

Subsequently, Frye surprisingly confessed to the murder, relating all the details of the crime correctly. Frye was promptly indicted, arraigned and remanded, without bail. Freighted now at a possible death sentence, Frye told his appointed counsel he was innocent and had only confessed because he had been promised half of the reward money by a friend. Not a single witness could be found to support his story of innocence.

Frye's attorneys asked Dr. William Moulton Marston, J.D., Ph.D., (the grandfather of polygraphy), to conduct a lie detection test on Frye. Dr. Marston's test revealed Frye's story to be true.

The defense petitioned the court to allow Dr. Marston to be qualified as an expert witness and to present to the jury the results of his lie detector test. The evidence was excluded by the judge and the ruling was later upheld by a federal appeals court in language that for nearly half a century stood as a barrier between the lie detector and the courtroom. See Frye v. United States, 293 F. 1013 (D.C. Cir. 1923).

In recent years, the barrier presented by the Frye decision has been eroding. Over twenty states now admit the results of stipulated lie tests, polygraph examinations administered after prior agreement by both sides. Several states, including Massachusetts and New Mexico, already have endorsed the principle that the defendant should be allowed to prove his innocence with evidence of having passed a lie test, introduced even over the objections of the prosecution. Ohio will allow the test results with the stipulation of both parties.

Today's polygraph examination has been shown to be 95 to 99 percent reliable. The Frye test was based on the primitive systolic blood pressure deception test and did not involve the science of polygraphy as it is known today. Today's test operates through the use of a tube around the upper chest and another around the lower stomach to record upper and lower breathing. At the same time, a galvonic skin response (G.S.R.) is done through the use of small clamps which are attached to the fingers or palms to record impulses through palm perspiration. A blood pressure cuff is also attached to the arm to record heart rate. While all three indicators are attached the examiner asks his questions, and the responses are recorded and the analysis made.

It seems rather impossible that the testimony of any examiner will ever usurp the responsibility of any judge or jury. It appears more probable that it will help them to arrive at the truth of the matter of concern. The laws of evidence permit expert testimony, including that of psychiatrists, for both sides of a given case, often in complete contradiction of one another. The chances of this occurring with the testimony of polygraph examiners is highly unlikely since competent experts in this field will, in almost all cases, come to consistent conclusions.

(Continued on Page 7)

Placement Notes

It's time for the numbers game once again, and all Placement Departments scurry to find out where last year's graduates have gone. In a very bad placement market, Cleveland-Marshall has again come through with (almost) flying colors.

Not quite 80% of our 1982 graduates have been placed as of this writing. When other mid-West schools are reporting 40% and 50% placement statistics, 80% seems high. It's not as high as usual, but, then, our economy is not as good as usual.

Of those reporting they had secured positions, 45% (the greatest amount) are employed in private practice. This breaks down to the following:

- 12% of those in private practice are employed as solo practitioners
- 48% of those are employed in 2-10 member firms
- 18% of those are employed in 11-25 member firms
- 5% of those are employed in 26-50 member firms
- 11% of those are employed in 51-100 member firms
- 4% of those are employed in firms of over 100 members

The next largest employer was business. 29% of our graduates are employed by some sort of business concern or corporation. This also includes accounting firms (8%), insurance companies and banks. Government agencies on the federal, state and local level are employing 15%. This is higher than expected since both federal and state hiring is frozen. Some of our graduates on preferred lists when those positions reopen.

Judicial clerkships have taken 6% of our graduates, with, again, a few in the "hold" pattern. The rest are scattered among the public sector, academic (going on for LL.M. degrees), and law school teaching.

One other number which you may find interesting is our average starting salary, which is $23,400 this year. This compares to $21,200 in 1981. In 1979 starting salaries averaged $17,000, again indicative of our economic times.

The last statistic is constant -- 90% of our graduates report that they are remaining in the NE Ohio area. The other 10% have dispersed to other Ohio communities (Toledo, Columbus, etc.), Virginia, Kentucky, Wisconsin, Houston, Dallas and Puerto Rico!

We are still receiving reports almost weekly of others who have been placed, and we will keep you notified. As usual, if you hear of any possible job openings, please let us know.

Nancy Goldman
Placement Director

By Michael Zontini

Michael Zontini is a student at Cleveland-Marshall Law School. Mike will graduate this year with a joint degree in Law and a Masters in Business after only two full years of study and a combined 3.00+ G.P.A. Presently employed with C.S.U.'s Office of Legal Affairs, Mike and his wife Candy reside in Euclid.
Recognition Luncheon Huge Success

This year's Annual Recognition Luncheon had the largest attendance ever, as the Alumni Association honored Sam D. Bartlo, C-M '50, and Ohio Attorney General Anthony J. Celebrezze, Jr., C-M '73, on March 4, 1983.

Nearly 400 alumni and guests attended the event at The Hollenden House, which began with a cocktail reception for the honorees and their wives, followed by the luncheon itself.

Alumni president Bill Monroe presented awards to the two honorees, who were supported by numerous classmates, family, friends, and colleagues.

Sam D. Bartlo said he was grateful for the Law School evening program, which enabled him to gain an education while working. He noted the success of his many distinguished classmates, and said it was all possible because of the fine education received while attending law school at night.

Bartlo graduated from John Adams High in 1937 as class valedictorian. He attended Adelbert College Case Reserve University on a full scholarship, graduating summa cum laude with a B.A.A. degree in 1941. He also received the Western Reserve University Warion Trophy for outstanding scholarship and leadership, and was a member of Phi Beta Kappa.

After serving as a captain in the United States Army for four years, Bartlo attended the Cleveland-Marshall College of Law, where he graduated magna cum laude in 1950 with a Juris Doctor degree, while serving as class president.

Mr. Bartlo has been president of the Akron Bar Association, the Ohio State Bar Association, the Ohio Legal Center Institute, and the Ohio State Bar Foundation. In 1978 he became a Trustee of the Ohio State Bar Foundation.

Since 1970, he has served as a delegate to the Ohio State Bar Association Council of Delegates. In 1977, he became a delegate to the American Bar Association House of Delegates.

Bartlo was director of the National Conference of Bar Presidents from 1979-82 and is a Fellow of both the American Bar Foundation and the Ohio State Bar Foundation. He is a member of the Ohio State Bar Association "Silent Partners" Advisory Service for OSBA Members. He is also a member of the American Bar Association, the Akron Bar Association, the American Judicature Society, and the National Conference of Bar Presidents.

Sam D. Bartlo is a senior partner in Buckingham, Doolittle & Burroughs, a legal Professional Association in Akron, Ohio. He and his wife Gwen reside in Hudson, Ohio. They have four sons.

Ohio Attorney General Celebrezze spoke of the fine law school from which he received his education, and praised the Alumni Association's Board of Trustees for their continued support of this fine College of Law. He also thanked the alumni at large for their continuous support of the Alumni Association and the law school.

Celebrezze was born on September 8, 1941 in Cleveland, Ohio. He graduated from the United States Naval Academy at Annapolis in 1963 with a B. S. degree. He then attended George Washington University where he received a masters degree in Personnel Administration in 1966. In 1973, Anthony J. Celebrezze, Jr. received a Juris Doctor degree from the Cleveland-Marshall College of Law.

Celebrezze has a long and distinguished career of public service. He served as a state senator from the 25th District (western Cuyahoga county) from 1975-78, when he was named one of the five most outstanding legislators for his diligent, thorough, and comprehensive legislative work. He served as chairman of the Local Government Committee, as well as head of the Joint Select Committee to Study the Problems of Small Business.

From 1979 through 1983, he served as Ohio Secretary of State. His work with young people earned national recognition when he was awarded the 1980 Honor Medal from the National Freedoms Foundation for his Practical Politics program, which helped teachers to better instruct their students in the area of government and politics.

Anthony J. Celebrezze, Jr., was elected Ohio Attorney General on November 2, 1982, receiving more votes than any other candidate on the ballot and winning by the largest margin in an attorney general's race in the state's history. He assumed office as Ohio's 43rd Attorney General on January 10, 1983. He presently serves as a commander in the United States Naval Reserve where he spent five years on active duty and

President Bill Monroe presents a plaque to honoree Anthony J. Celebrezze, Jr., as luncheon chairman Terrence L. Brennan looks on.

received the Navy Commendation Medal.

He is the son of Anthony J. Celebrezze, former mayor of Cleveland and former Secretary of the Department of Health, Education and Welfare for President John F. Kennedy. The senior Celebrezze is now a judge on the United States Sixth Circuit Court of Appeals. Attorney General Celebrezze and his wife, the former Lois Godwin of Williamston, North Carolina, have five children.

Reverend Luther F. Hill, C-M '54, of Mt. Sinai Baptist Church in Cleveland, gave the Benediction, and luncheon chairman Terrence L. Brennan thanked all alumni and guests who attended and supported this wonderful event. He noted special thanks to alumni coordinator Sandi Oppenheim, president Bill Monroe, and the several law students who assisted the Association at the luncheon. The luncheon ended on schedule at 12:20 p.m.
AARON H. ZYCHICK, C-M '23, died in March at 80 years of age. He had practiced law in Greater Cleveland for 60 years. In 1967 President Lyndon B. Johnson awarded him a medal for distinguished service to the government as U.S. commissioner general of the 1936 and 1937 Great Lakes Expositions of Cleveland. Zychick developed a water show for an aqua marine festival that was repeated at the New York World's Fair. In 1958, Zychick developed a decorative late to commemorate the 150th anniversary of the birth of Abraham Lincoln.

JACK J. SMITH, C-M '28, died in February at age 75. Although he was ill with cancer, he continued to practice law with his son and partner David. He was a member of the state and county bar associations and had been secretary-treasurer of the Fraternal Order of Eagles.

ANN ROTKO MEYERS, C-M '30, died of cancer in March. She was named the first woman member of Delta Theta Phi in 1971.

ANDREW J. DUNCAN III, C-M '33, died in March at age 74. He was the founder and first president of a construction and concrete business in Jamaica in 1958, and had been associated with Square, Saunders and Dempsey law firm in 1935.

CALVIN B. FURLONG, C-M '49, died in January at age 78. He was a referee in the Cuyahoga County Domestic Relations Court from 1964 to 1971, and had practiced general law from 1950.

CARL ARTHUR HUNT, C-M '52, died in March at age 73. He had practiced law with his wife Citene W. Cochran in Cleveland and was a member of the John Marshall Law Club.

ROLAND SMITH, C-M '54, died of pneumonia in March at age 75. He practiced corporate tax law for 40 years with Pickands Mather & Co., and was considered an expert on the corporate tax laws for Australia and Canada, as well as the United States. He was a member of the Greater Cleveland Boy Scouts Council and the Skyline District Council, and was a member of the Masons.

WILL ELMORE, C-M '65, died in March of cancer at 56 years of age. He had been senior vice president, corporate secretary and staff lawyer for Continental Federal Savings & Loan Association from 1972 until he became ill last year.

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OBITUARIES

BENJAMIN KASNER, C-M '23, died in October.

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ALUMNI ASSOCIATION

The following Cleveland-Marshall graduates have passed the 1983 Bar exams:

**February 1983 Bar Results**

| Aggers, David | Collins, Mildred |
| Anthony, Richard | Craft, Judith |
| Baile, Dale | deCaris, Mario |
| Bednar, Michael | Gault, Bridget |
| Bond, Roger | Georgeson, John |
| Burns, Dan | Gibbons, John |
| Callahan, Ken | Ginsberg, Jan |
| Carter, Kathryin | Guilianini, Albert |
| Cassidy, Marilyn | Kalis, Christopher |
| Conte, Richard | Karol, Brian |
| Dettelbach, Sally | Keith, George |
| Dobbins, Renee | Kienzl, William |
| Faranda, Lee | Kordic, Gregory |
| Guiffre, Susan | Kukuka, Kathleen |
| Grasso, James | Ladanyi, Albert |
| Grays, Winston | Maag, Robert |
| Jennrich, Terry | McGinty, Mary |
| Jerry, Lindsey | McGowan, Harvey |
| Keogh, Kevin | Miracle, Gregory |
| Kerek, Wayne | Moore, Patrick |
| King, Woods | Moore, Richard |
| Kipstuhl, Paul | Moss, Jerald |
| Kolanski, Ralph | Norton, Margaret |
| Lecklider, Tim | Post, Rex |
| Liebold, Nancy | Quinn, Patrick |
| Longino, Nicole | Sacco, Joel |
| Margolis, Ron | Sarno, Wayne |
| Mendenhall, Audrey | Serrat, Jaime |
| Moody, Sharon | Siskovic, Carole |
| Ngo, Suzanne | Smith, Kevin |
| Novak, Karen | Spanko, Elizabeth |
| Ondrick, Karen | Steiner, James |
| Pickens, Debra | Streza, Nicholas |
| Price, Andrew | Strugar, Daniel |
| Redmond, William | Stull, Diana |
| Reed, Roberta | Tomusko, Joan |
| Renna, Gary | Vail, Loren |
| Rowen, Stephen | Ward, Diane |
| Sado, Diane | Wayman, Merl |
| Sheehe, Larry | Weizell, Hollice |
| Skupski, Ken | Zafar, Enid |
| Smilancic, Diane | Condron, Maurice |
| Smith, Cynthia | Merrill, Franklin |
| Sullivan, Mary | Nelson, Russell |
| Taylor, David | |
| Wade, William | |
| Ward, Vicki | |
| Watson, Michael | |
| Watson, Sandra | |
| Williams, Laura | |
| Wyppasek, Michael | |

The Alumni Association wishes to congratulate all of the above.

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LIE DETECTOR

(Continued from Page 5)

To suggest that juries will blindly follow polygraph test results seems to be an understatement of their capabilities to disregard any just or unjust evidence based on their own judgment. The polygraph does not believe or disbelieve as a juror must do. It does not detect lies in the strict sense of the word. If it detects anything at all, it is the truth. Its recordings only distinguish between the whole truth and something less than the whole truth, and there its function ends as a diagnostic aid. It cannot testify, but it can be used to provide the basis for expert opinion.

The principal role of a trier of fact is the search for truth and any reasonable scientifically oriented procedure or method to assist in this search should be employed. As far as Frye was concerned, the test undoubtedly saved his life. No jury could help being influenced by the knowledge that Frye's story had been proved truthful by the lie test. With no other evidence in his favor, they reduced his conviction from first to second degree murder and he was sentenced to life imprisonment. He served three years before further investigation revealed that the friend who persuaded him to make a false confession was the real murderer of Dr. Brown. Frye was free. Dr. Marston had been right.

The steps forward for admissibility in the twenty plus states today have placed polygraphy squarely in the professional atmosphere, despite the fact that the complex criteria demanded for such qualification and acceptance by the judiciary far exceeds that required of any other professional witness.

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C-M LAW ALUMNI TRUSTEES

C-M ALUMNI OFFICERS

William T. Monroe, President, '53
Terrance Gravesen, '77
Susan Gragel, '80
Samuel J. Appell, '68
Lao E. Roessmann, '29
Bernard J. Nosan, '73

BOARD OF TRUSTEES

Ramon Basile, '62
Terrence L. Brennan, '78
Judge James F. Celebrezze, '67
Judge Lee A. Jackson, '60
Sheryl Y. King, '79
Herbert Palkovicz, '68
Judge John T. Patton, '58
Leon Plevin, '57
Maria E. Quinn, '79
Michael T. Scanlon, '59
Lawrence Wilhite, '80
Robert Zashin, '68
Robert Bogomolny, Dean
Faculty Happenings

In January, the Cleveland State University Board of Trustees approved recommendations for tenure for Associate Professor Louis B. Geneva and Assistant Professor Janice A. Toran, whose promotion to Associate Professor rank was also approved. At the same time, the Board approved the promotion of Associate Professor Stephen W. Gard to full Professor.

Dean Robert L. Bogomolny was appointed to the Steering Committee of the Task Force on Violent Crime of the Bar Association of Greater Cleveland. The Dean spoke on "Violent Crime in Cleveland" before the Steel Service Center Institute, Northern Ohio Chapter, on March 7, 1983. He addressed a luncheon meeting of the Cuyahoga County Bar Association on April 20, 1983, on "The Insanity Defense: The Aftermath of U.S. v. Hinckley."

Professor J. Patrick Browne has continued writing in his series of articles on the Ohio Rules of Civil Procedure. Most recently published in the February 1983 issue of the Cleveland Bar Journal is "Civil Rule 13(J) and the Cleveland Municipal Court." On March 13, 1983, Professor Browne delivered a paper to the Northeastern Ohio Municipal Court Clerks Association on "Documenting Service of Process: Keeping the Clerk Out of Court."

Professor Robert S. Catz was a trainer at a Legal Services Conference on "Federal Litigation for the Poor" in Little Rock, Arkansas, in October. He has been selected to be a panelist and will present a paper at a Symposium, "Past, Present and Future Role of Land Grant Institutions," to be held at the University of California, Davis, in April, 1984.

The Legal Clinic Faculty has drafted a Law Student Practice Rule for presentation to and possible adoption by the U.S. Court of Appeals for the Sixth Circuit.

Professor Joel Jay Finer's commentary on New York v. Ferber, an obscenity case then pending before the United States Supreme Court, was published in Supreme Court Preview, a publication of the American Bar Association, the American Law Institute and the Association of Newspaper Publishers.

Professor David F. Forte's article "The Foreign Affairs Power: The Dames & Moore Case" has been published in the Cleveland State Law Review. He delivered a paper on "The Papal Theory of Social Justice" to the biennial meeting of the Amintaphil at the University of Florida (Gainesville) in January, 1983. On April 14, 1983, Professor Forte participated in a symposium on ethics held at Georgetown University in honor of Henry Veatch, Professor Emeritus at Georgetown; his paper was titled "Injustice and Tragedy in Aristotle."

Associate Professor Stephen Gard's article "The Flag Salute Cases and the First Amendment" will be published this Spring in the Cleveland State Law Review.

Legal Writing and Advocacy Instructor Marshal Meckler participated in the Society of American Law Teachers Conference in New York in December 1982 and presented a paper to the Section on Legal Writing, Research and Advocacy at the Association of American Law Schools Annual Meeting in Cincinnati, Ohio, in January 1983.

Professor Jane M. Picker moderated the discussion on "The Impact of Titles VII and IX on Sex Discrimination in Faculty Hiring and Tenure Decisions" at the AALS Annual Meeting in Cincinnati, Ohio, in January; she was a panelist at the meeting of the Constitutional and International Law Sections of the Canadian Bar Association - Ontario in Toronto, Ontario, on January 27, 1983, discussing "Charter Legislation: The Evidentiary Problem Presented by Section 1." She spoke to the Charter of Rights Educational Fund on November 20, 1982 Professor Picker was a panelist at the Midwest Regional Changes in Substantive Law conference in Madison, Wisconsin; she spoke on "Civil Rights Litigation."

On February 10, 1983, Assistant Professor John Makdisi spoke at Ohio State University on "Legal Logic and Equity in Islamic Law." His book review of H. Toledan's JUDICIAL PRACTICE IN MOROCCO has been accepted for publication in the July issue of Middle Eastern Studies Bulletin.

Associate Dean and Professor Victor L. Streib presented a paper, "Children's Legal Rights: Essential Knowledge for Beginning Educators," at the Annual Meeting of the American Association of College Teacher Educators in Detroit in February 1983. He is currently chairing the AALS Section on Teaching Law Outside Law Schools and is Secretary of the Section on Criminal Justice. He is chairperson of the ABA Subcommittee on Capital Punishment for Juveniles, Section on Criminal Justice, for 1982-83. At its Midyear Meeting in February, the ABA Section on Criminal Justice voted to approve a resolution drafted by Dean Streib opposing the death penalty for children; final action on the resolution is scheduled for the ABA House of Delegates at its August 1983 meeting in Atlanta.

Professor William Tabac has completed the 1982-83 supplement to his OHIO COMMERCIAL AND CONSUMER LAW (West Publishing Co., 1980). He continues to produce and moderate the radio talk show "The Law and You."


Associate Professor Frederic White's article "The Ohio 'Sunshine Act: An Appraisal" was published this Fall in the Akron Law Review. He was recently elected to the Board of Trustees of the Cleveland Legal Aid Society and is President-Elect of the Normain S. Minor Bar Association.

Associate Professor James G. Wilson was a guest on the radio talk show "The Law and You," speaking on "Environmental law and Reagan."

Cleveland-Marshall Fund Summer Research grants for 1983 have been awarded to faculty members Robert S. Catz, Joel Jay Finer, Sheldon Gelman, Jack A. Guttenberg, Stephen R. Lazarus, Robin L. West and James G. Wilson. Cleveland-Marshall grants for the development of innovative teaching materials have been awarded to David R. Barnhizer and John Makdisi.

Students Place in Regional Competition

Professor Stephen J. Werber, advisor to the Moot Court Board of Governors, announced that the Cleveland State University team of Anthony Smith and Kerry Randall placed second in regional National Appellate Advocacy Competition held on April 8 and 9. The competition director recognized Smith as the tournament's outstanding advocate. This team will now represent the region in the national finals to be held in Atlanta in late July.
About the Spring 1983 cover...

On this issue's cover, in celebration of the Cleveland-Marshall Law Alumni Association's 40th Anniversary, is a display of pictures from a few of the Alumni Association's past events.

Keep In Touch...

We invite your newsworthy items, comments, and thoughts for future articles. Please send news about yourself or others by using the above postage-paid forms. We invite your comments about this publication and suggestions for future issues.

This publication made possible by your membership dues.