Fall 1983

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Cleveland-Marshall College of Law

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ALUMNI BENEFIT PLAN NOW AVAILABLE

The Cleveland-Marshall Law Alumni Association is proud to announce a new and unique opportunity for its members.

Due to an overwhelming request from alumni, the Association has established an exclusive benefit program FOR DUES PAYING MEMBERS and their employees.

Effective September 1, 1983, the following plans have been arranged by Frank S. Treco, Jr. & Associates and designed for members of the Alumni Association. The plan has great flexibility, allowing for individual election of insurance limits and coverages, with preferential underwriting. The features of the plan are:

Group Life Insurance and Basic Hospital Plan plus Major Medical

This may be the best buy in the market today. Available to Cleveland-Marshall Alumni who are registered members of the Association.

Term Life Insurance for individual or family in increments of $10,000 ($10,000 minimum is required to participate in the medical plan)

Basic Hospital Plan

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<td>365 Days semi-private</td>
<td>UCR</td>
<td>1,000,000 individual maximum</td>
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<td>Medical Expense</td>
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<td>Diagnostic</td>
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<td>80/20 of $2000 then 100%</td>
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Medical Plan Rates for Ohio
Family $188.06 per month — Single $68.28 per month

Underwritten by Mutual of New York and Blue Cross/Blue Shield of Greater New York.

Alternative Medical Plan

$1,000,000 Comprehensive Major Medical Plan
Available to Alumni members and their employees who wish a high deductible, high co-insurance, low premium plan.

Life Insurance — Alternatives

If you have a need for personal life insurance — “Batch” underwriting has been arranged for CMLA members through MONY. This is much more liberal than individual underwriting.

Annual Term Insurance — Whole Life — Universal Life

Group Long Term Disability Income Protection

• Benefits to Age 65 or Five Years • Residual disability benefit • Liberal Underwriting • Elimination period 30 days or 90 days • Remarkably low rates

Please return the enclosed tear sheet to Mrs. Sandi Oppenheim, Cleveland-Marshall Law Alumni Assn., 1801 Euclid Ave., Cleveland, Ohio 44115. For further information, call 216-687-2368.

Contact me regarding the benefits checked below

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<th>Basic Hospital and Major Medical</th>
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Name: ________________________________ Class of: ________________________________
Firm: ________________________________ Phone No.: ________________________________
Address: ________________________________ State: ________________________________ Zip: ________________________________
City: ________________________________

I am not a current member. Please send me a dues statement.

Long Term Disability Income Protection

Non-Cancellable Guaranteed renewable to age 65 — May keep to age 75

Lifetime Sickness Benefit
Definition—“unable to perform material duties of regular occupation”
Residual Disability Benefit
Zero Day Partial Disability Benefit
Non Consecutive qualifying days satisfy the waiting period
Cost of living adjustment to 8% compounded annually
Purchase Option—$2400 Per month-cumulative to age 50
Elimination periods 0 days to 365 days

Group HR-10 Plan

The plan will be offered if there is sufficient response.

1. Professional money management
2. Principal guaranteed against loss
3. Earnings rate guaranteed
4. All annuity options available
   1. Life only
   2. Life and period certain
   3. Joint and survivor
5. Same plan and administration that is available to major partnerships and corporations

Automobile

Purchase Lease Conditional Sale
Purchase a new Oldsmobile at $150 over the Dealer’s invoice price.
Lease any make or model at 10% discount from the advertised lease price.
Conditional Sale allows the eventual purchase of a Mercedes or similar luxury car at little or no after tax cost.
This is a unique concept and program.

Travel

• Monthly billing system providing only one statement, allowing for an average 65 day cash float • Immediate credit for unused air tickets returned to HTS. • 24-hour nationwide W.A.T.S. reservation system within the continental United States for emergencies and changes • $100,000 flight insurance issues with each ticket • Guaranteed lowest available air fares and most convenient itinerary • Daily delivery service: Cleveland area; mail delivery anywhere • Computerized airline, hotel and car reservation services through United Airlines Apollo system • Computer printed tickets and detailed itinerary • Advance seat assignments and boarding passes • Discounted Cleveland Airport parking • Passport and visa arrangements • Internal control records to assist in firm’s distribution and accounting • Secretarial folders and reservation pads for each firm employee initiating travel records • International telex capabilities • Assistance in establishing and monitor- ing airline Frequent Traveler • Incentive/PluS Programs,
President's Message

It almost sounds Communist! The Officers and Trustees of the Alumni Association have been developing a Five-Year Plan. Last year, under the leadership of Bill Monroe, the Officers and Trustees agreed to a five year plan to revitalize the Association. They had heard the complaint that the Association did not really do anything for its members. To answer this complaint, they decided to develop a long-range plan which would include events and programs for all Alumni.

Last year, the first year of the plan, a successful membership drive was conducted. This was followed by a repeat of the popular Domestic Relations Seminar. As in the past, the Association also presented its Bar Results Party and its Annual Open House. Probably most successful was the Annual Recognition Luncheon, which had not been held the previous year.

This year, a Homecoming Party has been scheduled for the evening of the Browns vs. Bengals game, and an extensive insurance plan is being provided for Alumni interested in the same. In addition, the Domestic Relations Seminar, a second seminar is being prepared for the Spring. Other future events and programs are on the drawing board.

In order to continue this progress, your support is needed. Your annual dues enable us to fund the programs outlined above. If you have not already paid your annual dues, I would ask you to do so now. We also need your personal involvement. If you are interested in working with the Alumni Association, call Sandi Oppenheim at 687-2368, or call me directly at 579-1602.

Sincerely,

Terrence Gravens

OHIO'S NEW SENTENCING LAW:

Attack on Handguns and Violent Crime

By Judge Terrence O'Donnell

In response to continued public demand for action and focused media attention on instances of violent crime, effective July 1, 1983, Ohio's General Assembly enacted comprehensive changes to substantive and procedural criminal laws, the content of which are not fully understood and the effects of which remain to be realized.

Significant provisions of the new legislation include a mandatory three-year period of actual incarceration for all offenders who commit crimes while armed with firearms, as well as enhanced penalties for offenders with a record of prior convictions. In addition, new categories of felonies—Aggravated Felonies of the first, second, or third degree which carry longer prison sentences—have also been created. And finally, third and fourth degree felonies have been divided into two categories—those where the offender has caused or threatened physical harm for which longer prison sentences have been prescribed—and those where no physical harm was caused or threatened and the offender has no prior conviction for violence, in which case the legislature has directed the Court shall impose a shorter definite sentence. In either of these latter instances, the offender is eligible for probation.

Importantly, it must be recognized that this new legislation merely broadens the scope of mandatory incarceration, which has existed in Ohio for several years for certain drug related and other offenses. Simply stated, the legislature has dictated that those who utilize firearms while committing crimes and those who commit violent crimes do so at an even greater risk of their liberty due to mandatory consecutive periods of actual incarceration and enhanced penalties for such offenders. Concomitantly, those who perpetrate less violent offenses are subject to substantially less severe penalties. In effect, this suggests that, the judiciary may not experience overly severe docket-control problems since the ability will be provided to concentrate on the more significantly criminal activity, and also because the plea-bargaining process will be expanded.

Lawyers, as a group, are versatile and will undoubtedly readily adapt to these new legislative provisions. Plea bargaining has long been an integral part of criminal law.

In Brady v. U.S., 397 U.S. 742, the Court held that a plea of guilty was not invalid when motivated by defendant's desire to accept certainty or probability of a lesser penalty. In North Carolina v. Alford, 400 U.S. 25, the Court stated that even upon defendant's testimony that he had not committed the murder, the trial court did not err in accepting his guilty plea to a reduced charge to limit the penalty to a 30-year maximum sentence.

And finally, in Bordenkircher v. Hayes, 434 U.S. 357, despite a prosecutorial threat to dismiss a forgery charge with a 2-10 year sentence and re-indict the defendant under a habitual criminal statute with a life sentence if the defendant did not plead guilty, the Court held that no violation of the due process clause had occurred.

It is, therefore, conceivable that the plea bargaining process in Ohio will be expanded to include an entirely new range of factors not previously at issue. It remains the task of the defense attorney to evaluate his client's position, prepare the case for trial, or negotiate the best resolution available on his client's behalf, regardless of the specific penalty which may be imposed by the Court.

Undoubtedly, offenders convicted and sentenced subsequent to July 1, 1983 for offenses occurring subsequent to that date will be incarcerated for longer periods of time, and consecutive three-year terms of actual incarceration will only add to that lengthened stay. The wisdom of this policy will be witnessed in the months and years ahead. There is created for the present, however, a need for public education as to the implementation of the new statutes and an awareness of the foreseeable impact. The role of the media in disseminating this information and in educating the public will grow increasingly important as offenders become subject to the broad sweeping changes enacted by the legislature.

Questions, confusion, and uncertainty about specific application of particular provisions of this legislation will continue to be raised as the immediacy of the situation nears. It will remain the task of both the judiciary and the criminal bar to be realistic about the import of these changes. The legislative and executive branches of our state government have made a direct assault against statewide violent crime and it is now the judicial branch which will determine or bear the effect of that impact.

Judge Terrence O'Donnell C-M '71
CLEVELAND-MARSHALL NIGHT PROGRAM

THEN AND NOW . . .

By Sandi Oppenheim

History of the Cleveland-Marshall College of Law dates back to 1897, with the start of Baldwin-Wallace University, the relationship between the law school and Baldwin-Wallace University was terminated in 1926, and continued its part-time program under the leadership of Judge Willis Vickery.

During this time, classes at the Cleveland Law School were located in the Engineers Building. According to Leo E. Rossmann, '29, who was class secretary in 1924, students took the elevator to the twelfth floor and walked up to the thirteenth. Of course, there was no air conditioning. A college degree was not required, and students were admitted directly from high school.

Classes were held three nights a week from 8:00 p.m. to 10 p.m. The school appealed to students of both professional and commercial orientation; its method of instruction was the "Dwight" method; its standards of scholastic achievement were nonexistent, and its records were incomplete.

Leonard Stern, '26, said he studied Wednesday afternoon since he managed a grocery store during the day and it was closed on Wednesdays, but open Saturday nights. The primary social life among the students was at Webers Restaurant on East Superior. "For 25 cents, I'd buy a roast beef sandwich, eat it while standing, and meet with my colleagues," said Stern. Law students rarely had time to socialize with their families, but, said Stern, did get together on New Years Eve.

J. Helen Slough, '29, was not only a woman, but the youngest law student in her class. She attended Ursaline College during the day and law school at night, while managing to graduate in the top ten per cent of her class. "Most women went into private practice, became law librarians or secretaries to male attorneys," she said. Since her father was an attorney, Slough began practice with him for one year before specializing in trademarks, copyright, and industrial law, which she still practices today.

Standards changed at the law school as the years went on. First, around 1930, one year of college before graduation was required. Then, after, one year of college was required prior to admittance. Several years later, a bachelor's degree was needed.

Franklin A. Polk, '39, said he took two subjects while attending night school five nights a week. Day classes were non-existent at the Cleveland Law School. Polk, an Alumni president in the forties, said that the Alumni Association was revitalized by John Orgill and Judge Lee E. Skeel. According to Polk, the Delta Theta Phi Fraternity, which began in 1900, was founded at the Cleveland Law School and then became a national organization.

Walter Morgan was a professor of Real Property at the Cleveland Law School from 1946 to 1954. "The cream of the crop was returning from the army," he said, "and received their education through the Veterans Administration." At that time, said Professor Morgan, there were 100 students or better, with ten to fifteen women per class. Morgan returned to teach at Cleveland-Marshall in 1963 and 1971.

Meanwhile, in 1916, David C. Meek, a graduate of the Cleveland Law School and a member of its faculty, began a law school in imitation of the model of Judge Willis Vickery's Cleveland Law School. Also a night school, Meck emphasized introductory and orientational matters during the first year. He also tried to create a collegiate atmosphere by initiating the "John Marshall Forum," a program to stimulate competition among students, to provide contact with the faculty, and to sponsor public lectures. For a time the school employed an athletic director, and also developed three professional fraternities.

The school announced a day division in law in 1935, and added a department of liberal arts, business administration, and secretarial science, in order to provide adequate pre-law education. This move occurred with the requirement in Ohio of two years of pre-law education.

Elsie Tarcai, '42, attended John Marshall in 1938. "There were 40 students in my class to start," said Tarcai, the only woman to remain. She graduated Cum Laude and was one of two women to pass the Bar that year. At this time, tuition was $40.00 per quarter. Law students had minimal requirements, but were weeded out through the Bar. Tarcai estimates that approximately 70% of the student body failed the Bar exam. After that, she said, the school taught with the Bar in mind, while emphasizing Ohio cases. After graduation, Tarcai took over the practice of Harry Dworkin, who was drafted. She still practices today.

David Horsfall, '42, worked with Ohio Bell after graduating from college in Wisconsin. He said that Case Law was stressed during his time in order to better prepare graduates. "Cleveland Law School had a good library," said Horsfall, "while John Marshall's library was . . .

(Continued on Page 8)
Alumni Invited to Browns Homecoming Party

The Alumni Association is sponsoring a HOMECOMING PARTY before the Cleveland Browns vs the Cincinnati Bengals game on THURSDAY, SEPTEMBER 15, 1983, beginning at 5:00 p.m. at the AUDITORIUM of the ENGINEERS BUILDING, 1365 Ontario (and St. Clair). Food, beer and wine will be provided. A cash bar will be available.

A block of tickets has been reserved for alumni, faculty and students who wish to attend. OPEN TO ALL ALUMNI, we hope you will join us at the party and game. Tickets are $12.00 each.

Reservations for the party and/or tickets can be made through the following: Alumni Coordinator, Sandi Oppenheim: (216) 687-2368; President Terry Gravens: (216) 579-1602; Jerry Walton (216) 621-5240, or Lee Mull: (216) 881-2345.

PLEASE JOIN US IN CHEERING THE BROWNS TO VICTORY AND IN KICKING OFF A NEW ERA FOR CLEVELAND-MARSHALL AND ITS ALUMNI!

Class Reunions

The CLASS OF '73 celebrated its tenth reunion on Saturday, June 4, 1983. Cocktails and dinner were enjoyed by approximately 50 alumni and their guests at Cleveland State University’s University Hall. “Just a chance to get together and reminisce” was the theme carried out by class representative John Heutsche and his committee. Alumni came from Cincinnati and other areas of Ohio. The Class of ‘73 hopes to meet again for a fifteenth reunion.

Bill Monroe is still working on a 30th class reunion. “A definite date has been set, and invitations are on their way,” said Monroe. The CLASS OF ‘53 will meet for cocktails on Thursday, September 29, 1983 at the Cleveland-Marshall College of Law Atrium, 1801 Euclid Avenue, Cleveland, Ohio from 5:30 to 7:00 p.m. At 7:30 p.m., those with reservations will adjourn to the Colony Restaurant at 2510 St. Clair for dinner and drinks. Please contact Bill Monroe at 1525 Leader Building, Cleveland, Ohio 44114 or phone 216-241-2500 if you need further information.

The CLASS OF ‘63 committee has been planning its twentieth reunion for a long time. “Our plans will become a reality on Saturday, October 15, 1983,” said Jerry Kraig, class representative. ’63 alumni will enjoy a cocktail party, dinner and dance at the University Club, 3813 Euclid Avenue, Cleveland, Ohio. For further information, Kraig can be reached at 216-696-4009, or you may contact committee member Eileen Kelley, One Erieview Plaza, Suite 1500, Cleveland, Ohio 44113, or phone her at 216-696-0022.

A fifteenth reunion is in the works for the CLASS OF ’68. Representative Herb Palkovitz hopes to finalize plans shortly. If interested in working on the planning committee, contact Herb Palkovitz at 771-3777.

If you are interested in a class reunion, contact Sandi Oppenheim, Alumni Coordinator at 216-687-2368.

Mark Your Calendars

Mark your calendars now for the C-M Domestic Relations Seminar: Tuesday, December 6, 1983. Further information will follow. For suggestions or information, call the Alumni office: (216) 687-2368.

Magnet School: Year One

The Law and Public Service Magnet High School Program’s first year was an “unqualified success” according to Dr. James Hyman of the Cleveland Foundation. The first 9th grade class thought so too, according to program evaluators from Boulder, Colorado.

The high school, a joint venture of the Cleveland Public Schools and Cleveland State University, had been “in the works” for two years before it opened in September of 1982. Dean Robert L. Bogomolny of Cleveland-Marshall College of Law and Dean David Sweet of College of Urban Affairs have worked with officials at the Cleveland Board of Education to shape a unique university-public school relationship in which school curriculum is designed at the university. University faculty and staff are involved in daily operations and provide instruction at the school located at East 71st and Hough. Elisabeth T. Dreyfuss, Judith Zimmer, Marcia Dettelbach and Donna Burney, all Cleveland-Marshall alumni, worked on the project last year along with law students Roman Mironovich, James Vargo, Jim Bohn, Peggy Foley, Eva Dolan, Patrick Joyce, Danial Kalk and Mike Downing.

Cleveland, Jennings, Gund and Bar Foundation Funds made supplemental activities possible throughout the year. The capstone event was a June field trip to Columbus where students met with Governor and Mrs. Celeste, Secretary of State Sherrod Brown and State Senators Lee Fisher and Morris Jackson.
ANNUAL OPEN HOUSE HUGE SUCCESS

The 40th anniversary celebration of the Cleveland-Marshall Law Alumni Association was held on May 25, 1983 at the Law College Atrium, as several hundred gathered at the Annual Open House.

Open to all dues paying members, faculty, and graduating students, the event was a beautiful blend of alumni representing all class years. "Mingling," "reminiscing," "just getting together again," "politiking," "visiting the present law school," "winning door prizes," "great food," and "an event we just wouldn't miss" were only some of the reasons alumni said they attended.

Others wanted to chat with the faculty, informally scrutinize new graduates as potential employees, meet the new Board of Trustees, attend the annual business meeting, or offer suggestions on changes for the Association.

Mainly there to support the law school and the Alumni Association, everyone in attendance had a wonderful time.
Ohio Passes Collective Bargaining Bill
For Public Employees

By Robert Pietrykowski

Up to the present time, Ohio was among the last of the northern states not to have a law permitting public employees with the right to organize or to bargain collectively. Various state cases generally have held such attempts at organization to be void as an invalid delegation of legislative authority.

The statute animus exhibited in the above mentioned cases has been obviated as of late through judicial inaction. Ohio has permitted public employees a de facto right to strike in that its courts generally have refused to enjoin public sector strikes. Even in the shadow of the Ferguson Act which unequivocally prohibits any public employee from striking, courts in Ohio have followed the lead of Michigan under the Holland Decision in refusing to issue labor injunctions upon mere proof of a public sector strike absent a showing of clear and present danger to the public health or safety.

In light of the permissive recognition given public sector unions by state and local governments and the ineffectiveness of the Ferguson Act's anti-strike provisions, the new public sector bargaining law should not be viewed, as many commentators have suggested, a threat to governmental sovereignty or public order but rather a force providing a legal structure within which to conduct public sector labor relations as a rational and orderly process. The major provisions of the statute are outlined below.

The Ohio State Employment Relations Act (SERA) covering collective bargaining in the public sector becomes effective on April 1, 1984. The SERA repeals the Ferguson Act and substitutes new Ohio Revised Code §4117.01 - .23. The statute grants a limited or qualified right to strike to all public employees of the state and its political subdivisions with populations of over 5,000 except for, among others, guards at prisons and mental health hospitals, court employees, police and fire-fighting personnel. A separate section covers these exempted employees which provides for a compulsory binding "final offer" arbitration as the final impasse procedure and prohibits strikes under any circumstance.

Resolution of Disputes: Section 4117.14 of the Act sets up detailed procedures for the settlement of a bargaining impasse. The parties have the power to enter a written agreement which sets forth their own grievance and impasse procedures, and these procedures may culminate in final and binding arbitration. If the parties cannot reach an agreement about the contract and do not have their own impasse procedures, 50 days prior to the expiration of the agreement, either party may request the aid of the Ohio State Employment Relations Board (SERB) by submitting to the board a statement of each issue on which an impasse exists. The board is required to investigate any disputes and to appoint a mediator if the deadlock exists 45 days prior to the expiration of the agreement. If the mediator reports that the parties, after bargaining in good faith, cannot reach an agreement, the SERB must appoint a fact-finding panel composed of not more than three members. During this time, the Board may continue mediation, order further collective bargaining between the parties, or both.

The fact-finding panel is required to gather facts and to privately make recommendations to the parties within 14 days of its appointment after receiving from the parties a position paper on each of the unresolved issues. The parties have seven days in which to accept or reject the recommendations of the fact-finding panel. They may reject only by a three-fifths vote of the total membership of the employee organization or of the legislative body. If neither party rejects, the fact-finding report becomes a final and binding basis for an agreement. If rejected by one of the parties, the fact-finding panel is to publish its findings and recommendations. Fact-finders are specifically permitted to attempt mediation of a dispute during the fact-finding process. The bill requires the state to pay one-half of the cost of fact-finding process with the parties sharing the remaining cost.

The Act permits the public employer to seek an injunction against any strike that occurs prior to the termination of the specified impasse procedures with an employer's unfair labor practice providing no defense to such an action.

Strikes: If the parties are unable to reach agreement within 7 days after the publication of the fact-finders’ recommendations, or expiration of the collective bargaining agreement, if one exists, the exempted services, mentioned earlier, must submit the dispute to a final offer binding settlement procedure to be settled by a conciliator selected by the parties. All other public employees who have given a 10 day advance written notice to the public employer and the SERB have the right to strike.

Where final offer settlement procedures are required, the parties are to submit to such settlement all unresolved items. As soon as is practical after a Board order to submit to final offer settlement proceedings, the conciliator shall conduct a formal hearing on the matter. Five days prior to the hearing, each party must submit to the conciliator, the opposing party and the SERB a written report summarizing the unresolved issues, the party's final offer as to the issue and the rationale for that position. At the hearing, the conciliator must hear testimony from the parties and review the report and recommendations of the fact-finders. After the hearing, the conciliator is to resolve the dispute by selecting, on an issue-by-issue basis, the final settlement offer of the parties.

In resolving the dispute, the Act sets forth factors which must be taken into consideration by the conciliator including: past collective bargaining agreements between the parties, comparability on the issues involved with similarly situated public and private employees and the public employer's ability to pay. The parties are to share equally the cost of the final offer settlement procedure with conciliators required to be Ohio residents.

Injunctive Relief: Section 4117.16 of the Act allows a public employer, in situations which create a clear and present danger to the public health or safety, to obtain a 72-hour temporary restraining order against the strike. During the pendency of the temporary restraining order, the public employer must ask the SERB for a determination that the strike does in fact create a clear and present danger. If the Board so determines, the court has the authority to extend the restraining order for a full 60 days. During the period of the injunction, the parties must engage in collective bargaining under the auspices of the Board appointed mediator. At the end of 45 days, the mediator may make a public report which includes the respective parties' offer of settlement. At the end of 60 days, the injunction is automatically dissolved and no court may issue any further injunction.

Unfair Labor Practices: The SERA sets forth a specification of unfair labor practice charges and the corresponding hearing procedure in Section 4117.11. In doing so, the Act mirrors the unfair labor practice provisions of the National Labor
Robert Pietrykowski, a 3rd year student at the Cleveland-Marshall College of Law, will graduate from the J.D.-M.B.A. program this year with a combined 3.2+ G.P.A. Bob participated in both Ohio House and Senate deliberations on the public sector bargaining bill while a graduate research assistant in the department of Management and Labor Relations at Cleveland State University. Bob is currently a summer associate with Wickens, Herzer and Panza Co., L.P.A. in Lorain, Ohio.

Relations Act in providing for charges to be filed on behalf of the public sector employee or public employer for specific conduct in violation of the Act. The SERB is required to investigate the unfair labor practice charge and, similar to the National Labor Relations Board, has sole discretion in determining whether to institute formal proceedings on the complaint. Final orders of the SERB, which may include cease and desist orders as well as reinstatement with or without backpay, are appealable as a matter of right by any party to the proceeding to the Court of Common Pleas of the county where the unfair labor practice occurred.

In essence, the SERA provides a balanced approach to labor relations in the public sector. In most cases, the Act will do no more than institutionalize the presently existing system of procedures, rules and standards for the conduct of bargaining enjoyed by organized public employees. At the same time, the Act gives to public employers a legally enforceable structure within which to temper public employee activism. As such, the effect of the Act will impact predominately upon suburban and rural areas of the state which do not have any collective bargaining procedures in place and lack experience in collective bargaining negotiations. The SERA, while not eliminating the causes of public employee unrest, would certainly lessen such disruptions and the resulting burden suffered by an impatient public.

* cite available upon request.

FRANKLIN A. POLK, C-M '39, was awarded the 1983 Ohio State Bar Association Medal on Friday, May 13, 1983, at the 103rd Annual Meeting of the State Lawyers Group, in recognition of his advancement of the administration of justice. Polk was president of the C-M Alumni Association in 1947 and is currently a member of the Ohio State Bar Association, delegate and represents the County Bar in the American Bar Association's House of Delegates. He is listed in Who's Who in American Law and is currently president of the Cuyahoga County Bar Foundation.

RALPH J. DILLEY, C-M '53, is currently practicing law in Interlachen, Michigan.

LEO CIFELI, C-M '59, recently joined the financial planning firm of Bickel-Schoeck Associates.

DON C. ILER, C-M '60, was sworn in as president of the Ohio Academy of Trial Lawyers in April, 1983.

PAUL W. CASSIDY, C-M '61, is currently mayor for the city of Parma Heights. His son Michael and daughter Marily are both recent Cleveland-Marshall graduates.

C. ANTHONY STAVOLE, C-M '61, is law director for the city of Parma Heights.

DR. FREDERICK LAURENCE HETTER, C-M '65, a specialist in Immigration Law in San Diego, California, is listed in Who's Who in California.

WILLIAM J. RANKIN, C-M '67, a new type of snow shovel.

MARIAN R. NATHAN, C-M '70, was recently elected president of the Cuyahoga County Bar Association. She is one of only four women attorneys to be president of a major Ohio bar association.

JOHN F. PILCH, C-M '70, has recently been hired by United Pacific/Reliance Insurance as manager of the San Diego, California branch claim department.

LEE M. EVANS, C-M '72, has recently been promoted to vice president and manager of the trust corporate services division of National City Bank.

GORDON R. FRIEDRICH, C-M '73, was recently promoted to senior manager of Price Waterhouse, a U.S. accounting firm.

J. PATRICK POKORNY, C-M '73, is presently employed by Ameritrust as a senior trust representative.

FRANK KUNDRA, C-M '76, will be moving to Saint Cloud, Minnesota on October 3, 1983, to practice municipal, school, corporate, and commercial law with a large firm.

J. ANTHONY LOGAN, C-M '78, was appointed deputy director, Ohio Department of Agriculture by Governor Richard Celeste in April, 1983. He supervises departmental legal affairs, the Division of Markets, the Division of Weights & Measures, and the Division of Grain Warehouse.

LESLEI BROOKS WELLS, C-M '74, was appointed judge in the Domestic Relations Court, Cleveland, Ohio in May, 1983.

LOUIS C. DAMIANI, C-M '79, was appointed director of the Ohio Supreme Court in May, 1983, by Ohio Supreme Court Chief Justice FRANK D. CELEBREZZE, also a C-M alumnus. Damiani will serve as the top legal advisor to the Supreme Court; process affidavits of bias and prejudice filed against any judge in Ohio; respond to requests from other Ohio courts for assignment of retired or visiting judges; administrate the legal staff and other personnel of the Supreme Court; serve as secretary-treasurer of the Ohio Judicial Conference and serve as an ex-officio member of the Board of Commissioners on the Unauthorized Practice of Law.

MICHAEL O'GRADY, C-M '79, formerly director of the Bureau of Support in Cleveland, is currently with the Cleveland Attorney General's office.

DAVID P. BURKE, C-M '81, is currently a tax associate with the Tampa, Florida law firm of Carlton, Fields, Ward, Emmanuel, Smith & Cutler, P.A.

JENKINS SCOTT, C-M '81, is currently with the Ministry of Justice, Government of Liberia, Monrovia, Liberia.

JAMES E. ZINDROSKI, C-M '81, joined the law firm of Nicholas E. Phillips Co., L.P.A. in North Royalton, Ohio. He was also promoted to Sgt. with the North Royalton Police Department.

ANDREA K. PRICE, C-M '82, is currently working for the Legal Aid Society in Louisville, Kentucky.

MERL H. WAYMAN, C-M '82, is currently with the Ohio Attorney General's office, Civil Rights Section, Columbus, Ohio.

LAURENCE S. SMALL, C-M '83, has recently been appointed director of marketing — latex, at BF Goodrich Chemical Group's Cleveland headquarters.

NANCY F. SMITH, C-M '83, was recently named tax attorney in the Tax Department of the Cleveland-Cliffs Iron Company, a major producer and processor of iron ore.

MARTIN SPECTOR, C-M '85, was appointed managing partner of the Akron office of Coopers & Lybrand, an international accounting and consulting firm, in April, 1983.
Night Program

(Continued from Page 2)

negligible.” After receiving his law degree, Horsfall continued to work with Ohio Bell. He chose not to practice law.

Although night students were looked down upon by area day schools, the night schools had an exceptional showing of successful graduates, most coming from these two schools. “Professors often taught way beyond the two hour period,” said Franklin A. Polk, “and the students were enthusiastic and dedicated.”

Gathering to discuss Cleveland-Marshall’s earlier years are Professor Walter Morgan, left, and Dean Horsfall, C-M ‘42, with J. Helen Slough, C-M ’29.

In 1946, the John Marshall Law School merged with the Cleveland Law School to form the Cleveland-Marshall College of Law. In 1968, Cleveland-Marshall became the sixth college of Cleveland State University and has thereafter been known as Cleveland-Marshall College of Law of the Cleveland State University. In December, 1970, Cleveland-Marshall became a full member of the Association of American Law Schools. Sixty per cent of the students now participate in the three-year day program, while the remaining forty per cent study law for four years in the evening.

According to Professor Wilton Sogg, who is considered one of the oldest in point of service at the law school, “through the years, the character of the Cleveland-Marshall night law school student has remained.” Sogg feels that the C-M student body has been and still is a group to whom the educational institution is a valuable commodity; a group who cared; who had to make serious sacrifices for its education, and brought a special dedication and commitment to its work.

Sogg notes some changes which have occurred. He said some were afraid that adding the day school would mean a diminishment of the night school. He feels that today’s students have a richer experience by being a part of a total environment (both the day and night program) because the law school has so much more to offer them: better facilities, a richer curriculum, an extensive library, and a new building.

The night student of today finds many of the same problems which existed years ago. One such individual is JAMES CARRABINE, currently a third year student at Cleveland-Marshall. A claims specialist with State Farm Insurance during the day, Carrabine finds it difficult to work full time and have a family.

While attending John Carroll University from 1974-78 as a psychology major, the guidance department advised him to study law. Carrabine married after graduating college and began a family. He enrolled at Cleveland-Marshall in 1980.

“The first year I would study until three in the morning and do research on the weekends,” he said. “Now, I find getting to classes the most difficult.” Carrabine said he is tired by 5:30 p.m., and would like to go home and enjoy his family. After classes, he does homework (usually five hours each night). “Before finals, I take vacation days from work, so I can put quality time and effort into studying,” he says.

Carrabine finds research difficult, especially during summer months, when the library closes after 9:00 p.m. He finds it difficult for night students to review essays. He also finds course selection more difficult, since many courses he would like to take are offered in late afternoon, while he is still working.

Carrabine finds the night program an asset in many ways. Exposure to part-time teachers affords him the opportunity to experience a practical aspect from lawyers out in the field. “They know their subject material well and they have a larger area from which to answer questions” he says.

Despite large classes, Carrabine finds it easy to relate to the professors, whom he feels are totally dedicated to their students.

Attending night school as a married man with family has other problems. Carrabine’s wife Laura feels communication is a definite problem. “I have to be both mother and father to our two children,” she said, “since he is either working, at school, or studying.” She said that she and the children, ages four and sixteen months, have to leave the house when he studies so a quiet environment will prevail. “It is hard to plan anything, I never know what his schedule will be like.”

Carrabine feels he is missing the growing-up years of his children. “We don’t eat dinner as a family, and they are asleep when I leave and return at night.” He also feels that, as a night student, one does not get the practical experience in other areas of law.

Stating that his last year is a little easier, Carrabine credits organization as the main key. “I schedule my time for study and stick to it” he says. Carrabine finds a little time to play, as well. He enjoys participating in a baseball league every Sunday. He and his wife try to go out occasionally, although they don’t socialize with law students. “There just isn’t time,” they said.

While maintaining a 3.6 G.P.A., Carrabine aspires to become a trial attorney. “I am grateful for the opportunity to obtain a law degree while supporting my family during the day,” says Carrabine. “Without Cleveland-Marshall, this could not be done.”

In reviewing questionnaire responses which were returned by alumni several years ago, this writer would like to share the response of alumnus ALBERT D. NESPITT, ’34. He wrote:

“In my time (1930-34) we had a class of 50 plus, all of whom were unemployed, save four or five, and were unable to buy books. I was then an experienced telegrapher - and employed, and I could record in Phillip’s Code. I made multiple copies and gave them to any who wanted them. In 1935 Judge Willis Vickery died. His younger son took over and the school allowed all students to remain as if their tuition was paid.

My home became a law student’s club every Sunday – feed and all! Such people as Wilson Stapleton, Ken Nash, and, especially Judge Joe Stearns. Judge Stearns was just out of the Kaiser’s army; had a wife and two little children and no job. He even spoke broken English but he made lamp shades at 50 cents per hour. He never missed a Sunday at my house! The point is, we survived together, with the help of the School – Cleveland Law School!

Cleveland State University can be proud of its humble but very fine faculty and students.” (Albert D. Nesbitt)

THE Cleveland-Marshall College of Law, largest law school in Ohio, affords its students today a broader and more unique opportunity than ever. It can still boast of its fine alumni known in all phases of the judiciary and government, as well as in the business and communication areas. Without a doubt, the night school, even today, produces some of the legal profession’s finest.
**Faculty and Staff . . .**

**Comings . . .**

Visiting at Cleveland-Marshall this year is **Professor Roydell Lawrence** of the law faculty at the Polytechnic of Central London. Here under the auspices of the faculty exchange program between our two schools, Professor Lawrence will be teaching courses in Comparative Law and the English Legal System. Professor Lawrence received his LL.B. and LL.M. degrees from the University of London.

Visiting **Assistant Professor Lloyd Snyder**, who was an attorney with the Legal Aid Society of Cleveland from 1969 through the summer of 1983, is teaching a course in Practice and Professional Responsibility as well as teaching and supervising students enrolled in the Cleveland-Marshall Legal Clinic. Professor Snyder received his B.S. and J.D. degrees from the University of Pennsylvania.

Jan E. Murray has joined the Cleveland-Marshall staff as **Assistant Dean for Program Development and Lecturer in Law**. Dean Murray came to Cleveland-Marshall from her position as Deputy Director/General Counsel of the Institute for Child Advocacy, a position she had held since 1978. She will teach the Adoption and Custody Seminar, a course she taught last year as an adjunct faculty member. Dean Murray is a member of various local and national bar association committees and is a member of the Board of Trustees of the Cleveland Rape Crisis Center and is Vice President of the Board of Trustees of the Cleveland Legal Aid Society. She received her B.A. from the University of Vermont and her M.S.S.A. and J.D. degrees from Case Western Reserve University.

New to Cleveland-Marshall this year is **Assistant Placement Director Pamela H. Lombardi**. She has extensive experience in personnel training, placement and management in industry and most recently was Director of the Citizens Mental Health Assembly at the Federation for Community Planning here in Cleveland. Ms. Lombardi will be working with Placement Director Nancy Goldman.

**And Goings . . .**

**Professor Robert S. Catz** is spending this academic year as a Visiting Professor at the University of Miami College of Law.

**Professor David F. Forte** is on professional leave this year. He has received a grant from the Earhart Foundation to study the conflict between natural law and positive law in Supreme Court decisions.

**Professor Stephan Landsman** is also on professional leave for the year, continuing research for a monograph analyzing the development of the adversary system. He will spend the year in England, where he will have the opportunity to examine various English sources in tracing the early history of the adversary system in Britain.

**Professor Elizabeth Moody** is devoting her professional leave this year to continued study and writing in the area of non-profit corporations. She plans to prepare a text on non-profit organizations, covering such areas as state and federal taxation, state and federal regulation, and other state law applicable to both incorporated and unincorporated organizations. In addition, Professor Moody plans to write an article on the proposed Model Non-Profit Corporation Act.

**Professor Victor L. Strieb** is spending the year as a Visiting Professor at the University of San Diego Law School.

**Associate Professor Janice Toran** is Cleveland-Marshall's emissary to the law faculty of the Polytechnic of Central London this year. She is teaching seminars on evidence and the English legal system.

**Alumni Award Given . . .**

Thomas J. Silk, left, and Kenneth A. Zirm each received the Cleveland-Marshall Law Alumni Association Moot Court Competition Award for outstanding brief writing in the annual Moot Court Competition in May, 1983.

**Obituaries**

MAURICE H. SACHAROW, C-M '28, died July 24, 1983 in Beachwood, Ohio.

HARRIET ROTH PARSONS, C-M '25, died June 24, 1983 of Leukemia at age 81.

BEN LETTER, C-M '28, died of a stroke on June 28, 1983. He had been associate scenic designer at the Cleveland Play House for 45 years before his retirement in 1976.

EDWARD MEYERS, C-M '29, died July 5, 1983 at his home in Pepper Pike. He was a retired banker and councilman in Pepper Pike, where he lived for 43 years.

HERMAN PRESSMAN, C-M '30, died June 3, 1983 at age 75. A nationally known criminal attorney, Mr. Pressman retired in 1971 from Pressman, Cohen, David, Steinberg & Burb, which he founded. An expert on rare coins, he frequently testified as an expert witness during trials and appeared on television.

MARGARET FETZ, C-M '47, died July 18, 1983 at 78 years of age. She retired last year as law librarian and research consultant for the law firm of Squire, Sanders & Dempsey.

LOUIS V. CORSI, C-M '51, died August 4, 1983 of heart failure. In government service for more than 30 years, Mr. Corsi's last job was director of the Northeast Ohio Regional Sewer District. He was the first income tax administrator in Cleveland's department of finance, when the municipal income tax law went into effect January 1, 1967.
Alumni Gather at Dayton Convention

Many Cleveland-Marshall alumni gathered for breakfast at the Ohio State Bar Convention held on May 13, 1983 in Dayton, Ohio.

A renewal of friendships and shared memories gave Cleveland-Marshall alumni a chance to reminisce at this event.

Although advance reservations were made, many other alumni visited with the group. Some in attendance were Dean Bogomolny, Bill Monroe, Dale Brown, Harry Butler, Dennis Kaselak, Bill Cole, Eugene A. Lucci, Kermit Neely, Thomas J. Brady, Thomas J. Williams, Laura Friel, Neil Brown, Mike Janik, Dick Patton, Ed Redmond, Paul Newman, and Nancy Goldman.

A good time was had by all.

Placement News . . .

By Nancy Goldman
Placement Director

This summer has been an especially busy one, since it is sort of like a Chinese "Year of the Short Summer," with only two months instead of the usual 3½ to get ready for our On-Campus Interviewing, and with the departure of Therese Arsham, our Assistant Placement Director who left for Miami in June.

We have just appointed a new placement officer, Pamela Lombardi, to serve as Therese's replacement. Pamela comes to us from the Federation for Community Planning, where she was a part-time consultant as Director of the Citizens Mental Health Assembly.

Before employment at the Federation, Pamela was assistant personnel manager at Reliance Electric Company where she did grievance investigation, Equal Employment Opportunity compliance and job bidding.

Pamela had also been training coordinator, placement specialist, management supervisor selection system coordinator, and labor relations representative at Ford Motor Company in Cleveland. She has a degree in speech communication from Kansas State Teachers College and has compiled 19 hours toward an M.S. in Speech. Married to Vincent Lombardi, she is the mother of two boys, Benjamin, age 5, and Andrew, age 4.

Pamela will be working in the Placement department on a variety of projects. In the works at the moment are a placement brochure, continuation of our monthly Job Bulletin to alumni who are seeking employment, continuation of our monthly newsletter to students, and simply "learning the ropes."

All of you are invited to stop into the Placement office (LB 120) at any time to meet Pamela or just to say hello.
ALUMNI OFFICERS
Terrance P. Gravens, C-M '77: President
Leon Plevin, C-M '57: 1st Vice President
Susan Grage!, C-M '80: 2nd Vice President
Bernard J. Nosan, C-M '73: Secretary
Leo E. Rossmann, C-M '29: Treasurer

BOARD OF TRUSTEES
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Robert Zashin, C-M '68
Robert Bogomolny, Dean

HAVE YOU PAID YOUR '83-'84 MEMBERSHIP DUES?

As the Cleveland-Marshall Law Alumni Association begins its 41st year, please support the Association and the law school through your membership dues. If you have not already sent your dues, please return the attached dues statement with your remittance to Sandi Oppenheim, Executive Coordinator, Cleveland-Marshall Law Alumni Association. Your contributions are tax deductible. WE THANK YOU FOR YOUR SUPPORT!

Please note: Recently membership dues statements were sent to alumni. Some of you who had already paid your 1983-84 dues received letters. We are sorry to have inconvenienced those of you who had already paid.

Please be advised that the Alumni office has an exact and accurate record of 1983-84 members. Mailings are sent through a different office. Sometimes the computers are not 100% cooperative. IF YOU HAVE PAID YOUR 1983-84 DUES, YOU SHOULD HAVE RECEIVED A BEIGE MEMBERSHIP CARD WITH NAVY PRINT. Otherwise, your dues are due.

CLEVELAND STATE UNIVERSITY
CLEVELAND MARSHALL LAW
ALUMNI ASSOCIATION
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) ... $5.00
- Sustaining Membership ............... $100.00
- Life Membership ................... $1,000.00
(Can be payable $250.00 per year for 4 years.) Name on permanent plaque in Law College Atrium upon receipt of full payment. Free, personalized paper weight upon receipt of first payment.
- Law Alumni Association School Endowment Fund .......... $________
- Law Review (Vol. 32) ................ $15.00
(IF you pay your dues)
- Friend of Alumni Association ........... $40.00

Enclosed is my check $ ________ — or
Mastercard No. ________ Visa No. ________
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Name _____________________________
Address __________________________
City _________ State _______ Zip ______
Phone _______ Graduating Class ______
Alumni News About Yourself or Lost Alumni

Name: ____________________________
Class of: __________________________
Address: __________________________
______________________________
Phone: ____________________________

News or Comments, Hobbies or Interests:
____________________________________
____________________________________
____________________________________
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____________________________________

Lost Alumni Name: __________________________
Class of: __________________________
Address: __________________________
______________________________
Phone: ____________________________

Change of Address

Name: ____________________________
Class: ____________________________
Position, __________________________
Firm: ____________________________
Office Address: ______________________
______________________________
Office Phone: _______________________
Home Address: ______________________
______________________________
Home Phone: _______________________

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.

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