Street Law wins faculty approval

The faculty voted overwhelmingly Friday, April 28th to make Street Law a part of the academic curriculum at Cleveland Marshall as a 6 hour, 3 quarter course. The faculty acted in response to a committee report prepared by Arthur Landever, Steve Lazarus and Earl Curry which unanimously recommended the program. The committee members held an open hearing, attended the regular weekly law school seminars, visited law student led classrooms in area high schools and observed the recent Mock Trials held in the law school's Moot Court Room.

In its report, the committee pointed out that academic credit is proper where a course develops legal skills and provides sufficient vigor: that legal skills include the capacity to analyze carefully legal source materials, to communicate effectively with clients, make sound legal judgements and the implementation of such judgements in planning and problem solving. The committee embraced a broader concept of client in its report as "encompassing the larger citizen community." The committee pointed out that "the general public is troubled by 'laws and lawyers', and particular segments of the community are largely unaware of their legal needs". The committee members urged continued "experimentation with new law teaching approaches...to improve the level of legal skills imparted to students and to inject new enthusiasm and vigor." The report concluded that "an approach which focuses upon communication about the law to a particular segment of the community provides such an opportunity; it is directed toward...

Allen explains shift to punishment

by Lee Andrews

The decline of the rehabilitative ideal in the field of criminal justice is due to America's loss of confidence in its values and institutions -- not to a higher crime rate, argued Professor Frances Allen in the 12th annual Cleveland Marshall Fund Lecture.

Allen, who holds the Edson Sutherland Chair in Criminal Law at the University of Michigan Law School was speaking about the increasing lip service legislators and criminal justice practitioners have given to punishing criminal offenders and making that punishment "uniform." The recent emphasis solely on punishment represents a shift from the more ambitious rehabilitative model which sought not merely to punish offenders but to change them.

Sentences under the rehabilitative approach were not uniform but were "indeterminate" -- they varied according to the offender's ability to evidence to the parole board a change in personality and attitude. Rehabilitation was an American ideal as early as 1830. It can be tied, Allen said in a coffee hour with students, to an American feeling that "we are God's chosen people," that we can accomplish anything we set our sights on. Allen said that the decline of the rehabilitative ideal in the 1970's was not a result of a sudden rise in crime, which he said is a "problem" in America once every seven years, but a result of a much more recent phenomena--decline in American's self-confidence. Allen asked: "Can you ever have a rehabilitative ideal unless a society is confident enough of its value to enforce them."

Allen offered the view that two conditions are present in a society which believes in rehabilitation:

Faith in the malleability of human character and a concomitant faith that institutions can change people for the better.

Confidence in its values--confidence enough to prescribe the values for offenders of the laws.

Allen then noted that Americans in the 1970's no longer held much faith in their institutions. He pointed for example to recent public questioning of the educational systems ability to teach. Allen also said that another American institution, the family is undergoing a change in definition, from a hierarchial unit to a unit whose sole purpose is to allow personal fulfillment to each individual in it. Allegiance to the family, hence, can no longer be prescribed as a source of structure and discipline to offenders. Thus, following Allen's thesis, with nothing to offer the offender, all America can do is punish.

Allen does not entirely lament the passing of the rehabilitative ideal--he dislikes the totalitarian aspects of...
Judge Jerome Frank once said: “Students trained in the Langdell case method system resemble prospective dog breeders who never see anything but stuffed dogs.”

Ever wonder why you spend three years reading appellate court opinions? Well, about one hundred years ago a law clerk to an appellate court judge devised a teaching method which concentrated, predictably enough, on the study and analysis of appellate court opinions. The clerk’s name was Langdell and he went on to teach at Harvard which, soon after his arrival, adopted his method for its entire law curriculum. Landell’s experience with law being limited to appeals he was apparently given to understand law began and ended in the appellate courts. Ever since Harvard adopted his methodology it has prevailed in other law schools (after all Hahvahd is Hahvahd) without significant changes for the last hundred years. In short Landell’s 19th century notions of law and education still dominate our 20th century profession.

The problem is, most practitioners will tell you that the practice of law neither begins nor ends in the appellate court. Unfortunately, often as not, appellate court resolutions are veritable non sequiturs. Too often facts are changed or ignored in the opinions and if either of those ploys is unavailable to the court it can always dismiss a problem via the “mere syndrom.” You know....“The mere fact that our opinion leaves the quadriplegic plaintiff without a remedy at law or equity is not dispositive of this case....”

Supporters of the case method proclaim: “But reading cases teaches students the law and makes them think like lawyers.”

As to the first claim the case method is an appallingly inefficient approach to learning law. Moreover cases often serve only to confuse students who are forced to wade through 1000 words to get to the 10 words that count, i.e., the rule or black letter law. The other 990 words are so much verbiage inserted, one suspects, to up the price of the text book. Those seasoned in the ways of law school and final exams invest in a commercial outline in which one reads 1000 words everyone of which counts. Time is saved and often, to the surprise of the uninitiated, grades go up.

As to the claim, that reading cases will help students “think like lawyers” there is we think some merit. In so far as thoughtful juxtaposition of cases can illustrate to the first year student that for every rule there is another negating rule or exception, it can indeed be helpful. However, if after the first year a student fails to comprehend the chameleonic nature of law, that student should probably consider another profession.

We are proposing that beyond the first year the concentration on cases amounts to a grand and expensive waste of time. Second and third year students can learn the black letter rules in a tenth the time by studying a well composed and comprehensive outline. But lets get over to the poor slob, a product of our present legal educational system, who has read all the cases, passed the bar and goes into practice by himself or with a small firm or cooperative. Remember, if he graduated from Cleveland Marshall he was required to take ONE “skills” course. He gets out into the trenches and finds that 80% of his professional services have nothing whatever to do with the black letter law he busted his chops learning ala Langdell. Suddenly he is forced to deal with clients who lie to him, opposing counsel who won’t answer interrogatories (or even phone calls), judges concerned primarily with the next election and only secondarily with law or (if you’ll pardon the expression) justice, experienced practitioners who will eat him alive in settlement negotiations and sooner or later (God help his client, no one else will) he’ll be forced to trial only to discover he doesn’t know who is supposed to say what to whom or even at what stage of the proceeding
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it should be said. In all fairness to our poor slob, how could he be expected to deal competently with these situations when they were all “covered” in a 3 hour skills course? Small wonder Burger put the trial attorney incompetence figure at 50%.

Imagine consulting with a young surgeon, fresh out of medical school, assessing the relative risks involved in submitting to open heart surgery. You ask what qualifications he has to recommend him as the surgeon for the procedure.

“Well,” replies the young doctor, “I’ve never actually operated before but I can assure you that I’m thoroughly familiar with Grays Anatomy.” Whatever else might be said of the medical profession it would not permit such a scenario to place. Question is, why hasn’t the legal profession responded by creating analogous safeguards within their own field?

We respectfully submit that for as long as the Langdell case method remains the sacred cow of legal education the 50% figure cited by Chief Justice Burger can only increase as the profession flounders to accommodate an increasingly complex and demanding society.

Letters

Editor’s note: The following letter was submitted to Dean Bogolmony by Richard Kenney. Since these concrete suggestions should be of interest to the law school community, we are reprinting the letter in full.

Dear Sir:

Over the years the significance placed on students’ grades by academicians as well as potential employers has increased to such an extent that the students have found themselves reluctantly directing a disproportionate amount of concern over the outcome of their course examinations.

Recently the situation has been aggravated at Cleveland-Marshall College of Law by two changes made by the administration. The first being the increase of the required grade point average from 3.10 to 3.30 for academic recognition deserving of a cum laude designation. Second, the abolition of grading guidelines which leaves the instructor free to hand out a disproportionate share of low grades.

It is with these facts in mind that I propose the administration set up a committee to screen the design and evaluation of testing instruments that are administered to the students by their respective instructors. This committee would additionally function in the capacity of adopting and implementing a set of standards to which the instructor will be held accountable. I offer attached with this proposal a list of recurring problem areas that may be helpful to such a committee in its effort to identify various shortcomings in a testing instrument in specific and the grading process in general. It is my sincere hope that the responsibility that is placed on the student regarding academic standards will be matched by a reciprocal accountability on the part of the administration to insure the optimal level of reliability and fairness in the grading process.

Suggested Areas for Emphasis of Improvement

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Letters from page 3

1. Discourage questions which are opinion-oriented to the extent that the student is penalized for a difference of opinion notwithstanding the fact that his position is factually and legally as sound or sounder than the one preferred by the instructor.

2. Discourage questions which emphasize a technical/professional skill which is not reasonably within the capabilities of the class as a whole. This problem is particularly annoying when it is possible to elicit the required information without resorting to a technical/professional skill (ie. accounting, high finance).

3. Discourage questions which emphasize subject matter which was given little or any attention in class that a student could reasonably discount its importance.

4. Perform a statistical analysis on the test scores:
   a) To identify questions which failed in their function of measuring the student's knowledge. This is directed at objective type questions where a statistically significant number of students gave a response deemed incorrect by the instructor.
   b) To identify instances of bulging scores such that prevent valid interpretation and delimitation of individual performance.

5. Discourage the inclusion of class participation into final grades where the instructor has not made significant effort to fairly discern the performance of class member. (ie. matching faces with names, calling on each student to recite on an equal basis and making notations accordingly).

6. Encourage the prompt evaluation and deliverance of testing instruments so that students are given ample time to examine the testing instrument for clerical errors or substantive deficiencies and inquire accordingly.

Richard C. Kenney, Jr.

To the Editor:
I would like to respond to Ralph Smith's article (2nd installment) on the Bakke case.

As to the constitutionality of affirmative action programs, I offer this statement by an eminent jurist, "That the state school employed a racial classification in selecting its students subjects it to the strictest scrutiny under the Equal Protection Clause. All races can compete fairly at all professional levels. So far as race is concerned, any state sponsored preference to one race over anothe in that competition is in my view 'invidious.'" That was the opinion of the well known 'reactionary' William Douglas, the only Supreme Court Justice having the courage to answer to the merits in the DeFunis case.

Title VI sec. 601 of the Civil Rights Act of 1964 provides; No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." There is no ambiguity and there are no exceptions. Legislative history is not relevant when interpreting a statute which is unambiguous on its face, the intent of Congress as expressed in statute takes priority. Administrative interpretation must also defer to statute. Under present affirmative action programs candidates otherwise qualified are excluded solely on the basis of being a member of a certain race. This is a violation of United States law.

There are certain problems with affirmative action programs which are based on racial categories: 1. difficulty of defining racial categories, what percentage black must one be? What physical characteristics qualify one as being Indian?; 2. Which racial categories should be benefitted, how does one determine the amount of adversity a certain category must have undergone in order to qualify?; 3. Assisting those in a qualifying racial category who are not disadvantaged, is a middle class black in need of remedial discrimination?; 4. Difficulty of determining appropriate percentages for qualifying racial categories; 5. Underlying assumption that certain racial categories are not capable of competing on an equal basis with other racial categories.

Assuming that entrance to professional schools should go to those most qualified (in relation to the ability to practice a given
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profession), an ethical affirmative action program would be one designed to assist those who would be so qualified if not for a disadvantaged cultural background. All individuals from disadvantaged cultural backgrounds, and only individuals from disadvantaged cultural backgrounds should have equal access to this assistance. “Such a program might be less convenient administratively than simply sorting students by race, but we have never held administrative convenience to justify racial discrimination.” (Justice Douglas in the DeFunis case.)

Thomas Connors
4th year law student

To the Editor:
The following is excerpted from a letter commenting on the Ohio Bar recommendation form, where the recommending party must comment on the applicant’s morality, sense of honor, etc.

Good God, and with what I know of your lurid past! and that form! A sterling example of shyster’s chauvinism to be sure!

Correct me if I’m wrong.... It is the lawyer’s responsibility, is it not, to represent a client’s interests to the best of his ability, regardless of his private views (of morality, etc.)? And is not financial gain a prime motive for anybody working — including attorneys? I can tolerate (barely and for short periods of time) the glorious self-justification of the legal mind (necessity, service to society, etc.) But morality? Sense of honor? Goodness, to slightly paraphrase Miss West, has nothing to do with it.

I choose to comply with your request serving the higher morality of friendship and because I know that you'll be a capable (at the very least) lawyer.

One might be tempted, of course, to question the morality of what I do for a living. My mother-in-law does so all the time (behind my back—tells my lady that she should convince me to take on honest work.) My mother-in-law, as you may remember, is a microscopist and chemist for Hoffman-LaRoach, the outfit that grew big and rich through making Librium and Valium (registered trademarks, patented formulas) the most prescribed drugs in the world. She is a good woman, though, and I’d be happy to write her a recommendation, too.

We do what we must.

Letter received by Peter Spodick, graduating June, 1978.

Judiciary strikes down parking reg.

The University Judiciary has struck down Section 13.13 of the University parking regulations as violative of the due process clause of the Fourteenth Amendment. In an appeal by 3rd year law student and Gavel editor, Jack Kilroy, the Judiciary ordered the University to reimburse Kilroy for fines collected on three tickets.

The second sentence of Section 13.13 provided that a ticket issued to a member of a student’s immediate family or to somebody residing at the same address as the student is presumed to be the ticket of the student. By the coercive use of withholding his registration packet, Kilroy was required by the Security Department to pay the fines for three tickets issued to members of his immediate family.

On May 1, in the first Judiciary case heard in the Moot Court Auditorium, Kilroy presented Due Process arguments to a panel of five judges. The University regulation drew sharp criticism in the written opinion of the Judiciary which stated that the second sentence of Sec. 13.13 is “in contravention of every concept of due process of law, of law, including corruption of blood.”

Kilroy also had appealed five tickets issued to him in 1976. A final decision will be made on those five tickets after further discovery, oral arguments and deliberations.
must control the opinion of the Court. First, the number of qualified applicants for the nation’s professional schools is vastly greater than the number of places available. Second, the greatest problem in achieving racial justice is to draw the minorities who have been isolated by generations of racial discrimination into the professions. Third, there is no racially blind method of selection. Second, the greatest problem in achieving racial justice is to draw the minorities who have been isolated by generations of racial discrimination into the professions. Third, there is no racially blind method of selection. Whatever their problems, they are preferable to the nothing which is the only alternative the Bakke naysayers seem to offer. There is a fourth "reality" that may give the Justices pause for thought. Isolated though they may be, they know by now that this case has been fabricated. A former University of California student has admitted encouraging Allan Bakke to sue the university. After the complaint was filed, the university chose not to avail itself of the traditional procedural devices which would have disposed of the litigation. In stead, the university filed a cross-complaint raising the ultimate constitutional issue, thus increasing its exposure to an adverse ruling. To make matters worse, the university attorney admits to having forgotten to mention (let alone argue) the university’s own motion at the sole hearing at which the university stipulated the adequacy of a record which is at worst inadequate, at best abominable. That’s not all. Although the trial court missed a critical passage in the sole deposition taken in the case and although the court’s ruling was based partly on this misreading and was, in any case, clearly contrary to the facts evident on the record, the university on appeal failed to challenge several critical aspects of that ruling. And that’s not all. Between the time that the case was argued on appeal and the decision, the United States Supreme Court handed down a significant decision, Washington v. Davis, which could have bolstered the university’s position in the Bakke litigation since it expressly required proof of intent as a requisite to a Fourteenth Amendment claim. In its petition for rehearing, the university’s attorney never once asked the California courts to consider the new development and to decide the case in compliance with this new law. And finally, jurisdiction of the Supreme Court obtained only because the university chose to stipulate away an issue it had already won. The trial court had made an explicit finding that “even if 16 positions had not been reserved...in each of the two years in question (Bakke) still would not have been admitted in either year.” After losing the constitutional issue at the California Supreme Court the university stipulated that it could not sustain the burden of proving that Bakke would not have been admitted and requested that the court modify its decision “to order Mr. Bakke admitted.” This sequence of events has so tainted the case that the Court is not likely to be over-anxious to make it a third time. The probably consequences of a pro-Bakke decision represent a fifth "reality" that should be of no small concern to the Court. Frustrated white applicants would bring hundreds of lawsuits challenging university programs to prove that their programs are on this rather than that side of the constitutional line. Civil rights groups will be forced to resort to litigation against colleges and universities since the now existing process of negotiation rather than litigation does not afford the proof of past discrimination which will then be the only way to sustain remedial use of race and numbers. Litigants from both sides will disrupt the educational process, burden an already overworked federal bench, and entangle district court judges in the quagmire of running higher education. To this Supreme Court in particular, these consequences may be unacceptable. Perhaps the most important "reality" confronting the Court is that affirmative action and minority admissions are products of the political process. The federal government’s involvement in the quest for equality of opportunity was born in 1941, when Franklin Delano Roosevelt, faced with a threatened Islamic attack on Washington by A. Philip Randolph and other black leaders, made a political decision to establish a Fair Employment Practices Commission. This involvement matured into a commitment only because of continued political activity over the decades that followed. Rising from the ashes of the sixties, affirmative action was the political embodiment of an understanding that (1) this society could survive only so long as the powerless in this bounteous and powerful land could hope for a better day; and (2) that if there were to be hope, there would have to be a commitment from both sides to sustain a common goal. This society’s tentative and illusory commitment to affirmative action has prevailed during this society’s days of plenty remains today as they were 20 years ago. True, the political method often has not been the most elegant or the most satisfactory. But in this instance Allan Bakke’s rejection is a small price to pay for the democratic stability that has prevailed during this society’s tentative and illusory commitment to affirmative action.

The Gavel

Bakke: Ever since DeFunis, the literature has been replete with sophisticated discussions on how the Court ought to treat so-called "benign" classifications, and whether a "strict scrutiny," "rational basis," or some standard ought to be employed in this regard. As is so often the case, this scholarly debate remains unresolved, and thus almost any decision could find some support within the academic community. As Hofstra Professor Sheila Rush noted in a recent New York Times article, "The legal doctrine establishing the terms for the Court’s decision are sufficiently malleable and subjective that any outcome would be able to boast some basis in logic and reason."

Emancipated from the rigors of academic debate, the Justices may be inclined to accept Professor Cox’s invitation to allow their collective judgment to be informed by the "realities" which in our opinion remain today as they were 20 years ago. True, the political method often has not been the most elegant or the most satisfactory. But in this instance Allan Bakke’s rejection is a small price to pay for the democratic stability that has prevailed during this society’s tentative and illusory commitment to affirmative action. Editor’s note: This is the third and final installment of Professor Ralph Smith’s article on the Bakke case which we have reprinted with permission of Professional Group Publications. We invite reader’s responses.

The Gavel
Brennan's farewell

I've decided to take a few moments and appraise the work the SBA has done during this last year in my term as President. I did not submit this sooner to The Gavel, as I didn't want to influence the SBA election, however remotely. It was for that reason that I declined to endorse anyone for SBA office this year.

In my estimation (which is a biased one, of course), this has been a good year for the SBA. As some of you will recall, at the end of the last year the SBA was split by broiling controversy, involved in a record number of elections, and was disorganized, to say the least. If nothing else, this term has seen the restoration of competent government in the SBA. This attitude of compromise and cooperation has gone a long way towards healing the wounds of last year.

Among the accomplishments of the SBA this year are the following: a successful move from the Chester Building (this was an ongoing, unbelievably time-consuming; bringing the play “Darrow” to C-M; the SAGA snack bar; the renewal of the Happy Hours; the strengthening of the student role on the Student-Faculty committees (including the Academic Standards Committee); the continuation of a free-locker policy; the alteration of the withdrawal policy to allow withdrawal in the second quarter; modification of the job-placement program to include jobs in corporations and industry by utilizing the CSU placement office; passage of the SBA budget in forty minutes, a record; and last, but not least, a policy of soliciting contributions of free beer from wherever we could find them (consequently, three cheers for Jim Swingo whose continuous contributions won the good will of all the social die-hardsat C-M!)

Among the failures of SBA during this year were the following: the inability to amend the SBA constitution, although some progress was made, and amendments recommended; a lack of communication and failure of the SBA officers in general to be more available to students, and more responsive to their complaints; the inability to prevent the faculty from lifting the grading guidelines; and the SBA’s failure to get the night students more involved in both social and administrative concerns. We have a good group of new SBA officers, though, and I am really optimistic about the future of the SBA next year.

So, when all is said and done, let it be said we did the best we could. A sincere thank-you, as well, to the countless individuals who in one way or another, helped the SBA and its committees during this last year. They were there when it counted.

Terry Brennan
Former President
Student Bar Association
Balsa elects officers

On April 29, 1978, BALSA held its annual elections and began its new fiscal year by instating its new officers. Because all of the candidates were more than qualified, the races for offices were extremely close. At the end of the election, BALSA swore in its new administration: Joyce Sandy, President; Osei Adoma, Vice President; Jesslyn Chesterfield, Corresponding Secretary; LaVerne Nichols, Recording Secretary; and James Hewitt, Treasurer.

Both Joyce Sandy and Osei Adoma have served BALSA in the past year, as Corresponding Secretary/Vice President, respectively. In their efforts to make BALSA a more viable and effective organization, they have promised to respond to the needs of its members with diligence and resourcefulness.

With the support of its members, the new administration intends to increase communications with the deans and faculty, in an effort to assist the administration in the alleviation of several pressing concerns. The first problem is the decrease in the number of entering Black law students, indicating a need for a concentrated effort to recruit Blacks. Secondly, the high attrition rate of Black students suggests a need for specific measures of guidance, early detection of problems and correction of these problems. Thirdly, although BALSA is pleased with the recent news that Cleveland-Marshall has a new faculty member, who is a Black professor, recruitment efforts for Black professors must continue, to increase representation on the faculty.

In spite of BALSA's concerns, there were several accomplishments during the 1977-78 school year in which the members of BALSA take pride. There is presently one Black student on Law Review, and four Black students are members of the Moot Court team. It is particularly noteworthy that a BALSA member was ranked number seven in the fall Moot Court competition.

In light of these accomplishments, BALSA is still striving to help all of its members achieve academic excellence. Through a series of workshops and tutorial programs, BALSA intends to help prepare its members by instructing them on the techniques of taking examinations, outlining course material, and studying the material. The organization has also set up a committee to help its members who are graduating, to find jobs, prepare resumes and give them insight on job interviews.

It is an understatement to say that there is hard work ahead of BALSA's officers. But, with the enthusiasm, energy and innovation demonstrated during their campaigns and the elections, this administration will have no problem attaining the goals they have set for BALSA.

To the new BALSA Executive Committee, 'Congratulations!', and from the members of BALSA, 'Good Luck!'.
Street Law
cont. from page 1

Carrying out lawyer responsibilities
to the public; and it is part of the
thrust which appears to the opening
up a new employment market for
Lawyers." The committee
recommended several mechanisms
to enhance the academic vigor of the
program such as the preparation of a
trial brief during the Mock Trial
phase of the course and oral
presentations at weekly seminars on
relevant legal trends and
troublesome and unresolved legal
questions.

Cleveland Marshall is one of over
twenty law schools offering Street
Law as part of a program centered at
the National Street Law Institute at
Georgetown University in
Washington, D.C.

Other participants include the
University of California at Berkley,
Notre Dame, Golden Gate,
Universities of Minn., Conn.,
Delaware, Tenn., New Mexico and
Washington. The program is open
to all Cleveland Marshall students.
Those interested in participating in
next year's program should contact
Elisabeth T. Dreyfuss, Assistant
Director, in Office 46 in the Legal
Clinic. This year's participants have
been James Carter (East High),
Chris Roberson (Glenville), Greg
Victoroff (John F. Kennedy), Chris
Covey (James Ford Rhodes), Elaine
Williams (East Tech), Larry Hodge
(Lincoln West), Jonathon Stevens
(West Tech), Paul Zetzer (Shaker),
Lee Oliver (Shaw), and Marilyn
Cover, Howard Leff, Stewart
Mintz, Dale Pelsoci (Cleveland
Heights High). Marilyn Cover
coached the Cleveland Heights team
which prevailed in the area wide
Mock Trial competition.

Francis A. Allen
from page 1

Francis A. Allen
an approach which forces people to
change their lives. But he noted that
rehabilitation did bring sensitive
people into institutions, and more
importantly, it focused attention on
improving the quality of life for the
individual and in improving the
system—positive things that "the war
mentality" of the punishment
approach does not offer. Allen
proposed rehabilitating the
rehabilitative ideal by concen-
trating on more modest goals such
as offering employment and training
to offenders. In short, Allen
proposed that we maintain our
aspirations about changing the
human condition, but lessen our
expectations about the malleability
of human beings.

McGinty elected in runoff

Bill McGinty

After conducting a blitzkrieg
campaign, Bill McGinty won the
SBA presidential runoff over Steve
LaTourette. The final tally was :
McGinty 323; LaTourette 201; and
there were two write-in votes.
The candidates and their
supporters awaited the results in the
Uptown Lounge. By 11 p.m. almost
all of LaTourette's supporters had
left and it looked like "Bill
McGinty Night" at the Uptown. His
red, white, and blue banners hung
on the bar room walls while his
campaign staff -- whose hard work
produced the surprising margin of
victory -- toasted the victor.

While celebrating his victory,
McGinty discussed plans to upgrade
the image of the law school and to
unite our diverse student body.
Meanwhile, Al, the bar owner, made
plans to attract more law school
business to his bar.

McGinty joins Vice President
Tom Lobe, Secretary, Sue Edwards
and Treasurer Kurt Olsen as next
year's SBA administration.
Congratulations.
The machines turn themselves off before serious damage or an actual fire erupts.

My concern is that we do not regard these apparent false alarms as precisely that, not that we become nonchalant in our response. The alarms were perfectly valid warnings that a fire was about to break out. It is important that while we know the building is relatively fire proof, we must recognize that there are many components in the building which, should they burn, are capable of generating clouds of deadly smoke which could cause serious casualties. All concerned are urged to react promptly, coolly and intelligently when the alarms are triggered, otherwise serious injury or even death could result.

Simply put, don't wait to find out if it is a false alarm.

Free Speech

Cleveland-Marshall College of Law hosted a group of very special visitors from Monday, May 8 through Wednesday, May 10. The visitors were the ABA accreditation team, consisting of Chairman Peter Simmons of Rutgers, Joseph Leininger, Larry Wenger, Glen Shellaas and William Allen.

The purpose of the visit was to evaluate the quality of this law school for accreditation purposes. The team spent their time touring the building and inspecting CSU's facilities, and meeting with faculty members, students, administrators, Dean Bogomolny and President Waetjen.

An interesting aftermath of the accreditation team visit was an in-class harangue by Professor Stephen Gard. According to several students in the class, who requested that their names be withheld, Gard chastised the student body for criticisms which were expressed to the accreditation team in a meeting which the team arranged to be limited strictly to students.

Gard focused on the comments of one student who complained that the Dean was not responsive to student input. Gard characterized the student's remarks as "foolish" and "irresponsible", while emphasizing the importance of re-accreditation. Aside from questions relative to the accuracy of Gard's version of the incident, his reaction creates several possible implications:

- That Gard feels qualified to criticize students but that students are not likewise qualified to criticize the administration;
- That Gard feels that Marshall is in danger of losing its accreditation;
- That Gard feels that the accreditation team did not expect to find students with critical attitudes;
- That students can not honestly discuss their views on the school without their statements being reported to faculty members who will seek retribution.

Hopefully, none of the above are true but actions such as Professor Gard's certainly raise significant doubts.

Exit

Register in UC 101 (687-2268) or LB 120 (687-2317) for one of the six group meetings or schedule an individual interview May 29 through June 2 (687-3620).

Meeting about your ENTITLEMENTS—RIGHTS—OBLIGATIONS: a brief talk and open discussion covering Exhibits "A" and "B", copies of your note and complete repayment schedules.

Complete your "EXIT" and satisfy short term obligations to avoid blocking your college transcripts and diploma.

Lineup changes due in July

According to information available to The Gavel at the time we went to the printer, several personnel changes will be announced July 1.

Carroll Sierk, Assistant Dean for Academic Affairs, will return to the faculty for full time teaching duties. Replacing Sierk will be Colonel Walter Greenwood, the current Director of Placement and Alumni Affairs. Accounting Officer Francine Cole is to receive a promotion.

Sincere these changes will leave some positions unfilled, other personnel changes are certain to occur.
The Gavel staff recently elected next year's editorial staff. Shown above, from left to right are Editor-in-Chief Martin Nadorlik, and Associate Editors Mary Jo Kilroy and Lee Andrews.