Editor's note

Evaluating the Faculty has become the cause celebre of the spring semester. Representatives of the student body tried to make their voices heard through proposing and then petitioning for a more thorough faculty evaluation form, and they perceived an active resistance from the faculty unwilling to face a less generalized, more focused scrutiny. While the proposed evaluation forms were being processed, the arguments of opposing faculty filtered through the lounge, inciting anger in students who wanted to know how dare the faculty claim that the students are incompetent to evaluate them.

An unfortunate “us and them” scenario developed while some faculty and students divided into camps over the evaluation issue. The students of this law school have come away thinking that what they say about the quality of education here has no value; that subsequently, the quality of in-class instruction has suffered, and Cleveland-Marshall is just a place where old practitioners come to die -- and get paid for it.

A word of commendation, therefore, must go out to Dean Steven Smith, who sought out student opinion in an unusual manner. On March 20, Dean Smith opened up his Law & Psychiatry class for a frank discussion concerning tenure and academic freedom. Smith explained the purpose of tenure is to permit faculty to write without fear of reprisal, and he conceded that the downside of tenure is that it creates “deadwood” on the faculty. He acknowledged that tenure and evaluation is a real, current issue that requires discussion by everyone, and he asked the class for their criticism of the system as it now stands.

A suggestion was made that a student and faculty panel be set up for post-tenure review. It was a suggestion Smith listened to and discussed seriously.

Perhaps some members of the faculty could learn from their Dean’s actions. Writing off student opinion as incompetent is the fastest way to bite the hand that tenders the tuition dollar.
Marching orders for faculty

faculty forum

By Professor Stephen J. Werber

In an earlier Faculty Forum I raised issues and concerns in regard to the curriculum direction of our College of Law. A special committee has been appointed to review and report in regard to many of the points raised in that article. Another special committee is being formed to focus on the bar examination performance of our graduates. The success of both committees, in terms of effectuating any appropriate recommendation, will be limited or advanced by the faculty which serves our students. The faculty provides the environment and expertise necessary for learning both law and its underlying precepts as well as true understanding of the profession we hold dear.

Faculty make-up is determined by our prior recruitment and tenure decisions and by decisions to be made in connection with future recruitment efforts. A curriculum structure which disregards the expertise and scope of the faculty is doomed to failure. The Cleveland-Marshall College of Law has, for many years, been blessed with highly dedicated members of its Faculty Recruitment Committee. These Committee members face enormous obstacles, work diligently, and must be applauded for their efforts. The question is, however, what direction these efforts should take. Bluntly, what are the marching orders for faculty recruitment?

The marching orders are clear: find people who have attended major law schools, graduated high in their class, and have a strong potential for scholarship. Recently, the orders have been modified to also include diversification. The search for “diversity” seems to focus upon gender, race, age, academic background, and similar factors. Diversity of legal experience appears to be ignored although on occasion the broader search for diversity includes this essential factor.

The primary focus has been almost exclusively upon the potential for scholarship as denoted by a publication history or law school track record. An applicant from a mediocre law school or with a mediocre grade point average is precluded from consideration regardless of what that person has achieved since graduation. We tend to ignore the fact that law schools such as Wayne State, Detroit College of Law, Akron or Toledo have their share of outstanding men and women. I was recently asked about a minority person who graduated from a good, though not prestigious law school, with a weak law school record. I pointed out that since graduation this potential candidate had established a significant reputation for intellect and lawyering skills and was held in high regard by the legal community. This was not enough.

A key member of the recruitment committee in essence advised that the past eight years of experience meant little if anything. The potential candidate had not published during this time frame and legal expertise appeared to lack relevance. Even if this candidate had “made law,” this was not because he was good, but because “lightning strikes.” I beg to differ. Good lawyering, which includes the application of legal scholarship, makes new law. Fate and lightning carry no weight with appellate courts even if timing can make a difference.

I fully support the belief that a law faculty should have a significant focus on academic scholarship and on persons who can instruct as to the intellectual or philosophical facets of the law. Persons whose presence reflect and communicate the majesty of the law, which is truly majestic and alive, are an essential backbone of a law faculty. I do not believe that only those with scholarship potential can impart such values.

A review of the scholarly efforts (publications) of those who joined our faculty since 1980, excluding those recruited for special positions such as the Dean and Urban Affairs, reveals that the goal of finding scholars is much like the search for the holy grail. Thirteen faulty members have joined us in this time frame. Two are too new to consider. Of the remaining eleven, only four have made substantial contributions to legal scholarship. Six have contributed four or less articles and four of these have contributed only the two articles necessary for the grant of tenure. The lesson is simple, we cannot search for scholarship potential as such. The guides we are using do not work. Scholarship potential cannot be predicted through the use of restrictive criteria.

Moreover, this restrictive search approach excludes persons who bring necessary dimensions to the overall faculty which, by the way, is greater than the sum of its parts. Lawyers and law professors are professionals. A balanced faculty must have a share of those who acted well in their capacity as lawyers. These potential candidates bring with them a picture of reality and an ability to synthesize that reality with the theory of law. Lo and behold, such persons also tend to scholarship as evidence by a significant number of faculty recruited before the search criteria narrowed.

As the guide utilized in our recruitment search efforts is flawed, so too is the underlying premise flawed. The potential for scholarship lies not in the past, but with the person. Why do we not look to the person and that person’s achievements? If a person has succeeded in his or her chosen profession as an attorney at law, is that not an indication of potential success in the new but related profession of law teaching? Don’t we owe our students and the community at large a broader based learning environment? Without diversity in legal background and experience we limit our capacity to meaningfully contribute to the growth of the law through our students. Despite a recognition that academic scholarship can, and sometimes does, contribute to the growth of the law the fact remains: growth and change in the law comes primarily from those who practice law. Unless we retain a balance a faculty who are recruited because they will (hopefully) contribute to scholarship as well as those who have established themselves as capable of applying such learning, we will be instructing in only part of the law. In the law, as in science, there is a need for theory experts. However, scientific theory is of no significance without those who can apply that theory. The law is no different. The scholarship of the law school has only theoretical merit unless it is applied. It is, therefore, incumbent upon our faculty to teach both theory and application.

Our present recruitment practices are misguided and unsuccessful in meeting their overly restrictive goals. This is not to say that we recruited badly. The entire group of thirteen discussed above represent outstanding human beings who truly care about their students and profession. They are integral and important parts of our College and the loss of even one would be substantial. But, as a group, they have not produced the scholarship expected of them. Note,
Students concerned

Interior of C-M has many cracks

By Dan Levin

In the last issue of the Gavel there was an article about the repair work being done to fix the exterior of the law school brick. The article was accompanied by a picture of workmen covering the holes on one of the building’s walls. It was that article that inspired me to write the following. It is good to see the people on the first floor, or from the student’s point of view, the gang over the lunch room, have taken time out of their busy schedules to fix the exterior structure of C-M. Unfortunately it seems as though nobody wants to spend time to fix the interior of the school, and I’m not talking about the seedy looking couches around the television area.

To get a perspective of the problems which exist at C-M lets go back to 1L. The time of the year was about March when 9 students in a property class were accused of cheating on an outside classroom project. The administration was slow to act in resolving the conflict between the students and the professor, who wanted the accused to be withdrawn from the class. Finally, three weeks later a committee was formed to investigate the allegations and the charges were dropped. Then, with only a couple of weeks before finals, the “Property Nine”, as they were known, were given the chance to go back into the class or withdraw. Could not have the administration taken faster action, as a first year student is already under enough pressure without having to deal with allegations of cheating hanging over their heads? Two of the “Property Nine” thought so much of how C-M handled the situation they promptly transferred to other law schools. As for that professor and the hell he put those students through, well, he can still be found right here at C-M. To date no changes have been made in the school policy regarding incidents of this nature, nor in the manner in which they are handled.

By 2L other problems that exist within the walls at C-M become evident, such as the administration’s grading policy. Though each year the administration tells the entering class that they have the highest marks of any incoming class in the history of C-M and refer to us as the “cream of the crop”, the “C” scale grading policy remains in place. Since C-M does not and may never have the reputation of that other law school in town, they at least could try to make up the gap with improved grades, or is C-M taking the position that if you want better marks you have to pay over $10,000 a year to that other school? I pose this question: If you are Leerland, the recruiter from McKenzie & Brackman, who would you rather hire, Buffy from a name law school with a “B” average, or Sue from C-M with a “C+” average? It’s time for the people who are supposed to be the scholars around here to begin doing some intellectual thinking of their own and restructure the grading policy so more C-M graduates have a chance to gain employment and pay back those student loans.

Let’s not forget other problems that affected students last year, such as a limited course schedule. When this student asked a member of the administration why so few choices in the schedule, the reply was something to the effect that, “What can be done when you have so many professors on sabbatical?” Being the younger and perhaps not as wise person, I re-

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Does SBA have right to exist?

By Kevin String

Abolishing student government is not a novel idea. In 1976 at the University of Texas two rather creative knuckleheads ran for office calling themselves “Arts and Sausages.” An example of one of their proposals was to have the inscription on the campus entryway be changed from “Ye shall know the truth and the truth shall make you free” to “Money Talks.” “Arts and Sausages” won by a landslide. Everyone thought what they were doing was great. They turned the election process into theater and exposed student government for what it was worth -- nothing. Shortly after the election a movement to abolish student government prevailed. The organization disbanded and the student body continued to function as if student government never existed.

Query: What right does SBA have to exist if non-existence would be inconsequential?

The time has come when we as students, and particularly our officers and senators, have to ask whether SBA has any meaningful role in the furtherance of our educational and social experience at C-M. I have come to the conclusion there is a good possibility that SBA is primarily used to bolster some people’s egos and resumes, and that whatever SBA claims to have done for us is purely secondary to the greater goal of fulfilling these more personal needs. If such is truly the case then it’s time to sack the whole SBA concept and replace it with something less conducive to abuse.

This opinion was inspired by the distribution in early March of a document entitled “Student Bar Association Newsletter”. The “newsletter” outlined eight of SBA’s alleged accomplishments over the last year. But as I read I came to realize this was no newsletter. To my astonishment, I was reading propaganda, an apparent product of some kind of publicity campaign attempting to convince us that the SBA, and particularly the president, is hard at work protecting our interests. The author gave us the eight accomplishments to ponder, all of which were either so vague or unimportant I could only wonder why an organized group of fellow students would insult my intelligence by trying to convince me they are doing a good job by presenting me with noninformation. To make things even more interesting, the spirit of the “newsletter” is clearly self-laudatory and defensive, as well as persuasive. In case you’ve forgotten, here is a review of the “newsletter” and the eight “accomplishments”:

(1) Six more students are available to voice student concerns as a direct result of President Sherri Goodman’s efforts. But why do we need six more senators? If six more is so good then wouldn’t twelve be great? Or more? Are there that many student concerns? What are they? Why is this a noteworthy accomplishment? And who should care that it was Sherri Goodman who initiated the idea? I’m afraid this idea raises more questions than there are answers. I just hope we have enough wall space for the anticipated increase in obnoxious campaign posters.

(2) All appointments by Sherri Goodman were unanimously agreed upon. So what? Besides, since when is unanimity in a democracy a virtue? This accomplishment falls into the unimportant or non-accom-

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Leonard heads can drive

Students at C-M joined forces with area firefighters and Alcoa last year in support of ACBC (Aluminum Cans for Burned Children), a recycling program to aid young burn victims.

Ed Leonard of the Student Bar Association reports that, “Special collection receptacles for aluminum cans have been placed throughout the school. We hope the idea of recycling will soon spread to the entire campus.

ACBC is an on-going recycling program which began in May, 1986. Since that time, area firefighters have earned more than $170,000 to help patients treated in the regional burn unit of MetroHealth Medical Center. Recycling proceeds are used to purchase protective clothing, rehabilitative equipment, camouflage makeup, toys and other items not covered by insurance to help ease the suffering and speed the recovery of young burn victims.

Cleveland Fire Chief James McNamee said, “We appreciate the support ACBC is getting from Cleveland-Marshall law students, this is the type of community involvement that has made our program a success.” Everyone is encouraged to continue throwing their empties into the specially marked boxes, and even to collect their empties from home and turn them in to their local fire station. For more information about ACBC, please call 1-800-828-8223.

Benjamin praised

It is with reservation that I write this letter -- since any first year student can tell you that one must be careful of what is put in writing.

At any rate, I would like to point out a brighter side to the formidable bureaucracy that must be encountered at this fine institution. Over the years here, I, like everyone else, had to deal with “red tape.” Almost always, I was left in the dark. Last year, I was lucky enough to encounter Kay Benjamin. Kay’s title doesn’t reflect the work she does nor the people she has to work with.

In my book she deserves the title Assistant Dean more so than any other individual. I would like to take the opportunity to thank her for the help she has given me and all the lost souls wandering through this bureaucratic maze.

Bridget Hoenes
Child abuse studies show it can and many times is learned

By Anita M. Ramos

Some suggest that parenting is learned. Appropriate, as well as in-appropriate behavior is transmitted from generation to generation through the interaction of family members. However, studies have found that only approximately one-third of all individuals who were abused turn out to be abusive parents themselves.

Further, some child abusers do not repeat the offense.

These individuals normally are found to have had love and support from at least one of their parents, or are in a supportive relationship with a spouse or significant other. They have made a conscious decision not to repeat their behavior.

Such studies suggest that although being abused as a child is an important factor in determining whether a child will grow up to be an abuser it does not mean that abuse is transmitted across generations. However, for those who are abusive parents it may be because abuse is all they have ever known. They may repeat the abuse with their own children if there is no intervention and re-socialization.

It was not until the mid-1960's that most people became aware of child abuse. There were few studies done in the field. Fortunately, by the 1980's, societies around the world had begun to recognize that the family could be a potentially dangerous institution for children.

It has been proposed that the awareness of child abuse is a developmental process. Societies first deny the problem, then accept the realization of physical abuse, examine children who fail to thrive, identify this failure as being the direct result of emotional and physical abuse, and then finally address sexual abuse. The awareness of child abuse varies among societies depending on the political, social, economical, and cultural environment of the society.

In the United States society is now fully aware of child abuse. Private citizens, as well as, the business community have joined together and formed child safety programs. Companies such as Marvel Comics have produced and distributed comic books dealing with sexual abuse, and the importance of reporting it. The Sara Lee Corporation provided funding for development of a training manual for teachers on identifying and reporting child abuse and neglect. There are numerous other companies involved in such educational productions.

Although we have become more aware of child abuse, there are still limitations as to the official reporting of child abuse. Unreported cases are the result of denial, social, economic, racial, and psychological biases.

Each year over one million children suffer from abuse. More than 2,000 of these children die. Sexual abuse accounts for more than 13% of these reported cases.

Everyone has heard the story of a child brought to the emergency ward. The parents give a history of easy bruisability, or perhaps they report that the wound was inflicted by a sibling. When x-rays are taken, the radiologist may discover old fractures that have healed.

The brutality is unbelievable. For instance, a five-year-old girl who was told to stay inside, went out on her porch. She was disciplined by being kicked into the house, thrown against the wall and struck on the head and face with a frying pan. A nine-month-old boy's eyes were blackened, his face and neck burned, and his skull fractured. X-rays of a seven-month-old boy revealed fractures of one arm and the other arm had previously been broken. The boy had healed fractures on both legs and multiple skull fractures.

Sometimes only one of the children in a family may be singled out for abuse. The abuser often perceives the child as being different from the other children. The children in this situation, who are not being abused, may be overly protective of the one being abused. The other children may refuse to talk about the child who is being abused. They will not mention his name in conversations about the family, acting as if he or she does not exist.

Physical and sexual abuse often occur in the same family. One case study reported that the children would offer themselves to the father for sex in order to prevent the beatings that they frequently received.

Although, the victims of sexual abuse are mostly girls, there are an increasing number of reported incidents involving boys. Recent studies show that male victims make up between 12% to 33% of reported cases. The man who commits this "double taboo" may have experienced incest in his own family of origin. He may have no history of psychological disturbance, and may initiate the activity while intoxicated.

Adults who abuse children manipulate their victims with bribes, lies, or coercion in an effort to keep them silent. It is often difficult to get these children to come forward because they may have ambivalent feelings about the abuser since the is often the care-giver. For these reasons, if child abuse is suspected there is a need to encourage the child to come forward.

There are characteristics that indicate that the parent is physically or sexually abusive. He or she may seem unconcerned about the child, see the child as bad or evil, and/or routinely employ harsh and unrealistic discipline. They were often abused as children, are immature, have low self-esteem, isolated, and have inadequate coping skills. They may also abuse alcohol and drugs. In addition, the sexually abusive parent may be jealous and protective of the child. He or she may not engage in social activities and is often passive outside the home.

The non-abusive parent may be aware of the abuse and be unwilling to leave the other parent alone with the children. He or she may, however, be hesitant to report the abuse for fear of destroying the marriage and being left on his or her own.

The child victim may exhibit a number of different indicators of abuse. For instance the child may be afraid of physical contact or affection from an adult. He or she may exhibit withdrawal and learning disabilities. The child may have unexplained bruises, welts, fractures, burns, and/or bite marks. In the case of sexual abuse the child may complain of pain or itching in the genital area. The victim may have bruises or bleeding in the vaginal or anal area and may exhibit inappropriate sexual behavior or experience difficulty in walking or sitting.

These children, who are victims, often blame themselves. They believe they asked for it in some way, or are responsible for what is happening. The pain and trauma can last a lifetime.

The trauma may ultimately manifest itself in emotional or mental problems. Behavior

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The Gavel

The Party Poop

SBA proves it can party

By Tom “I love free beer” Goodwin

The S.B.A. must be trying to prove something, and I don’t really care what it is because I like how they’re trying to do it! The S.B.A. sponsored two (that’s 2) social events (that’s happy hours) in one week. I felt obligated to attend the first event, Thursday, March 15, in order to evaluate the new S.B.A. vice-president’s second attempt to match her predecessor’s success in organizing socials that were so good they tempted many to miss class.

Despite an R-rated flyer depicting someone swallowing a submarine sandwich whole, I was quite pleased with the social event (as if that really matters). The beer was a little warm and foamy at first, but the subs from the local sandwich shop (I’m not telling the name because they won’t advertise with us) were an excellent change to the average quality pizza normally served. Most students liked the change of food and took advantage of the almost constant supply of subs to fill themselves for supper.

Just two days later the S.B.A. secretary, with some organizing help from Sue Sweeney, gathered quite a few students together on St. Patrick’s Day to prime them for marching in the parade behind the Cleveland-Marshall banner. I just happened to be at school that morning (mere coincidence) and decided to see how things were going. Chips, pretzels and free green hats and green carnations were furnished, and everyone had a great time. The beer, again warm and foamy at first, flowed from about 10:45am until 12:30pm or so, when the S.B.A. took the tap to discourage more drinking and encourage more students to march in the parade. Luckily, some Irish eyes were smiling, and an always prepared student produced his own tap to keep the keg going a little longer. Approximately 35 C-M students and guests marched for at least part of the parade. I’m not sure how many finished, because I had to find a restroom along the way, which was not an easy task. If the S.B.A. can mark their calendar for next year, I’m sure the St. Patrick’s Day social could become a tradition, no matter what day of the week it was on.

A little advice to the S.B.A. on kegs o’ beer: 1) the refrigerators in the lounge area will not get them cold enough; 2) ice is the number one agent for keeping kegs cold at parties throughout the nation; 3) the ice must be surrounding the keg before it is tapped (preferably for several hours); 4) shaking the keg and dropping it into the barrel with the ice is probably not the best way to keep foam to a minimum; and 5) I will continue to attend S.B.A. social events to test the beer.

ANC attorney speaks

By Philip Althouse

While on a whirlwind speaking tour of the Great Lakes region during the last week of March, Mbali Mncadi, an attorney with the Department of Constitutional Affairs of the African National Congress (ANC) had more than a few pleasant surprises. Besides her first travel outside Africa, Mncadi was amazed by the media publicity and the warm reception given her by hosts and audiences in every city. She was also quite impressed with “how well informed people are about apartheid and our problems.”

Speaking to an audience of nearly 100 in the Moot Court room at Cleveland-Marshall, Mncadi explained the present position of the ANC toward the changing political climate in South Africa. While she believes that changes such as the unbanning of the ANC “create a climate which is conducive to negotiations” between the ANC and the white regime, the ANC (Cont. to page 8)
Gary is committed to social change

Willie Gary is committed to social change. For that reason, he is also committed to his law practice.

"You must gain economic status to make a change," Gary said. "You must take dollars to your causes not just lip service." Gary has followed this formula and built one of the top personal injury practices in the nation. From its profits, he has been able to help those in need.

"You must be willing to give something back," Gary told his audience at Cleveland-Marshall, where he was speaking on behalf of the National Bar Association-Law Student Division. Although his speech was on March 19, NBA president Regina Milton stated it was still a part of the Black History Month celebration which was continuing from February.

Gary stated that his formula for success was hard work and a lot of it. He stated that he had been very lucky, but the earlier he got up and the later he went to bed the luckier he gets. Gary learned his work ethic from his father. "I was from a family of 11 children," Gary said. "My daddy only went through 7th grade, but he didn't know what quitting was all about. He never gave up."

When he graduated from North Carolina Central law school, Gary opened his own practice. He would answer his own phone and his wife did the typing. "I started on only $1,500, but with two million dollars worth of confidence," he said. He wasn't afraid to go after what he wanted. "Nothing comes to a sleeper but a dream," he states. "You can't win if you don't bet." His gambling nature paid off and in his first personal injury case ever he won a $250,000 verdict against an attorney with over 30 years of experience. But it was more than a gamble, it was a calculated risk. "I worked twice as hard as he did," Gary said.

Gary brought a special message to C-M's black students. "Open a law practice, not a black law practice," he said. "You are a lawyer, not just a black lawyer." Gary stated that the top lawyers in the United States realize it is not about black and white, but is about litigation. Ninety-eight percent of Gary's clients are white.

That practice which started with just Willie Gary now has more than 50 people and has practiced in 17 states. Gary serves as general counsel to the Reverend Jesse Jackson. As Gary states, "You believe you can win and then work your fingers to the bone."

ANC attorney

(Cont. from page 7)

still insists that other terms be met. "We need the release of all of our talent in order to have a political solution to the problems of South Africa," she said. The ANC terms include: the release of all political prisoners, an end to the state of emergency, the return of all exiles, and the removal of troops from the townships.

Mncadi also discussed the prospects for a new South African constitution, believing its development will be a lengthy process which must involve a multitude of interest groups in addition to the ANC. She envisions a South Africa which is a "unitary, democratic, and non-racial state." Continued sanctions and corporate boycotts are crucial, she added. "They are largely responsible for the changing tide against apartheid."

Mncadi also commented on the current so-called tribal strife in the South African Province of Natal, calling it politically inspired. She complained that western press tends to promote a stereotype of uncivilized Africans engaging in tribal warfare.

Mncadi has lived in Swaziland since the age of sixteen. "It was felt at that time it was advisable for me to leave South Africa," she recalled. She shares with Dennis Brutus and other exiled anti-apartheid activists a longing to return to her native country. Despite the unbanning of the ANC by the South African government, it too, still remains headquartered in neighboring Zambia.

On March 26th, prior to her speech at C-M, Mncadi was interviewed by CSU Professor Howard Mims for his weekly "Images" radio program. The following day while in Pittsburgh, Mncadi discovered that Professor Mims is married to the aunt of Spike Lee, one of Ms. Mncadi's favorite movie celebrities. "I loved his movie Do The Right Thing," she said.

She learned of the Mims-Lee connection while still buzzing from a luncheon with the world-famous South African poet and playwright Dr. Dennis Brutus. While Mncadi shared some personal history with Dr. Brutus, he recalled having gone to college with her father and realized that he also knew her mother. Dr. Brutus is currently Professor of Black Studies and English at the University of Pittsburgh.

Ms. Mncadi's trip was sponsored by the National Lawyers Guild, with which the ANC has a well-established working relationship. At the Monday evening speech she was welcomed by CSU Vice-President Dr. Raymond Winbush and received an award from the Cleveland Chapter of the National Lawyers Guild.
Cracks at C-M are revealed

(Cont. from page 4)

plied, "How about not letting as many professors take a leave of absence at the same time?"

3L exposed further cracks in the interior of C-M. One day last fall on the way out the door to lunch several what should be classified files were blowing around outside the garbage dumpsters. I always thought that if nothing else, C-M would make every effort to keep student records past and present confidential. What was blowing around outside the school that day were admission records of students, including grade point averages, LSAT scores, etc. It is sad the administration could not find the time to shred these unwanted documents or more closely seal them, as garbage has a way of becoming public domain, something I don’t think C-M alumni or current students would care for.

Perhaps it’s not just the administration that is losing a grip on reality, as our own Student Bar Association seems to be turning itself into a self-serving group of individuals. At least this is what their President indicates when she spends students’ money to fill our mailboxes with a two page update of her personal accomplishments as President, while reminding us not once, but four times, in that so-called “Update” what her name is. What is the problem here, does she suffer from the George Bush syndrome? Would not this information been better suited for a resume?

Now for a few last questions to ponder. Why no explanation given to students as to never receiving our class schedules with a valid ID. Sticker this semester? Why can’t professors turn in grades on time? Why do we have tours of our library by high school students during the middle of finals week? Why do they have wine and cheese parties in the middle of the atrium at 6:30 p.m. but tell students this is not for their consumption? Why do certain professors tell you not to worry about that material as you will learn that in your bar review course? And finally, why are Fran and Angie about the two nicest people you would ever want to meet?

The Gavel is your paper...use it!!!
Abolish student government

(Cont. from page 4)

plishment. Again this is reference to a program we are given few details about. What are its objectives? What are student concerns in this area?

She detailed the reasons for increased security at those meetings. What are the reasons that need detailing? Have there been incidents? Has someone been mugged or raped? Who are the guards? When do they work? Where are they to be found? In the garage? In the faculty lounge? Of course increased security is a great thing if we really need it, but to simply allege that there are reasons is not good enough in any form of government outside of despotism.

The concept of imparting a system for impact’s sake seems to come alive in accomplishment (7). We are told that Sherri Goodman (I’m convinced her agent wrote this “newsletter”) helped to establish a scheduling committee composed of students in order to influence class and exam scheduling. Again this is a reference to a program we are given few details about. What are its objectives? What are student concerns in this area? Who makes up the committee? (My personal concern in this area is that I don’t like classes before noon and after 3pm). Without more information this committee is strictly illegitimate. No accomplishment here.

Mercilessly we have come to the last alleged accomplishment. A new and more objective standard for receiving faculty performances was instituted. This is trivial at best. Opinions of faculty performance will always be subjective and must be taken lightly. What one student likes, another will dislike. It’s that simple. Besides, anything going around about a faculty member is normally heard by word of mouth, not through this resource.

In conclusion, SBA gives us the excuse that they’re doing a lot but we just can’t see it. (Maybe we should rename it the CIA). But all I see are poor excuses, trivial accomplishments made to seem important, and programs which are unsubstantiated with reasons for existing. This “newsletter” reflects the height of absurdity that SBA has reached, similar to the “Arts and Sausages” campaign and leadership phenomenon described previously. The only difference is that “Arts and Sausages” didn’t disguise the purposeless nature of their actions with propaganda. I believe our SBA lacks a straight-forward type of honesty which is made very apparent in this “newsletter”. If this is the best SBA can do then it is time to abolish it and restore integrity to the student body.

Perhaps a student union organization made up of volunteers who would hold an in-house election could handle the social affairs of the student body as well as any particular problems a student may have. The organization would be less prone to the fundamental flaws inherent in a system such as the SBA. Ego-driven popularity contests and unreasonable expectations would disappear. Wake up SBA, it’s time for a change.

Do you think “Arts and Sausages” could be Texan for “Resumes and Egos”?

Children of abuse

(Cont. from page 6)

may become self-destructive, leading to drugs, prostitution, suicide, or the commission of violent crimes. Various ego skills may fail to develop.

There have been programs established to lessen the long term effects of abuse. However, the longer the problem persists, the worse the chances for recovery.

What help is there for the children? Each state has enacted its own laws against child abuse. Such laws define child abuse. They designate who is required to report it: such as doctors, nurses, dentists, school psychologists, social workers and employees of child care services.

However, child abuse cases are difficult to prosecute. This is especially true of sexual abuse cases. Frequently, it is only the child’s word against the adult. Prosecution of a parent based on a child’s testimony can be quite traumatic for the child. The child may have to tell the story many times to psychologists, social workers, investigators, and the prosecutor. Videotaping may help to minimize the trauma. The child victim may have trouble communicating. For this reason anatomically correct dolls are used to simplify communication with the child. Such dolls are realistically designed with all body parts.

Not only are child abuse cases difficult to prosecute, but a recent study sponsored by the National Institute of Justice found that although the range of penalties that could be imposed against those who victimize children and those who victimize adults are similar, the actual sentences

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New marching orders

(Cont. from page 3)

too, that this is equally true of many who came before them when the focus on scholarship began its rise to prominence. The result is that we have a faculty losing balance and which has been created without regard for the future direction of legal practice. Maintenance of this balance is essential.

Thus, this column is actually a plea to the Dean and the Faculty Recruitment Committee he appoints. It is a plea for broadened horizons and for a hard look at our objectives. Let us seriously consider our objectives instead of assuming that “scholarship potential” is the only key and that it is predictable. Let us look at a more diverse candidate pool with a more flexible definition of diversity. And, while we are at it, let us explore each candidate’s expertise in light of the changing needs of our curriculum.

Child abuse

(Cont. from page 10)

imposed for similar crimes are vastly dissimilar. Cases involving children had shorter sentences and probation was imposed twice as often.

Although each state has its own laws dealing with child abuse, what responsibility does the state really have to protect the children who are at risk of repeated abuse? Possibly they have no responsibility for intervention.

Even if the state is aware of the abuse, as held in the recent case of DeShaney v Winnebago County Department of Social Services, 489 U.S. __, 103 L.Ed 2d 249, 109 S.Ct. (1989), states may be allowed to stand by and do nothing while a child’s life is seriously endangered. In DeShaney the Department of Social Services was aware of the danger of child abuse to four-year-old Joshua DeShaney. They had previously taken temporary custody of Joshua but returned him to his father. While in his father’s custody, Joshua was severely beaten and fell into a coma. He is expected to spend the rest of his life in an institution for the mentally retarded.

Joshua’s mother brought suit alleging that Joshua was deprived of his liberty interest in bodily integrity in violation of the Fourteenth Amendment’s Due Process Clause when the state failed to intervene to protect him from his father. However, the Supreme Court found that the state’s failure to provide Joshua with adequate protection from his father’s abuse was not a violation of the Due Process Clause.

The court went on to state that the Fourteenth Amendment is a limitation on the state’s power to act. It forbids the state from depriving an individual of his life, liberty, or property without due process. The Fourteenth Amendment, however, does not create an affirmative duty on the state to protect those interests from acts of private individuals against each other.

Although the state was aware of Joshua’s dilemma that knowledge did not create any special relationship which would require its action to help him. This decision makes it clear that Joshua nor any other child in a potentially dangerous situation is really not protected.

Justice visits Cleveland

(Cont. from page 9)

that lay ahead of them, answered questions and made observations concerning the Court. His predictions for the future included a continuation of a conservative Court, particularly in the areas of states’ rights, government control, and criminal law. His answers to various questions posed by students were punctuated by interesting stories about the Court and comments on his colleagues. The Justice commented on the notion of “original intent”, noting that the reason the Constitution has lasted is because it is flexible through time and circumstances. He urged students to follow the Court’s work, stating, “It’s your Court, it will affect your lives and professional careers.”

Blackmun readily admitted that his job was not fun, that indeed it was extremely difficult work, and yet he found it fulfilling. His words were not those of a man given to impressions, but rather of one who looked not only to the horizon, but also the path which takes him there.
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