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Cleveland-Marshall College of Law

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TRADE SCHOOL NEWS

"Little man whip a big man every time if the little man's in the right and keeps a' comin'."

(Motto of the Texas Rangers)

OLIVER WENDELL HIRSCH FIELDS HEARS:

First-year students grumbling because faculty candidates are being introduced in the student lounge at a time when most of the first-year people are at Civil Procedure class - namely 3:00 - 4:00 p. m.

Take heart, weekend brief researchers. The law library realizes the problem of the copy machines running dry on Saturdays, and has ordered another copier for the law library

The above "scoop" brings to mind the need expressed by many for another dollar bill changer in the library and one for the lounge. At present, law students are risking pneumonia by having to run to Stillwell Hall for change (not to mention being "burned out" by the undergrads).

The T. S. News will go under unless more financial support is forthcoming from students. All we ask for is your spare change, which we realize is a precious commodity, but ask yourself: "Is that extra cup of muddy acidic water which is being peddled as "coffee", in the lounge really worth more to you today?"

In case you haven't heard, Women's Caucus has started a phone-answering service in CB-79. If you want to be reached by someone from the great outside world while at school, have them call 687-2343. Volunteers there will take the message and post it on a bulletin board outside their office from 8 a. m. - 6 p. m.

On Tuesday, April 2 at 2-3:30 p. m. at the CSU Main Auditorium the CSU chapter of the National Lawyer's Guild will present 2 Attica Brothers, Big Black and Ja Ja Karcem, who will speak about the Attica rebellion, the present Attica trials, and prison reform. There will also be a short film, and the program will also include speakers on the present status of the Harlel Jones case and a report of what is and is not happening as a result of the shooting of Robert Dennis by an East Cleveland policeman.

The wizard of future interests, namely Prof. Paul Haskell, has struck again with a very interesting article in the latest ABA journal. Basically, he claims that things are not all that "equitable" on the law school "plantation". See the article for further clarification, if you can tear yourself away from your dog-eared Bergin & Haskell.

The next meeting of the Chester Law Club (previously the Cleveland-Marshall Law Wives) will be held at 7 p. m. on April 10th at Mayfield High School. Chef Tibor will demonstrate how to tickle your taste buds with the cooking of a gourmet meal. There will be a \$1.50 charge per person for the demonstration and dinner.

Professor Migliore and Kelder are heading a project designed to expose law students to a "more entire" view of justice through investigation of Cleveland jails, by the students. The basic objectives of this effort will be encouragement of community involvement by law students through the presentation of penal inadequacies to the community at large, and formulation of positive policy-making recommendations in this area.

According to Prof. Migliore, "It's a commitment we owe to the community as lawyers. If you don't take the time to be involved now during the law school learning process, you sure won't in the practice process, after graduation."

All are invited to participate. Sign up in either Prof. Migliore or Prof. Kelder's office.

Ralph Nader's visit has inspired students at C.S.U. and C.C.C. to form Student Public Interest Research/Groups (SPIRG) in this area so that students, professionals, and other citizens may become effectively involved in consumer-environmental-governmental issues. For further info on this project contact Paul Hudson or Dan Wolf, CB 77, 687-2343, 932-2828.

NIX ON ON THE FIX

by

Chris Stanley

If you like Nixon and think he is doing a good job, you need not read any further. This article is about the National Lawyers Guild's response to Nixon, the "energy crisis", inflation, Watergate, etc. The National Lawyers Guild has started and will soon file a People's Lawsuit to Set Aside the 1972 Election, which alleges that because of the extraordinary amount of money that Nixon had and because of his suppression of the truth and of all effective opposition, Nixon and his cohorts destroyed the 1972 election as a free, fair and honest election, thereby damaging the American people, and it asks that the results of that presidential election be set aside and that Nixon be removed from office.

The factual allegations of the suit fall into three main categories:

1. Economic interests entirely unrepresentative of the people bought the election. Corporations (ITT, McDonald's, oil companies) and wealthy individuals (Bob Hope, Howard Hughes) made massive contributions to insure Nixon's re-election, which resulted not only in governmental favors to such contributors (the milk deal, the dropping of a major anti-trust suit against ITT, the veto of the increased minimum wage deal), but so much money made possible all of CREEP's activities (Muskie "Canuck" letter, Jackson sex letter, bugging and wiretapping of Democrats, SWP, etc., operation of the plumbers unit, unconscionable use of the media).
2. The election campaign was marked by a deliberate and concerted Administration effort to misuse governmental power to suppress all effective opposition: the enemies list, the use of the IRS, widespread wiretapping, the Wallace deal, the Berrigans, the Gainesville 8, etc.
3. Throughout Nixon's first term and particularly during the campaign, governmental power was manipulated to deceive and mislead voters about crucial election issues. Nixon lied about Indochina - our involvement and the prospects for peace, about the state of the economy, about Watergate, etc.

The suit defines the injury suffered by the American people as a result of all these activities: by Nixon and his cohorts' actions, the American people were denied their right to cast a vote based on truth and reason. Information directly relevant to the election was deliberately withheld from the voting public and inaccurate information was deliberately placed before it. The result was that the American people voted not on the basis of the true facts about the candidates, their actions and their policies, but upon a fictitious set of facts deliberately conceived to mislead them, i. e., the election was fraudulent. The suit further alleges that since the election was a fraud, that not only the election but all subsequent acts of the second Nixon administration are invalid. (This includes the appointment of Gerald Ford as vice president, the huge cut-backs in the areas of health, education, and housing, the impoundment of funds appropriated by Congress, the increase in defense spending, etc.)

The legal remedy requested to remedy this damage done to the American people is that the results of the 1972 presidential election be set aside as invalid, and that Nixon and Ford be removed from office.

Do we have a case? Yes. There are compelling constitutional rights at stake as well as legal precedents. The Supreme Court has declared several times that the right to cast an effective vote is a constitutional right.

The courts have also recognized the need to protect First Amendment rights (free speech, freedom of association) in order to insure the ability to cast an effective vote. Where such First Amendment rights are violated, the courts have provided strict remedies to insure such violations never happen again. Also, at least twice recently, courts have set aside because of their fraudulent character. So legally we have a case. But political cases are always won in the streets. The success of the People's Lawsuit to Set Aside the 1972 Election depends on how strong its support is among the people. Therefore, we ask that all individuals and groups seeking the removal of Nixon and his cohorts sign up as plaintiffs. The more plaintiffs we have, the better the chances that the lawsuit will win.

Because the National Lawyers Guild believes that we must try in every way conceivable to rid this country of King Richard I, we feel that the movement to impeach Nixon is complementary to the People's Lawsuit and vice versa. But there are three main differences which are critical:

- 1) Impeachment leaves us with Ford who is really no better; 2) we cannot be sure Congress will impeach Nixon; and 3) every struggle in the country has been won by the people and not by waiting for the government to intercede.



"SHOO! GET OUTTA HERE!!"

The Fourberry Shuffle

Dean Christensen recently announced a major cabinet shuffle. Walter Greenwood will take over as Placement Director, Marlene Stovicek becomes Assistant to the Dean (office manager). Daniel Migliore is taking over from Stephen Werber as Assistant Dean for Administration and James Douglas becomes Assistant Dean for Student Affairs after William Tabac returns to full-time teaching this fall. Alex Jamieson, the present Placement Director will be shuffled out to the University's Department of Coop Education after July 1, 1974.

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ATTENTION ALL CSU LAW STUDENTS & FACULTY:

Because of the rising costs of auto repairs, a new service is being offered - nationally known name-brand auto parts and accessories for most American and foreign cars are now available direct from the manufacturer up to 40% off retail price, 2 day service, all part guaranteed. -- 175,000 part inventory

Contact campus representative,

Sheldon Stein
382-8258

OPINION
by
Sheldon Stein

The Roots of Watergate or
Law Student as Honkey

The Student Bar Association has become, with the help of an apathetic student body, a personification of the worst of America today -- the United States Congress. Under the leadership of President Carl Noll, it has degenerated into a forum for self-serving bureaucrats who, like Congressmen and Senators, are, according to the Cleveland Plain Dealer, "long on rhetoric and short on practical solutions" to many of the problems they should be attacking.

It is truly shocking to see supposedly intelligent adults have such little regard for the financial responsibilities entrusted to them. This year the SBA allocated to one minority student group almost \$2000, of which \$1000 is to be used for a trip to Los Angeles, \$300 for unspecified miscellaneous expenses, and \$200 for telephone services - all passing with minimal debate and questioning. A few, such as Sonny Katz, tried to obtain a justification for the expenditures, but were quickly stifled. Students subsequently questioning SBA members about this were told about 200 years of oppression and racism, but were not told about how their money was being spend, or why.

Another minority student group, was given approximately \$775, to be used according to one SBA member, for a private phone line and mailing expenses. Others have told us that traditionally such allocations have also been used for travel.

While we do not question the integrity or motives of either of the above groups, we take exception to the practice of any money being given out to anyone without a complete justification and investigation by our elected representatives. The SBA has a duty to ensure that our money is being spent wisely; perhaps it's time they take this responsibility seriously.

Ask any SBA member what they have accomplished this year, and you will hear about the 400 new lockers ordered, or the countless numbers of resolution passed.

But ask them why they have not undertaken any positive programs to facilitate the recruitment of law students by the Cleveland Bar; why the bookstore sells casebooks and hornbooks at over 100% markup in price; why, even though the SBA has money to burn on trips to Los Angeles; there is no short-term, low-interest emergency loan fund to assist law students who are experiencing financial difficulties; or why the SBA entered into an agreement with the administration not to publish faculty evaluations.

Ask why 40% of their members never bother to show at their meetings; why a \$1,200,000 trust fund left for the enrichment of the law school is administered by seven faculty members and only one student, and is to be used to encourage faculty research; why other committees, such as the Academic Regulations Committee or the Examinations and Grading Practices Committee, which vitally effect our academic careers, have little student input and representation. Even such basics as a law student directory, free coffee in the student lounge, or additional change machines available, have not been provided by the SBA. Its little wonder that the University does not allow the SBA to keep their own books or checking accounts.

Next: Some Practical Solutions

FOR FACULTY ONLY - LSAT APPLICATION DEADLINE APPROACHES

In the fast paced world of CSU Law School, one never knows if he will be considered "Dean material". In the interest of giving all qualified teachers a fair and objective shot at these career building positions, T. S. News announces the Law School Administrator's Test (LSAT). Naturally, the test will be scientifically constructed, statistically tested, validated, culturally corrected, and electronically scored.

The deadline for 1974 application is April 1, so hurry! Simply fill out the application form below, have it signed and notarized, and send it with your certified check for \$99.95 or 1% of your adjusted gross annual income, whichever is greater, to LSAT, Box 1600, Cleveland, Ohio. Moral fitness interviews for test applicants will be held May 1, 1974, in Room CB 0068 at 8:00 a. m. sharp.

* * * *

LSAT SAMPLE QUESTION

FACTS: You are Dean of 'M' Law School. The law school has a trust fund of \$1 million for the enhancement of the legal education program at 'M'. The income is supposed to be spent every year, but it has been building up for the past several years so that there is about \$200,000 accumulated. The trustees of the fund are a bunch of do-nothing hold-overs from the old days when 'M' Law School was an independent school, before it merged with the University.

The word is passed down that board of trustees of the University will approve whatever you recommend.

PROBLEM: How can you do what you want with this money and still keep the appearance of being fair and democratic with the faculty and students, while at the same time enhancing your power over the faculty and being sure not to get in trouble by violating the terms of the trust?

ANSWER: Appoint a faculty committee to invite proposals. Be sure to appoint as chairman a young faculty member who shares your views on how the fund should be used, and let him know he will be suitably rewarded for "guiding" the committee to the right decision. Have the chairman of the committee prepare a proposal that will see that the money is doled out to good, obedient faculty members for their pet projects. Have the chairman invite student proposals and "participation" in the committee. However, be sure the announcement is made so that 99% of the students don't know anything about this money. Schedule committee meetings so that the only student member of the committee cannot attend, and if you get any student proposals, tell them you need more detail and then set a deadline that they will never be able to meet. If students should learn of the fund and make any written proposals before the "deadline", lock them out of the meeting room. Then instead of rejecting the student proposals directly, have the committee vote to limit the expenditures from the fund to exact amount of your own faculty "flower fund" proposal. This way you prevent anyone saying you didn't favor the student proposals. Next, send the committee's "recommendation" to the full faculty for their rubber stamp vote. Next, take your proposal to the Board of Trustees with the "faculty approval" stamp and the "student participation" stamp and get their rubber stamp. Concerning the trust agreement terms or the actual trustees, ignore them! The trustees of the fund don't know or care about what's going on and neither does anybody else who counts. And don't worry about any student complaints they have no power and don't give a damn anyway.

OFFICIAL APPLICATION LSAT - Law School Administrator's Test

1. NAME
2. AGE
3. CLASS ROOM CUME
(See T. S. News Professor's Report Cards)
4. SEX
5. LAW SCHOOL ATTENDED

I hereby swear or affirm that I have never been caught doing anything that might come back to haunt me after being appointed a law school dean.

/s/ _____

Notary Public _____



"JUST FOLLOW THE SIGNS, BOYS"

STU'S SIDE BAR - Advise on the
Law Student's Sexual Problems

Dearest Stu,

As another female law student and an avid reader of your column, I'd like to express my disappointment in the advice you offered to Ms. Equal But Different.

It seems to me, as a female law student of a certain ethnic background who also wears a bowling shirt and combat boots, that your advice is totally inadequate.

Riding home at night in the car pool, most of the guys I travel with are thankful that I do wear a sweatshirt or a bowling shirt rather than a blouse. After a day of Brief Writing their fingers are too numb to undo any type of button or to play around with anything as totally annoying as the snaps on a bodyblouse! A sweatshirt, as you OUGHT to know, is not only easily accessible from the waist, but can easily be slipped over the head as well. In reference to the combat boots, most men find it extremely exciting to wrestle with a pair of 20" shoelaces rather than pantyhose. By the way, "que pasa" in a certain dialect of a certain ethnic language, means that I'd rather curl up with Gilbert than you. (Do you know who Gilbert really is? I'm not telling!) Stu, your advice to wear skirts so the boys know that I have legs, shows that you are very uniformed as to the manner of your male colleagues. The combat fatigues worn by the female students serve a very useful as well as cosmetic purpose. They protect our thighs from sustaining superficial lacerations of an unwarranted nature. The hair on our legs is quite effective in deflecting the unsolicited and totally unwanted paws of your sexually depraved, deprived, and inadequate male colleagues.

And Stue, in case you haven't noticed or haven't opened any closets around lately, some of the "swash-buckling set" really get turned on when they smell Aqua Velva or Mennen Skin Bracer on Any human body.

And Stue, thank you for affording me
continue next column

an opportunity to express my views in your column. A guy as nice as you should stop hiding in the closet and come out and meet your adoring public!

Different BUT, Much More Than Equal

P. S. I can trade you some Mennen Skin Bracer and 8 Mickey Mantles for some of your Chanel No. 5!!!!

(Stu has been rendered wordless. - Ed.)

A SWAN SONG FOR REPLEVIN
(William V. Walker-Thomas Furniture Co.,
350 F. 2d 445, (C. C. D. C. (1965))

In the District of Columbia
Many years ago
A lady with no money
Charged a stereo

She told the friendly salesman,
"You know who I am,
I've bought things here before
With my check from Uncle Sam."

She signed a standard contract
With the folks at Walker-Thomas
With contained, as Corbin teaches,
Consideration for a promise

But from many years in business,
And knowing all the tricks,
The Salesman knew that Welfare folks
Could sometimes be bad risks

So contained among the fine print
Was an insurance-type provision
Which vested in the seller
a merchandise revision:

"Provided further," read the clause
"That all things bought before
In the custody of buyer
Belong still to the store
Until the total price is paid,"
And thus, this deal the parties made.

It was a simple contract,
The type used everyday
Where, if she missed her payment,
They take the things away.

continue page

And so, as fate would have it
When the bill was due,
The buyer had no money
So the seller had to sue

She called her friends at Legal Aid
Where Liberal Lawyers don't get paid,
And Mrs. Williams, mother of seven,
Hopes to halt the store's repliven.

"O Yez, O yez," the bailiff cried,
"Justice delayed is justice denied."
"Unconscionable!" the lawyer said,
The trial judge only shook his head,
And on the Court at General Session,
Our friend made no great impression.

So up the long appellate ladder
They proceeded with the matter,
But the D. C. Court of trial review
Said there was nothing they could do,
And though they didn't like the matter
It was not against the public view

Now it was not the contract issue
That upset J. Skelly Wright,
It was the court below him
Which had lost judicial sight

So here, in his opinion
About the court's dominion
He told the court below him
About the UCC

And with liberal hearts there bleeding
He remanded for further proceedings
In line with his decision
About the UCC's provision

So, while the outcome isn't clear,
Its safe for us to guess
That Mrs. Williams, our poor dear,
In torn and tattered dress,
With seven hungry mouths to feed
Found victory in the court below,
And while ther's many things she needs
Still, she has her stereo!

Trade School News is a publication
of-by-for the law students of
Cleveland State University.

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PERSONALS

To ALL "menhaters" out there:

As one wise man (I think it was Roy Rogers)
told me, "If you fall off a horse, get right back
on again!"

/s/ M. C. Pigg

Now accepting your favorite recipies for a
forthcoming cookbook by activist law students.
Forward them to CB-79, or call 687-2343,
day or night.

MALCOLM, I repeat, where are you?!

/s/ "Gosh"

Rombauer Lecture Series: "How to successfully
employ the default defense on that last exam
question that you don't have time for."

Distinguished Student of Law S. M. Allah,
Wed., 3:00 P. M., Rm. 2099

NOTICE: The Ohio Supreme Court wishes to
announce that all first-year law students who
have not yet submitted their application of
intent to study law and \$20 "filing fee" must
do so by April 15, or forfeit their right of
citizenship forever and one day.

POSITION WANTED:

Former insect repellent salesman desires
position with reputable exterminating firm.
Articulate and responsible with excellent
connection for government contract purposes.

Reply Box HRH

NOTICE:

The first meeting of the Cleveland-Marshall
Men's Caucus will be held at the Homer Wood-
ling Physical Education Center, Friday at
2:00 p. m. Bring tennis shoes and jock. We
will discuss a forthcoming orgy to be held in
conjunction with the Women's Caucus in cele-
bration of the passage of the Equal Rights
Amendment by the Ohio Legislature.