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Cleveland-Marshall College of Law

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Exam policy altered

By Michael Luby

A meeting on Thursday, March 25, the C-M faculty adopted a new final exam policy. The policy allows rescheduling of certain final exams provided a student is faced with multiple final examinations within two consecutive days may notify the dean who is required to take three or more final examinations within two consecutive days may notify the dean of their examination schedule and request a change. The date for the new exam is set by the dean but will always be subsequent to the original exam date and time.

The SBA lobbied for a similar policy in September, which would allow students to reschedule an exam when they had two or more exams scheduled on the same day. Because several students had voiced concerns over this new policy, the C-M faculty adopted a new final exam policy.

State senator takes up tuition fight

State Sen. Eric Fingerhat appeared at Cleveland State University on April 1 to rally against the Ohio legislature’s recent decisions to cut funding to higher education. Recently, the CSU Board of Trustees approved a 9.86 percent tuition increase at CSU.

Additionally, the board of trustees approved increases in tuition at the college of business, college of urban planning and college of law. The board of trustees blamed state funding cuts for its decision. Turn to page 3 for more.

SBA election outcome challenged

By Jason Smith

On April 21, the Cleveland-Marshall College of Law 2004 Student Bar Association (SBA) officer election results were tabulated and announced amid controversy. The winning candidates and resulting SBA officers for the 2004-2005 school year are as follows: Edward Hastie, 2L; president; John Storey, 3L; vice president of programming; Nick DeSanctis, 2L; vice president of budgeting; and Norm Schroth, 2L, treasurer.

The election process did not go as smoothly as elections in the past. On April 17, Michele Hyndman, 2L, a candidate for vice president of programming, filed a complaint against Hastie, Schroth, Storey and DeSanctis. On Tuesday, April 20, Terry Billups, a candidate for SBA president, filed complaints against both Hastie and Schroth. All complaints were filed with the Election Ombudsman, Stephen Nowak, 3L.

The complaints focused on emails sent out several days prior to the officially designated start of campaigning. Hastie and Schroth sent approximately 80 emails, combined, regarding the candidacy of their election ticket, to students before the official start of campaigning, as laid out in the Election Bylaws of the SBA (Bylaws).

According to section one of the Bylaws, “no potential candidate may begin to campaign until he or she has signed [an] acknowledgment” stating “that the candidate agrees to abide by [the election] bylaws.” Section seven states, “no signs may be posted or emails messages sent any earlier than 1:00 p.m. on the Sunday prior to elections.” Hastie and Schroth sent their email on April 13 and April 15, respectively, before the official start of campaigning on April 18 or before signing and turning in their acknowledgment.

Billups said, “These violations See ELECTIONS, page 5

C-M reclaims third tier ranking

By Colin Moeller

U.S. News and World Report’s annual best law schools rankings have been released for 2005 placing C-M back into its previously held third-tier position. C-M slipped from its third tier perch last year, when the annual rankings deposited C-M into the fourth tier.

“Obviously, we are very pleased that our law school is back in the third tier,” said Dean Steven Steinglass. “Although we feel the ranking are incomplete in that they do not consider a lot of things we feel are important to a good law school education, it is always nice to see that the law school has improved.”

C-M was not the only Ohio law school to see its ranking improve. The University of Toledo School of Law, a perennial third tier school, now finds itself ranked among the top 100 law schools in the country. “We are obviously thrilled to see that the continued improvements Toledo has been making are being noticed nation-wide,” said Carol Frendt, assistant dean of admissions at Toledo. Frendt said she also credits Toledo’s ability to select from a more competitive pool of applicants for the schools improved ranking, in light of the weak economy.

Case Western Reserve University, Ohio State University and the University of Cincinnati held on to their top 100 rankings while the University of Akron slipped to the fourth tier, joining Capital University and Ohio Northern.

C-M uses 12 factors to make its annual evaluation of law schools. Two of these factors (ratings by academics and ratings by lawyers and judges) involve subjective judgments of school quality and comprise nearly 40 percent of a school’s overall ranking.

The other factors are based on the school’s median LSAT score for beginning students and its bar passage rate.

Undergraduate GPA’s and LSAT scores, along with a school’s acceptance rate, comprise 25 percent of the final ranking. Although part-time students at C-M tend to have higher numbers in these categories than full-time day students, the U.S. News rankings do not include numbers of part-time students.

Resources per student also to account for 15 percent of an overall ranking. The number represents resources based on the average of 2002-2003 expenditures per student for instruction, library and support services, student-faculty ratios and undergraduate faculty size.

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Ohio permanently bars applicants based on past dishonesty

By Jason Smith

Managing Editor

“Students need to take the bar application process seriously. While not all inaccurate statements will result in disciplinary action, students should not put themselves in a position where all the hard work at law school is thrown away,” said Stephen Lazarus, C-M professor of professional responsibility.

On April 14, 2004, in the case of In re Application of Cvmamen, the Supreme Court of Ohio, by a four to three vote, permanently denied a recent law school graduate admission to the practice of law in the state of Ohio.

Applicant, Bradford Scott Cvmamen, graduated in 2003 from the University of Akron School of Law and applied to take the July 2003 Bar Exam. Cvmamen worked full-time for a real estate company previ- ous to and while attending law school. While working for the real estate company, a tenant paid Cvmamen $5,000 for helping the tenant find a party willing to take assignment of the tenant’s lease. Cvmamen accepted the payment without disclosing the income to his employer or the IRS.

Because of a fear that the payment may be revealed in subsequent litigation, Cvmamen eventually disclosed the payment to his employer. After disclosure of the payment and discussion among the company’s board of directors and officers, the real estate company asked for Cvmamen’s resignation.

On the bar application, Cvmamen responded, in part, that he had been asked to resign because he “earned a sum of money for finding a buyer” and that such practice was not “unusual custom” in the industry. Cvmamen also stated that he had resigned as a result of a “political” decision of a majority shareholder and board member.

After Cvmamen interviewed with members of the Akron Bar Association Admissions Commit- tee, who recommended his candidacy be approved temporarily, Cvmamen appealed to a panel in which he presented various char- acter references as well as his own testimony.

POLICY continued from page 1

One character refer- ence, a judge in the Summit County Court of Common Pleas, wrote that Cvmamen “continues to act in his con- tinuation…accepted responsibility for his mistakes and [had a] com- mitment never to repeat those improprieties.”

Cvmamen’s former employ- ers also assured the panel of the applicant’s high moral and ethi- cal character. In the applicant’s own testimony before the panel, he “emotionally conceded his wrongdoing, apologized and promised never to repeat his trans- gressions.” Cvmamen also proved that after he had received notice of his bar application disapproval, he amended his tax returns to declare the $5,000 payment as income.

The Board of Commissioners on Character and Fitness adopted the panel’s findings and recom- mended that Cvmamen’s application be disapproved, but that he be permitted to reapply for ad- mission in anticip- ation of the February 2005 Bar Exam.

Cvmamen sub- sequently appealed this decision by the board to the Ohio Supreme Court. The court, rather than merely postponing[ing] applicants bar ap- plication, permanently denied admission from and to the practice of law in Ohio.

The court concluded that Cvmamen “continuously exhib-ited a moral weakness and…attempted to conceal the extent of his wrongdoing through evasive responses to legitimate questions.” Furthermore, “applicant’s false or incomplete answers on his applica- tion and in his interview and his continued attempt to avoid the truth in his testimony confirm for us…that the applicant lacks integ- rity,” reasoned the court.

Three justices dissented, stating, “[Cvmamen] ought to be given a chance to rehabilitate himself and then be permitted to apply again as a lawyer to practice law in Ohio.” The dissenting opinion said that Cvmamen “committed similar acts after he was a law- atorney, we would have given him at most an indefinite suspension and permitted him later to demon- strate that he had rehabilitated himself before rejoining the bar.”

Lazarus said, “While it is a strict decision, it is not surpris- ing for the supreme court to hand down such a harsh sentence. While not all acts of dishonesty are discovered, when such activity is discovered, the court likes to make an example of the individual.”

There is so much that the board can discover about a person, either during the application process or after the process is complete, said Lazarus. “The best way to approach the questions on the bar applica- tion is to ‘think about each ques- tion and err on the side of full disclosure,’” he added.

“While most people have some sort of past activity that they may not be proud of, usually if the ap- plicant comes clean with the informa- tion and expresses remorse about the activity during the interview, everything will turn out fine,” said Lazarus.

While not all acts of dishonesty are discovered, when such activity is discovered, the court likes to make an example of the individual.

The academic affairs committee re- viewed the information and recommended the new policy. Werber said, “The com- mittee believed [the new policy] was fair to students and was an appropriate modi- fication to protect the gross situations of certain individuals.”

The committee also discussed a pro- posal prohibiting more than one exam in a day, but it received little support. According to Werber, the committee believed signifi- cant time lapse between exams prevented students from sustaining prejudice in those situations. Markovic said he believes that any policy should allow students to resched- ule if more than one exam is scheduled for the same day.

Markovic said, in a market where students are competing directly with stu- dents at Case Western Reserve University and Cleveland State University for admission, that C-M students are at a disadvantage. Students from C-M are subject to a more stringent curve, can have two exams in one day and have a harsher pass/fail policy. Markovic said, “No one [faculty and administration] has ever given a legitimate reason why we cannot change policy other than the faculty won’t ap- prove it.”

Markovic stressed this reason is illogical and the faculty and administration do not understand the situation. The ad- ministration talks about how we don’t have money to facilitate changes and the faculty is here for the betterment of students, but a final exam policy, similar to other Ohio law schools, could easily be achieved without any budgetary concerns,” said Markovic.

Gutenberg said some students do not have choices in the classes they take and it does not make sense to penalize them via final examination scheduling. “It is reality is students come up with a number of things and there should be a discussion between students and faculty respectively so that changes may be made,” Gutenberg said.

Student opinion on the new policy var- ies. George Zilch, 3L, said “It’s a step in the right direction.”

Markovic said, “When you look at a problem for so long, you want a new approach.”
T h e Cleveland State Board of Trustees ap-
proved yet another tuition increase. According to Timothy Long, director of the office of budget at CSU, the new tuition hike will result in a 9.86 percent in-
tuition fees for undergraduates, a 9.82 percent in-
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The undergraduate percent-
age was calculated according to the Ohio Board of Regents (OBOR) Tuition Cap Calculation that imposes a limit of six percent (nine percent for The Ohio State University) on annual increases of in-state instructional and general fees at state institutions of higher education. OBOR allows institu-
tions to increase fees an additional 3.9 percent if the increase is used exclusively to fund scholarships for low-income students or for technology services to students.

Currently, OBOR does not have a cap for tuition increases for graduate and law students. According to Long, C-M students can expect to see a $1,105 tuition increase for the 2004-2005 aca-
demic year, while gradu-
ate students can expect an increase of $806. Long said C-M students planning on taking summer classes can expect to pay $472 per credit hour, as opposed to $446 they paid during the fall.

Mark Merins, 1L, said, “I am concerned about the tuition increase. As a part-time student, working full-time, with a family to support, every dollar is impor-
tant.”

According to Long, in fiscal year 2000, state support provided about 50 percent of total revenue and student tuition provided al-
most 45 percent. Long said that in fiscal year 2005, it is estimated that state support will provide 36 percent of revenue, while student tuition will supply about 58 per-
cent of total revenue.

Long said, “State support has declined because of significant fall-off in state income tax rev-
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Inga Laurent, 2L, said, “While I understand that sometimes addi-
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C-M’s 2003-04 in-state tuition

By Jason Smith

Although new scholarships to returning students have increased in recent years, the majority of scholarship money available is used to attract incoming students rather than reward returning students with high academic achievement.

“Dean Steelglass has recognized the need to reward continuing students who did not qualify for scholarship money as incoming law students,” said Catherine Burzanski, financial aid administrator. “The dean has been an amazing fundraiser, and as a result, new scholarships are being created all the time.”

Melody Stewart, assistant dean for admissions, also cited Steelglass’s ability to solicit donations and raise money as a reason why more scholarship money is available.

The Marshall Scholarship is an example of a newly created scholarship awarded to continuing students with high academic achievement during their first year at C-M. The scholarship, a $2,000 award, is given to students entering their second year. Ac-

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Judicial law clerk: chamber made and the court.

Enter the court’s law clerk to bridge the gap between jurist and practitioner. A young lawyer steadfastly loyals to her judge, but also consistent of the old salts looking for procedural help, often has the discretion to assist lawyers with scheduling issues so long as she keeps the judge’s overall case management goals intact. Everyone goes away from the court satisfied, and the court gets its proper due from the attorneys, thanks in large part to the law clerk, whose efforts won’t often go unnoticed. Other perks to becoming a law clerk (or staff attorney; terms with much distinction) include:

Clerks help demystify the person in the robe. Having daily contact with the judge in chambers and on the bench yields a perspective few others will ever have. And making friends elsewhere in the courthouse is always good. Law clerks learn what not to do early on in the game, having to witness firsthand both heartfelt brief-writing and lackluster pretrial advocacy.

On the other hand, clerks are able to learn great techniques from some of the masters from many areas of the law and the art of dealing and jobs with them when their terms are up.

Law school civil procedure classes might be informative, but there’s no magical secret to be immersed in those rules every day. New clerks grow mindful of the technicalities of practicing at a wicked pace, leading to a greater confidence once they enter the private practice.

Small pay, big reward.

None of this we do for the money, mind you. NALP’s most recent study shows that judicial clerks nationally take in an average annual salary of $41,300, while their colleague graduates in private practice terms gross an average of $87,200 yearly. But Mark Twain may have been right in opining, “the less a man knows … the higher the salary he commands.”

Despite the lower pay, most of us are convinced that pleased that our clerkships are among the best law jobs we will ever have.

All told, having a clerkship off law school gives young lawyers a jump step on others struggling to learn the law and the system at a more usual pace. There’s no glory in clerking, but the nuts-and-bolts training and relationship-building are enough to make it a great way to apprentice.

Working as a staff attorney for a good judge is quite possibly the best foundation there is for someone interested in practicing law,” said Tracy Schwotzer, a judicial clerk for the Cuyahoga County Court of Common Pleas.

Whether your aim is to save the world from outdated civil rights law, to develop lifelong relationships with judges or simply to bone up on procedure before you begin practicing privately, consider the clerkship as a great first step. Unlike Brandeis, an empty spot on the High Court may not be awaiting you, but so many other riches will be there for the taking.

Kevin Butler is a 2001 graduate of Cleveland-Marshall and currently the staff attorney for Judge Daniel Gaul in the Cuyahoga County Court of Common Pleas.

RANKINGS

Continued from page 1—

RANKINGS

course. By a five to four margin, the Court permitted the statute to stand.

The swing vote in Bowers v. Hardwick turned out to be Justice Lewis Powell, then 79 years old, an often unflappable Virginia aristocrat with an unusual bent for individual rights. Powell’s communism posthumously re-counted a conversation the justice had with his law clerk while the Bowers case was pending, in which Powell seemed convinced and even threatened by the gay.

Clerking gives you good press.

Many judicial staff attorneys at the trial court level find the more ministerial aspects of the job to be as rewarding as researching and writing the law. Managing the busy court docket is one such task in which staff attorneys and law clerks play major roles.

“People expect the court to be Carnac the Magnificent,” one staff attorney told me, “but for the system to work effectively, it takes cooperation between both counsel

Legal Writing

Frankly, I believe law school and life are more difficult than they were at any time previously. I always marveled at the decisions that must be made by children even before they reach the age of 15, decisions that could dictate their entire futures. Life is more global, more fast-paced, and yet, let’s face it — has at least 25 years more of history and technological developments that must be mastered. Add to this the fact that every move in life’s realms requires pages of paper to be titled out, that anything we attempt to do requires upwards of two hours on the phone or in line and that everyone knows everything about us if they log on to the internet. Hobbies are more complex, medical care is more complex, family situations are more complex. Everything is more complex, despite the technological advancement that supposedly make our lives easier.

In any event, I think that the majority of the students I encounter these days are more driven and responsible than ever before. But I also remember that the majority of students in their twenties have the same characteristics that we all had when we were in our twenties. So with all of the things that are on, and with all of the diversions that twenty-somethings should be having, I can see why only a percentage of what happens in law school sinks in. My only hope is that when the current students become the elder statespeople in their professions they won’t lament that the quality of their subordinates is so much less than what they had
The Law School Commencement Ceremony will be held on Saturday, May 22 at 2:00 p.m. at the Convocation Center. The ceremony is open to all C-M students. Steinglass said that he would welcome non-graduating law students to attend the ceremony. "We hold it at the Convocation Center so that there is plenty of room for all to attend," said Steinglass.

The commencement speaker will be Patrick F. McCartan, McCartan, the son of a Youngstown police officer, attended the University of Notre Dame for his undergraduate and law school education. From 1993 through 2002, McCartan was the Managing Partner at Jones Day where he currently is a Senior Partner concentrating on appellate litigation and corporate governance matters.

McCartan has been cited in various reputable surveys as one of the country’s most influential attorneys. He is one of the few lawyers to have enjoined one president of the United States and defended another, having had Jimmy Carter’s gasoline tax declared unconstitutional and having successfully defended Ronald Reagan’s right to $29 million in federal election funds.

In an effort to provide students with the broadest possible access to past exams, the Law Library staff has placed past law school exams online. Students may now view the exams in the lab or from home. The exam collection consists of the actual exams given to students in previous years. Whether and which exams to post online is up to the individual professor. Some professors chose not to have their exams placed online. If a student cannot find an exam for a particular professor, they can check the university at the public services desk. An exam may be available in hard copy which may be photocopied.

Faculty members allowed placement of past exams online as a service to the students. The professors retain all intellectual property rights in the exams they have written. Only C-M students, faculty and staff have access to the online exams. Students can use their normal login and password to access the page.

ELECTIONS

Continued from page 1--

should not be taken lightly. Because there is always a higher scrutiny placed on voting procedures, the complaint deals with very important matters.

"All that we asked for was a fair election," said Hyndman.

According to Billups, the complaints were filed to try to remedy the situation of Hastie and Schroth having a longer campaigning period than the other candidates. "Certain rules must be enforced...because they [Hastie and Schroth] didn’t follow the rules, they had more than 120 hours more campaigning time than those who followed the rules," said Billups.

"While the 120 hour figure may not seem like a large advantage, when compared to the time allowed most campaigning allowed by the bylaws, those who didn’t follow the rules had almost three times as much time to campaign...which gave them a distinct advantage," said Billups.

Pursuant to Section 11 of the Bylaws, the committee heard the complaints and issued sanctions against both Hastie and Schroth.

Hastie was banned from all campaigning on Tuesday from 11:30 a.m. until 12:30 p.m. According to SBA President Sasha Markovic, to effectively nullify his ability to campaign and garner votes, Hastie was barred from the student lounge area, the atrium, the computer lab and all high traffic areas. The committee banned Schroth from campus for one and one half hours during the peak time on Wednesday and barred him from the same areas as Hastie.

Hastie and Hyndman said that they had several concerns with the handling of the complaint. "We didn’t receive a hearing as required. We did not receive our due process because we were not invited to the private meeting and therefore were not able to be heard," said Hyndman.

Markovic said that the requirement of the parties to be present at the hearing is not anywhere in the Bylaws. Markovic said, "Because the Bylaws provide that all complaints are to be heard by the ombudsman, the procedure was to be fair to all parties and to provide an equal opportunity to both Billups and Hyndman to present their cases. Due process because we were not invited to the private meeting and therefore were not able to be heard," said Hyndman.

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Billups and Hyndman also said the remedy issued was inappropriate. "How does a 120 hour head start equate to a one hour stay of campaigning," asked Hyndman. Markovic defended the severity of the sanctions and said, "Not being near the election procedure or other high traffic areas for an hour is so detrimental to the candidate because you are unable to reach a multitude of undecided voters."

Billups and Hyndman appealed the election committee’s findings to a hearing in front of the full senate. During the May 1 appeals hearing, Billups and Hyndman argued that the proper procedures were not followed, the facts were not interpreted correctly and that the sanctions were not appropriate.

A quorum of the full senate affirmed the election committee’s decision in its entirety. "As far as the SBA is concerned, this matter is closed," said Markovic.

Hastie said, "the procedure was in place, the election committee followed the procedures and rendered the correct decision. I accepted and followed the sanctions and look forward to getting to work to serve the student body." An appeal was filed with the university and a hearing is scheduled for Wednesday, May 4 at 9:00 a.m.

Notes

Youngstown police officer, attended the University of Notre Dame for his undergraduate and law school education. From 1993 through 2002, McCartan was the Managing Partner at Jones Day where he currently is a Senior Partner concentrating on appellate litigation and corporate governance matters.

McCartan has been cited in various reputable surveys as one of the country’s most influential attorneys. He is one of the few lawyers to have enjoined one president of the United States and defended another, having had Jimmy Carter’s gasoline tax declared unconstitutional and having successfully defended Ronald Reagan’s right to $29 million in federal election funds.

In an effort to provide students with the broadest possible access to past exams, the Law Library staff has placed past law school exams online. Students may now view the exams in the lab or from home. The exam collection consists of the actual exams given to students in previous years. Whether and which exams to post online is up to the individual professor. Some professors chose not to have their exams placed online. If a student cannot find an exam for a particular professor, they can check the university at the public services desk. An exam may be available in hard copy which may be photocopied.

Faculty members allowed placement of past exams online as a service to the students. The professors retain all intellectual property rights in the exams they have written. Only C-M students, faculty and staff have access to the online exams. Students can use their normal login and password to access the page.

NEW LEADERS

Elections have been held for election boxes for various 2004-2005 positions. Dawn Doran, 2L, and Travis Jeric, 2L, were elected to be joint-editors-in-chief of the Journal of Law and Health. Jordana Klafker, 2L, was elected as editor-in-chief of the Law Review. Nora Graham, 2L, was elected as chairperson for the Moot Court Board of Governors. Eric Donohue, 2L, Amanda Paar, 2L, and Jason Smith, 2L, were elected as editors for the Gavel.

The following individuals earned slots on the 2004-2005 Mount Court Team for the Spring 2004 Second Year Intramural Competition: Joseph Degigosio, Stephanie Holland, Amanda Paar, Daniel Powell, Nicole Shero and John Teese.

FACULTY AND STAFF

The following faculty and staff members won the election for various offices.

Patrick F. McCartan to speak at Commencement

The commencement speaker will be Patrick F. McCartan, McCartan, the son of a Youngstown police officer, attended the University of Notre Dame for his undergraduate and law school education. From 1993 through 2002, McCartan was the Managing Partner at Jones Day where he currently is a Senior Partner concentrating on appellate litigation and corporate governance matters.
Wild West on the North Coast

SBA Pres wraps-up with state of school

By Sasha Markovic

Last year, white campaign-

ing for the other positions, we promised the students that we would attempt to make strides in four major areas. We promised to: 1) develop and refine student resources; 2) increase opportunities for evening student participation at social events; 3) lobby the administration for academic and scholarship reforms; and 4) develop the relationship with the Young Lawyers Section of the Cleveland Bar Association. During the past year, the entire SBA (Officers and Senate) worked diligently in those areas.

The SBA wanted to create a committee of class scheduling advisors for the first-year students. Scheduling advice is an area severely lacking at C-M. The ability to answer questions about specific classes and professors, as well as what combination of classes is manageable, is vital to proper scheduling. While our efforts to assemble an organized student committee fell short, a number of SBA members approached first-year students during the scheduling period and offered scheduling advice. Perhaps this is an area that next year's SBA can focus on and improve.

Additionally, the SBA would like to thank Assistant Dean Cary Williams and his staff for their hard work on the academic programs. Dean Williams continued to expand and develop the Academic Excellence Program and established the Bar Exam Preparation Program. Dean Williams' commitment to academic success of C-M students is greatly appreciated.

Opinion

Correction

Due to an editorial error in the March issue of the Gavel, commencement speaker Patrick F. McCartan was referred to as an Ivy League graduate. McCartan received both his undergraduate and law degrees from the University of Notre Dame in South Bend, Indiana. Due to an editorial error in the March issue of the Gavel, McCartan was referred to as an Ivy League graduate. McCartan received both his undergraduate and law degrees from the University of Notre Dame in South Bend, Indiana. Despite this, Notre Dame remains ranked by News & World Report as one of the top ten law schools in the nation.
Anarchist’s guide to law school

By Josh Dolesh

I am about to give you the lowdown on how to pre-
pare for law school mel-
down. This information has be-
culled from many sleepless nights spent fretting over the next exam, the last cold call or the next (du-
sert your own personal fears here). Some people may not be happy I am giving this advice. Lesson number one: professors can make your life hell. But, one man’s hell is another’s heaven. Unfortunately, I had to learn this the hard way. The bottom line is there is no one’s advice about professors. Why do you think the school has all these signs for pro-
fessors’ lectures, because they like to give away free chow and soda (or the occasional adult beverage)? These lectures exist so students can decide if they should replace their prescription sleep aids withapses of the professor. So, go to these lectures.

Another solution is to schedu-
le as many classes as you can. Go to all eight classes a couple times and decide for yourself if you like the professor, then just drop the worst ones. This method is advantageous because it allows you to double check and make sure that the lecture you attended was not just a rare stroke of bril-
liance and showmanship on the professor’s part.

Invaribly, you will get stuck with a really bad professor. It is a pen-
ns. Here are a few tips. First, get to class early on the day the seating chart is posted and get a seat in the front. If you get stuck with a seat in the back, you will not be able to use the skills you mastered as a 1L.

We all know the skills. The ol’ look down, look up, look down (like the parenthetical principle), flip some pages or ask to hear the ques-
tions again. If a professor can see that your casebook is clean, and your notebook has a solo draw-
ing of a “wardrobe malfunction,” you can flip until the cows come home.

In addition to sitting in the back, avoid flashy clothes. Skip the tie-eyes, tight-up-pens, etc. Anything in wood grain or state is good. Urban-camo gear works well. And above all else, don’t make eye contact when you pro-
ceed to ask the question. If you do, you might as well have a big sign that says, “I have something thought provoking and ingenious to add to the discussion.” Of course, professors know all these tricks, so it is up to you to use your best judgment on when to go with the reverse psychology and do exactly the opposite of what I have just said.

As an alternative, you can al-
ways go with the preemptive strike and volunteer something you know and hopefully avoid the pro-
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**Deadwood comes alive with booze, whores and guns**

*“The Sopranos”* successor replaces mob bosses with a twist on natural law principles

By Marc Bullard

HBO’s hit show “The Sopranos” is scheduled for its last season during this year. In contrast, the scene is set for the television revival of the show with the premiere of the new series, “Deadwood.”

The show opens, contrasting the law with the illegal, with Sheriff Seth Bullock (Timothy Olyphant) and partner Sol Star (John Hawkes) wading off an angry lynch-mob, only to hang his prisoner himself by the law before departing to the lawless town. Also making and his crew of road agents who carry out his plan of influence.

In the first episode, an allegiance is struck between Hickock and Bullock because of their apparent moral common ground forged in riding out to rescue a family bandwagon allegedly assaulted by native people. When Hickock and Bullock’s investigation indicates that it was not natives but road agents, they confront the original informer and then execute him, when his involvement becomes clear. Not necessarily the due process we are used to, but still some process—the law of the draw. Unfamiliar to Hickock and Bullock, Swearingen.

The trip is the trio of former Sheriff Wild Bill Hickock (Keith Carradine), the foul-mouthed Calamity Jane (Robin Weigert) and Charlie Utter (Dayton Callie). These two groups arrive in Deadwood to compete with already established Al Swearengen (Ian McShane), the ruthless owner of the Saloon and apparent operator of the town.

In HBO’s “Deadwood”, the gold rush attracts an interesting cast of characters representing a spectrum of moral viewpoints that converge over control of the town. The show opens, contrasting the law with the illegal, with Sheriff Seth Bullock (Timothy Olyphant) and partner Sol Star (John Hawkes) wading off an angry lynch-mob, only to hang his prisoner himself by the law before departing to the lawless town. Also making and his crew of road agents who carry out his plan of influence.

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Hickory dickory dock, please adjust the clocks

By Jason Smith
MANAGING EDITOR

If you get into law school, you will be keeping track of your time. Law schools are rigid places, and they demand precision from their students. Here is a list of ways that we act and speak that are only in law school.

- The goal of any law school should be to prepare students to become lawyers, not just to teach them how to think like a lawyer. Socratic method makes you think on your feet just like a lawyer. You need to do solid legal analysis, rather than merely reciting black letter law, because that is what most doctors help us with.

- If you are in the same building for 12 hours and haven't been able to eat anything but a bag of stale pretzels since 1:00 p.m., you might be in law school.

- If you think that a lowering of a scaffold could get you absolved of a problem, you try to solve it by writing a 15 page letter containing such words as “said fine,” “aforementioned,” “hereinafter” and not a practice of law records, you might be in law school.

- If you actually go to class because you want to learn and do not want to miss anything important (not merely because you are required to be there), you might be in law school.

- If you are constantly being approached by faculty members and friends for legal advice and give it always with the disclaimer that you are only in law school and not a practicing attorney (of course, we would not want to have the unauthorized practice of law records), you might be in law school.

- If you like to wind down from an especially stressful week with more than a couple of alcoholic beverages, you might be in law school.

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By Amanda Paar

ACROSS
1. Troop
2. Jewel
7. Locate
8. IOU part
10. Otherwise
13. Crimson
16. Black and white animal
18. Glasses part
20. Island nation
21. Healing plant
23. Lazes about
26. Carpenter’s needs
27. Shaped hair
30. Hurried
32. Fabric bag
34. Advertisements
35. Chomper

DOWN
1. Mix
3. Margin
4. Cow
5. Silent actor
6. Visit places
9. Small hail
11. Put to sleep
12. Biblical prophet
14. Uncanny
15. Affirmation
16. Friend
17. Zag’s partner
19. Vitality
21. Out loud
22. Wet
24. Short term memory
25. Gobs
28. Ceases
29. Football association
31. Canal
33. Tree

Answers on page 9

Legal mumbo-jumbo

HIT: The recent 70 plus degree weather.
MISS: Within 24 hours, it is 35 degrees and snowing.
HIT: Prof. White and Associate Dean Jack Guttenberg gaining attractive positions as deans at other law schools.
MISS: No longer having these well-respected, long-time members of the C-M community wandering the halls.
HIT: Plenty of them for the Cleveland Indians offense.
MISS(ING): The Indians bull-pen, their supposed strength coming into the season.
HIT: Professors willing to “give the shirt off their backs” to help students with difficult classes.
MISS(ING): Someone’s pants... allegedly.
HIT: A new webmail system that actually works... most of the time.
MISS(ING): Why the quick departure of the cute squirrel that welcomed emailers on the login page.
HIT: Professors giving end-of-the-semester reviews that cover all important issues.
MISS: Leaving the review and being more confused than ever.
HIT: The warm weather brings out the smaller outfits, revealing tan bodies.
MISSING: The dignity of: some males who should shave their backs before wearing tight t-shirts and females who shouldn’t be wearing revealing clothing.
HIT: Summer break begins soon.
MISS: Finals begin sooner.
HIT: The patriotism of NFL player, Pat Tillman, giving up his NFL career and a $3.6 million contract to join the military after the Sept. 11 attacks, where he recently lost his life in Afghanistan.
MISS: The brains of two local high school football players, one the reigning “Ohio’s Mr. Football,” charged with robbery and murder or their former Benedictine High School teammate (can you say felony murder?).

Hits and misses

By Amanda Paar

LAYOUT EDITOR

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LAYOUT EDITOR
SBA Wrap Up
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the food was brought out in shifts. This was done so that night students would have the opportunity to eat as well. All of the social events, except for one, were held off campus, for two reasons. First, the SBA did not want to use Aramark for any event. Aramark is responsible for the law school’s snack bar and its reduced hours of operation. Consequently, the SBA did not want student money benefiting an organization that did not care about students. So, the SBA did not purchase one single item from Aramark. Second, each event was held off campus so that the students could get away from the law school environment. The Barristers Ball was also a huge success with well over 100 guests in attendance. Not only was the Hall well attended, but the student ticket prices were the lowest in several years even though the event was held in a venue as sought after as the Terrace Club.

Lobby the Administration for Academic and Scholarship Reform: The SBA entered this year with two academic goals and one scholarship goal in mind. The academic goals were to change the exam policy and change the pass/fail option. In terms of scholarship reform, the SBA wanted to see the administration provide more than a handful of scholarship opportunities. Consequently, C-M’s administration should further modify the exam policy to allow students to reschedule an exam if they have multiple exams per day. Additionally, the SBA lobbied C-M’s administration to modify its pass/fail policy to match Case. Let’s be honest, law school is difficult and students do not generally “get lucky” when they get good grades. If a student worked hard during the semester at a class he or she was worried about and received a good grade, then they should get the benefit of accepting the hard-earned grade. However, no decision modifying the pass/fail option has been announced by the administration.

Case’s grading curve is also much more “student friendly” than C-M’s. Case’s progressive pro-student policies give Case law students a decided advantage over C-M students in terms of GPA and the ability to gain employment in this tight job market. C-M could address this trend by merely amending its pass/fail policies. Let’s not forget that these policy changes would not cost an enormous amount of money, if any at all.

At the beginning of the year, Dean Steinling told the SBA officers that students were the only ones that could make the university change its decisions. Well, the administration should consider itself on notice that the students want and deserve the policy changes. In fact, I don’t believe that it’s a stretch to say that C-M owes its students a fair chance at good grades and a competitive chance in the job market. Llagging behind on progressive policies only hurts the students, it doesn’t benefit the law school.

As for scholarships for upper-level students, Steinling broached the matter of adding scholarships for 2L, 3L and 4L students at his Dean’s Forum meetings. In a nutshell, he said that C-M did not do enough in terms of these scholarships and that it was unlikely to change. In response, the SBA did its own fundraising and will be awarding $3,500 in scholarships to upper level students. While $3,500 is not a large sum of money, it is a good start and something to build on for future members of the SBA.

Develop the Relationship With the Young Lawyers Section of the Cleveland Bar Association: The CBA’s Young Lawyer Section is instrumental in assisting young lawyers with a multitude of issues. This year the SBA and Jennifer Seme, 3L and secretary of the YLS, managed to recruit and register approximately 150 C-M students. Additionally, the section sponsored a fall social event and partially sponsored the last SBA social of the year held at the Cleveland on April 29. Hopefully, this relationship can be strengthened in the coming year.

The SBA Officer Election: The SBA Officer Election had some controversy. Complaints were filed, the SBA Election Committee addressed them and an appeal was filed with the SBA Senate. The senate is resolving the election issues in a manner that is fair to the candidates, the election process and the students.

Regardless of the outcome of the election, the students should remember that no matter who the SBA officers are, the real power of the SBA lies in the students. The officers and senators are simply the representatives and the mouthpieces of the students. While it is true that SBA officers receive stipends that cover part of their tuition, and while being a SBA officer is a nice addition to your resume, these are positively the wrong motivations for being an officer. The officers should passionately, but respectfully, advocate for the causes of the students, they should not accept an unjustified “no” as an answer to their requests and they should look to improve C-M in every way possible. Anything less than that is unacceptable in a SBA officer.

In closing, Michael O’Donnell, Brendan Doyle, David Varacalle, and I would like to thank you for your trust and the opportunity to serve your needs this year. Hopefully, your trust in us was well placed.
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