2-1964

1964 Volume 12 No. 2

Cleveland-Marshall College of Law

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High Hopes for Future

Gavel Gains Entire New Staff

This issue of The Gavel brings many changes. Among them is this issue's new layout, increased size, and greater use of photography and illustrations. The new size allows for more news to be printed and greater layout flexibility. In addition, this issue brings an entirely new staff to The Gavel.

Tuition Increase Termed Reasonable

By John Kless

Everyone, now and then, is bound to relieve his frustrations by complaining about the weather or the atrociously high rate of taxation. Recently a nation-wide trend has caught the attention of chronic complainers, and from this group has risen to the ruffled altitude of taxes and weather as a complaint gambit.

Spiraling tuition costs have caught the attention of the general American public, even such revered sources as The Cleveland Plain Dealer and the Saturday Review of Literature have seen fit to comment on the rising cost of education. No less serious, many of the serious minded citizens have wondered aloud whether advanced education is pricing itself out of the market at a time when this country needs more and more highly educated people.

Fortunately, Cleveland-Marshall had in the past kept its tuition quite reasonable. However, the recent $4.00 per semester hour increase coupled with publicity on tuition increases of nearby institutions has caused some students to look askance at the possibility of spiraling tuition costs.

A survey of the catalogues of other Law Schools shows that Cleveland-Marshall's tuition, including the increase, is still reasonable, perhaps the most reasonable in the nation. The question still remains however, does the recent tuition increase cause a coming decline of tuition inflation, and if not, why the increase at this time?

Dean Stapleton stressed the competition with other schools in the area of faculty salaries as a major reason for the tuition increase. (The Dean indicated that tuition at Cleveland-Marshall had traditionally been kept at a low level but that costs had risen so much that the endowment fund was taking too much of a burden. Dean Oleck further stated that use of the tuition increase for faculty salaries would allow some of the income from invested funds to be used for physical improvement of the school.)

Education at Cleveland-Marshall is not cheap. It is, however, comparatively reasonable. With Dean Stapleton's assurance that the present freshman class probably will not see another tuition increase by the time they graduate, it is unlikely that Cleveland-Marshall will enter the nationwide spiral of rising tuition. For chronic complainers there's still taxes and the weather.

Faculty Coordinating Council Meets to Initiate Policy Planning

By David A. Shaller

Meetings to explore and further implement the potential benefits of their recent affiliation are currently in progress between representatives of the faculties of Cleveland-Marshall and Baldwin-Wallace.

The faculty coordinating council is meeting as provided for in the Articles of Affiliation. Initial meetings are being held to define the role of the coordinating council. Later meetings will deal with actual implementation of various pilot programs aimed at increasing the usefulness of the facilities of both schools.

According to Dean Wilson Stapleton, this council will help put into action what is now on paper. The Dean, compared the new affiliation to a marriage in which the individuals are "on the brink of great things, and it is up to them to work out their own destiny." The council, while it will be free to develop its own policies, will be an advisory committee to both schools.

Professor Sheard, a member of the coordinating committee, described the benefits of engaging in a mutually profitable exchange of information and ideas. A legal problem may arise in any area of activity and therefore, we are under no obligation, either should be aware of developments in areas other than law. Conversely, Professor Sheard pointed out, others should be aware of developments in the area of law. The council, in addition to discussing policy, may serve as a vehicle for the discussion of information in these other areas.

Professor Sheard further stated that the council hopes to draw on the individual strengths of each school, while not allowing any loss of identity. Members of the council include Professors Wilson, Smith, and Professor LaPette.

Integration

Oddly enough last year at this time there were exactly the same number of black students as there were single students. As of this date the married students outnumber the single students by a slightly greater number.

Moot Court

By Robert Bendis

The President of the United States has sent a telegram of congratulations to Dr. A.B. Bonds, Jr., college president. Rather than detract from the President's sentiments by extensive comment, Dean Oleck has seen fit at this time to let the Chief Executive speak for himself.

"I have learned with much interest from Congressman Charles Van Dervent the official merger of Baldwin-Wallace College and Cleveland-Marshall Law School takes place today.

"This occasion of significant importance to the academic community, I am pleased to extend my warm congratulations and best good wishes to you and to all others responsible for this accomplishment."

"I know this merger will broaden educational opportunities and strengthen the program offered by Baldwin-Wallace College."

"With my very best wishes,"

"signed" Lyndon B. Johnson, President

Reminding the dean that this was his column and requesting a comment on the President's message I glanced the following noteworthy thoughts.

It is apparent that the President is sincerely interested in education as would be expected from a man who has been graduated from a teachers' college in Texas. The President evidently sees in this merger a good omen in the blending of the liberal arts and the law. It is an invaluable step in keeping alive the arts in an era when they are being suffocated by the surge of science.

Cleveland-Marshall is on the Grow

By Robert Bendis

Mrs. Alice B. Meck, Registrar of Cleveland-Marshall Law School, believes the next three or four years should see the school's enrollment increase considerably.

Mrs. Meck attributes this anticipated growth to a number of factors. The first of these is the desire of an increasing number of people to enter the legal profession. The next few years will see the products of the post-war baby boom leaving our universities and the Registrar's Office reports that it has received more applications now for admission to next year's freshman class than it ever had before at such an early date.

As of the recent release of the College Guide to the nation, the total enrollment of the school is 440 students. This is a drop of about 50 from the over 560 students who started classes in September. Of the 457 student body, 109 are employed by the military draft.

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By W. Dean Looks for Much Integration

"I feel an increasingly good relationship should develop between the Cleveland-Marshall and Cleveland-Marshall Law School of Baldwin-Wallace College, and that students will come to feel free to..."
A Statement of Policy

This issue of the Gavel launches a new look, both in appearance and editorially. The Gavel is more than a printed bulletin. It is the printed medium between student and fellow student; between student and administration.

The Gavel lives from issue to issue on no budget. We are at the mere whim of the Student Council, yet we will pull no punches. We intend to explore and dig under the system. We are at the mere whim of the student and administration.

Our students are a special brand of students unique to a night school. They work a full day, come straight to school after work, and are at the mere whim of the student and administration. We urge you to read this paper, your wives, family and friends also read this paper. Again we say “thank you,” for we are sure you won’t let us down.

Rudeness Reigns

Many Students Act Immature

It has long been a question of puzzlement to this editor why some people pay more for class and others seem to pay much less.

Not true you say, well don’t you believe it. Theoretically we all pay the same fees based on the courses that we are taking and their relative credit hours. Then why is it that some people in every class are allowed to compete with both the student and the professor with private conversations? This editor has sat in the back of classrooms specifically to find out why the back of the classroom seems to be like a local ladies social and oratory class combined. The reason it appears is twofold and the blame can be placed in more than one...

Notwithstanding the fact that a student in a full-time night law school who works all day should actually have more time to study than the younger student of a full-time day school; this does not seem to be the case at C-M. We place the blame not only on the student but also on the professor who permits these conversations. This editor has sat in the back of classrooms specifically to find out why the back of the classroom seems to be like a local ladies social and oratory class combined. The reason it appears is twofold and the blame can be placed in more than one...

The Gavel, a publication by the students of Cleveland-Marshall Law School. Printed six times each school year. 1240 Ontario St., Cleveland, Ohio.
ABA Considers Special Loan Fund; Other Financial Aids Available
By Helene Kamnarec

Of continuing interest to students is financial assistance available for graduate study. In February, action was to be taken by the American Bar Association’s Board of Governors on a proposed ABA sponsored law student fund. The plan would involve creation of a special reserve fund by the ABA and the participation of an authorized commercial bank, through which low interest rate loans would be available.

The National Defense Education Act of 1965 provides loans to students in good scholastic standing at three per cent interest. Repayment commences after graduation.

The United Student Aid Fund is a private, non-profit corporation endorsing loans made by local banks. Financial information may be obtained at the office of any member bank or at Central National Bank.

The College Educational Financing Plan is offered by four participating banks: Cleveland Trust, National City, Society National, and Union Commerce. The plan includes a low cost insurance feature, and repayment is deferred for twice the number of years of study. Interest rate is six per cent.

Central National Bank has “Guaranteed College Plan,” providing low cost, life-insured financing up to $15,000. Repayment is spread over a ten year period and interest rates are about six per cent.

Several of the funds mentioned may consider waiving of sponsors if the student meets the essential requirements.

Law Review Articles Chosen by Commentator

Two out of five articles in the current issue of Commentator Peninsula were reprinted from articles in the “Cleveland-Marshall Law Review.” The reprinted pieces were written by Rich­ard W. Alldridge, Jr., A.B. ’57, and E. Bushnell, Jr. of the law firm of Miller, Canfield, Pad­dock, and Stone, of Detroit.

The Commentator “selects their articles by scann­ings hundreds of various law re­view journals and books.”

Mr. Dunn’s article, Volume 12, Number 2, is concerned with processes. Presently, the rule is that an unaccompanied child cannot sue his parent for a negligent act, except on the ground of fos­sibility capacity. Mr. Dunn, however, contends that this rule is archaic and should be changed.

Mr. Bushnell’s article, Volume 12, Number 3, is the principle one of a number of small compendiums treat­ing foreign law. It is the“Aspect of Juve­nile Symposium.” Mr. Bushnell attempts to clarify the real-life applicability of the judicial doc­trine of contributory negligence, used only as bare proof, is referred to as an example of “legal pedantry.”

But, it seldom does more than mitigate damages.

Russian Justice

Judge Steurer Expresses Views On Visit to Russian Court

By Millie Kleinman

“I was impressed with the dignified com­mand of the judge. He made an undoubted effort to achieve justice that I witnessed during my visit to the Cleveland-Marshall,” said Judge Alfred K. Steurer, Municipal Court Judge.

He was impressed by saying that the Russians use a combination of the Napoleonic Code with the American law. They have engrafted many Marx­ist principles, and have thus come up with their own.

Three men sit on the court. They hear both civil and criminal cases. One judge is well trained and has a good legal background. One judge may have studied law for a year, and one judge in a layman. The experienced judge must be in the majority of the court, and a majority constitutes a ver­dict.

The civil case Judge Steurer witnessed dealt with a laborer who had been laid off for two months. He won his case, gained wages he lost, claimed the foreman was harassing him, the union fur­thered the case, and one representative was heard, and the judges found for the plaintiff.

The foreman re­ceived a vigorous tongue lashing. He was ordered to turn over two months of his salary to the plain­tiff. The judge warned him that he would be watching him, and that he must face charges against labor which had been made.

In the criminal case, two men were charged with stealing a motor­cycle, using false papers, and selling them for profit. And for forging doctors’ excuses for not going to work, they pleaded guilty to all the charges, while the other pleaded not guilty. An overwhelming amount of evi­dence was presented by the prosecu­tion, including handwriting epi­sode and neighbors. The at­torney for the defense did not say much until requested to do so by the judges. Then, the attorney stated that his client’s father and sister were in an insane asylum, his brother should be in one, and that he believed his client is men­tally incompetent. The judge ap­pointed two alienists to look into this, and continued the case pend­ing a report from the alienists.

The Chief Justice was interested in Judge Steurer’s impressions, and asked for any criticisms he might have, Judge Steurer told him how pleased he was with the fairness of the court, but did not think that “lawyers are not permitted to function as freely as we are in a Western court. The conduct of a trial in Russia is entirely in the hands of the judges, while in the West, lawyers are given much more leeway.” Judge Steurer felt that this is because in the West the judge decides the facts, while the judge instructs the law.

Bar Belles-State Case; Petition for Equity

By Russ Glorioso

Male law students have often asked why a girl would enter a law school and have generally reached the conclusion that they are “husband hunting.” A girl law student is well aware of the fact that she is a suspect and comments that the only men who make passes are those who are ineligible receivers.

Most of the girls at Cleveland-Marshall have had some kind of interest in law ever since they got an “A” in commercial law in high school. Yet as soon as they show an active interest in entering a certificated law school they run the gauntlet of scrupulousness. Religous who generally have no faith in lawyers anyhow, now begin referring to all attorneys as crooks, and become especially reluctant to have a “girl crook” in the family. She immediately becomes a black sheep and takes such daily distastes as:

Stop Theft

To date there are more than $500 worth or books lost to the library according to Professor Heimanson, librarian at C-M. The missing property, and the republication in which it was stolen, and then their was reprinted from articles by Richard W. Alldridge, Jr., A.B. ’57, and E. Bushnell, Jr. of the law firm of Miller, Canfield, Paddock, and Stone, of Detroit.

Must be a Graduate of Cleveland-Marshall relaxes between his duties at Municipal Court.

A day in the

GRADUATE

of Cleveland-Marshall relaxes between his duties at Municipal Court.

Self-Discipline First

As a former law student, an ex­perienced teacher, and an em­inent jurist, Judge Pryatel places self-discipline above all the other judicial virtues. “A well­developed sense of discipline helps to make one more resilient in the face of adversity and more progressive in the wake of good fortune,” state Judge Pryatel.

Recalling his former days as a law student, the judge discussed the comprehensive education which all students were required to take. The test covered a two year period, and in the judge’s estimation was an excellent pre­paration for the bar exam. “The students knew the test was coming and so this forced them to study hard with the result that uncertain and fuzzy areas became clearer.” He pointed out that not all the students were so favorable in their opinion of this test. Some thought it unjust and used the argument that after all one could have a bad day. The judge rebutted this by saying, “Just as the stu­dent can have a bad day on a test, so too the lawyer can have a bad day in the courtroom.”

The discussion then centered on the recent affiliation between Cleveland-Marshall and Baldwin­Wallace College. The judge felt that it was still too early to de­termine the result, however, he did say, “The advantage seems to be to Baldwin-Wallace in that it will elevate them to an even great­er status in the community.”

He went on to say that Cleveland­Marshall was once part of Bald­win-Wallace, and that the return should enhance the future develop­ment of both schools.

When asked if he thought that the legal profession was over­crowded, the judge replied, “The legal profession is never crowded for a good lawyer.

Words and Wisdom

By V. P. Carter

In law one deals principally in the written word. Here the one word may well determine as a fact or make a false assumption, as a fact. It is unusual for that reason that the queen and servant of the court are, so to speak, are to a lawyer. Words are the lawyer’s tools for dealing with the subtleties of the law.

The first words we will take up are “yes” and “no.” When first used, they appear almost sym­onocous. “Accurate” comes from the Latin “accurat” which means to give care to. Its present day meaning refers to hitting the tar­get, or “on target.” One might say that the measure of accuracy is the measure of truth, the relation of the observed and the theoretical, or of observations to the true state.

Precise” comes from the Latin “precipit” which means “to give care to.” The present day meaning refers to hitting the tar­get, or “on target.” One might say that the measure of accuracy is the measure of truth, the relation of the observed and the theoretical, or of observations to the true state.

February 21, 1964

THE GAVEL

Page Three
Fraternity Row

Gatherings From the Greeks

By Bill White

One of the most appealing yet least understood phases of a Cleveland-Marshall Law School education is its professional fraternities. Cleveland-Marshall is privileged to have two well established nationally known organizations on its campus—Theta Phi and Phi Alpha Delta—are primarily composed of men desiring to take advantage of every opportunity to perfect their skills, as professional men and in turn facilitate a greater contribution to the community, their families and themselves.

The two fraternities have developed programs to meet the desires and needs of a student body of more than 800 members by their mere attendance at Cleveland-Marshall have indicated they desire the opportunity and flexibility, resourcefulness and an energy which combined with the dedication which many of these students possess in the classroom results in a law student produce a successful attorney.

Delta Theta Phi's local chapter is Ramney Senate, which has been continually active since being founded in 1900. Its recently elected president, Fred Durocher, is an intelligent amiable young man who is always anxious to discuss Delta Theta Phi's activities and goals. He states the men of his organization attempt to promote a legal and professional standards of conduct among its membership by taking advantage of the benefits offered by their alumni association whose purpose is to bridge the gap between the conduct and accomplishments to which they aspire, and (2) preserving their standards and traditional values which afford a law student the necessary insight into the practice of law.

Delta Theta Phi's leaders are aware of the limited amount of time a student attending Cleveland-Marshall can afford social activities and normally limit fraternity activities to two functions each year, paying tution each year by publishing primarily for the purpose of providing a local chapter of a nationally known organization on its campus. Two considerations are the type of work in which one wishes to engage and the salary one hopes to earn. Many kinds of legal work are available ranging from small town general practice to large city law from specialization, research and library work to courtroom practice. In general, lawyers in partnerships have higher incomes than those who practice alone, but individual and freedom are sacrificed. The mean income of lawyers in small towns is probably above the median for all incomes in small cities. For the most part the other benefits are helpful to new graduates just starting practice.

Several of the alumni associations are active in the law school, and they welcome back any graduates who wish to hold. At the Cleveland Electric Illuminating Company, Fred Harris, Vice-President for Administration, points out the need for employment to the Class of 1935, Cuyahoga County Bar Association, and the Alumni Association. The date is April 25 is another important day for the Law School, as the Ohio Bar Examination is extended to all students who wish to hold. This year's examination is April 25, 1964.

The nation's law firms have a record number of Cleveland-Marshall Law School graduates in their employ. By the end of the current academic year, there are more than 500 graduates who are currently employed, including the firm of Bracken, Davis, and Walter. The firm has added several new associates in the past year and continues to grow. The firm of Bracken, Davis, and Walter has been one of the leading firms in Cleveland for many years, and its continued success is a testament to the quality of education received at Cleveland-Marshall Law School.

ABA Service Finds Jobs for Grads

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PROFESSOR KEVIN SHEARD IN CLASS

Portrait of a Professor

By Charles E. Reuven

Professor Kevin Sheard joined the Cleveland-Marshall faculty in September as an Assistant Professor. He brings an interesting and varied background to the faculty and the School.

A resident of New York early in his life, he received the A.B. degree at Williams College and an M.S. in history at the University of Wisconsin. He has devoted much of his professional career to teaching, having been a member of the faculties of Williams College, Baldwin-Wallace College, the University of Illinois in Chicago and Northern Michigan University in Marquette. He spent a four-year period in the personnel department of General Electric Company and a machine and tool corporation. In personal work led to an M.B.A. in personnel from Xavier University and a J.D. from Loyola University of Chicago. Two years of his law study were spent at Cleveland-Marshall and therefore he knows the alma mater.

After receiving his J.D., Mr. Sheard joined the Cleveland Bar Association and engaged in part-time general practice in Marquette to gain practical experience in the profession and to complement his teaching duties. In recognition of his contributions to the Marquette County bar, he was elevated to the office of president. He spent three years in Marquette before coming to Cleveland.

Although Mr. Sheard will write the Ohio Bar Examination as a matter of personal interest, he intends to devote all his time to teaching and research of law. He became interested in teaching at Cleveland-Marshall, aside from sentimental reasons, because many students are more mature than they are in their counterparts in day law schools. Since legal problems arise from every aspect of human activity, it is possible to obtain informed viewpoints on many subjects from class members who are employed daily in a wide variety of occupations thereby contributing to a better education for both students and teachers. Experience at several educational institutions has, in his opinion, proved that the academic standards are no higher per se because classes are held in the morning.

Mr. Sheard's ideas and thoughts after several years of law practice sold be of interest to law students. When starting a career in law one must decide what he wants to do and does it. Two considerations are the type of work in which one wishes to engage and the salary one hopes to earn. Many kinds of legal work are available ranging from small town general practice to large city law firm specialization, research and library work to courtroom practice. In general, lawyers in partnerships have higher incomes than those who practice alone, but individual and freedom are sacrificed. The mean income of lawyers in small towns is probably above the median for all incomes in small cities. For the most part the other benefits are helpful to new graduates just starting practice.

Law Wives Set Busy Schedule; Plan to Visit Courts Also

Don't mark these dates on your calendar—you'll want to save them for Law Wives: February 25, April 5.

On February 4, Law Wives and their guests visited the Electricity Company at the Cleveland Electric Illuminating Company, C.E.I., presented a shocking demonstration on how to "Live Better Electrically." The program emphasized the easy use of electrical appliances in a man's and his family's daily life. The program was shown in the home of Bill and Joan Plummer. A large crowd attended the demonstration, which was well-received.

Our monthly meeting will be held on February 20 at 7:30 p.m. at the Cleveland Electric Illuminating Company, C.E.I., to discuss "Living Better Electrically." The program emphasized the easy use of electrical appliances in a man's and his family's daily life. The program was shown in the home of Bill and Joan Plummer. A large crowd attended the demonstration, which was well-received.

Anyone? By Mike Thall

The school is most fortunate to have on its staff a member of the English bar, Professor Murad. As a British solicitor, he has always been interested in students maintaining physical fitness, as well as mental.

Appreciating how little time the night law school has ever had other than work or school, he "challenged the students to play cricket on Sundays for several hours.

Although one will not readily admit it, our baseball season to have resulted in a victory, our students will play cricket. Each cricket team has 11 members. There is only one inning of 10 "overs" each day and no batting is used. No one but the wicket- keeper (catcher) uses a mitt.

The field is circular, thus there are no "foul" balls. There are two bases, home and first. Behind each base is a wicket. The batter stands in front of this wicket. The object of the game is to prevent the ball from hitting the wicket. The batter can be retired by flying out, being hit by a ball or by the ball hitting the wicket.

Although a challenging game, cricket is enjoyed for its physical activity. It is easily learned and played well by one who plays baseball. Plans for a game at Cleveland-Marshall, Buffalo, and other nearby cities to play. In order to continue, the students must contact Professor Murad as soon as possible. It is our feeling that the Cleveland-Marshall Law School will add to the prestige of Cleveland-Marshall Law School.

Baldwin-Wallace . . . Continued from Page 1

use our facilities," stated Dean Fred Harris, Vice-President for Administration.

As of now, very little integration has taken place, but an extension of law school facilities is in the planning stage. Dean Harris stated that an expansion of the law school facilities is planned in the departments of English, Economics, and Sociology. Moreover, the facilities will be used to support Baldwin-Wallace students during the day, and the Law School will be free to use Baldwin-Wallace's dormitory and other facilities as they may wish to.

Nicholas Sikerken will discuss the vital importance of the Pap Test.

A basketball game was held at noon in the gymnasium in the Cuyahoga County Courthouse at Lakemore. The March 25th and 26th games were held at 7:30 p.m. This year's schedule will feature a game on April 25 at 1:00 p.m. Public officials explain their duties.

Matters of judicial procedure and the procedures of the layman (e.g., the selection of counsel will be discussed.

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