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Cleveland-Marshall College of Law

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**SBA Helps Turn Apathy Into Action**

**First Meeting of C-M Student Bar Proves Great Gains Can Be Made**

By John Kless

For about one week the Student Bar Association was an accepted topic of conversation. Most of the first year's election took place the week in which the Student Bar via the election and its surrounding hullabaloo. As for the rest of the classes, it was the first time they'd thought of the Bar Association since last year's election. It seems the Student Bar Association exists in the minds of most students only in the areas of nominations, votes, and student activities. The general attitude towards the Student Bar is a combination of cynicism and practical experience. It is generally agreed that student organizations are powerless and that little they can do impacts the student. The job facing the incoming student president resembles Hercules' eight labors: tiring, time consuming and thankless. Few, if any, duplicate the mythical successes of the Greek hero.

Fred DeRoche won the recent election by just a few votes over his opponent, Robert Stulman. The closeness of the vote seemed to indicate an increased interest by the students in the affairs of the Student Bar. In his campaign speech, Fred had suggested a concrete method to solve some of the Student Bar's problems. That lack of communication, a phrase which popped up in literature ranging from marriage problems to atom bomb shelters, could be the cause of many of the woes of the Student Bar, and the students, in their relationship with the administration, is quite possible.

In the first meeting of the newly elected bar, they elected their officers, and then proceeded immediately into the problems of the Student Bar. They believed that something could be done and that they will do it. The first meeting and its results have strengthened that feeling.

For those unfamiliar with Moot Court, it is a Student Court of Appeals arguing from a manufactured set of facts and lower court rulings, either for the appellant or appellee. The arguments are presented before actual judges, faculty or practitioners from below themselves, have written. The Moot Court Competition is started each November in regional runoffs with winners appearing in December in New York City.

From now on, according to the proposal, the top twentySophomores will be invited to take the Moot Court course in their junior year. They will form ten two-person teams. The best five individuals in the course will then become members of our Moot Court Board and from this Board our national competition two-man teams will be picked. The competition will be for area, state, and national titles.

Schoenfeld is Applicant

Professor Marcus Schoenfeld is an applicant for a Ford Foundation Fellowship at New York University Law School's Summer Program. The fellowship program allows law school students throughout the United States to attend the University's summer credits toward the LL.M. and J.S.D. degrees. Ordinarily three papers and seminars are required for the LL.M. Mr. Schoenfeld is a candidate for the J.S.D., and intends to write his dissertation in the area of tax law.

**Proposal Made to Strengthen C-M's Chances in Moot Court Competition**

By Tom Hermann

Professor Jack Smith, Moot Court mentor here, has submitted a proposal to strengthen C-M's chances of winning in the annual National Moot Court Competition. Entering this national fray last year for the first time, our men, who did well, were handicapped by a lack of both experience and a uniform plan for choosing, training and financing their venture.

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Yearly Law Day To Be Held May 1

"Observe the Law! Key to Order, Justice, Freedom," this will be the theme of the 1964 Law Day U.S.A. observance on May 1, according to the American Bar Association which has sponsored Law Day U.S.A. since 1950.

The American Bar Association announced at the same time that the Association's Junior Bar Conference (all ABA members under 30) had been authorized to issue "Liberty Bell Awards" to laymen for outstanding examples of community services in fields related to the objectives of Law Day U.S.A. These include citizenship, fostering of law, observance and respect for the law, and activities advancing the effective administration of justice.

"The Voice of Cleveland-Marshall" Volume 12 — No. 3

CLEVELAND, OHIO

April 6, 1964

League of Ohio Law Schools Meets at C-M

By Robert Bendis

The League of Ohio Law Schools held its annual spring meeting in Cleveland-Marshall Law School for the first time. Representing C-M on the Program Committee was Professor William Gardner. The committee was met by two sessions. The morning session consisted of a series of lectures by representatives of the nine member schools. These lectures covered various topics including the regulation of admittance and extracurricular activities in law schools. Speaking for C-M was Professor Kevin Sherr, who spoke to the topic of the proper role of pre-bar refresher course.

The afternoon session, which met at Western Reserve University, consisted of a series of talks and an open discussion on the subject of Ethics. Moderating this session was C-M's Professor Jack Smith.

These taking part in this year's seminar considered it one of the most productive ever.

SBA Will Not Publish Annual Directory

The new Student Bar Association has decided not to publish a Student Directory this school year.

The real reason for deciding as it did, besides the fact that the cost of compiling and printing a directory at this time would be all but prohibitive, it is also so late in the term as to make such a move impractical.

The Student Bar did announce, however, that the student body can expect to see a 1964-1965 Student Directory very soon after the commencement of classes in the fall.

**Members Optimistic**

The new class representatives seem optimistic in their approach to the usefulness of the Student Bar. They believe that something can be done and that they will do it. The first meeting and its results have strengthened that feeling.

In a right law school, extra curricular activities consume time more preciously guarded by the students than their opposition in day schools do. If the activities are not re-warded, their participating lose interest and enthusiasm, and the Student Bar loses in attendance.

It remains to be seen whether the Student Bar and its new President can initiate a creditable start, or whether they will go the way of most student bars, with the satisfactions and accomplishments of Judge Skeel's and Buzzell's impact —repeated rebuffs, apathy, and finally the weary dressing sessions marking time until new elections.

**No one can appreciate the quality of Judge Skeel's character without an understanding of his dogmatic faith in assisting the human race which has given impulse and direction to almost everything he has done. His judg-\ Markdown seems to be unable to render the full text. Please check the text for any formatting issues.
Witness for the Plaintiff

(Editors' Note: The Gavel is deeply indebted to Dean Oleck for permission to use this story written expressly for our paper. Dean Oleck is well known in the legal field for his feisty non-fiction. This story is one example of his excellent work.)

John Doe, a witness to an automobile accident, when called upon to testify, calmly, clearly, and succinctly, startled the young man.

The law clerk was stunned. He had had difficulty in persuading the plaintiff himself to give us a witness' statement. There was something vaguely sinister in Mr. Doe's demeanor.

Mr. Doe gave the investigator a comfortable chair, himself taking one in the attitude of a cigar, and seemed to settle down happily for the evening.

Young Blackstone took pen and paper.

Ollie Sends Note to C-M

The following was received by Professor Sheard from an attorney practicing in the town of Koncho.

"Dear Professor:

You asked me to tell you something about your law library in our country, because I am familiar with the law library at the Brandeis University. I can concentrate on the different solutions of the problems.

In the code of ethics of our bar there are sections which provide the attorney from preparing his case, and a very close watch is used as service as a means of preventive. Deane is the name of one of these. Deane is the name of the case which go to trial in the kingdom. Was a great victory in any country. When he died of his own this would destroy the beautiful symmetry of the legal system. After an occasional attorney who wishes to put a show on a court will pretend to break away from the tradition and Deane by paraphrasing the service. He, of course, can use a different one as a critical moment by pointing out that he is simply using different words.

Actual court room procedure here of course helps explain the reason of the fact that no one expects the lawyer to become a legislator from the shelves for so we call them, makes it.

Ollie statements for Research

By Helene Kamenar

There is more to be gained from the law library than knowledge pertaining to law. To bring a bill before the court, while the efforts to raise the standards of the Law Library, by aid of the force of a good argument is to the essence of the study and research of law is the prime objective, there is no way to avoid the knowledge from related fields. Books from related fields expand the cultural background and, if you consider a history of understanding, people, and the motivating forces influencing our laws.

A section in the library is devoted to fiction containing books from related fields with a correlation of novels. New fiction books are:


There is another book in the library which though not new to the library are the books by Bell, Series of Modern.

By Fred Pizazzed

It is with some trepidation that we hazard a look at the role that the young giant of the communications media, television, plays in our lives today. Events of the past now, however, whether to satisfy ourselves that we are whistling at apparitions that have no substance or feel.

For example, the total and endless deluge of information and, as sound the assemblage of the many and related events produced by all the media, but television in particular, in focus the hold the news media has on all our activities. There was seemingly no feasible place to go that would afford sanctuary from the communications media. In conversations, panel discussion, quotes from anybody who was willing to cooperate, and other forms of time-filling exercises. Indeed, as all the networks in the country with the news, they shook off the numbing news and proceeded grimmely with problem solving. People were discussing the news, whether it overstepped privacy and propriety or not. In fact, many people said what it means to be "scoped," as the all seeing eye of the TV cameras (camera images) is a wealth of supposed interest, in the well meaning but ill-advised effort to give us a first-hand look at the principal, the seconds, thirds, fourths, ad nauseam.

Which brings us to the point (if to our aid, in moral support and also financial aid. Words seem so inadequate, but perhaps they mean to my appreciation in writing to all of you. Without your help there would be no paper for everyone to be proud of, of the reputation of those who would like to help in any way that we can always wish for. Merely come forward and offer it.

Your Vote Count

You can put your fellow students are running in the primary in May. Your family and even friends can put these students on the ballot. Voting is a privilege and an obligation. It is registered by the law clerk as to how many of you have noticed it. The law clerk asks, "Do you have a name do you usually say?" The law clerk asks, "Do you have a name do you usually say?"

"Now then," Mr. Roe said. "What does your parking sticker entitles you to any special rate of parking in the public parking lot? Recently we have had the Sportsman Show, Circus, Home and Flower Show, and others which seem to run incessantly. We are supposed to be able to park in these lots during school hours for the reduced rate of only a quarter.

And, of course, there are the tabloids, the news, and brought to the attention of the rest of the nation, as never before. How many voters nation-wide, will it affect? Too many, we fear.

For example, due to the fantastic speed and efficiency with which the camera, camera images, and related forms of time-filling exercises, we are presented with a first-hand look at the principal, the seconds, thirds, fourths, ad nauseam. Which brings us to the point (if

Connecticut Courts Aided by Oleck

By Melvin Gross

At the special invitation of the legislature of the state of Connecticut, Dean Oleck traveled to Hartford recently. The purpose of the journey was for the dean to give the members of the state legislature an idea of the legal system. The committee was appointed by the legislature, and the press coverage of the judicial system of the state.

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Connecticut law is one of the many states that is plagued with the problem of congestion in its court. Dean Oleck spoke to an all day conference giving his ideas as to how the present situation should be speeded up the judicial process.

Not only did this trip add much to the information gathered by the committee, but as Dean Oleck commented, it also added quite a bit to the province of Cleveland-Marshall Law School in the eyes of our fellow barristers in New England.

Student Feares Television Will Have More Than Its Fair Share on Effect of Voters

By Fred Pizazzed

As our last issue went to press, we were at the conference giving his ideas as to how the present situation should be speeded up the judicial process.

With but all the special events going on the rate is always seven. Five years of an adult manner might help to ease the situation.

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The Gavel

The Gavel, a publication by the students of Cleveland-Marshall Law School of Baldwin-Wallace College. Published six times each school year, 1240 Ontario St., Cleveland, Ohio.

Editor-in-chief: Melvin Gross
Administrative Editor: David Lake
Faculty Advisor: Kevin Sheard

Voting, Council, Parking Rates Are Matters to Consider
Six Students to Be on May Ballot

By Millie Kleiman

Leonard Davis, candidate for State Representative, was recently chosen for endorsement by the Democratic Executive Committee. Only five other candidates who are not incumbents were endorsed by the Executive Committee.

Len is the owner and pharmacist of the Leader- Rexall Drug Store. This is the largest independent drug store in the state.

An overruling issue, according to Len, is the prohibition on spending for economy’s sake alone. Len feels that such economy, not justified by facts is often bad business.

Len, is the prohibition on spending have been requested, but the request seems to have bogged down. It is logical to assume that a pay raise will boost morale, and decrease the turn-over of personnel.

Cyone, Sexton Present Ideas for Voters

William Coyne, district office claims manager for Nationwide, and Brian Sexton, probation officer in Juvenile Court, are putting in their bids for the Democratic nomination for State Representative.

Bill is interested in having the state make a greater contribution to the local school systems. Presently the state’s contribution is 18 per cent, the lowest it has been since 1930. Bill is also concerned about the Fair Disclosure Bill which would require loan companies to show the interest rates and hidden charges on the face of the bill. Senator Paul Douglas, Illinois, has been pushing for such a bill on the national level. Most of the major, reputable loan companies are in favor of the “Red Sheet Ballot”.

This is a local problem which Bill feels should be corrected, but he suggests restricting the County, and making it

Continued on Page 4

Lake Hopes Name Is Pleading

By Robert L. Tepper

“Dave Lake.” Perhaps this is a political asset. The May 5 Democratic Primary will tell if a name can carry an aspiring candidate far enough up the political ladder to give voice to his ambition.

Lacking party endorsement, and having had no prior official public responsibility, Dave Lake goes “hatless” into his party’s primary, and hopes to be a candidate far enough up the political ladder to give voice to his ambition.

According to a local newspaper, it costs the state $10,000 to train a pharmacist. Thus, it would appear to be more economical to increase a pharmacist’s pay than to have to train another pharmacist.

Similar wasteful economy is occurring throughout the state. Len has recently submitted an analysis of this to the Americans for Democratic Action. Ohio’s austerity program has been defended as being sound economic policy, and that business will bring their companies to a state that is operated on good business principles. Len feels that he is qualified to criticize economic policy as he is running a successful business himself; and he vehemently disagrees with economy solely for economy’s sake.

LEONARD DAVIS, candidate for State Representative, busy at his drugstore.

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Len is a junior at Cleveland Marshall Law School. He feels that his legal background will be immensely helpful.

Len’s other activities include being vice-president of the Academy of Pharmacy, and a member of the Cleveland Academy of Pharmacy, Phi Alpha Delta Law Fraternity; and the Americans for Democratic Action.

Len is married, and the father of three daughters. He and his wife are expecting a fourth child in May.

By Bill McCarter

James Celebrezze, a first year student, is running for Democratic nomination for state representative from Cuyahoga County in the May primary.

Jim is a school teacher at Lincoln High School, A strong yank in his platform concerns education.

He feels too much emphasis has been placed on the acquisition of academic talents preparatory to entering college at the expense of developing vocational skills. Over three-quarters of the jobs in this country can be effectively handled with an eighth grade education. Where do these non-college students learn the skills required to fill the needs of industry and business?

Jim is not selling short the need for college trained men and women. There are often many jobs available but not enough workers with the requisite skills to fill them. Large school systems should be divided into three types of schools, each type devoted to a special kind of training. Each type should be guided by business people and not by persons chosen solely by name or past party activity.

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Urges Reforms
Government Lags Behind In Modern Methods
By Robert T. Bennett

Left behind in mankind's fantastic progress of the last quarter century has been our method of conducting public affairs. Many of today's elective offices are operating with ideas, equipment, and personnel once discarded or rejected by private industry.

The reason is the measure at all levels of government, but nowhere is it so obvious as on the local level. We are living in an age when our metropolitan areas are multi-million dollar organizations conducted by lazy or self-seeking officials.

When re-election is ordered in a public office, it's big news. How much news is given in the past year to the economy policies of Governor James Rhodes, whose budget includes nearly $2 million for the Auditor Ralph J. Perk, locally, but this is the exception rather than the rule. The more accepted, political thinking seems to be that an increase in population always justifies an increase in spending. No thought is given to technological advances that reduce the cost of production per dollar. The level of spending in the domain demands more money. The monster grows and a new election cycle becomes a grotesque and heedless thing.

Progress Is Watchword

Such an absurd creation would be laughable if it weren't so expensive. How much more efficient would this be if all governmental agencies were modernized? There is the monster growing and beyond the control of any interested citizen. How much more efficient could the local political appointee and the elected politician be if, instead of spending that control, they were forced to work in a condition unhealthy to the commonwealth.

Protect Career Men

There are, however, those who seek to keep government working as it ever did. Such ambition is not to be discouraged, but rather affirmed. The professional public officer rather than the politician can make of their office a thing of pride.

Business and industry have given us remarkable machines and methods to improve our civic lot. The community at large similar to the organization were brothers who were ambitious to see their community and workmen.

Robert T. Bennett is a member of the faculty of C.P.A.'s and American Institute of C.P.A.'s. He was director of the Cuyahoga Valley Public Authority and the Athens County Metropolitan Board.

Delta Theta Phi

Social Events

By Bill White

Delta Theta Phi has announced the success of their Fifty-first Annual Dance held in the East End Ballroom of the Hotel Statler on February 22. The brothers and their wives or dates listened to John Hansel of the Cincinnati Symphony Pianos Flutes and the clarinet. The brothers were dressed in their suits and were greeted at the door by the members.

The dance was held at the Shaker-lee Hotel on Lee Road. Activities begin at 7:15 p.m. on the Thursday night of the month. The dance will last until 11:00 p.m. and will include a buffet and dinner. The date is December 25th, and admission will be $4.00 a couple. The favorables of last years attendance, George Coit and his orchestra will provide the best in dance music for all us square bears.

Congratulations are in order for several ZZT officers who were successful in their bids for election to the Student Bar Association, Brothers D. Borden, Baleshen and Cumler were elected President, Vice President and Treasurer, respectively. Also elected to the organization were brothers Berlow, Reddy, Areni and Fassler.

PLAINTIFF STORY . . . Continued from Page 2

worked for several years now. Bad heart, you know. My son Charlie supports me, Lost job 1 had in fifty acres, construction crew in Guam.

The investigator looked up. Panic lurked in his eyes. He took the glasses down. "Can't see man without my glasses, at all. Why do you ask, young man?"

"I take it you weren't wearing your glasses on the day of the accident, you said." He listened to the organization were brothers Berlow, Reddy, Areni and Fassler.

Words and Wisdom

By V. P. Carter

The phrase-the"burden of proof"-seems to unduly confuse beginning law students. First they are told that the party of an issue bears the burden of proving something they plead. Then, in reply to a question about the burden of proof, they are told that it is "burden of proving forward with the evidence" local. The law student become more confused and confused in proving, the law student become more confused and confused in proving, the law student.

"Burden of proof" refers to the measure of evidence which is required to establish a "truth" and certain elements of criminal cases, the plaintiff must prove his case by a preponderance of the evidence.

Now, if we were to use a simple sheet of paper, a piece of string, and a weight proof and then the burden of proceeding to the balance of the evidence cases, the plaintiff must prove his case by a preponderance of the evidence.

On prime importance to Brian is the development of the state's welfare Department. Presently, million dollar organizations are being reorganized and the children of sound and competent civil Service, the local political appointee and the elected politician can make of their office a thing of pride.

Business and industry have given us remarkable machines and methods to improve our civic lot. The community at large similar to the organization were brothers who were ambitious to see their community and workmen.

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