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## 1970 Vol. 19 No. 1

Cleveland-Marshall College of Law

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# THE GAVEL



The Student Newspaper of The Cleveland State University College of Law — Cleveland, Ohio

VOLUME 19 — NUMBER 1

OCTOBER 1, 1970

## Bar Rescues Law Review

by Pat Kelley

Two important issues were discussed and acted upon by the Student Bar Association at its Special summer meeting on Thursday, September 3, 1970. Representative Ira Kane, '71, who is also one of the Editors of the CLEVELAND STATE LAW REVIEW, brought to the attention of the Bar the plight of the Law Review and its budgetary problems. The problems are the result of dubious finagling on the part of the administrations both at the main campus and at the law school. Although, Mr. Kane had only asked the Bar Association for enough funds to finance his travel expenses to Syracuse, New York for a meeting with the President of Scribes, the Bar took it upon itself to alleviate temporarily part of the operating crisis which had been inflicted upon the legal periodical.

After extended discussion, Representative Dave Guidubaldi '72 put forth the following motion which was passed unanimously. "Be it resolved that the student Bar Association finance the Cleveland State University Law Review for all necessary and reasonable expenses until the first meeting of the 1970-71 Student Bar Association."

Following up this action, Representative Avery Friedman '72 moved that the Student Bar Association secretary direct a letter of inquiry to the Law College Administration to have them explain the budgetary problems and have the President of the Student Bar Association register the concern of the Student Bar Association to the faculty. Wishing to prevent future duplication of this type of a problem, the motion was unanimously passed.

Also discussed at this meeting was the final draft of the Student Bar Association Constitution which will be submitted to the student body during the week of October 5th, and voted upon by them the week of October 19th. Discussion of the Constitution took up most of the meeting which lasted from 9:00 p.m. until 11:56 p.m.

### ATLA ELECTS MARKUS PRESIDENT



Richard M. Markus

Cleveland State University Adjunct Professor of Law Richard M. Markus has been elected National President of the American Trial Lawyers Association at its annual convention in Miami, Florida this past August. He is the youngest President in the 25-year history of the Association.

Professor Markus has been on the faculty of the CSU College of Law since 1960. While here, he has taught Civil Procedure, Conflict of Laws, Federal Practice, and Trial Preparation.

Formerly serving as First Vice President of ATLA, he has participated in the administration of an \$87,000.00 grant from the Justice Department for the production of films useful in training lawyers and law students in trial techniques. He has traveled in excess of 200,000 miles on behalf of the Association.

Professor Markus has served as President of the Ohio Academy of Trial Lawyers, Trustee of the Cleveland Bar Association, and as chairman of various committees of the Cleveland, Cuyahoga County, and Ohio State Bar Associations.

### STUDENTS ADMITTED FREE

## Judges Discuss Rules

The Cleveland State University Cleveland-Marshall Law Alumni Association announced the 1970 Fall Seminar Series "New Ohio Rules of Civil Procedure." The series is designed specifically for the practicing lawyer with speakers chosen for their comprehensive knowledge of the subjects.

Mr. John T. Connick, Chairman of the Seminar Committee, stated that there are three seminars scheduled for the Fall Series. The September 25, 1970 seminar discussed the Venue, Process, Pleadings and Motions of the new rules. Judges George J. McMonagle, and Francis V. May, both of the Court of Common Pleas, presented this first seminar.

On Friday, October 16, 1970, from 4 p.m. to 6 p.m., Judge William J. McCrone, Court of Common Pleas, will present the seminar on "New Rules Related to Domestic Relations." On Friday, November 13, 1970, from 4 p.m. to 6 p.m., Judge Frank J. Merrick, Probate Court and Robert Fasciano, Chief Deputy, Probate Court, will present "Probate—New Rules Related to Process, Mental Exams, Land Sales, Determination of Heirs, Petition to Purchase, and Declaratory Judgments."

Law students have been invited to attend the seminars at no cost as guests of the Law Alumni Association. All members of the Law Alumni Association are admitted to the entire series free of charge on presentation of their membership card. The fee for non-members is \$2.00 per seminar.

## Dean Greet Law Students



James K. Gaynor,  
Dean of the College of Law

It is with pleasure that I extend, on behalf of the faculty and myself, a welcome to the students who are entering the Cleveland-Marshall College of Law of The Cleveland State University for the first time in September 1970.

You have been selected for admission from a large number of applicants upon

the basis of your past achievements and what appeared to be your potential for the pursuit of the study of law. I congratulate you upon your acceptance.

Your application for admission to this College of Law indicated confidence upon your part in the institution. I assure you that it is the sincere desire of the faculty to justify this confidence.

Each member of the faculty will devote time to counseling you if you seek such counsel. I have a personal policy of listening to, and considering, any student problem even though there are times that corrective action desired by the student is not appropriate.

The study of law is difficult, but successful completion of the course of studies can be quite rewarding. The lawyer has an opportunity to serve his fellow man in a unique way, and in doing so, he is bound by very strict ethical standards. It is the goal of the legal profession that only those who are mentally and morally fit shall be admitted into its ranks.

I extend to you my very best wishes for successful completion of the course of study of the law and entry into the legal profession.

JAMES K. GAYNOR  
Dean

## Orientation Schedule

- |                |   |
|----------------|---|
| 6:15-7:00 p.m. | *Convene at the College of Law in Room 102.   |
|                | *Brief addresses by Orientation Chairman, Ronald H. Mills and Dean James K. Gaynor.                           |
|                | *Introduction of the Faculty of Law by Dean Gaynor.   |
|                | *Brief addresses by members of the student organizations of the Law School.                                   |
| 7:00-7:30 p.m. | Adjourn to the Law Library and classrooms to discuss with upperclassmen the problems of first year law study. |
| 7:30-8:45 p.m. | Student Lounge for refreshments and smoker.   |
| 6:15-8:45 p.m. | Law Wives meeting in the Student Lounge. Wives of incoming students are invited to attend.                    |

## Not-For-Profit Corporation Law

On September 1, 1970, the New York Not-For-Profit Corporation Law became effective, causing a major impact on these corporations and on society at large. Cleveland State University Distinguished Professor of Law Howard L. Oleck participated in a two-day analysis of the new statute during a seminar in New York City, August 7-8.

Sponsored by the Practising Law Institute, a highly prestigious non-profit educational organization which runs continuing legal education programs, the seminar discussed the implications of the New York Statute.

Professor Oleck, author of one of the most authoritative works on non-profit organizations in the country, stresses that the new statute is tremendously important, since New York is the main center for such organizations, and they control a substantial part of the wealth of the United States.

The New York law up for discussion at the seminar is the statute which authorizes and governs the structure and operation of non-profit organizations. It is considered to offer new advantages likely to foster tremendous private and public formation of these corporations.

General topics at the seminar included how to determine whether a corporation falls within the statute, the organizational problems of not-for-profit corporations, their status under state and federal tax law and their use as an instrument of business planning.

Professor Oleck personally views the New York statute as "an outrage." He commented though, that similar bills will spread like a plague across the nation. Just as the State of Delaware has been noted as the incorporators haven because of its lax incorporation laws, the New York Not-For-Profit Corporation Law represents the same type of lucrative lax profit maker for "non-profit" organizations. Even now, the State of Pennsylvania is seriously studying the idea and theory behind the New York law.

Professor Oleck also prophesized that the State of Ohio will very soon begin to look at the prospects of adopting a similar bill.

THE CLEVELAND STATE LAW REVIEW has announced that it will publish Professor Oleck's seminar paper in its January publication.

### FRIEDMAN NATIONAL STUDENT OFFICER



Avery S. Friedman, Secretary of ABA-LSL

Avery S. Friedman, third year Cleveland State University law student, has been elected National Secretary of the American Bar Association Law Student Division at the ABA convention held in St. Louis, Missouri in August. Endorsed by the ABA-LSL Sixth Circuit and the CSU Law Alumni Association, he is the first individual in the history of the law school to hold a national office in the organization.

As National Secretary, Mr. Friedman will serve as the Division liaison to the Association of American Law Schools (AALS) and to SCRIBES, the national legal writing honorary society. Furthermore, he will serve as Assistant Student Editor of the American Bar Association's *Student Lawyer Journal*.





# THE GAVEL



Cleveland State University • Cleveland-Marshall College of Law

VOLUME 19 • No. 1  
OCTOBER 1, 1970

1240 ONTARIO STREET  
CLEVELAND, OHIO 44113

L. Patrick Kelley, *Editor-in-Chief*  
Avery S. Friedman, *Executive Editor*  
Paul T Kirner, *Assistant Editor*

## STAFF

Leland E. Campbell, Lawrence Brick, Neal Horenstein, John Shoop, Bruce Elfvin, Richard Sutter, Bruce Gaynor, William Plesec, Robert Chernett.

The views expressed herein are those of the newspaper or its by-lined reporters and contributors, and do not necessarily reflect the views of the student body, administration, or faculty of the Cleveland-Marshall College of Law or The Cleveland State University unless otherwise specifically stated.

## Campus Violence 70-71 (?)

In its report and analysis of campus unrest, the American Council on Education's Special Committee on Campus Tensions noted that it is the belief of students in general that the failings of American society are its propensity to violence, its exploitation of the weak, its indifference to human values, its hypocrisy, and its corruption. It also pointed out that many students believe that the colleges and universities contribute to this sad state by perpetuating and instilling those values by which our nation's leaders initiate and gain from external wars and internal repression. Perhaps, if most students do, in fact, believe this, the university must serve to develop channels through which its academic community may vent its feelings in a positive, constructive manner. Where we have seen violence to the extent that lives have been lost on the campuses, it is apparent that the university has not fulfilled its obligation to provide a means for expression. Not only the university, but the community at large has an obligation to attempt to work with a generally discontent and demoralized student population to avoid future violence.

Certainly violence can not be totally avoided, but it can be minimized. Particularly at those universities which are fortunate enough to have law schools, the law student body must assume a leadership position and must become an integral part of the university community. It is fair to say that the average student is ignorant of his rights and responsibilities. Law students can provide definition, awareness, and organization once they become active in the internal affairs of the university. Perhaps, one might consider the law students' efforts as being the difference between minimal campus disruption and riot.

Punitive legislation prompted during emotional furors only served to shackle the educational establishment. The more realistic approach is through understanding, reason and guidance . . . and this is the place for the law student. Far from being Berkeley or Columbia, CSU still sits like a powderkeg foreshadowed by the violence last spring, and furthermore starting off the school year without a Dean of Student Life is not going to temper the situation.

## A Critical Time . . .

There is a gap facing Greater Clevelanders.

It is not the generation gap, or the communications gap, or the ideological gap. It is a financial gap—a gap between the financial needs of United Appeal agencies and the funds available to meet them.

This situation is really not a great deal different from what we all face in our day-to-day living. We make a certain amount of money in wages but we need an increasingly greater amount to live. We have two alternatives: earn more money or cut back expenses. Fairly simple. But what if our expenses can't be cut back any further because we're already at rock bottom? . . . and what happens if we've exhausted all sources of additional funds?

The following are some of the 1970 service curtailments resulting from insufficient funds—The Greater Cleveland Neighborhood Centers Association is serving 200 fewer elementary school children and 110 fewer elderly persons. There have been decreases in programs to prevent juvenile delinquency at League Park. The Phillis Wheatley Association's Camp Mueller may have to be closed.

St. Anthony Home for Boys is forced to continue service curtailments that have been seriously jeopardizing their programs for the past two years.

The Cleveland Guidance Center has decreased its psychiatric services and will see 130 fewer children. The Catholic Counseling Center will serve 225 fewer youths and their families than was true three years ago.

This is the dilemma facing the United Appeal in 1970. This is not a year that will be remembered as one of history's most stable years. Everyone is hurting—from the largest corporation to each individual. But this is the time when Clevelanders can, as they have in the past, get up on their hind legs and be counted.

This is a critical time for all of us but, remember, it's even more critical for United Appeal agencies . . . and the people who need their help.

### ATTENTION SENIORS

Note these additions to the interview schedule for the month of October. Consult the Placement Office for further information on these and the other interviewers.

October 21, 1970  
Kahn, Kleinman, Yanowitz & Arnson, Cleveland, Ohio

October 27, 1970  
Jones, Day, Cockley & Reavis, Cleveland, Ohio

October 29, 1970  
Squire, Sanders & Dempsey, Cleveland, Ohio

The new numbers for Cleveland State University, the College of Law and other frequently called departments are:

Cleveland State University	687-2000
College of Law	687-2331
Law School Library	687-2334
Law School Bookstore	687-2335
THE GAVEL	687-2340
Law Review	687-2336
Student Bar Association	687-2339
Moot Court	687-2341
Law School Placement Office	687-2332
University Public Relations	687-2291
Security Headquarters	687-2020
If the Number is not Known, Dial 687-2000	

## "Park 'Em Where, Secundum"

by Paul T Kirner



Typical scene in the alley adjacent to the College of Law. University says solutions are coming, but students still get tickets.

### CURRENT THOUGHTS

In an effort to explain the origins of campus unrest, the *Farm Observer* of Woodland, California undertook the following sensitive analysis: "During World War II, the psychopaths, the queers and oddballs normally unemployable were able to find jobs and get married to reproduce their kind of oddballs. Without the War they would have had a difficult time in finding mates in competition with the mass of their age group. But with the competition away to war, they managed to get married and reproduce a batch of misfits now going to colleges throughout the land and making themselves heard as peace-niks . . . some of them have even become teachers and are now spreading their warped philosophies among their own kind as well as among healthy youngsters in the schools." Hey, Jesse, have ya got the North Forty plowed yet?



Keep him out of jail . . . give to the United Appeal.

Sometime this year you may want to drive to school and park in the vicinity of the law school. Our advice to you is—don't. [See Kirner, "Park 'em Where?," 18 THE GAVEL (8) 2 June 1, 1970]

Last year we asked for help from our new "entity"—Cleveland State University—in our problem of parking, but nothing was accomplished. Again this year the problem exists to an even greater degree. This year we will have more than a 50% increase of students in the first year day class. If Cleveland State University's dummy parking committee (puppet parking committee, or pseudo-parking committee or whatever) remains dormant, it will follow that this year, you as a first year day class will have 50% more police department fines to pay, 50% more car thefts, 50% more vandalism, and violate 50% more parking ordinances. We don't blame you for this despicable situation because we all are forced into this by Cleveland State University.

About two years ago the administration had the foresight to see this problem coming in their growing university. As all university administrations do, they set up a committee to solve the security and parking situations. During its first year, Cleveland State University's main campus parking lots were built. The second year, a portion of the committee's work should have been devoted to curbing the parking disaster at the law school. What they apparently fail to realize is that we are now a part of Cleveland State University and deserving of all Cleveland State University consideration and committee action which is available to all colleges within the university. But it seems that the question is, are we really a part of a university?

All we ask for is that the administration recognize our problems, not as an omniscient power, but as a university with some foresight to avoid a possible murder due to their inactivity to act against a patently obvious problem.

To date no action has been taken in any direction. Mr. Richard Cadwalader, Director of Service Enterprises, has stated that he may be a member of the parking committee, but he thinks the two year committee is now defunct.

Mr. Cadwalader's idea for our problem is an agreement with APCOA parking at Ontario and Lakeshore. The university would "subsidize the costs for faculty and staff personnel and maybe students." He excused the committee's aloofness to the law school by saying, "we have not met this summer due to their being no chairman to our committee to call a meeting."

Mr. Cadwalader promised to get the committee together soon. (How soon remains a mystery.) But he promised that he would have a student from the law school there to present their problems along with feasible solutions, when and if the committee meets.

Tomorrow as you drive to school remember your chances are 50% greater than in 1969, that because of inadequate security, a complete lack of interest and concern, and an inactive parking committee, you will be left to protect yourself from the hazards of our isolated central city campus.

## Letters to the Editor...

Aug. 25, 1970

Dear Sir:

Law students are like other people in that they are constantly confronting problem situations. They differ somewhat from other people in that the fact of their studies sometimes aggravates the difficulties. For example evening students with families occasionally feel inadequate to cope with problems which arise because of the demands of the studies for evening absences.

In many situations a friendly, concerned, and confidential listener can help the student to resolve his problems or at least to see them in a different light and thus give him a chance to work them out.

The point of this letter is to suggest to the student who now has or will have a law school aggravated problem that the faculty fall into the category of friendly, concerned and confidential listeners. Further, many of

them as law students had the same general kinds of problems. As former practicing lawyers they have had a measure of experience in distress situations. In the absence of professional counselors I would urge students who feel they are trapped in problem areas to talk it over with a faculty member. Bottling up the problem will not help. Uncorking it might. The important thing is not to wait until the problem has grown beyond manageable size.

Sincerely,  
KEVIN SHEARD,  
Professor of Law



# Proposed Constitution of the S.B.A. Cleveland State University Cleveland-Marshall College of Law

*Editor's Note: The following is the proposed Constitution for the students of the law school. Mr. Patrick Gnazzo, President of the Student Bar Association, announced that the Representatives of the Student Bar had met on September 3, 1970 to finalize the proposed draft. At the conclusion of the meeting the members voted in full support to submit this draft to the entire student body during the week of October 5th. The document will be voted upon by the students during the week of October 19th, under the administration of the Student Bar and in accordance with the ratification article of the constitution itself. Additional copies of the final draft are available in the Student Bar Association office.*

## PREAMBLE

We the students of the Cleveland-Marshall College of Law, in order to establish an effective organization to guarantee the rights of students and free expression under the regulation of a representative Student Senate, do authorize and adopt this Constitution.

## ARTICLE I

### NAME

#### Section I

The name of this organization shall be the Student Bar Association of Cleveland State University, Cleveland-Marshall College of Law.

#### Section II

All students enrolled in the Cleveland-Marshall College of Law are members of the Student Bar Association.

## ARTICLE II

### LEGISLATIVE AUTHORITY

#### Section 1

The Legislative authority of the Student Bar Association shall be vested in one Student Senate, hereafter referred to as the Senate.

#### Section 2

The Senators of the Senate shall be elected from the general membership of the Student Bar Association as provided herein.

#### Section 3

Three Senators shall be elected at large to represent each day and evening class. The time, place, and method of holding elections shall be prescribed in the by-laws of the Student Bar Association.

#### Section 4

The Senate shall have the powers:

To elect by majority vote of those present and voting a Vice-President, a Secre-

tary, and a Treasurer; they will each receive one vote;

To petition the administration to consider problems coming before the Student Senate or the law school;

To engage in projects beneficial to the law school or the law students;

To represent the student body to various Bar Associations and other organizations;

To pass regulations governing student conduct;

To determine the conduct of its Senators;

To enact any legislation necessary and proper to the exercise of all powers granted in this Constitution;

To approve by a majority vote all budgets and appropriations of the Student Bar Association;

To raise and spend Student Bar Association revenue;

To approve all student appointments of the President by a majority vote;

To enact, amend, revise or delete any by-law to this Student Bar Association of Cleveland State University by a two-third (2/3) affirmative vote of those present and voting.

## ARTICLE III

### EXECUTIVE AUTHORITY

#### Section 1

The executive authority of the Student Bar Association shall be vested in one President.

#### Section 2

The President shall be elected by a majority vote of the general membership of the Student Bar Association. The time, place and method of holding such election shall be prescribed in the by-laws of the Student Bar Association of Cleveland State University.

#### Section 3

The President shall be at least a member of the second-year night school or the second-year day school at the time he or she is elected.

## Section 4

The President shall have the powers:

To represent the Student Bar Association to the trustees, to the administration, to the faculty, to the students, and to the alumni;

To execute and enforce the legislation and regulations of the Senate;

To call both special and regular meetings of the Senate and preside over same;

To vote only on matters before the Senate when that body is equally divided over such matters;

To submit to the Senate proposals that he deems advisable;

To appoint special and standing committees subject to the advice and consent of the majority of the Senate;

To be responsible for preparing and submitting a budget for the year's expenditures; acting in conjunction with the Vice-President, Secretary, and Treasurer of the Student Bar Association.

## Section 5

Other Officers:

i. The term of office of the Vice-President, Secretary, and Treasurer shall begin on the date of their election and end upon the election of a new officer for each office.

ii. Vice-President:

A. Shall be nominated and elected by a majority vote of the Senate.

B. Shall assume the duties of the President in his absence or incapacity;

C. Shall be an ex-officio member of all standing and special committees with the right to vote.

D. Shall receive one vote in the Senate.

iii. Secretary:

A. Shall be nominated and elected by a majority vote of the Senate.

B. Shall be responsible for keeping a journal of the Senate meetings and attendance, for keeping a cumulative record of all Senate actions, for corresponding in all matters concerning official Senate business between the Senate and affected individuals or organizations;

C. Shall be responsible for publicizing Student Bar Association decisions and activities;

D. Shall receive one vote in the Senate.

iv. Treasurer:

A. Shall be nominated and elected by a majority vote of the Senate.

B. Shall be in charge of receipts and disbursements of all funds;

C. Shall deal with the Law School Administration in matters concerning financing;

D. Shall submit periodically an accounting of the Senate's financial standings;

E. Shall be Chairman of the Appropriations Committee;

F. Shall receive one vote in the Senate.

## ARTICLE IV AMENDMENTS

### Section 1

This Constitution may be amended at any regular meeting of the Senate by three-fourths (3/4) affirmative vote of the Senators present and voting; provided that the proposed amendment was first submitted in writing and was read at two (2) consecutive regular meetings of the Senate and a copy was sent by mail to each Senator at least one week prior to the second reading.

### Section 2

The proposed amendment must be endorsed by the signatures of not less than three (3) Senators before being submitted to the Senate, or the proposed amendment must be endorsed as a petition by no less than sixty (60) members of the Student Bar Association.

### Section 3

Within one week after the affirmative vote by the Senate, a notice of such amendment shall be posted for the general information of the Student Bar Association and no vote by it will be taken prior to two (2) weeks of said posting.

## ARTICLE V RATIFICATION

This Constitution and any amendment thereto shall only become effective immediately upon the ratification by a three-fourths (3/4) affirmative vote of the Student Bar Association, Cleveland State University, Cleveland-Marshall College of Law.

## Introducing the New Faculty . . .

by Lawrence Brick

### ALAN M. RUBEN

Professor Alan Miles Ruben received his B.A. degree from the University of Pennsylvania in 1953, where he was a Guggenheim Scholar and a Phi Beta Kappa in his Junior year. He went on to receive his Master's degree in Economics (Industrial Relations) in 1956. That year also saw him receive his LL.B. from the University of Pennsylvania Law School. While there he was a Law Faculty Scholar and a member of the National Moot Court Championship Team. Individually he was the winner of the Harrison Tweed Bowl and the American Law Institute Prize for Best Brief in Competition.

Professor Ruben has been a Lecturer in Law at the University of Connecticut Law School in Hartford. Early in his career, he served as Law Clerk in the Supreme Court of Pennsylvania and as an Assistant and subsequently Deputy to the City Solicitor of Philadelphia. He later became Deputy Attorney General of Pennsylvania at the State capitol in Harrisburg. Another position held by Prof. Ruben was that of Attorney, U.S. Senate Subcommittee on National Stockpile.

In private practice, Prof. Ruben was involved in appellate and administrative agency proceedings, and antitrust and corporate law. He was Associate Counsel, Aetna Life and Casualty Company in Hartford, Connecticut during this same period and Corporate Counsel, The Lubrizol Corp. Cleveland, Ohio for the past year.

Professor Ruben is a member of the Board of Directors, U.S. Olympic Committee and President of the Amateur Fencers League of America. In addition to all the above, he has been a prolific contributor to publications.

### SAMUEL SONENFIELD

Samuel Sonenfield joins the faculty of Cleveland State University Law School this Fall after having had a very diversified history in the legal field. A native of Mt. Clemens, Michigan, Professor Sonenfield received his B.A. magna cum laude from Harvard in 1934. While there he was a member of Phi Beta Kappa. 1938 saw him receive his LL.B. from Western Reserve University School of Law.

Between 1943-1947, Professor Sonenfield served in the U.S. Army in the Judge Advocate General Corps as a Captain.

Following his discharge from the Army,

he entered private practice in Cleveland associating with the firm of Pennell, Carlson & Rees between the years 1947-1951. Professor Sonenfield then became an Associate Professor of Law at Western Reserve University from 1951 until 1962. While there he was Faculty Advisor to the Law Review and the Moot Court Team which reached the New York finals on three occasions.

Since 1962 he has served as Counsel in the Trust Department of the Union Commerce Bank while continuing as an instructor at Case-Western Reserve University School of Law.

### STEPHEN J. WERBER

Also joining the faculty of Cleveland State University Law School this year is Stephen J. Werber. Professor Werber received his B.A. from Adelphi University and went on to Cornell University School of Law where he received his LL.B. in 1964. He then went on to receive his LL.M. in International Law from New York University, School of Law, Graduate Division this past June.

Prof. Werber's legal experience includes work at the Federal Communications Commission in Washington and work with the legal firms of Sidney G. Hollander, Esq. and Hershfield & Rubin in New York from whence he comes to us.

### LIZABETH ANN MOODY

Coming to Cleveland State University Law School this year is Elizabeth Ann Moody, a native of Johnson City, Tennessee. Elizabeth Moody, in private life Mrs. Alan P. Buchmann, received her B.A. from Barnard College, New York, in 1956. During her Junior year she went abroad to study "Literature and Politics in the Twentieth Century England" at Oxford. Upon graduation she entered the Yale Law School from whence she graduated in 1959 with the degree of LL.B.

In 1959 she was admitted to the Conn. Bar and in 1960 the Ohio Bar where she ranked second among those taking the bar examination. While at Yale, she was an Associate in Law in her Senior year.

In law practice, Professor Moody has been associated with the law firms in Bridgeport, Conn. and Cleveland. Her most recent position has been that of partner with the firm of Metzbaum, Gaines, Finley and Stern.

### BRENDAN F. BROWN

A notable addition to the faculty for this year is Visiting Professor Brendan Francis Brown who comes to Cleveland State Univ. Law School with much experience in the legal profession. Professor Brown, a graduate of the Loyola University School of Law in New Orleans, went on to receive a Doctor of Philosophy degree at Oxford in 1932. Thereafter, he was a Knights of Columbus Scholar at Catholic University and a Penfield Scholar at Oxford. Professor Brown saw private practice with Root, Clark, Buckner and Ballantine in New York as well as with Smart and Von Sneidern, both prestigious law firms in New York.

He has also had experience in the Washington scene. He has held the posts of Special Assistant to the Attorney General in the Dept. of Justice and Chief of Opinions and Regulations Section in the Post Office Dept. Following World War II, Prof. Brown served as Juridical consultant to the Chief of the Prosecution, Department of the Army, in Tokyo.

On the academic scene Professor Brown has been Acting Professor and Dean at Catholic University and Dean and Professor at Loyola University. He is a member of the Law Institute, a Charter Vice-President of Canon Law Society of America, a Charter member of the American Society of Legal History, and President of the St. Thomas More Society of America.

### ROBERT L. SIMMONS

Robert L. Simmons, Judge of Common Pleas Court, Lake County, Ohio returns to the College of Law of Cleveland State University, as a member of its faculty. For it was at this school that Judge Simmons received his J.D. cum laude in 1957 following his graduation from the University of Mich. in 1949 with a Bachelor of Arts. Judge Simmons makes his home in Painesville, Ohio. He is married and is the father of five boys.

Between 1945-1947 Judge Simmons was a member of the U.S. Air Forces. While in service he was a graduate from and instructor at the Weather Observer School at Chanute Field, Ill.

Between 1957-1965, he was engaged in private law work specializing in civil and criminal cases. In 1961 he served as Asst. Prosecuting Attorney for Lake County. In 1965 he began his service on the Common Pleas Court, and will serve there until December 31, of this year.

## NEW PLACEMENT DIRECTOR AT LAW SCHOOL

Alex C. Jamieson has been appointed by Dean Gaynor to be the new Placement Director for the College of Law. This new position is the result of the combining of the Federal Work Study Program and the placement activities which in the past were handled by the Alumni office and various faculty members, particularly Professors Sierk and Cohen.

Mr. Jamieson comes to us from the main campus where he has handled placement activities for most of the past ten years. His new office at the law school will be in room B-2.

The functions of the placement office will include assisting final year law students in locating permanent employment; assisting alumni who wish to relocate; and assisting day and evening students who seek help in locating part-time or full-time employment.

The procurement of this new department at the law school represents the culmination of a campaign spearheaded by THE GAVEL throughout the last school year. The Student Bar Association took up the issue and fought for the establishment of the office. Following-up last years work, the Bar Association called special meetings, late in the summer both with Mr. Jamieson, and with Deans Gaynor and Flaherty, to discuss and develop a feasible placement program.

## FOURTH FLOOR BECOMES PART OF LAW SCHOOL

An \$80,000 budget was approved and construction contracts awarded for partial renovation of Cleveland State University's Cleveland Marshall College of Law, by the University's Board of Trustees today at their regular monthly meeting.

The law college, which is located at 1240 Ontario, will have nine faculty offices and a small library extension added to its fourth floor. The work is expected to be completed by the end of November, and arrangements have been made to house new faculty members elsewhere in the interim.

The renovation of the fourth floor of the law building is one of five projects budgeted for funding from the \$1.0 million allocated by the Ohio Board of Regents to CSU for capital renovation purposes this biennium.



# From the Fraternities...

## PHI ALPHA DELTA

by John Shoop

Phi Alpha Delta held its 38th Biennial International Convention in New Orleans, Louisiana, during the week of Sept. 1-5. Three members of the Meck Chapter of Cleveland State University were in attendance and were a moving force as Phi Alpha Delta International Law fraternity solidified its number one position among law school fraternities. Salvatore La Presti, George Rzasnicki and John Shoop were the Meck chapter's delegates.

The hottest issue of the convention was the elimination of sex discrimination from the constitution and by-laws of the fraternity. The amendment to the constitution and by-laws passed by an overwhelming plurality but not until Meck chapter had adroitly outmaneuvered the small but cunning group in opposition. From that moment on Meck chapter became recognized as the stabilizing force at the convention. Murphy Chapter from Detroit Law School successfully presented Miss Maura D. Corrigan, niece of Judge John D. Corrigan here in Cleveland, as the first woman initiated into Phi Alpha Delta International. The crowning glory to both District IX and Meck Chapter came Saturday evening when two members from this district, one from Campbell Chapter at the University of Michigan and one from Meck Chapter at Cleveland State University received two of the top three awards for their efforts in Phi Alpha Delta's Oratorical contest. J. Terrence Lyons from Campbell Chapter finished second and John E. Shoop from Meck Chapter finished third in a contest which was so close that dual systems of points and rank were employed to distinguish the top three winners.

With a nucleus of Meck Chapter already off to a good start the outlook for the coming year appears exciting, promising, and fulfilling for the entire membership.

## DELTA THETA PHI

by Leland E. Campbell

The brothers of Ranney Senate of Delta Theta Phi Law Fraternity plan to start the Fall Quarter off with a gala Welcome Party for all the new incoming First Year Students (both Day and Evening divisions) to be held at *The Cleveland Yacht Club*, located at 200 Yacht Club Road, off Detroit Avenue, on Saturday afternoon October 3, 1970, from approximately 3:00 P.M. to 7:00 P.M. at the main clubhouse. Come out and meet your fellow students, and chat informally with the many faculty members that will be in attendance.

As you embark upon this challenging yet rewarding career in the legal profession, it is especially important that you take advantage of all the opportunities, both professionally and socially that you can. Right now you might not think fraternities are an important facet of your Legal Education, but all the Brothers of DTP have found it to be of great advantage, not only when you go out seeking a job, but even now while you are attending school, you will be amazed to find that even the very important people in our Legal Community, such as the Chief Justice John P. Corrigan and Federal Judge Thomas Lambros are more than happy to give you a helping hand, or just some good "Fatherly" advice if you should encounter any real difficulties, on even the slightest question of law.

This is not meant to be a sales pitch for you to come jumping to Delta Theta Phi for an application for membership, but merely a serious proposal for you to ponder over, while at the same time, having a good time with some of the friendliest and greatest legal minds in our community.

Come on out and see for yourself all these professional and social benefits that Delta Theta Phi Law Fraternity can offer you.

But, most of all, come out and have a great time.

## ACLU

## Defenders of Civil Liberties

The local American Civil Liberties Union chapter is in constant need of volunteer attorneys and legal specialists to aid in the defense of cases where a principle of civil liberties is challenged. Work of the volunteers is both in court and in pre-trial preparation, as well as the preparation of appellate briefs and amicus curiae briefs.

The head of the Cleveland Legal Committee of the American Civil Liberties Union, Mr. Eugene Bayer, said today that there are more cases available for immediate attention than there are volunteers willing to assist. One such case involves compulsory attendance at the chapel services of student nurses at a government subsidized local hospital. Other problems include the dismissal of an otherwise qualified civil servant because of his conviction for possession of pornographic material.

Other cases being handled by ACLU are: *Gfell Case*, involving the West Geauga High School student suspended from school for long hair, received an adverse decision but an appeal has been filed in the 6th Circuit Court of Appeals. ACLU volunteer co-operating lawyer is Eugene Bayer.

*Palmer Case*—Briefs have been filed and the U.S. Supreme Court has agreed to hear this case which challenges the constitutionality of the Euclid suspicious persons ordinance. ACLU volunteer cooperating attorney is Niki Z. Schwartz.

*Berea auto flag decal cases* have not as yet been heard. ACLU volunteer cooperating attorneys are Nelson Karl and Josh Kancelbaum.

*Wright case* involving display of flag with peace symbol superimposed is awaiting jury trial in Cleveland Heights. ACLU attorney is Nelson Karl.

*Airport Leaflet Distribution Case* was won. Although the charge was brought in Cleveland Municipal Court, ACLU succeeded in having the case heard in the Federal District Court which upheld ACLU's claim that the language of the Cleveland ordinance (under which the defendants were charged) is too broad. ACLU volunteer co-operating attorney was Jerry Gordon.

The preparation of a brief, said Mr. Bayer, is much like the preparation of a term paper or a law review article. In fact, he added, it might well be that work with our organization in the preparation of an appellate brief could, with the permission of the proper instructor, be submitted in connection with course requirements or law review publication. The Legal Committee meets on the first Tuesday of each month for lunch at the Hanna Pub. Inquiries may be directed to the local Civil Liberties office at 1302 Ontario, 781-6276, or to Eugene Bayer, Esq., 819 National City Bank Building, 621-6070.



Justice Leonard J. Stern,  
Ohio Supreme Court

## CSU Graduate on Supreme Court

The Ohio Supreme Court vacancy which was left after Chief Justice C. William O'Neill assumed his seat, was filled on September 1, 1970, by a graduate of Cleveland State University. Justice Leonard J. Stern was appointed by Governor James Rhodes to fill the vacancy for the remainder of this year. The Republican State Central Committee has also announced that they have selected Justice Stern as Republican Candidate for Justice of the Ohio Supreme Court for the term commencing January 2, 1971.

Graduating from Cleveland Law School in 1926, Justice Stern practiced law in Cleveland until 1939 when he moved to Columbus as a Corporation Counsel in the Ohio Secretary of State's Office. From 1941 until 1946, he served by appointment of Governor Bricker as Executive Secretary of the Ohio Department of Public Works. He again practiced law, this time in Columbus, until 1965. During part of this time he served as President of the Columbus Bar Association.

On August 1, 1965 he accepted an appointment to the Court of Common Pleas in Franklin County from Governor Rhodes at the expiration of which, he was elected to a full six year term. This elected term was cut short by an appointment from the Governor as a member of the Court of Appeals for the 10th Judicial District last year.

## IT'S A NEW DAWN, PEOPLE

by Bruce Elfvin and  
Richard Sutter



As the new Co-Chairmen of Law Students Civil Rights Research Council—LSCRRRC (pronounced Liz-krik), we anticipate programs that will allow law students to participate in seeking solutions to contemporary social problems. Although LSCRRRC is a newcomer to Cleveland State University, it has experienced rapid national expansion since its inception at New York University in 1963. On the national level, LSCRRRC operates the highly successful Summer Internship Program.

LSCRRRC marches to the tune of a different drummer. The law student interested only in the pursuit of law as a more lucrative field will not be interested in LSCRRRC. However, the law student interested in utilizing his developing legal skills during the time that he is in law school will be interested in LSCRRRC.

Our Aims are to: use the law as an instrument for social change; commit law graduates to the practice of law in the public interest; revamp traditional law school curriculum; establish the active recruitment of minority group students into the legal profession; supply skilled researchers for understaffed groups involved in community social action.

The initial project for this year is a Selective Service Information Center on the main campus. The Center will be staffed and directed entirely by law students under the guidance of our faculty advisor, Assistant Professor William Tabac. For LSCRRRC and the law school, this is only the beginning of a promising year.

## "A CASE OF LIBEL"

### A Moot Court Team Problem

While most of the law school has been slumbering, the Cleveland State University Moot Court Team has been at work throughout the summer on the national problem for this year's competition. It might have been called "A case of Libel"—which, in fact, it revolves around. The specific issues in the problem relate to a reporter's refusal to reveal the source of his information for an article he published. Following the trend of past years, this problem, too, is often the subject of litigation in our courts today.

The briefs for the prosecution and the defense are in preparation. Oral arguments will begin within the week. All students are invited to attend the arguments, which are held in the Moot Court room. Check the bulletin boards for times.

Moot Court Board Chairman, Harvey Yasinow, reports that the regional competition will be held this year in mid-November in Detroit, Michigan. He also announced that the Second Annual Moot Court Night is planned for early November. This is the social affair at which eminent guest judges preside over a demonstration of the teams which will represent the law school in Detroit.

The team this year includes Board Members Tom Aries, Sheila Kahoe, Bill Kohner, Terry O'Donnell, and Bill Plesec, all of whom competed in inter-law school competition last year. New members are Tom Baechle, Bruce Elfvin, Bill Farrall, David Guidubaldi, Tom Hayes, Bob Henn, David Jones, Elliot Levine, John Lombardo, Ralph Rosenthal, Gerald Simmons, Stanley Stein, and Dick Sutter. Professor Hyman Cohen will continue to serve as Faculty Advisor.

## Alumni Briefs...

### Class of 1937

Harold F. Ellsworth was promoted to Vice President of Magazine Networks, Inc. New York, New York on June 22, 1970. His primary responsibility will be the extension of the Network concept into the field of test marketing, a problem area for agencies and publishers alike.

### Class of 1964

James Jay Brown will be a Visiting Assistant Professor of Law at the University of Missouri, Kansas City, Missouri. Professor Brown has just received his LL.M. from Washington University School of Law in June, 1970.

### Class of 1968

Kenneth Blair Schumaker was named Director of the Licking County Legal Aid Society whose headquarters are in Newark, Ohio.

### Class of 1969

Thomas J. Puette has been named the Senior Contracts Administrator of Cleveland Pneumatic, Cleveland, Ohio.



"WHK Career Girl of the Day" Suzanne Kennedy, Senior Secretary at the College of Law, received city wide honor on Thursday, September 17, 1970.



**THE  
GAVEL**

CLEVELAND STATE UNIVERSITY COLLEGE OF LAW

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