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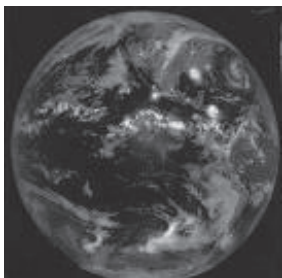
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Legal opportunities abroad



International law is becoming increasingly more important. The Gavel explores opportunities for C-M students to gain experience in this field while studying abroad.

CAREER, PAGE 4

C-M Dean goes for the ballot



C-M Dean Melody Stewart runs for a judicial seat on the Ohio 8th District Court of Appeals. The Gavel interviews Stewart about her campaign and how she balances it with her duties at C-M.

CAREER, PAGE 4

Cleveland tops poverty list

- Cleveland hits bottom once again as the poorest big city in the United states. The Gavel liberal and conservative columnists debate possible causes and solutions to the problem.

BROADSIDE, PAGE 5



THE GAVEL

VOLUME 55, ISSUE 1 SEPTEMBER 2006 THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

C-M changes first-year orientation

By Brenda Hruska
GAVEL CONTRIBUTOR

Incoming 1Ls had a different first glimpse of the law school experience compared to previous incoming classes since this year’s orientation week did not include a daily dose of legal writing. This year’s orientation program focused on what was lacking for previous students, said David Barnhizer, orientation organizer and law professor. “They simply did not know what was expected of them in law school and had no clue as to how the game is being played,” Barnhizer said. To address these issues, Barnhizer, in consultation with other faculty members, sought to create a program that re-engaged non-writing faculty members with the students. The task of getting the faculty excited and the students comfortable in the law school

See ORIENTATION page 7

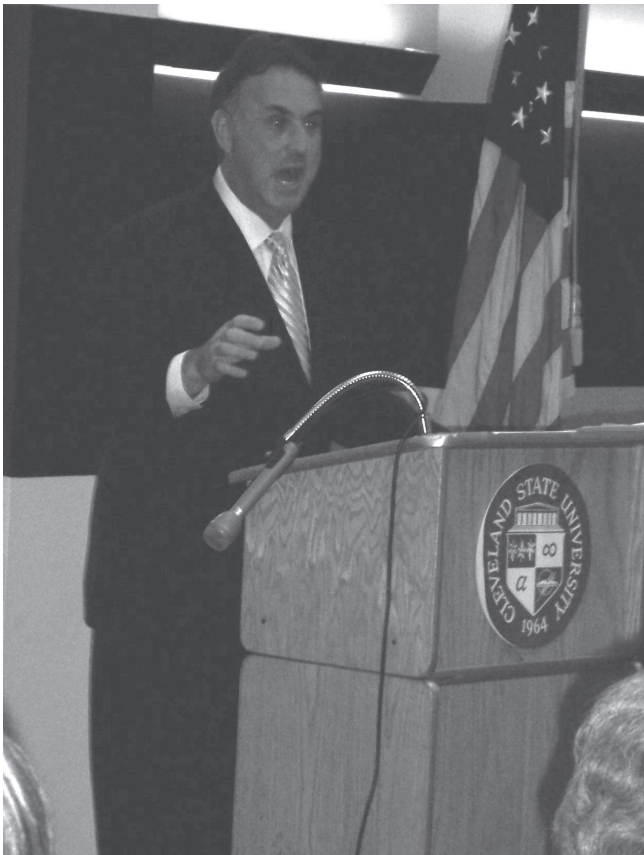


Photo by Kathleen Locke

Professor Kevin O’Neill speaks during his presentation titled “Lessons from Odysseus on the Nature of Constitutions.” O’Neill’s speech was part of the events for Cleveland State University’s Constitution

Day. All publicly-funded educational institutions are required to provide educational programming about the history of the American Constitution on September 17 each year.

PMBR ordered to pay \$11.9 million in copyright suit

By Joanna Evans
GAVEL CONTRIBUTOR

In a copyright infringement lawsuit filed by the National Conference of Bar Examiners (NCBE) against Multistate Legal Studies Inc. (MLSI), senior U.S. District Court Judge John P. Fullam found that MLSI willfully copied questions and answers from official multistate bar examinations (MBE) for use in its preliminary multi-state bar review course. Judge Fullam ordered MLSI to pay over \$11.9 million and enjoined MLSI defendants Robert Feinberg and Dona Zimmerman, as well as their employees and agents, from copying any questions obtained directly from any of the NCBE’s copyrighted tests and from taking any MBE for any purpose other than to obtain bar admission in the jurisdiction in which the exam is being given.

The NCBE filed suit against MLSI and defendants Fenberg and Zimmerman following an incident that took place during the February 2003 MBE in Anchorage, Alaska. A proctor caught Feinberg leaving the test room with scratch paper containing notes. The proctor confiscated the paper and then filed an irregularity report with the NCBE. Upon receiving the report, the NCBE initiated an investigation of PMBR course material after which they concluded that more than 100 questions had likely been copied. At trial, Judge Fullam found that the notes on the scratch paper clearly related to topics and answer choices of particular MBE questions and that many of PMBR’s MBE practice questions reproduced official MBE ques-

See PMBR, page 2



2006 - 2007 First year class profile

Number of students:	227	
Full-time:	154	(68%)
Part-time :	73	(32%)
Female:	102	(45%)
Male:	125	(55%)
Resident:	179	(79%)
Non-resident:	48	(21%)
Minority:	34	(15%)
Median LSAT	154	
Median GPA	3.29	

Information provided by Annette Hoerath

C-M adjunct professor remembered

By Kathleen Locke
CO-EDITOR-IN-CHIEF
Cleveland-Marshall College of Law adjunct professor Christopher Brendan Fagan passed away after a battle with cancer on August 19, 2006, at age 68.

Fagan, a graduate from Georgetown Law School, was a partner at the intellectual property law firm Fay Sharpe Fagan Minnich & McKee where he had worked since 1967. Fagan taught copyright, patent and trademark at C-M since 2000, said Joan Shirokey, secretary to academic deans and adjunct professors. “He was always smiling and upbeat,” said Shirokey. “I was so fond of him.” Fagan’s colleague from Fay Sharpe, Timothy Nauman is teaching the course this semester, Shirokey said. Nauman worked with Fagan for 21 years at Fay

Sharpe. “He was very charismatic and a positive person,” said Nauman. “Some people look at being a lawyer as a ‘job’ but to Chris, he was genuinely excited about coming to the office.” The enthusiasm he had as a lawyer bubbled over into the classroom, Nauman said. “He loved to discuss cases he handled over the years and loved the interaction with the students,” said Nauman. “He was always encouraging students to explore intellectual property as a career.” “He made it easy to relate to the subject matter,” said Mark Watson, who took Fagan’s class in fall 2005. Fagan extended an open invitation to students interested in intellectual property to talk with him about classes, the patent bar exam, networking, interviewing

or what the practice was about, Watson said. Watson, a full-time engineer who is interested in intellectual property law, took advantage of Fagan’s offer, Watson said. After the semester was over, Fagan wrote Watson a letter commending his performance over the past semester and inviting him to meet with Fagan at Fay Sharpe, Watson said. Watson accepted the invitation, and he met with Fagan where they discussed several topics including the pros and cons of different intellectual property firms in Cleveland and about the possibility of scheduling an interview with Fay Sharpe, Watson said. Even though he wanted me to interview with Fay Sharpe, “he was truly unbiased,” said Watson. “He was focused on my needs and not his.”

Dean welcomes new students, looks forward to year

By Geoffrey Mearns

The new academic year is off to a very good start.

On August 14, we welcomed our new class of students. They are an accomplished and diverse group of men and women. They come to us from 113 colleges and universities in 21 states and seven foreign countries. I am very pleased that they decided to pursue their professional aspirations here.

In August, we also welcomed two new faculty members: Professor Brian Ray and Professor Milena Sterio. Although they come from diverse backgrounds, they share an interest in international law, and both of them have great potential to be outstanding teachers and scholars. I am also very pleased that they have decided to join us.



The
Dean's
Column

This year promises to be a busy and exciting one.

We implemented a new orientation program this year. In addition to providing an informative introduction to law school for the first-year students, we wanted to engage more faculty and upper-level students in the orientation program. I believe the new program was a success.

We have also implemented a new program in connection with our efforts to increase the bar passage rate of our graduates. We are conducting individualized counseling sessions with every second-year student to review each student's risk factors and to provide specific guidance on how to improve the likelihood that all of our graduates will pass the bar exam on the first try. I am personally meeting with over 35 second-year students. From my perspective, these sessions have been very good.

In January, we will begin the renovation of our building. It will be a bit noisy and dusty for several months. But when the construction is completed, we will have new faculty offices and student work areas in our law clinics, a new "suite" for several student organizations, and an attractive new entrance at the corner of East 18th Street and Euclid Avenue. That new entrance will contain well-lit space for students and faculty to gather and study, and it promises to bring more natural light into the heart of our law building.

I am excited and optimistic about the future of our law school. A good deal of my optimism arises from the enthusiasm and energy that I sense among the faculty and staff. I also believe that you – our students – share that excitement and enthusiasm.

But my own personal enthusiasm was tempered a bit a few weeks ago when I learned about the death of one of our students, Justin Vanderburg. I didn't really know Justin. I am sure that many of you knew him much better than I did. But I understand that he was good student and an even better young man – a good son, a good brother, and a good friend.

When someone so young dies so suddenly, it causes us to think about some of the more profound questions about life and its meaning. I won't even try to address those questions. I will leave that to the clergy and the philosophers.

However, his death has prompted me to reflect on what we do here. It reminds me that the essence of what we do in education and as lawyers is to serve others. As educators, we aspire to affirm the dreams of our students, and we give you some of the skills to attain those dreams.

On most days, we teach you something about the law or the legal system. On good days – really good days – we also inspire you to serve others and to seek justice.

We are working on plans to remember Justin in an appropriate way here at the law school, perhaps at graduation in May. In the meantime, though, all of us can honor his memory, and the memory of so many men and woman who created the legacy we have inherited at Cleveland-Marshall by re-committing ourselves to the ideals of service and justice.

Legal community aids city schools

Students participate in 3Rs program with local attorneys, judges

By Ben Wiborg

GAVEL CONTRIBUTOR

The 3Rs program, which stands for rights, responsibilities and realities, is a volunteer organization consisting of over 700 lawyers, judges and law students from northeast Ohio.

The volunteers visit area 10th grade social studies classes to improve passage rates on the social studies section of Ohio's graduation test.

The program is meant to encourage minority students to attend college and to seek legal careers. The program is also designed to promote a positive attitude toward the law and the justice system and to give the students a better understanding of the Constitution.

The 3Rs Program is the initiative of the Cleveland Bar Association. Hugh McKay, the president of the Cleveland Bar Association, is the driving force behind the program's creation. Mary Groth, the pro-bono and community programs director for the Cleveland Bar Association, and Pamela Dai-ker-Middaugh, clinical professor at C-M, were also major participants in the development of the 3Rs Program.

The 3Rs Program has a daunting task ahead of it since Cleveland was recently rated the poorest big city in America. The Cleveland Municipal School District had a graduation rate of 51.8 percent for the 2004-05 academic school year.

Furthermore, only 44 percent of 10th grade Cleveland Municipal School District students passed the Social Studies section of the Ohio Graduation Test. Passage of the Ohio Graduation Test is required for graduation.

The Cleveland Bar Association in compliance with the Cleveland Municipal School District has created a specially designed curriculum for the 3Rs Program. First semester lesson topics include the First Amendment, Second Amendment, Fourth Amendment, equal protection under the Constitution, due process, and the separation of powers. A total of 19 Cleveland high schools are involved in the program for the 2006-07 school year.

The 3Rs Program volunteers are put into small teams of

around five individuals. Each team consists of a combination of volunteer lawyers, judges and law students. The teams will visit area 10th grade social studies classrooms and teach the students about the Constitution and other aspects of the legal system.

The classroom sessions consist of presenting an introductory fact pattern followed by a question and answer session. The volunteers will then give a short lecture on the lesson topic. The lecture is followed by a small group discussion guided by the volunteers. The entire classroom session lasts for an hour and 20 minutes.

The teams will visit the 10th grade Cleveland Municipal School District Social Studies classes a total of 10 times during the 2006-07 school year. Each team is assigned to one school and will visit that same classroom throughout the fall semester, and a new school will be assigned to the teams in the spring.

A major aspect of the 3Rs Program is the counseling component. The final 10 to 15 minutes of every classroom session is allocated for counseling and guidance lessons. The purpose of the counseling is to educate the students on how they should prepare to attend college.

Counseling lessons include having the students create a map of their educational goals. The students are informed about the PSAT and on the importance of taking AP or honors classes. The program volunteers encourage the students to participate in extra-curricular activities.

Students are also given information regarding financial aid, scholarships, and grants that the students can obtain in order to pay for college. The financial burdens of secondary education will be a major hurdle for many of the students.

The volunteers will act as positive role models for the students. They will also give the students general advice and help them create resumes.

The volunteers can also be a potential reference that the students can use when applying to either a college or to a job.

PMBR: liable for copying bar questions

Continued from page 1--

tions "nearly verbatim" or contained "trivial variations" that suggested "an awareness of copying."

"In many instances, evidence of copying practically leaps from the pages," Judge Fullam wrote in his opinion.

Alaska is the only jurisdiction that permits test-takers to use scratch paper during the MBE. However, since the NCBE submits the MBE to the register of copyrights in an effort to maintain the secrecy of MBE questions that are often reused, test-takers are not only prohibited from removing the scratch paper from the testing room, but they are also prohibited from discussing and/or reproducing MBE questions.

Gary Williams, assistant dean for student affairs and professor of C-M's Ohio bar exam strategies and tactics class, said that the public's best interest is the reason why the NCBE copyrights its MBE questions and answers.

"They [NCBE] want to make sure that the people who are licensed to practice law are of good character and are competent by some objective standard," said Williams. "Their objective standard is the bar exam."

Michael Davis, co-author of "Intel-

lectual Property" and C-M professor of patent, trademark and copyright classes, said that copyright law treats the copyrighting of tests differently from other forms of expression.

"Copyright law protects only the expression of underlying ideas, the particular way things are said, the particular way things are presented," said Davis. "But it does not protect the underlying basic notions and ideas themselves because we want everybody to be able to engage in free competition about those things."

The general rule of copyright law contains a series of steps, one of which includes filing a copy of the copyrightable material in the copyright office, said Davis. This office then gives the copy to the Library of Congress for all to see. However, when it comes to copyrighting tests, a copy of test questions and answers need not be given to the copyright office, said Davis.

"There's a moral and an ethical dilemma here created by the copyright office responding to private industry as opposed to public policy," Davis said. "But the statute can't say so much is protected that it's going to go to ideas. They can't change the basics of copyright which is that copyright only protects expression."

The Court rejected all of MLSI's

defenses against the claim of copyright. It has been reported that MLSI will appeal. Davis believes that the appeal has some merit, especially concerning the NCBE.

"In terms of the relief granted, this might be reversed because they (MLSI) have the right to be in business and they have a right to keep themselves informed of the newest tests," Davis said.

"To prevent them from being informed means they will go out of business, and whether that is good or bad, it is clearly not the law that a third party couldn't do this. So long as they do not lift the copyrighted sections, they have an absolute right to see and take the exams," Davis continued.

In 2004, PMBR taught more than 40,000 students, which amounted to nearly 60 percent of people taking the MBE. It took in gross revenues of more than \$16 million.

As to the success rates of those who have taken the PMBR course, the numbers are staggering.

"I have no independent evidence at all but PMBR tells me that from the July 2005 bar exam, of those people who took PMBR, 90 percent passed the Ohio bar," said Williams. "They also said that of those people who did not take PMBR, 53 percent passed."

Classmates remember Justin Vanderburg

By **Techa Foster and Daniel Thiel**

Some of you, mostly 1Ls and 2Ls, are most likely wondering who was Justin. As I walk past the locker, I enjoy seeing the new faces reading his biography pages that are posted along the lockers and by the refrigerator. Hopefully this section of the paper, that is being dedicated to Justin, will help explain to you who he was and why we called him our friend.

More so, this section is dedicated to all of Justin’s friends, professors and deans that enjoyed sharing these past years with him at C-M so that we may again laugh and smile as we think of the Justin Vanderburg the student, friend, and great guy we all knew and loved.

On August 16, 2006, Justin was on his way home from his girlfriend’s house traveling on his motorcycle. As he approached construction merging onto Interstate 480, traffic slowed down. Unfortunately, a car behind Justin was not prepared for the construction and struck Justin on his motorcycle. Justin was thrown from the motorcycle and landed on the ground where he was subsequently struck by another car. He eventually came to rest being pinned up against a concrete divider.

Witnesses feared the worse until Justin began to moan. Justin remained pinned here until emergency workers were able to put braces on him to prevent further damage.

He was then taken to Metro General Hospital. His initial injuries included a broken tibia, a broken fibula, a broken vertebrae, lung trauma and swelling of the brain. Justin’s brain swelling decreased over the next day or so, and his vitals were stable.

On Friday, August 18, surgery was performed to repair the broken leg bones. The goal at this point was to try to decrease the amount of oxygen being given to him through the ventilator, in hopes of taking him off of it completely. However, the fluid within his chest was not subsiding and chest tubes were inserted.

Throughout his last week in the hospital Justin developed several conditions including; AARDS, pneumonia, sepsis, a collapsed lung, and infections. On Saturday, September 2, 2006, Justin’s heart failed and he passed away at 8:45 a.m., and the world lost a great man.

By **Chris Meissner**

On the first day of *Legal Writing, Research, and Advocacy*, our professor posed a question about a half-hour into her lecture on a topic that now escapes me. In the three or four seconds it took me to formulate an answer in my mind and debate whether to volunteer, I noticed a hand raised confidently just in front of me.

As I listened to Justin’s eloquent response, I thought to myself, “There’s other smart people here too!” (I would later go on to academically plant myself firmly in the middle of my class, teaching me some humility the hard way.)

I made a point to introduce myself to Justin a few hours later during a reception the school had planned for us and complimented him on his classroom performance.

I learned that besides being intelligent he was a grateful and well-spoken man.

Over the next two years, I grew to know Justin, and quickly and proudly counted him as one of my friends.

I discovered that we shared many of the same political opinions, frequently thought along the same lines during classes, and had the same tastes in entertainment. He was also my go-to guy for any tech-related questions I had.

It was during a poker game about a year and a half ago that Justin and I discovered we each had MySpace pages.

His graciousness continued as he permitted me to systematically infiltrate his long-term, closely-held circle of friends. I’ve made friends with some awesome people because of him.

Our relationship progressed to the point where our crew was hanging out nearly every weekend: poker, board games, “What If” books, rollerskating, Swings-n-Things - real dorky stuff. And I loved it.

Old as I am, it wasn’t until I began hanging out with Justin and his friends that

I realized people my age really *could* have fun without boozing it up.

Justin was a deep thinker, and I thoroughly enjoyed our conversations. As several people have mentioned, Justin’s was an opinion that was actively sought on matters both important and trivial.

Although he was clearly intelligent, had impeccable legal analytical skills, and was undoubtedly making much better grades



than me, Justin always exhibited a trait that I today actively look for in those with whom I associate and try to cultivate in myself: humility.

Although my faith is nowhere near the level of sophistication of Justin’s, I do most assuredly believe that he is enjoying paradise at this very moment and that we shall meet again.

The prayer by which I try to live: “God, grant me the serenity to accept the things I cannot change; the courage to change the things I can; and the wisdom to know the difference.”

By **Sarah Gage**

It’s hard to describe who a person was, how they made you feel, or the impact that their life has had on you.

Justin left this world way too soon. Even though my friendship with him was short, it’s something I wouldn’t trade for the world.

He was a great friend who would always listen and make the time to talk. You never felt judged. Even when he didn’t agree with you, he never made you feel wrong or ashamed. He was just as happy to give advice about the important issues in life, as he was to talk about some crazy dream you had the night before.

My favorite memory of Justin is his smile. He always had a smile. He had one of the best senses of humor I’d ever seen. There was never a dull moment when Justin was around.

While I didn’t know Justin as well as some others did, I know that he was a one-of-a-kind friend that I will miss dearly.

I thank God all the time that I was one of the lucky ones who had the honor of being Justin’s friend.

I still talk to him and laugh when I see or hear something that I know he would appreciate. While I miss him and wish he could still be here with us, I know he is in a better place looking forward to the day when we are all together again.

By **William Ferry**

He was in some ways the only person at school like me; yet, so different. We most recently had Constitutional Law together. We’d pass notes back and forth commenting on the class discussion.

Yet, Justin was academic. We did not talk about grades, and I get the impression that he wasn’t a grade-monger, but he did

seek out understanding. There are those who get the grades and don’t understand, and there are those who don’t and don’t understand.

We were those who might not have always gotten the grades, but we couldn’t sit through it all without the understanding. But for all I know modest Justin might have been a straight-A student. His brain was good enough.

I have talked with several guys (and a few ladies) about starting a practice after school but not Justin. Justin’s dad is a named partner with a small but successful firm in Independence. I knew Justin would not ever work with me in my firm. But I thought I’d get to watch him go out in the world and do his thing, and it would be cool to see.

Then, there was religion. Justin was a real purist. Others could take Justin’s belief and turn it into ugliness. With Justin it was quiet, beautiful and righteous.

One of our friends said, “I am a better man for having known him.” He’s right.

I’m not so eloquent. I’m just sad, and I feel robbed. I couldn’t wait to see him back at school this semester. We had at least one class scheduled together, American Legal History, a geek’s class, which was our kind of stuff.

But I’m not sad for Justin. Read his MySpace page. He LOVED motorcycles and his car and “girls.” He had a great motorcycle, a great car, and a great girl.

We talked about the motorcycle thing in Con Law, and he knew what he was doing. He was not uninformed. There’s NO WAY he regrets being a motorcycle enthusiast.

And he BELIEVED. There’s NO WAY he’s not comfortable meeting his maker. He really believed.

So, I am not sad for Justin. Not even a little. He lived a good life, on his own terms and understood what he was doing. I’m just sad for me, his family, and all of his friends.

By **Matthew Gowan**

As I drove home from a family dinner on Labor day, my thoughts turned to the Vanderburg family. They would likely give up all of their worldly possessions for one more family dinner with Justin.

How quickly we can forget, amidst the petty bickering and banality of family life, how precious it really is.

Most of us will never have to know what it feels like to lose someone so young and so dear to our hearts and for that alone we should be thankful. I wish the Vanderburg’s and Justin’s friends my deepest condolences and sympathy.

Justin and I didn’t know each other very well. We started as 1Ls in the same section, but we never connected. We did, however, have many classes together.

Looking back, I can say that I was jealous of Justin. Jealous because he managed to do what I, and many others, could not do: he seemed to really enjoy law school.

My final assessment of Justin is that he took law school very seriously, but he didn’t take himself too seriously. We could all learn from him.

Many people are better situated to describe Justin as a person, and I’m sure he was a good man. I did not know him well enough to speak with any authority about him, but I can say with certainty that he would have been a *damn good lawyer*.

He would have been a good colleague for those of us who might have worked with him, and a worthy adversary for those of us who may have stood across the aisle from him in court.

Cleveland-Marshall has lost a good man and a dedicated student. I’m sorry I didn’t know you better Justin.

CSU opens new rec center

By **Joanna Evans**

GAVEL CONTRIBUTOR

The importance of exercise for the law student is nothing new. Neither is the near impossible task of fitting regular exercise into a busy law school schedule. Fortunately, CSU has opened an on-campus state-of-the-art recreation center.

With the goal of promoting life-long habits for improving mental and physical wellbeing, this \$30 million, 110,000 square-foot recreation center offers top of the line fitness equipment, a sports arena, a multipurpose gymnasium, personal training, fitness programs, pilates, dance, spinning, a juice bar, and a lounge area, among some of its other features.

“It is our mission to try to do as many programs and offer as many services as we can to allow the students to fully utilize and integrate the rec center into their daily routine,” said Greg Ross, director of campus recreation services.

“What’s so spectacular about the opening of a new rec center like this is that it becomes a place where students can hang out between classes, grab a bite to eat, network with friends and colleagues, plop down with

your laptop, and do homework or workout,” said Ross.

To reduce stress and prevent burnout, 30 minutes of aerobic activity three times a week, whether it be playing basketball, taking an aerobics class, or using exercise equipment, is recommended, along with weight training two days a week.

“You can’t have your nose in a book all the time. You have to balance your life and this is what this rec center will do,” Ross said.

All full-time students have access to the rec center, the cost of which is built into tuition. Part-time students also have access to the rec center for a fee. Memberships are not being offered to the outside community at this time.

For hours of operation, log on to http://www.csuohio.edu/recreation_center/

Taking courses to prepare for the bar exam

By Karen Mika
LEGAL WRITING PROFESSOR

My schedule is pretty full, and I can't possibly fit in all of the bar courses. Are there any that might be skipped without causing too much of a problem?

As is usually the case, deciding what to skip is a matter of balancing all factors. Keep in mind that there are several subjects that are tested only on the essays, and only once (such as Wills and Secured Transactions).

Compare that with subjects such as Evidence, Criminal Procedure, and all aspects of Constitutional Law (which are tested on the essay portion and the multi-state portion).

However, the amount of questions on each topic shouldn't always be the determinative factor. You must ask yourself what you do know something about, and what you don't know anything about.

You might also ask yourself what would be a waste of time to concentrate on given the time constraints of law school and extra-curricular activities.

For instance, I had a Business Law course in undergraduate school and found (what was then the Agency/Partnership course) to be a complete repetition.

Someone who works in a First Amendment firm might not need to take a course in First Amendment Law. Those who work with a Probate attorney might not need a full course in Wills.

And not to minimize the value of a subject such as Corporations, but I could have taken the class every semester for three years and not understood stock structure. There, I was willing to take my chances with what the bar review told me was "most likely" to be tested on the exam.

Remember, the bar review courses provide an overview of all subjects on the bar exam. Although that is never enough to encapsulate the entirety of law school, it does provide the opportunity to have a review of material from courses that a student just couldn't fit into the schedule.

The object is to choose intelligently what material should be studied in depth and what can be left for the bar review.

In the end, you must also consider careful scheduling. Although a course such as Evidence might be understood in the first semester of one's second year, the material might be better absorbed in the third year, after the student has had more background in understanding its practical application.

Additionally, although Commercial Law is not necessarily a prerequisite for Secured Transactions, I found it a useful and beneficial prerequisite. I would think that trying to take them at the same time would diminish the understanding of both.

So, my advice is to have a well-considered plan that takes the entire picture into consideration.

Plans don't always work out as intended, but it is better than entering your last semester with five bar courses to take and an upper level writing project to complete!

C-M Dean Melody Stewart runs for judge

By Kevin Shannon
GAVEL CONTRIBUTOR
On May 2, 2006, C-M Dean Melody Stewart, assistant dean for admissions and financial aid, defeated Michael Dolan and Patrick Talty in the Democratic primary to earn the Democratic nomination for the 8th District Court of Appeals.

On November 2, Cuyahoga County voters will decide whether to elect Dean Stewart or her challenger, Robert Moriarty, to the Court of Appeals seat being vacated by Judge Michael Corrigan.

Her favorite part of campaigning is meeting voters from all different areas of the county, while her least favorite part is when the campaign requires her to travel from one side of the county to the other with events overlapping, Stewart said. However, she now knows Cuyahoga County like the "back of her hand," Stewart added.

In addition to the grueling hours spent on the campaign trail, Stewart works at least fifty hours per week at C-M. She is also serving as caretaker for

a 95-year-old woman, as well as finishing her dissertation on juvenile diversion programs.

Stewart believes that part of her qualifications for the Court of Appeals is her diverse legal background.

After graduating from C-M, she practiced law, taught law, and published legal scholarship, Stewart said. Although her legal practice focused on civil law, she has taught both criminal law and criminal procedure courses, Stewart said.

Of the 12 judges currently on the court, 10 have prior experience as either Common Pleas judges or Cleveland Municipal Court judges.

It is important to have prior trial judges well represented on the court, Stewart said. However, in any three-judge panel, there will at least be one former trial judge, Stewart added.

Lack of trial court experience can be seen as a positive because it can help bring a different perspective to issues before the Court, Stewart said.

Recently, Dean Stewart's opponent has been in the news

because of a peculiar situation involving his name on the ballot.

Stewart's opponent, Robert Brian Moriarty, a C-M alumnus, was listed on the ballot under his first name - Robert. However, he argued that most people know him by his middle name, Brian, and that he had designed his campaign site and literature using that name.

The Cuyahoga County Board of Elections, noting that Mr. Moriarty filed his application under the name Robert, stated that they would not change his name on the ballot. However, a Cuyahoga County Common Pleas judge disagreed and ordered that Moriarty be listed by his middle name.

The judge's ruling was a surprise, but does not make a difference, Stewart said. Voters should be more concerned with how Moriarty will handle complex legal arguments if he has difficulty following clear directions for filling out a ballot application, Stewart said.

This is Dean Stewart's third campaign for a seat on the Court

of Appeals. She lost in the Democratic primaries in 2000 to Judge James J. Sweeney, and in 2002 to Judge Thomas Pokorny. When asked what she learned from these losses, Dean Stewart stated that if you do not have a "magical election name," then it is especially hard to persuade Cuyahoga County voters to vote for you.

When asked to comment further on the tendency of Cuyahoga County voters to vote based on a candidate's last name, Dean Stewart diplomatically declined to answer.

The Plain Dealer has endorsed Dean Stewart. "Her intellectual curiosity...is shown by not only her legal scholarship, but also her undergraduate degree in music and the doctorate she is working toward," stated the Plain Dealer.

Voters should choose her over her opponent because she has been an attorney longer than her opponent, her legal career has been more diverse, and she has more education, including working on a Ph.D., Stewart said.

Study abroad programs in international law

By Tiffany Elmore
STAFF WRITER

Can you picture yourself consulting a Tokyo firm on its international business needs or sipping espresso over contract negotiations with your client in Rome?

Changes in the global economy have sparked the need for international lawyers. The expansive opportunities in international law are drawing more law students to international practice each year.

This fall, the C-M administration expanded its international course offerings in response to a growing market and student suggestions. While academic studies offer invaluable knowledge, students have forgone the classroom for practical, hands-on training across the pond.

Students who wish to extend their international experience beyond spring break in Cancun may want to consider an international internship. International internships are competitive but not out of reach. Some of the most popular are offered by government agencies like the United Nations that recruits both American and foreign law students.

The United Nations offers many internship opportunities for those seeking experience in human rights law, environmental law, and international relations, among other areas.

Students interested in a first-hand glimpse into international criminal trials may wish to consider applying for intern programs at either the International Criminal Tribunal for the former Yugoslavia (ICTY) in the Netherlands or the International Criminal Tribunal for Rwanda (ICTR) in Africa.

The ICTR is in the midst of prosecuting individuals involved in the genocide of Rwandan citizens in the mid-1990s, as documented in the film, *Hotel Rwanda*.

Similarly, the ICTY is currently prosecuting former political and military leaders in connection with crimes conducted under the command of the late Yugoslavian Head of State, Slobodan Milosevic. Interns participate in the pre-trial and trial processes and assist in many projects, including preparing briefs or drafting motions for the on-going trials.

Erin Kriynovich, 3L and legal intern for the ICTY this past summer, stated that interns are an integral part of the trial team. Kriynovich was assigned to Trial Chamber 3 where Milosevic was being tried before his death earlier this year. Involvement in the pre-trial process included research on procedural issues and organizational work for the legal officers and judges, said Kriynovich.

The ongoing tribunals are pivotal components in the field of international criminal law, and students participating in the trial process are poised to make legal history.

In addition to the legal experience, a student will gain perspective on the surrounding culture through personal interaction with foreign law students as well as the local community. Living abroad offers a connection with another culture – daily life, countryside landscapes, and nightlife escapades.

"Students should be creative when looking for a summer job, not to just look for a job opportunity, but to look for an experience," said Kriynovich.

Students interested in applying for an internship with the ICTR, ICTY, or other UN programs, must submit their application six months before the start of the program. Most government internships are unpaid, but funding is available in the form of grants, scholarships, and loans.

International internships provide an opportunity to gain practical work experi-

ence, learn new foreign language skills, and cultural immersion opportunities.

More information regarding international internships can be found on the United Nations' Web site: <http://www.un.org>.

THE GAVEL

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The Political Broadside

Cleveland’s poverty problem debated

Issue: What are the causes and solutions to the city’s poverty?



By Bradley Hull
CONSERVATIVE GAVEL COLUMNIST

Repair of the broken structure of Cleveland families is necessary to reduce the city’s 2005 nationwide leading 32.4 percent poverty rate. This result will require both changes in lifestyle and welfare reform.

The substantial causes of poverty are failure to graduate from high school, having children before marriage, and having children before age 20, according to former President Clinton advisor William Galston.

Using an earlier study based on Census Bureau data, Galston found that only 8 percent of families who avoided these were impoverished, compared to 79 percent of those who did not avoid all three.

In 2003, 80 percent of Cleveland’s children were born to unmarried women. This rate ranked the third highest of all major U.S. cities and *nearly three times the nationwide average* of 29.3 percent. The percent of births to Cleveland women between ages 15 and 19 were *more than three times the national average* and ranked seventh among all major U.S. cities. The Census Bureau’s most recent American Community Survey determined both estimates.

Based on Princeton University professor Sara McLanahan’s finding that “children from one-parent families are about *twice as likely to drop out of school* as children from two-parent families,” it is unsurprising that the Cleveland Public Schools’ 2006 graduation rate ranked 20 percent below the national average and in the bottom half of major U.S. city school districts. The Cleveland Public Schools and Editorial Projects in Education Research Center supplied this data. Thus, Galston’s factors accurately predicted Cleveland’s high poverty.

The breakdown of the traditional family structure often begins a cycle of poverty for both parent and child. 2005 Census data shows that mid-western, single-parent female-headed households were *over seven times more likely to live in poverty* than married couple families. Midwestern single-parent male-headed households were *three and a half times* more likely. Further, McLanahan’s research found that girls raised in single-parent homes were 164 percent more likely to have a child out of marriage.

Internationally renowned sociologist and former Harvard University professor James Q. Wilson described the primary remedy for the breakdown of the traditional family in a 2002 *City Journal* article.

He said, “the right and best way for a culture to restore itself is...to be rebuilt, not from the top down by governmental policies, *but from the bottom up by personal decisions*”.

However, both federal and state governments will help alleviate poverty by adding work requirements to public assistance programs Medicaid, public housing and food stamps. Moreover, state compliance with federal measures to discourage out-of-wedlock births will reduce poverty.

This was the testimony of Robert Rector, senior research fellow for the Heritage Foundation, before Congress’ Ways and Means Committee on July 19, 2006. His conclusion was based on the success of the reform of federal welfare in 1996, which aimed to encourage work and discourage the breakdown of traditional families.

Rector noted that 1.6 million fewer children are impoverished than in 1995, the poverty rate for children of single mothers has fallen from 50.3 percent in 1995 to 41.9 percent in 2004, and the pre-reform “explosive growth of out-of-wedlock childbearing” has *come to a near standstill*.

Significantly, Dr. June O’Neill, former director of the Congressional Budget Office, found that “*policy changes* accounted for roughly *three-quarters* of the increase in employment and decrease in dependence [while the *economic growth of the late 1990s*] explained only *about one-quarter*”.

Without changes in both lifestyle and eligibility for government assistance, Clevelanders will be reminded again and again in the future of this quote from an August 27, 2004, Plain Dealer article: “Single-parent households are the *surest* indicator of poverty...and that *all but guarantees a high poverty rate for Cleveland*”.

Liberal rebuttal...

Did the breakdown of the traditional family structure in Cleveland cause the city’s poverty problem?

While the two are no doubt inextricably linked, it is more likely that they contributed to one another.

Poverty surely causes familial discord, and single parent households unquestionably accelerate poverty- but correlation does not imply causation on either end. As such, while re-establishing strong family units will help to alleviate poverty, it is by no means a ‘silver bullet.’

You argue cogently in favor of state and federally-funded relief programs that mandate work requirements. On this point we agree. However, as telling as what you do say is what you fail to address.

By not taking on the issues of wages and economic development you fail to prescribe a practical remedy to Cleveland’s urgent fiscal crisis. Where will the parents in your two parent households work? How long will domestic tranquility survive low life quality due to mounting debts and insufficient wages? How will untreated illnesses due to insufficient healthcare coverage impact your families?

Poverty in Cleveland is a systemic problem to which there is no singular solution. It is incumbent upon the government as much as the people to return Cleveland to greatness.



By Joseph Dunson
LIBERAL GAVEL COLUMNIST

The city of Cleveland is destitute and needs sweeping change. Cleveland’s poverty problem grows out of more than a half century of staggering industrial loss, “white flight,” an ineffective education system, and poor city planning.

The once proud industrial center now suffers from a litany of social problems, including a lack of high paying manufacturing jobs, a low high school graduation rate, an insufficient average household income, and an ever-increasing number of uninsured residents. It is no surprise that these problems weigh most heavily on Cleveland’s children. Though the picture I paint seems bleak, there is hope for Cleveland’s future. Sensible reform in the areas of education, economic development, and individual empowerment on the federal, state, and local levels will alleviate Cleveland’s woes by creating an atmosphere ripe for change and rejuvenation.

On the federal level, Congress must first pass a mandated living wage law commensurate with the economic strains on our nation’s working poor. Not everyone in this country can live richly, but no one who works full-time should live destitutely.

The federal government must increase community development grants available to enrich neighborhoods in cities like Cleveland. These block grants fit the needs of individual communities, and may be used for various social and economic programs.

Further, Cleveland businesses must realize an increase in federal grants for healthcare innovation. As a leader in medical treatment and technological advance, Cleveland will attract cutting edge businesses supporting a highly paid workforce, resulting in citywide economic growth. Finally, Congress must take away the lucrative incentives given to big business to outsource high paying manufacturing jobs from cities like Cleveland. It is high time that this government recognize that it owes a duty to its citizens- not to rich multinational corporations.

On the state level, the Ohio legislature must pass a constitutional public school system funding plan that provides each Ohio child with a college preparatory curriculum. The legislature must recognize that meaningful financial support for all of Ohio’s public schools is the only way to ensure a bright future for the next generation of Ohioans. Charter schools and voucher programs only detract from quality public education by fragmenting communities and taking much needed tax dollars out of our schools.

The legislature must work closely with the new governor and Ohio’s employers and health insurance providers so that all of Cleveland’s workers and children will receive affordable healthcare. A healthy public works harder, and healthy children learn better. Further, the Ohio legislature must enact a living wage law in its own right. Without a substantial rise in Cleveland’s average household income the poverty problem simply cannot be solved. Wages must be the starting point.

On the local level, the city of Cleveland must strive to maintain an efficient school system administration and must work closely with the state in order to both lower class size and attract young, smart, devoted teachers. The city must attract businesses in the healthcare and technology industries by giving them financial incentives for headquartering within Cleveland’s borders.

A resurgence in the downtown business community will keep recent graduates from relocating in search of lucrative employment opportunities. Also, residential development downtown will further attract young professionals, who will in turn make a positive impact on the City’s economy.

At issue currently is the controversial Flats Revitalization project. If the courts allow the port authority to exercise eminent domain over the subject property, Cleveland could realize substantial long term economic benefits. Large scale initiatives like the flats project are essential to Cleveland’s future because they combine downtown commercial and residential development in order to foster a sense of “city living” to which people will respond positively, by choosing to live and work in Cleveland.

Conservative rebuttal...

Facts matter. Your unsupported opinions largely misidentify the causes of Cleveland’s poverty.

First, you *completely ignore* both personal responsibility and the breakdown of the family. Thus, you have overlooked the most substantial cause of Cleveland’s poverty.

Second, you *primarily* blame wages. However, after adjusting income for cost-of-living, Clevelanders have a *substantially higher average net disposable income* than do residents of all major cities on both the East and West coasts (found on salary.com), yet Cleveland’s poverty rate outranks them all.

Third, you blame the local economy. Yet in 2004 Cleveland’s job growth outpaced that of 11 of the 40 largest cities U.S. cities (found in Forbes magazine), but Cleveland still has a substantially higher poverty rate than all 40.

Fourth, you blame industrial job loss. However, Pittsburgh’s 2005 poverty rate was nearly 10 percent lower than Cleveland’s, and the Steel City has yet to rank among the nation’s poorest cities in any year the data has been tracked.

Fifth, you blame Ohio’s school funding. This is contradicted by the 2005 graduation rates for both the Cincinnati and Columbus public schools, which respectively outpaced Cleveland’s by 26 percent and 19 percent, and also by Ohio’s 2003 ninth-highest graduation rate of all U.S. states.

SBA makes
agenda for
2006-2007

By Scott Kuboff
SBA PRESIDENT

Dear Fellow Students,
On behalf of my fellow SBA officers, Meredith Danch, Chan Carlson, Nick Hanna, and Jaime Umerley, I want to welcome you to what should be another successful year.

While we are excited to begin improving your quality of life here at the law school, we are deeply saddened at the loss of our fellow student, friend, and colleague, Justin Vanderburg.

We extend our sincere condolences to his family and friends as they remember his life in the days and months ahead.

In recent years, there has been a growing trend of new student organizations forming and old student organizations reorganizing.

This has added a great value to C-M because we have more opportunities to assist our community, grow and develop our professional character.

Each year, the SBA has taken great steps to ensure that student organizations are adequately funded.

This year, I am pleased to inform you the General Fee Advisory Committee approved the SBA's proposal to receive a one-time additional allocation of \$7,500.

I pledge to you that all of the additional resources will be allocated to student organizations through the SBA's funding process so that they can continue to enhance our academic experience.

In addition to helping student organizations succeed, the SBA remains committed to placing our students in the best position to excel in the classroom.

In 2005, the SBA changed the law school's exam policy to allow students scheduled for two exams on the same calendar day to reschedule an exam. Although this change was a positive step forward, there is still work to be done.

For example, your SBA plans to further change the exam policy to allow students, if they have more than one exam within a 24-hour period, to reschedule an exam.

In order to effectuate these changes, a committee, chaired by Nick Hanna, SBA treasurer, has been established.

Although we are energetically working to accomplish these initiatives, we cannot accomplish them without your help!

We are in need of student representation on any of our committees; therefore, any student wishing to participate is encouraged to contact myself or the respective committee chair.

Dissent is core of American tradition

By Kurt Fawver
GAVEL COLUMNIST

"Yeah, well, if they don't like it, they can get the hell out."

This was the capstone of a discussion on immigration and migrant workers taking place between two gentlemen behind me in a Wendy's order line last week.

I shouldn't have been eavesdropping, but I couldn't help myself. After all, the gentle aroma of frying meats and boiling lard always stimulates the most furious political thought.

So, I listened to the two men, trying to glean a few nuggets of wisdom from their conversation.

They were construction foremen. One of them had several migrant workers under his supervision. He claimed that they were diligent and capable.

Good workers, really. What he didn't understand was why they had a problem with the American government after it had taken them in and helped them earn substantially larger paychecks than they could have dreamed of earning in their homelands.

He thought that they had no right to complain and, in summation of his argument, muttered the opening quote.

As I stood in line in front of

these men, I contemplated whether I wanted Mr. Pibb or orange Hi-C and grew irritated.

I'd heard this same argument a million times before. Everyone has a stodgy old grandparent or conservative uncle who, for whatever reason, has come to the conclusion that dissent equates to harm.

These people tend to believe that Larry the Cable Guy is a brilliant political philosopher. They watch The O'Reilly Factor as their sole nightly news source.

They often posit the same solution for dissention, too: "Those <insert racial/cultural epithet here> want more rights? Well, if they don't like how they're treated in America, they can leave."

These individuals don't understand the fundamental principle of American democracy, and I fear they may be the moral majority.

In America, if you don't like something, you change it. Running away is not an answer nor is forced complacency. Minority groups, whether racial, cultural, social, or political, all deserve to have their voices heard. They deserve an opportunity to change the law, to alter governmental policy.

The beauty of the Constitution, many scholars have said, is in its living, breathing nature. It has the ability to change with the times and the sentiments of the people, to make provisions for future interests that may be entirely at odds with past or present doctrines.

The Constitution, the foundation of American government and law, is not completely bound to tradition. It can be amended. It can change. It must change or else fall victim to antiquation and irrelevance.

If the very core of American law is based on malleability, political dissent is exactly what it encourages.

The entire reason we enter law school is to change the law where we see flaws and to uphold the parts we believe have merit.

Law is constantly evolving. If no one had the determination to challenge convention, our laws would be exactly the same as they were in colonial times. Legal growth would come to a grinding halt.

It is only by inciting change, by occasionally turning the status quo on its head, that we prog-

ress.

As future lawyers, it is our duty to question current standards with the knowledge that one day, very soon, we will have the power to create, overturn, and alter law.

We cannot fall into the trap of unwavering faith in our institutions. We must question Supreme Court decisions, scrutinize Congressional legislation, and bring our executive officers to answer for their actions.

We cannot simply drift by on the assumption that, because current law says something is right or wrong, it must necessarily be so. By upholding the free exchange of ideas and considering all sides of any contested issue, we create a more equitable legal system.

Organized groups of all backgrounds and beliefs should be permitted to voice their complaints and concerns, and we, in our future positions of power, should listen intently.

By understanding the underlying causes of dissent, we can more clearly determine what the citizenry needs and what we can best do to assure its protection.

Political and legal dissent can be nothing more than a mob of malcontents baying at the moon, certainly. But dissent can also lead to a more just nation.

It is for this reason that dissenters, whether immigrants or otherwise, should never be forced to "like it or leave it."

1L impressed by alcohol at orientation

The following is the first part in a six-part series following a first-year C-M student from orientation to spring exams.

So we've all finally made it, made our deals with the devil, or perhaps a loan company, which is about the same thing, and arrived at law school.

For some of us, going to law school entailed a cross-country move; for others, it was simply changing the parking sticker of choice. For those who had the latter, I am truly envious.

On an off note, I spent some of my summer free time reading a few comic strips and occasionally perusing a law prep book, where I was regaled with horror stories of getting thrown straight into law school and being attacked by Godzilla, etc.

As I entered the moot court room for the first night of orientation, I noticed that there were a lot of older people and also a conspicuous absence of any Godzilla-like life form, which, I'm not going to lie, was a minor relief.

The lecture from Dean Mearns on the joys of being an attorney was like a plug for Go Navy: it sounds really sweet with the pounding Godsmack song in the background, but they always seem to leave out the boot camp aspect.

As I exited the moot court room and remembered there was Miller Lite waiting for me (just like undergrad, except now we don't have to worry about getting busted), I decided that good old C-M had a weird way of intimidating students.

A few 2Ls in the audience were grumbling that their orientation wasn't nearly as enjoyable. Some 1Ls complained that orientation was too easy and wished that it was more like last year with lots of writing classes and a "real" experience.

Give me a break. Miller Lite IS a real experience, and secondly, these type of people REALLY scare me, especially when they re-produce.

Orientation was pretty normal, all things considered. The writing classes were a real thrill, and the drunken nights that followed were quite entertaining to observe.

Even funnier was seeing the hung-over looks on my friends' faces the next day. I truly hope this trend continues, mostly because it's hilarious.

Now, for me, locating the local hotspots to make lasting one night relationships (or if you're like me, go for the gold and try for three days) is very important.

It's also important to find the local bars that don't have creepy old men in them and some half-way decent nights clubs.

Come on, this is Cleveland - not exactly a Mecca of hotties. I wasn't holding my breath for some L.A.-esque experience, although Synergy sure does try.....and fail. This is Cleveland guys, get real.

I was not entirely disappointed with the famed West 6th street, but the fact that they charge money to get into these dives is slightly disturbing.

Then again, there isn't much else to do here except study, and nobody wants to do that except for those aforementioned 1Ls who have a giant "L" - for...uh... love - on their forehead.

Okay, so maybe you should crack a casebook now and again just to get that feeling in your brain usually referred to as thinking, but you must be careful to stretch with some light reading.

I recommend Sports Illustrated. Don't worry. I'll have plenty more to keep you amused.

Try to get some sleep: you'll need to remember what that is when you're counting down to finals and haven't even thought about spending quality time with your pillow let alone your significant other.

“Who put that liberal crap in the Bible?”

By John Rose

GAVEL COLUMNIST

One right-wing blog I have been visiting was recounting tales of horror, generally lumped under the category that all liberals were either Godless or, worse, actively anti-Christian, a theme they stole from the noted intellectual Ann Coulter.

The catch line to this blog went something like this: there’s nothing that liberals won’t lie about, no depths to which they won’t sink to battle “the moral majority.”

The Reverend Donald Wildmon, founder of the American Family Association, has organized and urged his followers to boycott the advertisers of a number of network television programs that he claimed were anti-Christian.

He famously referred to one of these programs, *The West Wing*, as “liberal pornography,” no doubt because of the subver-

sive ideas it perpetrated on an unsuspecting American audience.

I’m starting to think that maybe those folks on the right are on to something. Now, we know that the Bible hates homosexuals and taxes and loves the rich and the military.

We know this because great conservative Christians like Rod Parsley and Pat Robertson tells us so. Yet when I was reading my Bible, I found “ideas” so liberal that it came close to smacking of socialism.

These ideas, like those evil television programs that Reverend Wildmon saved us from, could only be described as “liberal pornography.”

Check out this so-called “Bible” verse, Matthew 19:21: “If you want to be perfected, go sell your possessions and give to the poor and you will have treasure in heaven.”

Another piece of “liberal filth,” purportedly in Luke 18:25, which says that it is

easier for a camel to pass through the eye of a needle than for a rich man to enter heaven.

There are still other verses, which I was shocked and ashamed to discover that carry this blasphemous theme even further. And I can’t even bring myself to mention the rubbish about loving your enemies and not judging people.

I can’t help but think that this is a plot, conceived by Godless Liberals (this is an enemy that deserves capital letters) to actually add verses – really socialistic, subversive stuff – into our Bibles.

I can just see them now, operating in dark secret printing presses, cranking this stuff out, then giving them to their minions to put in hotel rooms and other holy places.

So Christian conservatives have a huge task if they’re going to live up to the Godly

ways of Reverends Robertson and Parsley, to name just two: they’re going to have to go into every bookstore, hotel room, church, hospital and tavern, and blot out these offending phrases.

It won’t be easy. You can’t just use a sharpie marker or even a ballpoint pen to cross out these lines - with most Bible paper being so thin and all (that’s another Godless liberal plot – they use these pages as rolling papers). They’re going to need crayons.

So here’s what I think needs to happen: someone, some faithful soul, needs to set up a foundation to find holy missionaries and give them crayons with which to scribble out these false and offensive passages in these Bibles to restore the texts to the clean, conservative documents they originally were. Not only will it help the crayon industry, but it will give these folks something to do.

Orientation: 1Ls attend more than just legal writing classes

Continued from page 1--

community is challenging, Barnhizer said.

While orientations in previous years had a clear focus on legal writing, this year’s program was more hands on and focused on legal analysis, said Barnhizer. The program addressed what is to be expected in the classroom with professors holding “model classes” followed by small groups centered on teaching and expectations.

Legal writing professors, ac-

customed to a central role in orientation, had less interaction with students. Rather than 14 hours of legal writing class, this year’s entering students had a bit more than three hours.

“The legal writing professors were happy that they did not have the burden of it, and I heard that e-mails have circulated that they do not want the burden again,” Barnhizer said.

However, legal writing professor Karin Mika said it will be a challenge to stay on schedule

with the loss of class sessions. “On our part there is at least a little bit of scrambling to get to be where we need to be in the syllabus,” Mika said.

“I will not say [the limited role] came as a shock, but we’ve been doing it one way for so long, and it seemed to be working,” said Mika. “We were brought in to bring uniformity to orientation, and it is like we are going back to the beginning,” Mika added.

The new program isn’t better or worse for not including exten-

sive legal writing sessions, just different, Mika said.

This year’s orientation also saw the elimination of the “significant others” session, which was important but would be more effective if held later in the year, Barnhizer said.

“It’s not the tone we wanted to set for people going into law school,” Barnhizer said. Evaluations of this orientation program were extremely good, said Barnhizer. “We tried to give a context for law school, and I think we did it.”

The next phase of the program takes place in October with a session on test-taking strategies.

“We want to deliver knowledge at the right time so students can appreciate it and pull their experience from their first two months together,” Barnhizer said.

Barnhizer was pleased with faculty enthusiasm. Of the 38 non-writing and non-clinical faculty, about 24 will have participated in the August and October programs.

After new students complete their first round of final exams, they can attend a February session where they will be “debriefed” on their exam performance and will be given guidance for future exam taking based on their previous results.

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For more information, please contact Greg Jolivette at Gregory.Jolivette@law.csuohio.edu.

Political message through art protected by Asylum Project

By Drew Behnke

GAVEL CONTRIBUTOR

The art of politics explores the art and artists who find their muses within the realm of politics. For some, this may be a “shout out” to their candidate of choice in the next election or perhaps an unpopular recount of history. For others, it is the telling of a story that reflects their own aspirations for the real world around them.

Some messages are little more than pandering to the perceived tastes of their respective audiences. There are also those who only hope that someone is listening and hope that what they have to say will somehow effect change.

In this country, by and large, there is both a legal and social tolerance for such messages. Undoubtedly, it is taken very much for granted. There are other places, however, where such expression is not tolerated but it is punished. Severely.

In 2003, a group of writers recognized this plight and formed the Cities of Asylum Project. Under its umbrella, various cities throughout North America and elsewhere sponsor writers persecuted in their own lands and give them intellectual sanctuary to continue their work.

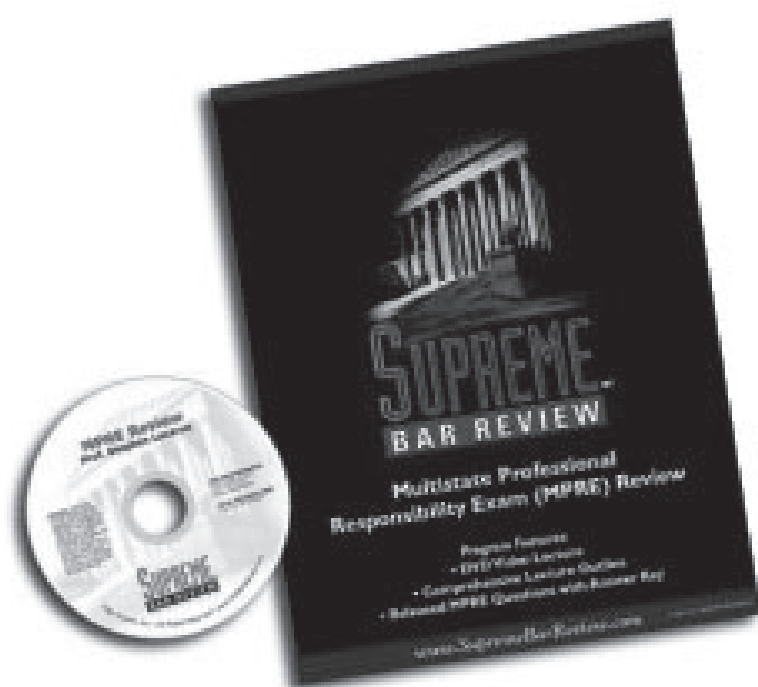
Pittsburgh took up the call and joined the network of sponsoring cities in 2004. Its Mexican war street community is a noticeably eclectic neighborhood comprising artisans, professionals, students, and a socially conscious lot.

It is in this community that the artist Huang Xiang, a Chinese-born poet, has made his home since November 2004. Xiang, who began writing in post-revolution China during the 1950s, has written poems covering a variety of subjects including civil liberties and human rights. His poems did not interact well with the Chinese Communist Party, and he was placed in re-education camps and prisons for a better part of his young adulthood.

Xiang is now writing and speaking publicly under the auspices of the Cities of Asylum Project. He displays his work on his home in Pittsburgh in the tradition of ancient Chinese poets. The Pittsburgh Cities of Asylum Project recently celebrated the dedication of its second city of asylum home.

Come this November, another artist will be named and join Xiang and his adopted community where she or he will be able to discuss and express freely the motivations behind the art. Hopefully, like Xiang, that person’s messages will find refuge where they may flourish and, perhaps, find their way back to their native audience.

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