1966 Volume 14 No. 4

Cleveland-Marshall College of Law

Follow this and additional works at: https://engagedscholarship.csuohio.edu/lawpublications_gavel1960s

How does access to this work benefit you? Let us know!

Recommended Citation
https://engagedscholarship.csuohio.edu/lawpublications_gavel1960s/35
Day Session Scheduled by 1968

By Fred Pizdezak

Plans to add a day session to the curriculum of Cleveland-Marshall were revealed in the school's brochure for the coming year.

Start of the proposed day session is tentatively set no later than the fall of 1968, said Howard Oleck, Associate Dean of the school. The administration is now planning a program to interest and inform pre-law advisors of the new program, so that capable day students may be more readily attracted.

To meet the added needs of the day schedule will entail the hiring of additional full time faculty and staff members. The administration indicated that it is currently conducting a nationwide search for the best available personnel. Some interviews have already been made.

Dean Oleck emphasized that the proposed day school addition will in no way detract continued excellence in the present evening session curriculum, which is felt by many to be the best in the country.

Although plans for the day session addition are still in the formulation stage, it is expected that the added influx of day students will be accommodated in the present school facility. Alternatives being considered include remodeling and utilization of the basement for new library space and installation of an additional student lounge. The Dean indicated that these and other plans are still in the formulation stage, however.

Contrary to published reports in the local papers, the school has no plans to expand the physical facilities beyond the building now housing the school.

Schoenfeld and Smith to Leave School in June

Smith Leaves After Ten Years; Concentrates on Private Practice

When classes assemble for the new term this September, a genial, prematurely white haired and familiar figure will be conspicuous by his absence from the scene. After ten years of helping C-M hopefuls, Professor Jack F. Smith is calling it a teaching career.

Smith's own educational pursuits are a study in determination. A graduate of East Tech, he was drafted into the armed services and attended Western Reserve University part time for several years later as a master seargent.

With G.I. aid, he returned to the Post Office and Reserve, completing two years at the latter institution necessary for entrance to Cleveland-Marshall by 1950. He studied law evenings and graduated from C-M with an L.L.B. in 1954. Smith then took a position as a清晨-clears, newspaper reporter, and was later accepted as a full time law student.

When the comprehensive study of the law school as an institution that fall, with courses in law, economics, and sociology, as well as being charged with the responsibilities of librarian. During this period, Professor Smith found time to travel, in the American Conference of Bar Examiners. This summer's American Bar Association meeting in Montreal.

Schoenfeld Accepts Challenge; To Teach at Villanova University

With the completion of the Spring trimester, the innovator of the trimester system will also be completing his third and last year at Cleveland-Marshall Law School. Marcus Schoenfeld, assistant professor, resident expert on the Internal Revenue Code and the virtues of New York, co-faculty advisor to the Law Review, has been invited by the association to take part as a member of two separate committees, one on Legal Education, the other on the Joint Conference of Bar Examiners.

Several times in the past, Oleck has commented on the necessity of changing the Bar Examinations better reflect the continuous changes in the legal profession. He feels that the curriculum of the law schools does a much better job of keeping current. The Dean has often expressed concern at the widening gap between what is taught at the law school and what is elicited from the candidates in the Bar Examination.

The Dean flew to Chicago on February 18 to participate in the planning conference.

Marcus Schoenfeld

Oleck Named to ABA Group

Howard Oleck, Associate Dean of Cleveland-Marshall Law School will participate in the planning of this summer's American Bar Association meeting in Montreal. He has been invited by the association to take part as a member of two separate committees, one on Legal Education, the other on the Joint Conference of Bar Examiners.

Several times in the past, Oleck has commented on the necessity of changing the Bar Examinations better reflect the continuous changes in the legal profession. He feels that the curriculum of the law schools does a much better job of keeping current. The Dean has often expressed concern at the widening gap between what is taught at the law school and what is elicited from the candidates in the Bar Examination.

The Dean flew to Chicago on February 18 to participate in the planning conference.

Mural Lectures on 'Art of Law'

Recently, Professor Murad gave a lecture, at the invitation of Baldwin-Wallace College, on Law in Literature, and Literature in Law. The professor divided his lecture into two parts, the first part dealing with the use of Literature in law.

Professor Murad quoted extensively from famous jurists and advocates to illustrate that the precise use of the English language may be combined with imaginative, artistic use of language to bring about literary and Law. Many of the quotes from famous jurists urged the beginning lawyer to study the English language which has been called the most beautiful of tongues.

Professor Murad quoted from both English and American advocates addressing the jury to how they would control the use of language; some literature may sway people by force of emotion. Commenting upon modern trends in legal language.
Let It Never Happen Again

As all of us know in January after about one year of "so-called work" a new constitution was put before the student body. Each council member spoke to his individual class and recommended that the new constitution was "better than thou" and of course should be passed intact. This paper has learned from reliable sources that at this same time some of the council members did not know exactly what was in the instrument at all.

If they did know they certainly didn't let it be known. The new constitution provided new basic requirements for candidates for council for the office of Student Council President. When the council representatives came to one section of the third year class to take nominations for this office they never once mentioned that there were any minimum requirements. After nominations had closed and one week had passed. runoff elections were to be held in each section of the third year. When the election was due to be held these requirements were made known to the men running the election. They were then faced with a perplexing problem.

What should they do with names already in the running? Should they take new nominations or should they ask if anyone else would like to take their name out of the running? Of course if the latter were chosen all would know why they were withdrawing.

How was this problem finally solved by future lawyers? All names were taken out of the nominations and new nominations were taken. The only problem which remains is that in some nominations one former candidate was left off the slate simply because this man was late to class due to being late from work.

This is the kind of slipshod management that we are accused of being overly critical of. If this is being overly critical we will continue to do so. This accident should never happen again and now that the students know about it, they were faced with a perplexing problem.

Robert Sweeney, C-M Alumni, To Run for Attorney General

By Bill White

U.S. Rep. Robert E. Sweeney is 41 years of age, married and is the father of 11 children. He is a graduate of Cleveland-Marshall Law School and was engaged in the private practice of Law up until he was elected to congress in 1954. Prior to entering Cleveland-Marshall, he attended Georgetown University and Baldwin-Walace College.

Rep. Sweeney is a candidate for the Democratic Nomination for Ohio Attorney General. He won the nomination for Attorney General in 1965 and was a very prominent participant as a possible candidate for Governor. Congressmen Sweeney represents the papers and political organizations of people who might run for Governor and followed through with this campaign to keep his name in the picture.

Rep. Sweeney states "the office of Attorney General has been turned into a political battleground. He believes that the status large law office should be a source of revenue and not a side issue to attorneys throughout the state."

"I cite the Joey Napole cases as one example of what I am referring to. It is that Attorney General and the day Attorney General had a hand picked representative that had been disbarred at one time and the Attorney General should have not been surprised when he betrayed his obligation to the citizens of this state."

One suggestion Rep. Sweeney made to improve the situation was that the Attorney General in Conjunction with the Bar Associations and Law School Deans, study the possibility of requiring an attorney to report to the Attorney General Office. He also stated he would not be opposed to a study which would look toward charging the Attorney General office a fee from an elective post to an appointive position, similar to the position the present office would hold.

Rep. Sweeney feels it is more difficult for night law students today than it was for the night law student fifteen years ago when he was a student attending night law school. He pointed out that when he was a student attending night law school, the entire program sounds exciting, that the tuition is to be raised from $32.00 to $34.00 per credit hour, starting with the term in September. And does anyone remember the Dean assuring all of us at the time of the last raise, in 1953, that there would be no more raises while the present third year class was at school? The Gavel does, for his assurance was printed in the paper that fall. But times and conditions change, right, Dean?

The new brochure has a striking change. Good thinking, gentlemen. The contents are equally as interesting. The range of electives be-

Noltan Will Leave $20,000 to C-M

Cleveland-Marshall was recently named beneficiary of a twenty-thousand dollar bequest, left to the school by the will of Mrs. Phillip Noltan.

Dean Stapleton beams as he accepts check from Ellis Ripper

Mrs. Noltan made the bequest in the name and memory of her late husband, a graduate of the law school.

In conversations with Mr. Ellis Ripper, Mrs. Noltan had mentioned that her husband, well known in Prebache Court circles, had had a difficult time financially while attending law school classes. Dean Stapleton credits Ripper with being instrumental in the creation of the bequest, which stipu-

Let for reflection

rables on about events and things that have no earthshattering effects. Though the brain has been searched for a topic to which this issue's effort might be devoted in its entirety, it seems as though once more we ramble.

The proposed school expansion is treated elsewhere on these pages. All we can add is that the entire program sounds exciting, though too late to do the upper classmen much good. But true to the dictates Keynes, we shall have a balanced budget and a healthy economy, shall we?

This column periodically rambles on about events and things that have no earthshattering effects. Though the brain has been searched for a topic to which this issue's effort might be devoted in its entirety, it seems as though once more we ramble.


class to take nominations for this office they never once mentioned that there were any minimum requirements. After nominations had closed and one week had passed, runoff elections were to be held in each section of the third year. When the election was due to be held these requirements were made known to the men running the election. They were then faced with a perplexing problem.

What should they do with names already in the running? Should they take new nominations or should they ask if anyone else would like to take their name out of the running? Of course if the latter were chosen all would know why they were withdrawing.

How was this problem finally solved by future lawyers? All names were taken out of the nominations and new nominations were taken. The only problem which remains is that in some nominations one former candidate was left off the slate simply because this man was late to class due to being late from work.

This is the kind of slipshod management that we are accused of being overly critical of. If this is being overly critical we will continue to do so. This accident should never happen again and now that the students know about it, they were faced with a perplexing problem.

Taft Writes on Law and Politics

Former Congressman Robert A. Taft, Jr., in an article published in the Student Lawyer Journal, national magazine for the American Law Student Association, discussed the compatibility of Politics and Law.

He pointed out that at one point in time when the complexities of the world are ever increasing, it is more important than ever that the scope, application and enforcement of the law be related to conditions as they actually exist. On the other hand a divorce by politics from the field of law and its practitioners would be senseless and equally tragic. In fact, Taft claimed that there were too few law offices in government today, for the lawyer more than anyone else is especially equipped to deal with problems which a democracy presents.

The Gavel

The Gavel is a publication of the students of Cleveland-Marshall Law School of Baldwin-Walace College. Published six times each school year. 1210 Ontario St., Cleveland, Ohio.

Editor: Melvin Gross
ASSOCIATE EDITOR: Robert Bendis
PAGE EDITORS: Les Nechdham, Fred Fizzedd
COPY AND LAYOUT EDITOR: Mildred Schuetz
REPORTERS: Russ Ginoc, Don Monroe, John Kies, Bob Frest, Nancy Schuster.

We gratefully acknowledge the help of the Student Council and administration, without whose support this publication would not be possible.

March 22, 1966
James Vance Heads C-M Drive

What’s Happening To Alumni

Latest in the list of alumni running for public office is C-M alumnus, William G. Carson, who is running for Congress in the 22nd District, Mike Sweeney (‘51), who is running for the same spot on the 29th District, and Bill Sweeney (‘54), who is running for County Commissioner, among others.

Vance, who was graduated from the Law School magna cum laude in 1969, is also Assistant Treasurer of the Cuyahoga Corporation, a wholly owned subsidiary of Republic Steel. While at Republic Steel, he served on the faculty of Baldwin-Wallace College as instructor of Business Law.

Mr. Vance’s other activities included membership on the Ohio Board of Education.

Republic Steel Executive Sees Great Potential

James Vance, recently named Assistant Treasurer of Republic Steel Corporation, has been selected by the Alumni Association’s Board of Trustees to head its fund-raising campaign, which is pledged to pay off the costs of reconstruction of the law school’s first floor.

Vance, who was graduated from the Law School magna cum laude in 1969, is also Assistant Treasurer of the Cuyahoga Corporation, a wholly owned subsidiary of Republic Steel. While at Republic Steel, he served on the faculty of Baldwin-Wallace College as instructor of Business Law.

Mr. Vance’s other activities included membership on the Ohio Board of Education.

C-M Alumni Prominent in DTP Meeting

When the Alumni Senate of the Delta Theta Phi Law Fraternity met recently, a number of notable C-M alumni were on hand to witness the installation of Appellate Judge Jack Cartwright (‘23) and John Lavelle, Administrator of the Common Pleas Court.

Chaired by Judge Roy McMahon, Appellate Judge Lee Skeel (‘12) introduced C-M alumni in attendance.

John T. Benning (‘59) has moved his office to the Lawyers Building. Edward marching (‘42), a number associated with McCarthy, Sudday, and Greenwell...

Judge Berge has been elected Judge of the Kettering, Ohio Municipal Court, near Cincinnati. He reports to be in Cleveland soon to say hello...

V. Stanton (‘61), George White (‘55), Paul J. Kasabian (‘61), Anthony Garofoli (‘61), and Edward W. Katalinas (‘61), were present.

Changes in Front Office

Patricia Nied, pretty young secretary in the school administration office was married on February 5th to Dennis Stern, teacher-coach at Willoughby Junior High School. Our best wishes to the newlyweds!!

The law library has a new assistant in the person of Colette McNamara, a C-M graduate of 1960. Miss McNamara was formerly employed by the Cuyahoga County Library and is happy to return to a staff position at her alma mater.

Mrs. Jane Edwards has been made secretary to Peter Roger, to fill the vacancy created when Will McEwan resigned. Mrs. Edwards will continue the fine job on alumni membership started by Mrs. McEwan, and she asks that whenever an inactive alumnus is located, you to please let her know so that we may get them into our active files.

Mrs. Jane Edwards has been made secretary to Peter Roger, to fill the vacancy created when Will McEwan resigned. Mrs. Edwards will continue the fine job on alumni membership started by Mrs. McEwan, and she asks that whenever an inactive alumnus is located, you to please let her know so that we may get them into our active files.

Alumni in Council Honor Stapleton

Alumni in Council Honor Stapleton

When C-M alumni in Cleveland’s City Council heard that Dean Wilson G. Stapleton was to celebrate his 65th birthday on February 9, they decided to confer on him a Council Resolution honoring the event. The Resolution was read and presented to the Dean at a regular session of Council on February 7, with the Democratic sister in the audience.

Looking at us as Charles Carr (‘28) reads the Resolution are Frank J. Stringer (‘61), Louis Jackson (‘50), Council President James V. Stanton (‘61), George White (‘55), Paul J. Kasabian (‘61), Edmund Turk (‘54), George Forbes (‘62), Anthony Garofoli (‘61), and Ed Katalinas (‘61).

Republic Steel Executive Sees Great Potential

James Vance, recently named Assistant Treasurer of Republic Steel Corporation, has been selected by the Alumni Association’s Board of Trustees to head its fund-raising campaign, which is pledged to pay off the costs of reconstruction of the law school’s first floor.

Vance, who was graduated from the Law School magna cum laude in 1969, is also Assistant Treasurer of the Cuyahoga Corporation, a wholly owned subsidiary of Republic Steel. While at Republic Steel, he served on the faculty of Baldwin-Wallace College as instructor of Business Law.

Mr. Vance’s other activities included membership on the Ohio Board of Education.

Alumni Chairs Available

This handsome "alumni chair" has been adopted by the Alumni Association as its official chair, and is ideal to be used by the one that stood next to President Kennedy’s desk in the White House with his own namesake made of wood.

Available with black or cherry arms, this hefty chair, sporting the Cleveland-Marshall College crest, will be a distinctive piece of furniture for your office.

Also available is a Finance Chair (with black arms) or $34 (with maple arms) and it will be delivered to your office.

Or better yet, get your wife, mother, or sweetheart to order it. It’s an ideal gift from her to the boy who has everything!
Merrick Looks Back on 50 Years of Achievement

Judge Frank J. Merrick, the presiding judge of the Probate Court of Cuyahoga County and an outstanding jurist, recently celebrated the fiftieth anniversary of his graduation from Cleveland-Marshall Law School. Although away from the Cleveland-Marshall Law School when the event was announced, Judge Merrick sent his regrets and a statement in which he expressed his great devotion to scholarship to the Ohio Probate Manual, a complete and invaluable work that he and Professor Ellis V. Epperson co-authored. In addition, the judge just returned from a trip to Europe where he undertook a comprehensive study of European mental institutions and psychiatric facilities. Combining this never-ending quest for knowledge with his past legal experience well equips him to deal with all the complex problems which confront him in Probate Court.

Probate Court, like the other courts of this state, derives its jurisdiction from the Ohio Constitution, specifically, Article IV sec.

Faculty and Students Mix in PAD

New leaders, new members, farewell and anticipation may all be a fraternity function, and this is what P.A.D. reports this month. The new year brought with it new officers:

President, Matt Hoenig; Program Chairman, Larry Bailer; Treasurer, Carol Thompson; and Marshall, Joe Rubin. The new helmsmen also initiated a new crew including Jim Thomas, Dave Shaler, Dennis Frank, Larry Grossen, Chuck Lewis, Bernie Mandel, Matt Hoenig, Paul Hesse and Barry Trattner. The Cleveland-Marshall Court Room was the scene of these formalities on January 5, 1966 and festivities including a formal banquet at the Hickory Grill. An official of the State of Ohio spoke on the timely subject of Taxes to the glue of Professor Schoenfeld who was wrapped in awe until Dean Stapleton reminded him his taxation exam grades were not yet completed.

Professor Schoenfeld has presented his final annual "Tribute from a Bachelor" at the home of Brother Mel Gross. This is actually the third year Professor Schoenfeld has entertained a dozen members and their wives at the home of one of the brothers. One of the distinguished guests this year was Dean Stapleton.

The foremost of our anticipations is the Annual District Convention in Columbus, Ohio on April 15, 16, 17 and our upcoming rush party later this month. The success of these events will comprise the format of our next issue but it is worth pointing out to our first and second year men that now is the time to consider pledging a legal fraternity and we present the following as a sample of our activities.

Scholarship Award and Dance Highlight Law Wives Agenda

Last year was the initiation of the Law Wives Scholarship Fund which will provide financial assistance to deserving law student. Applications for the scholarship are available in the office. To qualify, you must be a married male student.

Mort Kaplan (III) pays (left to right) Joy Moore, Ruth Bennett and Sharon Garigale at Law Wives Bake Sale held recently at the Cleveland-Marshall Law School.

The new year brings with it many new hopes and plans. This year brought several to Delta Theta. In the past year, the Legacies of the new officers: Dean, William L. Richard; Vice Dean,Gaspare A. Casale; Treasurer, Robert G. Glorioso; Clerk of the Rolls, Robert Ruggeri; Exchequer, Thomas A. Buxey; and Bailiff, William White. Many of the plans have already become reality. The actives had a few days off during December to enjoy the Alumni's Annual Tom and Jerry Party at the Statler Hilton Hotel on February 15. The newly elected Senate initiated Appellate Judge Joseph Arti as an honorary member. The Lincoln Inn Reserve Law School, the student group of the Lincoln Inn, is under the direction of John J. Gimbel, Exchequer, and Ted Hull. The Officers of the Board of County Commissioners, the Lakeside Bar Association, the Lake County Common Pleas Court, the American Bar Association, the Cleveland Bar Association and Oxford University are to be commended for their cooperation.

This year will be remembered as one of the most successful and enjoyable years for Delta Theta. We remain indebted to Judge Robert S. Schoenfeld of Lake County Common Pleas Court who spoke on the value of fraternity affiliation. The event was attended by numerous illustrious alumni who were in attendance. The Lincoln Inn still echoes the triple "Cheers" of the officers as the inspired plans for another rush in early May to include wives of active members. The first and second year men who attended this affair are the envy of the entire fraternity and many have already expressed a sincere interest in fraternity affiliation.

The Gavel

Cleveland-Marshall Law School of Baldwin-Wallace College

March 22, 1966

Page Four