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Cleveland-Marshall College of Law

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CM Student Participation In OEO Legal Aid Program Slated

Positions are available for graduating seniors in all Legal Aid offices, states Burt Griffin, director of Legal Aid in Cleveland. Interested students should contact Mr. Griffin's secretary for the purpose of making an appointment no later than April 7. Also available are full and part-time paid positions and part-time voluntary positions for students during the summer. Students who apply should have a real interest in helping the indigent.

The 1967-68 school year should see the institution of a program between Cleveland Marshall and the Cleveland Legal Aid Society.

For some time, Professor Flaherty has been working on bringing such an OEO funded program to Cleveland. On March 9, a meeting was held with Burt W. Griffin, of the Legal Aid Society in Cleveland, Clarence James, civil branch director of Cleveland Legal Aid, and several CM students.

"The poverty area of law is a pioneering area," said Mr. Griffin. It is a good time for attorneys to get into a growing area of law.

In 1966, $6 million was spent on legal services to the poor and most of this money came from charities. In 1966, the Federal Government started financing a poverty law program, and $33 million was spent. In two years, it is expected that $100 million will be spent and in five years the figure projected is $5 million.

Cleveland Legal Aid has shown a similar pattern in expenditures and in service. In 1966, they spent $120,000; in 1966, $250,000; and are budgeted for $700,000 in 1967. Mr. Griffin expects expenditures to level off at about a million dollars in 1968. There are now seven legal aid offices in Cleveland and there will be nine by the end of the year.

Mr. Griffin also expects to see poverty law have an impact on the law schools. "In the past, law is taught from the aspect of the client with money — landlord over tenant; creditor over debtor. A suggested three-credit hour course would include consumer problems, family law, criminal law, environmental problems of the slum, and income problems.

"How" Cleveland Marshall should become involved in the program was the main problem advanced at the meeting. Being a night law school, students cannot give of their time during normal working hours. But it was generally agreed that CM students would be willing to make time during other hours to participate in such a program.

Professor Flaherty read a letter from Robert Blattner, Ohio State Legal Services, Columbus, suggesting four programs which might interest a night law school in particular.

1. Staffing legal services offices at odd hours.

2. Involvement in legislative research for legislation that affect the poor.

3. Manning a legal aid clinic under the direct supervision of the school (having the office right in the school building.)

4. Involvement in community education by having students visit homes, address groups, etc.

A committee headed by Veronica Dever will represent the students in setting up a program with the Legal Aid Society. A representative of each class will be on the committee and it will report to the Student Bar.

A Cleveland-Marshall Legal Aid Society program is expected to be in effect by the 1967-68 school year.

Re Dean Stapleton's Retirement

Why is Dean Stapleton retiring? When is Dean Stapleton retiring?

These questions are being asked by many CM students. Rumor is rampant. Conjecture has tied the Dean's retirement to other happenings at CM.

Desiring to clarify the rumor and conjecture, the Dean has made the following statement: "I am not abdicating. I will only move over when the right man is found to replace me."

Reprinted in full is a letter I received from Dean Stapleton.

Cleveland-Marshall Law School
of Baldwin-Wallace College
1097 Euclid Avenue
Cleveland, Ohio 44113

March 13, 1967

MRS. MILDRIDGE SCHAD
Editor
The Gavel
Cleveland-Marshall Law School
of Baldwin-Wallace College
Cleveland, Ohio 44113

Dear Mrs. Schad:

There seems to be some confusion concerning my desire to turn over my duties as Dean to someone else, although there are no questions in my own mind.

Some months ago I asked Dr. Bonds if a proper Committee would start screening candidates to the end that someone acceptable might be found who would assume the office of Dean. It is my desire to serve the School, but in a different and possibly less burdensome capacity, in the light of the fact that I am not as young as I used to be. To that end, Dr. Bonds appointed a Screening Committee to recommend names to the Board of Trustees of this Law School and to him, from which a possible successor might be found.

While I am not sure as to what the mechanics will be, I assume that Dr. Bonds will appoint a new Dean, with the advice of the Faculty Committee and with the advice and consent of the Trustees of the School.

However, as much as I want a less burdensome way of life, I hope to be able to carry on until such time as the right person may be found and, given the necessary strength and vitality, I do not propose to abdicate in the meantime.

Sincerely,

WILSON G. STAPLETON
Dean

'Fabulous Future' for CM, Observes Dr. A. B. Bonds
Editorial
Let's Co-operate!

Cleveland Marshall's future association with the Cleveland Legal Aid Society will provide one of the most valuable experiences in which a student at Cleveland Marshall can participate.

Not only will students be able to obtain practical legal experience, but they will have the opportunity to become significantly involved in their community. There may be, in fact, probably will be, many problems to solve when the program first begins. But, with the co-operation of the school and the Legal Aid Society, these problems will be straightened out.

The success of any program agreed upon will only be possible with the full co-operation of the students, on a volunteer basis. Our association with such a program deserves that.

Only Four Qualified Students?

Why wasn't Cleveland Marshall represented in the ALSA moot court competition in Detroit this March 17 and 18? Registration fees were paid. Arrangement had been made to enter and then withdrawn. Why couldn't any of the four CM students qualified to compete in ALSA moot court competition? Why couldn't some of these students have been used as a back-up team? It would have been better to have not entered than to have entered and then withdrawn.

Though it will certainly be more work, let's have better organization next time.

Berkman Explores Supreme Court Due Process from Mapp to Miranda

Like a destroyer silently laying depth charges, sometime-professor of constitutional law at WRU Bernard Berkman cruised through a couple of hours of an ill-attended talk on "Due Process from Mapp to Miranda" on February 22 in CM's auditorium. In a quietly controversial fashion, Mr. Berkman dropped some explosive ideas and criticisms relating to constitutional law as it pertains to criminal due process.

Mr. Berkman, General Counsel for the American Civil Liberties Union of Ohio, began with the revolutionary Mapp vs. Ohio decision. (U.S. Supreme Court, by the exclusionary rule, made binding on the states a remedy against violations of the fourth amendment.) He then tripped lightly through a score or so of more or less celebrated cases, with the Tom Champion, Leonard Kleinman.

In due process cases came about is that the Supreme Court was "ready" for it— the moment had come.

Mr. Berkman feels that it's about time that our "advanced civilization" bestir itself to reform, Mapp vs. Ohio, in 1961, launched the reformation. Interestingly, Mr. Berkman surmised that the only reason that the future advisor to increasing studentesses of the legal community.

The Gavel

The Gavel is a publication of the students of Cleveland-Marshall Law School. Published twice each school year. 1240 Ontario Bt., Cleveland, Ohio.

COPY AND LAYOUT EDITOR: Ralph Kingett
REPOITERS: Russ Glorioso, Dan Moore, Naomi VanDerjagt, David Lowe, Tom Champion, Leonard Kleinman.

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

Please Stay — Prof. Dyke,
300 Students Ask

More than three hundred students signed a petition recently circulated asking Professor Dyke to remain on the Cleveland Marshall faculty.

Copies of the petition were sent to Dean Stapleton, Dr. Bonds, Dean Harris, Associate Dean (Legal Cooperation), and Delta Theta Phi and Phi Alpha Delta sent Professor Dyke letters assuring him of their total support in whatever he decides to do.

Professor Dyke reaction: "I felt darn good. There's a good bunch of students at this college. CM has a tremendous amount of prestige in Cleveland and I would put CM against Fordham, UNY, or any other school I've been associated with."

Berkman continues: "This is Professor Dyke's third renewal, and he had a 76.4 grade at Fordham University, his master's degree at New York University, and is now working on his doctorate there."

Admission to CM Tougher in 1967

Students entering Cleveland Marshall in September, 1967, will have an entrance requirement previously not applied to CM students.

Minimum requirements are a 2.0 from undergraduate school and a score of 400 on the LSAT.

But, stated Professor Flaherty, the committee looks at the record as a whole to determine acceptability.

About fifty students have thus far been accepted for the right school and about fifty applications for the day school have also been approved. Admission standards are the same for both day and evening sessions.

Average LSAT score for the students whose applications have been approved is 500 and their average score at undergraduate school is 2.5. These averages, though not minimums, indicate the general guidelines that the admissions committee is looking for.

Professor Flaherty stated that such an admissions policy is a necessary prerequisite to increasing the quality of legal education. For example, last year only the present second year sophomore had been accepted.

This year, they totalled 124. So, in a sense 50 per cent of our time is (Continued on Page 1)

Pause for Reflection

Well, we finally did it. After almost four years of meeting deadlines by the skin of our teeth, but making it nonetheless, we blew the record by missng last month's issue. Things stacked up so deeply at City Hall (wonder what he means by "things?") that it was impossible to sit down enough to peek away at an offering for all my devoted readers. You are so devoted that I received two lousy inquiries as to why the column was missing. Oh well, I guess I haven't stolen all readers from Buckwold, Bostow, Lipman, and the others after all. In fact, I probably have not even taken a way all of George Condon's devotees, although I cannot understand why.

Why didn't I put on the frivolities schedule a dance for the week following the student council offering? I am told that the first affair was a must go deal for the believahgs and the men could not afford two consecutive weekends of spending, so they skipped the awards dance. Come on fellows, what kind of planning is that? It seems to us that this and other examples of misplanning call for a student activities calendar. It could be set up in late summer or early fall, through a coordinating body. Each organization would be allotted certain dates through the year, with no encroachment by other groups. The whole schedule could be printed on a student activities calendar and either given or sold for a small fee to the students. This idea is not new. We set such a system up for the undergraduate events at our alma mammy, the year we ran the student senate. It works. Why not do it here?

Just a word about a new course at CM. It is a fourth year offering called business marketing. Every Cohen and Witham Sogy teach it and what a job they do. The course is oriented to student participation, with lectures woven in by the two young tigers, together with guest lectures every week by experts in every area of the field. A massive effort in putting the course together was made. It was worth it, in our opinion. Some adjustments will be necessary in the future, but for a first effort, not many mistakes were made. All in all, a noteworthy effort by a pair of dedicated attorneys.

We hear that the placement service is doing nicely in putting young hopefuls together with areas in business, law and related fields. There can never be enough listings of opportunities, however. If any of you alumni are connected with a business or firm that can utilize talent in the form of new attorneys, why not call or drop a card in the mail, addressed to the placement service at the school? It could yield a fine return for the little effort made.

CM Continues Expansion Program

Reconverted basement will provide space for a lounge, additional library space and offices.

CM Represented
At ALSA Convention

Representatives of Cleveland Marshall's Student Bar attended the District ALSA Convention in Detroit, March 7 and 8. John Bracken ran for national vice-president and was defeated by only a narrow margin. The Bar's programming was a major point discussed at the meeting. Ideas were exchanged on such areas as speakers bureaus, book stores, student bars, etc. Also discussed was the ALSA National Convention to be held in Hollywood in August. Primarily, we expect to send two representatives to the convention.

Work is progressing at a fast pace. Pillars are being enaced and studies are in place.
What's Happening To Alumni...

Edward J. Sullivan ('96), Cleveland Police Department veteran, has joined the City Prosecutor's staff as an assistant. . . . Gerald F. Swensen ('96) was appointed by Mayor Ralph Locher as commissioner of redevelopment in the Community Development Department . . . Clay Marsteller ('71) is now General Solicitor in the Cleveland office of the Norfolk & Western R.R. . . . Nicholas J. Kiraly ('25), Deputy Commissioner of the Ohio Division of Securities talked to the Cuyahoga Bar Association on Wednesday, March 15, his subject being "Understanding the Securities Act" . . . Gene Ricchetti ('66) has joined Fringe Benefits, Inc., management consultant firm, as legal counsel and advisor on taxation. Mr. Ricchetti was formerly with Republic Steel Corporation in their Tax Dept. . . . Michael Frankel ('65) is now associated with his Steel Drive-In Restaurant chain headquartered in Youngstown . . . Tom Brady ('57) has moved from his Court House beat for the Cleveland Press over to the paper's business page.

Professor Patterson Receives Award

Burton H. Patterson, associate professor, has been selected to appear in the 1967 edition of Outstanding Young Men of America. The honor was accorded him for his ability, accomplishments and service to his community.

Patterson, who teaches Corporations and Property, is a graduate of Oklahoma Baptist University, received his J.D. from Northwestern University School of Law and was awarded his Master's degree by Northwestern Baptist Theological Seminary. Prof. Patterson is married and has two daughters, Patricia and Pamela. His home sports the finest in stereo equipment, the result of his electronics hobby.

BREAD & BUTTER SEMINAR
APRIL 11 & 25
Tuesdays, 4 p.m.

DOMESTIC RELATIONS CLEVELAND-MARSHALL LAW SCHOOL

April 11—
• representing the wife
• representing the husband
April 25—
• How to see the Uniform Support Dept. Hearings
• Before the Referee
• Views of a Domestic Relations Judge
FREE to paid-up Alumni $2.00 to all others

Judge Frank J. Merrick Is "Alumnus of the Year"

More than a thousand Cleveland-Marshall alumni and friends of Probate Judge Frank J. Merrick ('15) are expected to join in a tribute to the jurist on May 19, when Judge Merrick will receive an award from the law school's alumni association as the "Outstanding Alumnus of the Year." The presentation will be made at the alumni association's annual luncheon in the ballroom of the Sheraton-Cleveland Hotel.

Alumni President, Patrick J. Lazaro ('57), has appointed Alumni Trustee and Past President Aaron Jacobson chairman of the luncheon.

Said Lazaro, "The choice of Judge Merrick was arrived at by a special committee which considered a number of outstanding alumni. In view of Judge Merrick's outstanding contributions of time and effort to the alumni association, and to the profession generally, we were all pleased with the choice."

Judge Joseph W. Bartunek ('55), also of the Probate Court, will be the Master of Ceremonies. Veteran observers of Judge Bartunek's court feel confident that the luncheon proceedings will not lag, and that the event will be over at the promised time of 1:30 p.m.

The guests invited to sit at the head table include the members of Judge Merrick's immediate family, and his friends; members of the clergy, including David Loggler ('25), Dean of Trinity Cathedral; Tom Boardman, Editor of the Press; Thomas E. H. Vail, Editor of the Plain Dealer; the President-elect of the Cuyahoga County Bar Association and the Cleveland Bar Association; Dr. A. R. Bonds, Jr., President of Baldwin-Wallace College; Wilson G. Stapleton ('34), Dean of the Law School; Cleveland Mayor Ralph Locher, and Ohio Governor James A. Rhodes.

Special tables will be set aside for local, Federal, Appellate, Common Pleas and Municipal judges, as guests of the Alumni Association.

Dean Stapleton will present his non-traditional, concise "State of the School" message, in which he will outline the law school's accomplishments and progress over the past year, and in which he will review the school's goals. As in the past, alumni will be able to sit at class reunion tables, marked with their graduating year.

As a special touch to the festivities, Cleveland Press artist Leon Darvas has been commissioned to produce a sketch of Judge Merrick which will be used for the cover of the luncheon program, with the original sketch being presented to Judge Merrick as a momento.

Also, each person attending will be asked to sign a page to be included in a Memory Book of the event, to be presented to Judge Merrick at the Alumni Association's Annual Open House on June 8.

Continuing Legal Education (Graduate Program) 1966-7 COURSES

Cleveland-Marshall Law School of Baldwin-Wallace College

1340 Ontario Street Cleveland, Ohio, 44113

Phone: 916-6612

(1) Individual Courses. Graduates of approved law schools may register for individual courses, not for degree credit. Other persons, if qualified, may be admitted to particular courses with the permission of the Dean.

(2) ILL.M. Program. Graduates of approved law schools may register for the general ILL.M. Degree, or for the ILL.M. in Advocacy Degree. Both require 21 semester hours of courses plus thesis; the latter degree requires more specifically that all 15 hours must be in practice and advocacy courses.

(3) Fees. $34 per semester hour; $100 Master's Essay fee (34 degree program). $15 Application fee for ILL.M. Degree Program.

1967 SPRING TRIMESTER

CRIMINAL LAW

OSCAR A. BROWN

MON., TUES., WED., THURS. 6:10 to 9:10 p.m.

MEDIATION

DONALD A. TEARE

MON., WED. 6:10 to 9:10 p.m.

TRAFFIC LAW

DAVID I. SINDELL

TUES., WED., THURS. 6:10 to 9:10 p.m.

REAL ESTATE PRACTICE

ELLI C. ROYER

MON., WED., THURS. 6:10 to 9:10 p.m.

WORKMEN'S COMPENSATION

WILLIAM G. STAPLETON

MON., TUES., WED., THURS. 6:10 to 9:10 p.m.

PARENTS & COPYRIGHTS

MON., TUES., WED., THURS. 6:10 to 9:10 p.m.

SATTLEMENT PRACTICE

WED. 6:10 to 9:10 p.m.

Next "Bread & Butter" Seminar: Domestic Relations Tues. April 11, 4 P.M.
Due Process
Mapp to Miranda...
(Continued from Page 2)
grant certiorari to the cases which jibe with the program, and reject the others... This is the usual seeming usurpation in that there is no other governmental body to deal with a man's Miranda advice.
The Court, therefore, has decided to fill the gap.
On the other hand, Mr. Berkmann rapped the knuckles of those who criticise federal intervention with the Miranda rule: the Supreme Court has been the epitome of restraint—-even to the point of permitting Miranda validity rather than modelling with the state's laws.

Declaring the state’s non-adherers, Mr. Berkmann emphasized that the states would have the states apply “Berkmann’s Rule”, which, in essence, would have the accused voluntarily confessing to the police and then showing that it was voluntary. The element of disbelief would thus be removed, perhaps, by replacing the exclusionary system, and the police would still get their confessions. Mr. Berkmann believes that the states would be forced to admit something, in such a system, or the practicability.

The peripheral amicus curiae, Mr. Berkmann predicts that the whole business of a policeman having to show probable cause, to make a confession arrest—-is primitive and will pass from the scene in a few years. (Bock v. Ohio takes up the banner for making a warrant necessary.) He also predicts more publicity and free trials cases (“let the trial judge have the power to protect the defendant.”)

As much concerned with constitutional law in the criminal case as in the state’s case, Mr. Berkmann attuned the creative aspect of constitutional law in the Miranda area. His remarks were especially strong in the Miranda area. His remarks were strong in the Miranda area.

The creative aspect of constitutional law is the result of the Supreme Court’s decisions in the area. His remarks were especially strong in the Miranda area. His remarks were strong in the Miranda area.

Admission Policy
(Continued from Page 2)
...wanted. Also, statistics show a definite correlation between the two scores on the LSAT and failure on the Bar.

The admission policy is not radical, commented Associate Dean Ock. We are just keeping up, he continued. Both the ABA and AALS call for constant uplift.

The admissions policy involves the status and prestige of the law school. Associate Dean Ock. We are just keeping up, he continued. Both the ABA and AALS call for constant uplift.

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