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1967 Volume 15 No. 5

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 Marshall.

On March 9 a meeting was held with Burt W. Griffin, director 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 1965, \$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 1965, 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 would also like to see poverty law have an impact on the law schools. Now, 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 Devers 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
1240 ONTARIO STREET
CLEVELAND, OHIO 44113

OFFICE OF THE DEAN

March 13, 1967

Mrs. Mildred 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
Wilson G. Stapleton
Dean

WGS:sk

'Fabulous Future' for CM, Observes Dr. A. B. Bonds



Dr. A. B. Bonds

"Cleveland Marshall has a fabulous future," stated Dr. A. B. Bonds, president, Baldwin-Wallace College.

Education no longer ends with a degree, but rather has become a continuous process. Doctors, dentists, business executives, and many other professional people are going back to school. The format of an evening law school lends itself to these people's needs, said Dr. Bonds.

Many people are rushed into making a vocational decision before they are ready, Dr. Bonds pointed out. Often, it is not until a person is married that he realizes his true ambition, and often this is the legal profession. A night law school is necessary to

help such a person satisfy this ambition.

The degree to which law has become a pervasive element of American life is incredible, added Dr. Bonds. It is important that professional people and business executives have an understanding of the law.

The growth of urban communities is continuing at a rapid pace. The population of Cleveland is expected to double and the need for people with legal training will more than double.

"An institution that does not serve an urban area ain't with it," Dr. Bonds further observed. And, Cleveland Marshall gives Baldwin-Wallace a window on the dynamic growth and progress of Cleveland, he added.

So many people have made major contributions to the law school that they cannot be named in an interview. But Dr. Bonds did speak with great warmth about the fine job that Dean Stapleton has done. He hopes that even after his retirement, Dean Stapleton will continue to serve the school in a significant capacity.

Since Baldwin-Wallace and Cleveland Marshall re-affiliated in 1963, the administrations of both schools have worked at integration. There are some problems, but common understanding is developing. And, the school is integrated in the areas where it counts, Dr. Bonds added.

"The law school is good for us and I hope we will be good for it," he stated.

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. Arrangements had been made to reimburse participants for their expenses.

The only reason I have heard for CM's last minute withdrawal was that two members of the team could not make it, and there was no one to replace them.

Certainly there are more than 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 not have 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 Civil Liberties Union of Ohio, began with the revolutionary Mapp v. 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 Escobedo and Miranda cases rounding off a scholarly discussion of the current upheaval in criminal due process.

Describing our chaotic position in constitutional law as "the eye of the tornado," Mr. Berkman feels that it's about time that our "advanced civilization" bestir itself to reform. Mapp v. Ohio, in 1961, launched the reformation. Interestingly, Mr. Berkman conjectured that the only reason that the furor

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

Mr. Berkman has reason to believe that the Court's readiness is less than accidental. The Mapp decision, according to the speaker, kicked off a "legislative program" for the highest court in the land. Mr. Berkman's ardor reached a pinnacle in his treatment of this alluring subject. He quoted Mister Justice Clark as having discussed the Court's acquiescence to a so-called "legislative program."

Apparently, the program follows this design: The justices meet at the beginning of the current term to decide which areas of constitutional law they intend to deal with during the term. They then

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The Gavel

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

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Faculty Advisor: Professor Scalf

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REPORTERS: Russ Glorioso, Don 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 Oleck, and Mr. Fink.

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

This is Professor Dyke's third year at CM. He received his law degree 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 to meet entrance requirements 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 night 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 accum 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 the present second year class had 250 students. This year, they total 124. So, in a sense 50 per cent of our time is

(Continued on Page 4)

CM Represented At ALSA Convention

Representatives of Cleveland Marshall's Student Bar attended the District ALSA Convention in Detroit, March 7 and 8.

John Budd ran for national vice-president and was defeated by only a narrow margin.

Student 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 Hawaii in August. Presently, we expect to send two representatives to the convention.

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 missing 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 long enough to peck 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 Buchwald, Reston, Lippman, 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 did one of the fraternities schedule a dance for the week following the student council offering? I am told that the frat affair was a must go deal for the brothers and the men could not afford two consecutive weekends of spending, so most 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 allocated 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 undergrad events at our alma mammy, the year we ran the student senate. It works. Why not do it here?

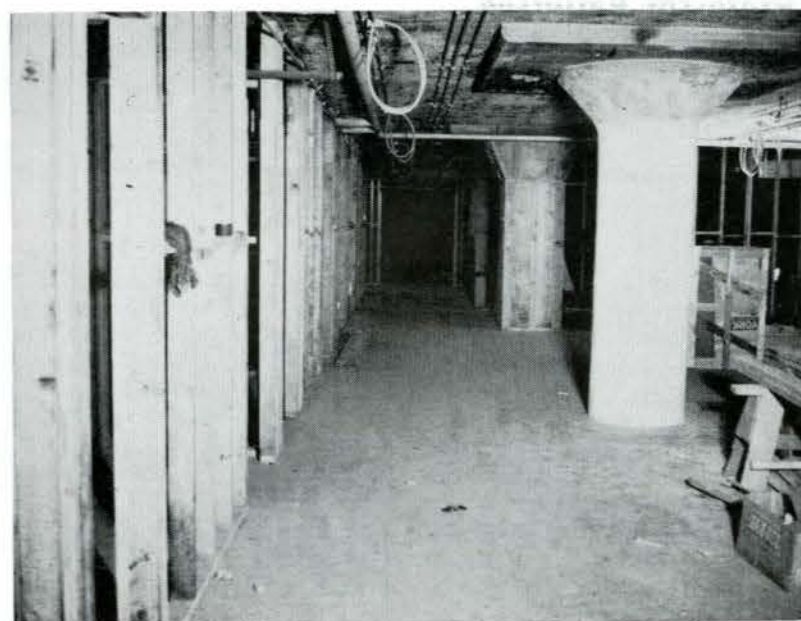
Just a word about a new course at CM. It is a fourth year offering called business planning. Avery Cohen and Wilton Sogg teach it and what a job they do. The course is oriented to student participation, with lectures woven in by the two young tigers, together with guest lectures every week by experts 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 firms 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 brand 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.

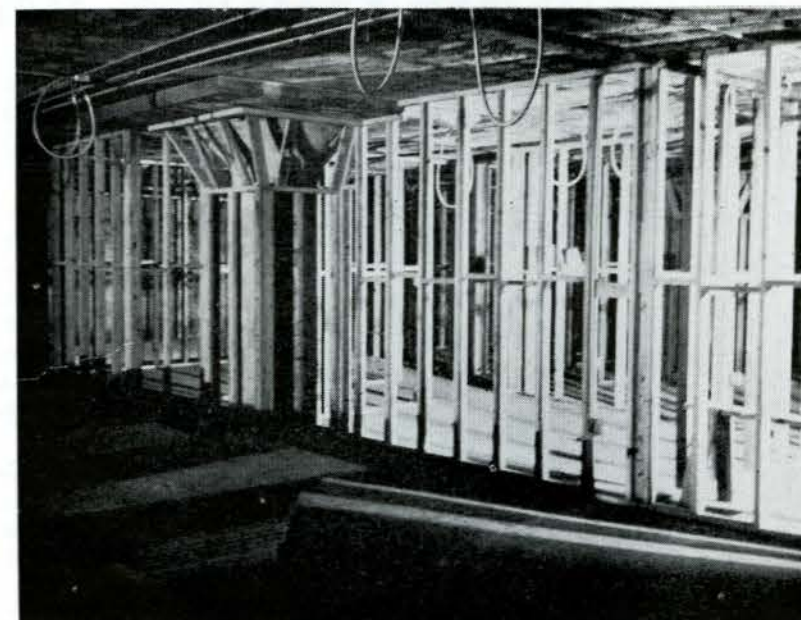


Pizzedaz

CM Continues Expansion Program



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



Work is progressing at a fast pace. Pillars are being encased and studs are in place.

Alumni Luncheon Set for May 19

What's Happening To Alumni . . .

Edward J. Sullivan ('66), Cleveland Police Department veteran, has joined the City Prosecutor's staff as an assistant . . . Gerald F. Sweeney ('60) was appointed by Mayor Ralph Locher as commissioner of redevelopment in the Community Development Department . . . Clay Marsteller ('41) 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 Arby's 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 Southwestern Baptist Theological Seminary. Prof. Patterson is married and has two daughters, Patricia and Pamela. His home boasts 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

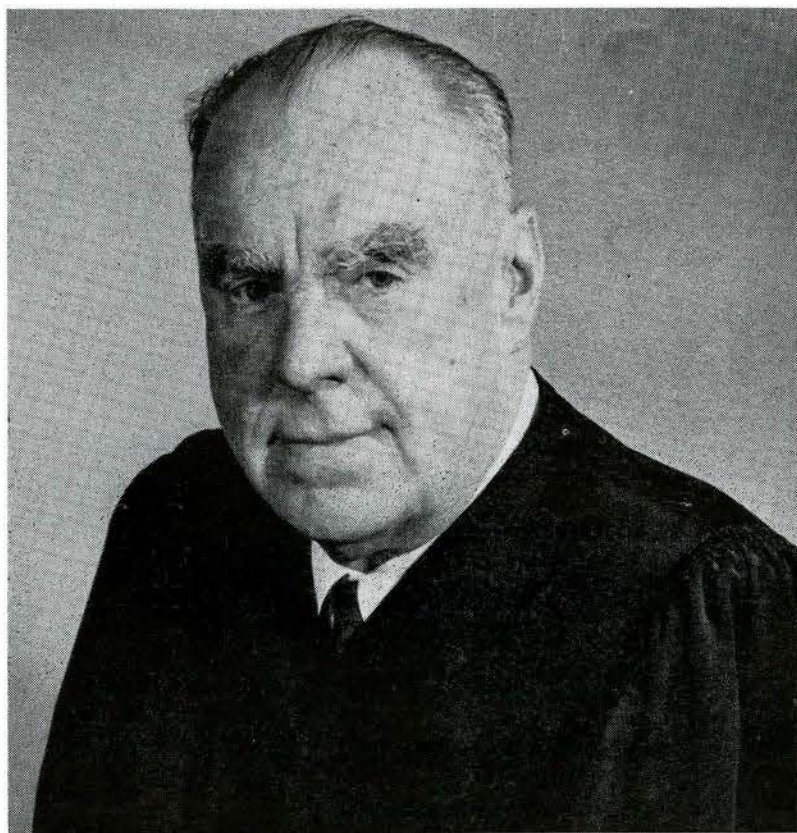
April 11 —

- representing the wife
- representing the husband

April 25 —

- How to use 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 Merrick: "If You're Right, Don't Be Afraid of Giants"

By TOM BRADY ('57)

Frank J. Merrick, presiding judge of Probate Court showed early in life that he wasn't one to dodge the tough jobs.

As a 23-year-old top sergeant during World War I, he was twice wounded and decorated for bravery. And for all the years since, Merrick has demonstrated over and over that he'll meet the tough problems — head on.

As an assistant county prosecutor — at two different times, the latest in 1929 as chief assistant under the late Ray T. Miller . . .

As special counsel for the Cleveland Automobile Club when he headed a special investigation to track down the Sly-Fanner robbery-murderers. Traced to Mexico, three went to the electric chair and the fourth received a life penitentiary term . . .

As Cleveland safety director in 1932 and 1933 . . .

As a Cleveland Municipal Court Judge, 1933 to 1935 . . .

As a Common Pleas Court judge from 1936 to 1955 . . .

As a Probate Court judge since then.

In a lengthy and diversified career in public life and civic endeavor, Merrick has won a reputation as a lawyer, judge and administrator without parallel.

In short, this alumnus — Class of 1916 — still is a top kick.

Now 72, he is recognized as a formidable foe, willing to forcefully and publicly disagree with any person or any group when he feels he is right.

Newspapers, banks, bar associations and large law firms are among those who have felt the effects of Merrick's disagreement.

As the bushy-haired, gravelly-voiced judge has often said:

"If you're right . . . don't be afraid of giants."

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

Said Lazzaro, "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 Loegler ('25), Dean of Trinity Cathedral; Tom Boardman, Editor of the Press; Thomas V. H. Vail, Editor of the Plain Dealer, the Presidents-elect of the Cuyahoga County Bar



Association and the Cleveland Bar Association; Dr. A. B. 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 now-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 Lou 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 memento.

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
1240 Ontario Street Cleveland, Ohio, 44113 Phone: 781-6612

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

(3) Fees. \$34 per semester hour; \$100 Master's Essay fee (in degree program). \$10 Application fee for LL.M. Degree Program.

1967 SPRING TRIMESTER

Workmen's Compensation
Mon. and Thurs.

OSCAR A. BROWN
6:10 to 9:10 p.m.

(Mon.) Apr. 24 - May 29, 2
(Thurs.) Apr. 27,
May 11, 25,

Patents & Copyrights
Thurs. and Mon.

DONALD A. TEARE
6:10 to 9:10 p.m.

(Mon.) June 5.
(Thurs.) Apr. 20 - May 25, 2
(Mon.) Apr. 24,
May 8, 22
(Thurs.) June 1.

Settlement Practice
Tuesday

DAVID I. SINDELL
6:10 to 9:10 p.m.

Apr. 25 - May 21, 1
June 6.

Probate Practice
Wed. and Mon.

ELLIS V. RIPPNER
6:10 to 9:10 p.m.

(Wed.) Apr. 26 - May 31, 2
(Mon.) May 1, 15, 22
(Wed.) June 7.

Real Estate Practice
Tues. and Thurs.

WILSON G. STAPLETON
6:10 to 9:10 p.m.

(Tues.) Apr. 25 - May 23 2
(Thurs.) May 4 - 25,
(Tues.) June 6.

Next "Bread & Butter" Seminar: Domestic Relations Tues. April 11, 4 P.M.

CM Grad Scores Success With Bar Review Course

By DAVID COWE

"There is a sure way to pass the bar," according to clear-headed, intense Howard M. Rossen, founder of The Ohio Bar Review and Writing Seminar. Talking with this young attorney is a lesson in confidence.

A 1964 graduate of Cleveland-Marshall, Rossen visualized a streamlined bar review during his senior year. Not satisfied with existing courses (usually employing a straight lecture method), Rossen combined lectures on general and Ohio law with a writing seminar. In his practical approach to reviewing, he uses actual bar exam questions and the same format as an Ohio Bar exam. He then grades and comments on the student's blue books, emphasizing correct English usage and grammar. So current is his course that he will present actual questions and model answers from the July, 1966, bar exam.

Borrowing a library in a Cleveland law office, Rossen began with eight students, reviewing for the March, 1966 Bar exam. Only four of the eight showed up for the course—all four passed the bar, after having failed it in July, 1965. There was an average increase of those four of 20 points on the actual exam. The four students who did not show failed the exam.

Rossen's second effort (for the July, 1966 exam) produced 16 passing scores and only one failure. Three of the 16 scored over 80% (84% was high for the State) and two out of these three were in the lower half of their graduating class.

Review for the March, 1967 exam started January 16, and the course has swelled to 34 students. Several expert guest lecturers were invited to participate in the seminar, including Cleveland-Marshall's Professor Wilton Sogg on Writing Technique, Richard Schwartz Partner of Rippner, Schwartz, Carlin & Weiss on wills, and Cleveland-Marshall's prize-winning Edward Haggins on Criminal Law Aspects of Constitutional Law.

The Rossen course takes seven weeks. Some of the course is presented on hi-fidelity tape, and Rossen makes the recreation room at his home available for the student who wants to make up a missed class.

Thirty year-old Rossen is a Staff Attorney for the Neighborhood Law Center at East 55th Street and Woodland. He served on Cleveland-Marshall's Law Review in 1963-64, is married and has one daughter.

Applications Available for Law Wives Annual Scholarship

Once again it is time for the Law Wives Scholarship Awards Dance. A \$200.00 scholarship will be given to a deserving student. Applications for the scholarship are available in the office. To qualify, you must:

1. be a full time student
2. be married
3. have a 2.5 or better weighted average
4. presently be a second or third year student
5. not have received another scholarship award as of the selection date

The Club wishes any married student who is interested to apply immediately.

The winner of the scholarship will be announced at the Third Annual Scholarship Dance on Saturday evening, April 22, 1967. The dinner dance this year will be at Diamond's Party Center, Severance Shopping Center, Mayfield Road. The price of tickets is \$10.00 per couple. Anyone wishing tickets or information may call, Mrs. William Richards, 871-4696, or Mrs. Charles Wehinger, 291-0517. The date to remember is April 22, so ask your friends to join you in an evening of fun and entertainment.

This year, in order to raise money for the scholarship fund, the wives put their sewing machines to work. They made and sold rain hats. The price for a rain bonnet is \$2.00 for moms and \$1.50 for the daughters. Anyone interested in ordering a hat, may call Mrs.

Charles Wehinger, 291-0517. The sale of the hats, plus the bake sale and the awards dance all contribute to the scholarship fund.

At the February meeting of the Law Wives, the guest speaker was an officer from the Cleveland Police department. The wives viewed the film "The Child Molester." The program was very enlightening and educational. Many thanks to the Cleveland Police Department.

On March 15 the wives invited Professor Charles A. Auerbach to address the group. The wives always enjoy having a member of the faculty speak to them.

Any Law Wife who has not paid her dues will no longer receive a post card of coming events. So remember gals, write your check for \$4.00 and mail it to Mrs. William Gargiulo, 29037 Homewood Dr., Wickliffe, Ohio 44092.

CM BOOKSTORE

Open First 2 Weeks of Trimester

PLEASE SUPPORT!

Due Process Mapp to Miranda...

(Continued from Page 2)

grant certiorari to the cases which jibe with the program, and reject all others. The rationale for this seeming usurpation is that there is no other governmental body to deal with these important problems. The Court, therefore, has decided to fill the gap.

On the other hand, Mr. Berkman rapped the knuckles of those who criticize federal intervention with state criminal law. He feels that the Supreme Court has been the epitome of restraint—even to the point of permitting unconstitutionality rather than meddling with the state's laws.

Declaring the state's non-adherence to constitutional mandates as a "legal disaster area," Mr. Berkman pointed out that it was not until 1963 that the criminal was entitled to counsel (Gideon v. Wainwright). Furthermore, the results of some decisions were not extended into enough areas of the law. (How about applying fifth amendment protection to probate law, for example?).

Not happy with the Miranda decision's results, Mr. Berkman would have the states apply "Berkman's Rule," which, in essence, would have the accused voluntarily confess in a way that it could be proved that it was voluntary. The element of secrecy would thus be erased, perhaps by an open court system, and the police would still get their confessions. Mr. Berkman did not reflect on the cost of such a system, or the practicability.

The perennial amicus curiae, Mr. Berkman predicts that the whole business of a policeman having to show probable cause to make an arrest is primitive and will pass from the scene in a few years. (Beck v. Ohio takes up the banner for making a warrant necessary.) He also predicts more publicity and free trial cases ("let the trial judge use his power to protect the defendant.")

"As much concerned with constitutional rights as anyone in Cleveland," Mr. Berkman stressed the creative aspect of constitutional law, and the future in this vibrant field. The constitutional lawyer does not receive a case with constitutional law implications "stamped all over it." Most cases are not particularly romantic or unusual, but the lawyer applies constitutional law to the facts. "What comes out of due process is not exactly what goes in."

Quoting Harvard's Freund, Mr. Berkman took his leave: "Creative thinking in law is the result of the tensions created by the conflict between heritage and heresy." Mr. Berkman's artful blend of the two produced an interesting evening.

Admission Policy

(Continued from Page 2)

wasted. Also, statistics show a definite correlation between low scores on the LSAT and failure on the Bar.

CM's admission policy is not radical, commented Associate Dean Oleck. We are just keeping up, he continued. Both the ABA and AALS call for constant uplifting.

The admissions policy involves the status and prestige of the law school, Assoc. Dean Oleck added. The higher the quality of the student, the higher the quality of the graduate will be.

Members of the admissions committee are Mrs. Meck, Professor Sheard, and Professor Flaherty.

Rush Parties Head Pad List

The end of the 1966-67 scholastic year will prove to be one of the most active for members and prospective members of Meck Chapter of Phi Alpha Delta Law Fraternity. Two very successful rush functions have occurred since the last publication and more are to follow. An innovation in fraternalism will begin in the guise of forums to be sponsored by the fraternity under the auspices of the administration and held at the law school. These will begin in March and will continue until the end of the scholastic year. Brother Al Thomas is the chairman for this activity and has promised speakers of reknown to talk on their specialties in the field of law. The entire student body is invited to attend these forums.

On February 15, 1967, PAD held a very successful cocktail party at the Empire Room of the Sheraton-Cleveland Hotel. This was an informal gathering where many of the students congregated and met the actives. This party was immediately followed by a second social on February 21, at the Cleveland City Club. Professor Ted Dyke spoke on the attributes of legal fraternities in general and affiliation with PAD in particular. It was obvious by the excellent turnout that this year's rush program should be one of our most successful.

Our annual installation dinner

dance, Saturday, February 25 proved to be a resounding success. Dean Wilson Stapleton spoke on the timely topic of "Crime in Cuyahoga County." The Dean's remarks were especially serious and well taken and were obviously within the purview of his first hand knowledge as presiding foreman of the County Grand Jury. His talk at this time was dynamic.

What had to be the highlight of this occasion was the surprise birthday party for Mrs. Alice Meck, registrar of the law school and widow of the late Judge David Meck after whom our chapter was named. It was but a small token of thanks and tribute to Mrs. Meck and the real honor was paid to our group by her acceptance of our invitation to attend this affair.

Our schedule for the remainder of the year is as follows:

- March 9—Rush Party Cleveland City Club
- March 17—First PAD Forum
- March 31—Rush Party (location to be announced)
- April 22—Initiation
- April 28—Second in series of PAD Forums
- May 19—Final Forum of 1966-67 Scholastic Year

During the months of April and May, two cocktail parties will be scheduled. Watch the bulletin boards for specific times and places of these events.

Delta Theta Phi Anticipates Active Finish to 1966-67 Year

Delta Theta Phi has plans for an active end of the 1966-67 school year. The big social event of the year, however, was held February 11, 1967 at the Roundtable Restaurant in downtown Cleveland. This was the annual dinner dance and was perhaps more than a mere success but may be described as a triumph when one considers that about 80 couples were in attendance at this affair which took place during one of the worst of the winter snowstorms. Having braved the elements, the crowd was rewarded by a gourmet dinner of chicken, Swedish meatballs, and roast beef in the relaxed atmosphere of the lavish dining room of the Roundtable. Since the entire facility was made available to the guests, after dinner the group sojourned to the dance and cocktail areas on the second floor where they were entertained and enjoyed dancing to the music of the Eddie Platt Orchestra.

The dance was followed by a rush social at the Cleveland City Club on February 13, 1967. Brother Charles Donahue spoke to the members and guests on the timely subject of "How to begin the practice of law and find employment with a law firm upon graduation." Everyone in attendance was im-

pressed with Brother Donahue's words and all agreed that he was extremely knowledgeable in this area. His remarks were especially well received by his contemporaries and who are anticipating a law practice but were unaware of the necessary steps to take to put theory into practice.

The schedule of activities for the remainder of the year is as follows:

- March 3, 1967—Business meeting and special initiation
- March 7, 1966—Rush social
- March 31, 1966—Business Meeting
- April 1, 1967—Rush Social to include wives of members and guests
- May 5, 1967—Final session on membership
- May 20, 1967—Initiation and Luncheon, Court of Appeals and Cleveland Athletic Club, respectively.

The Annual party for graduating seniors will be scheduled at a later date and plans are also under way for a summer outing for membership this year. Interested students are reminded to watch the bulletin board for specific notices of times, places, and guest speakers for these events.

The Gavel
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