Cleveland State University
EngagedScholarship@CSU

Law Notes

Spring 1994

1994 Vol.2 No.2

Cleveland-Marshall College of Law

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

Part of the Law Commons

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

Recommended Citation
https://engagedscholarship.csuohio.edu/lawpublications_lawnotes/50

This Book is brought to you for free and open access by the Law Publications at EngagedScholarship@CSU. It has been accepted for inclusion in Law Notes by an authorized administrator of EngagedScholarship@CSU. For more information, please contact library.es@csuohio.edu.
Dear Fellow Alumni,

I would like you to consider......

Over the past five years Cleveland-Marshall College of Law has changed for the better and so has the Law Alumni Association.

I am proud to report to you that a large portion of the improvement and expansion may be attributed to our fellow alumni working through the Law Alumni Association. Unfortunately, however, the positive changes from which we all benefit have been taking place under the hard-driving volunteer work of only a small percentage of our graduates.

Greater participation by a larger percentage of our 6,900 graduates would surely increase the improvement that we have seen by a multiple effect.

I would like you to consider......

From an economic standpoint, it is to your advantage to be a member. For only $50 per year (the most reasonable Bar Association in America), you receive membership benefits which include discounts on all of our first-rate CLE seminars - a $160 value. Membership benefits also include a subscription to Law Notes on a perpetual basis, use of the Law Library, a 10% discount at the Barnes and Noble Bookstore, priority ticketing for CSU Vikings athletic events at the Convocation Center, professional contacts in the legal community, satisfaction of supporting educational programs and the Law Alumni Association and many social events.

I would like you to consider......

Every President of the Law Alumni Association has tried to find innovative ways to attract new members and retain the present members. I am in a position this year to also remind our former members that they were once part of an organization that is presently aiding the future of our profession and contributing to the economic stability of Northeast Ohio.

The backbone of every organization is its membership and our backbone would certainly be strengthened by your participation. Without increased membership, we could face the elimination of some of the outstanding programs that have made this organization what it is today. Should this happen, it would be a tragedy for our entire constituency of alumni, students, faculty and staff.

I would like you to consider......

This publication reaches all of our 6,900 graduates, as well as the judiciary, public officials, law firms and deans of law schools throughout the country. Despite the astronomical cost, our organization continues to publish Law Notes because we are dedicated to maintaining communication between the law school and its alumni.

I know that you will be proud to see your membership dues foster the various programs that are provided through our 10 active committees. I know that you will be pleased to see that the Law Alumni Association gives you the most valuable services for your dues. I know that you will feel a sense of gratitude in being part of an organization that is dedicated to establishing and maintaining an atmosphere both at the law school and in the legal community, which is filled with harmony, the spirit of cooperation and pride.

Taking all of these factors into account, you don’t need to be a law school graduate to realize that we need you to join with us now as a member of the Law Alumni Association.

You owe it to the school, you owe it to the future of your profession, and most of all, you owe it to yourself to help maintain and improve the quality of your alma mater.

I would like you to consider......MEMBERSHIP!

Very truly yours,

Scott A. Spero ’89
President
CONTENTS

2
Dean's Column

4
1994 Annual Recognition Luncheon

7
CLE Calendar of Events

8
Supreme Court Justice Visits C-M

10
Faculty Profile: Louis Geneva

12
Life Members

18
Holiday Party

20
Moot Court Champs

21
Street Law Student Spreads the News

22
Bar Results

23
CSU Distinguished Service Award

24
Point of View

25
C-M's Trial Advocacy Program

26
Work-A-Day '94

28
D.C. Alumni Reunite

30
Alumni Happenings

34
Scholarship & Student Assistance Committee

37
Faculty & Staff Happenings
ADMISSION TO LAW SCHOOL
by Steven R. Smith

The law admissions process among the most important and least understood aspects of American legal education. At Cleveland-Marshall it is a process in which literally thousands of people annually have an interest. In addition to the direct interest that law school applicants have in the process, the profession as a whole has an important stake in the process. It is the “gatekeeper” for the profession — almost no one becomes a lawyer except through law school, and the profession can be only as strong and as diverse as the admissions process of law schools. Faculty and students also have a strong interest in the admissions process, of course, because it selects our student colleagues and determines what our classes will be like in the future.

During the last few years, Cleveland-Marshall has had approximately 2,000 applications annually for the 300 positions in the first-year class. Applicants and their families, the law school admissions staff and the Admissions Committee all spend enormous time and energy selecting the class from all of the applicants. I chaired an admissions committee at another law school and found it to be a very difficult committee, both because of the time commitment and because it required rejecting more applicants than were accepted. Inevitably, most of the rejections were very painful for the applicants and their families.

The number of applicants seeking admission to law school remains strong, although there has been a modest decline during the last couple of years nationally. Each year approximately 140,000 students take the LSAT, and 85,000 of them apply to law school.

The reasons for the number of applicants for law schools are many. Despite the lawyer jokes, the law continues to be a noble profession of prestige and influence. The law continues to be seen as an important mechanism by which public policy and the welfare of society generally can be influenced and molded. In addition, law school presents one of the last generalist graduate disciplines. The J.D. is an extremely flexible degree that qualifies graduates for a wide range of positions in our society. As some undergraduate education has deemphasized critical thinking skills, students see the value of law school in developing such skills. Many undergraduate degrees do not very well prepare students for the job market, and those students may seek either graduate school or law school as a way of enhancing employment prospects. Finally, many who completed their undergraduate work ten years ago or more, who have long been interested in law school, have found the last few years a convenient time to try to fulfill their long-held dreams of attending law school. Thus, we have seen a fair number of “non-traditional students” apply.

Consider the challenge of the admissions process. You have before you 2,000 applications and you want an entering class of about 300. You have an application form, a personal statement, references, an undergraduate grade point average and an LSAT score for each applicant. So, how do you decide whom to admit? This is much more, of course, than deciding who is minimally qualified to study law. It is a matter of selecting the most highly qualified (however you define highly qualified).

As a practical matter, admissions decisions require not only that we know what qualities we want in a law student or lawyer, but that we be able to determine which applicants have those qualities and which do not. For example, it is very desirable that law students and lawyers have high integrity, extraordinary determination, considerable creativity, great energy, real compassion and a concern for the improvement of society. It is, however, difficult to tell reliably which applicants have those qualities and which do not. The difficulty is compounded because we would need some way to compare these qualities in one applicant with another.

Almost anyone making an admissions decision wants those admitted to do well academically in law school and to carry forward the intellectual tradition of the law as a learned profession. Experience and numerous studies have indicated that the Law School Admission Test (LSAT) and the undergraduate grade point average (UGPA) used in combination are the best predictors of academic success in law school. They are certainly not perfect and there has been dissatisfaction with the LSAT. The test has been changed periodically to improve its quality. (Professor Elizabeth Moody, who recently completed a leave of absence to run the Law School Admissions Services, the organization that administers the LSAT, believes that the test is likely to undergo additional substantial improvements in the years ahead.)

To rely heavily on the LSAT and UGPA is not necessarily to rely exclusively on them. At Cleveland-Marshall, the Admissions Committee does take
into account many other factors. The application form, the personal statement and references provide some insight into some of the factors, but this evidence is often difficult to interpret and, indeed, the vast majority of applicants present strong evidence of industry, integrity and desire to improve society and the legal profession. Furthermore, there is an interest in ensuring a diverse student body. Special factors can play an important role, particularly where the academic qualifications of students are relatively close to one another and especially in selecting admissions to the Legal Career Opportunities Program (LCOP). Each year a few students are selected to begin law school in the summer LCOP program. These are students who show real promise, but, for one reason or another, do not have outstanding academic records and would appear to benefit from early work during the summer.

During the last few years, Cleveland-Marshall has had approximately 2,000 applications annually for the 300 positions in the first-year class.

Each year some applicants ask about interviews, and law schools differ in their approaches to interviews. Because interviews have not been shown to be a very effective way of judging one individual applicant’s qualifications, few law schools depend on interviews as a significant part of the admissions process. A number of schools go through “courtesy interviews” which are intended to permit the candidate to meet with one or more members of the admissions committee, but which do not play a significant role in the actual admissions decisions. At Cleveland-Marshall, the Admissions Committee generally does not conduct such interviews. Rather, our admissions office will meet with candidates to answer questions, to discuss the school and to encourage applicants to submit personal statements and references that will inform the Committee of special circumstances surrounding their applications.

Questions are also raised sometimes about what are commonly called “political admissions.” These are admissions decisions made, not on the basis of the qualifications of the applicant, but on the influence of people who know the applicant. The justification for such admissions is essentially that the law school will benefit from the favor (or contributions) of the friends of the

Continued on pg. 27

Advertisements

**WOULD YOU RECOMMENDED EMPLOYEE LEASING TO YOUR CLIENTS?**

By Gordon D. Blewett
HPI Associates, Inc.

**You are their Corporate Attorney - Your advice is trusted - Is employee leasing an asset to your clients?**

Well, hundreds of attorneys and advisors have recommended leasing because it enables their clients to focus 100% of their attention on the growth of their business.

HPI Associates, Inc. removes your client from liabilities and costly penalties associated with payroll, withholding taxes, federal and state reporting functions, Workers’ Compensation claims management and OBES filings. HPI Associates, Inc. becomes the legal employer and is held accountable. Your client remains in complete control of operations for the corporation.

In addition, HPI Associates, Inc. becomes the personnel and benefit administrator. Employee files are maintained to include accurate records, monitor attendance, vacation, sick time and documentation of discipline to assure consistency. Handbooks are issued with an addendum to address the policies of each client. HPI Associates, Inc. provides the most cost effective benefit plans available. Due to our group purchasing power, we are able to offer more extensive coverage to small and mid-size business owners.

**Employment regulations are constantly changing and personnel has become a full-time responsibility.** If your clients have delegated the responsibility of maintaining personnel records, payroll/payroll taxes, and compliance with federal and state employment laws to one of their employees, they remain accountable and at risk if an error is made. When the responsibility is delegated to HPI Associates, Inc. so is the accountability.

The question was…Would you recommend leasing to your client? The question is…Why would you not?

**HPI Associates, Inc. is an accredited member of NAPEO (National Association of Professional Employer Organizations) with over 20 years of experience in the field of personnel.** Contact us for more information on employee leasing.

HPI Associates, Inc.
36625 Vine Street, Suite 1
Willoughby, Ohio 44094

Tel: 216/951-1332
Fax: 216/951-5843
Toll-Free: 800/533-5067

**SPRING 1994 3**
1994 ALUMNI RECOGNITION

Each spring the Cleveland-Marshall Law Alumni Association holds an Annual Recognition Luncheon to honor two graduates who have brought distinction to the profession and to the College of Law. On May 6, 1994, the Association will celebrate the lives and careers of the Honorable Lesley Brooks Wells '74 and Charles R. Emrick, Jr. '58 at its Annual Recognition Luncheon at Swingos at the Statler.

Judge Wells and Mr. Emrick represent the best a law school can produce: an exemplary public servant and an exemplary private practitioner. They have used their law degrees well, served their communities selflessly and dignified the calling. Both Judge Wells and Mr. Emrick have maintained close ties with Cleveland-Marshall; both are members of the College’s Visiting Committee and both are Life Members of the Law Alumni Association. The College of Law and the Law Alumni Association claim Lesley Brooks Wells and Charles Emrick with pride and name them their 1994 Distinguished Alumni.
By the time this issue of Law Notes appears, Lesley Brooks Wells will be settled into her new offices in the United States Courthouse. On February 11, 1994, the U.S. Senate confirmed President Clinton’s nomination of Judge Wells to a federal judgeship for the Northern Ohio District. Judge Wells had been a Cuyahoga County Common Pleas judge for 10 years, in private practice six years, an adjunct professor at Cleveland-Marshall and at the Levin College of Urban Affairs, and Director of ABAR III Civil Rights Litigation Support Center. The Senate confirmation was the latest milestone in the promising career of the cum laude graduate of the Cleveland-Marshall class of 1974.

Judge Wells believes that a life-long attraction to storytelling and literature inspired her legal career. The daughter of a career army officer, she recalls listening in awe to the stories her grandmother told her about her great grandfather, a Michigan judge. Law was identified with strength of character and a love of language, and both were compelling features in Wells’s desire to become a lawyer. “I sensed,” Judge Wells recalls, “that lawyers were good people and that law would permit me to do the things I loved most, to write and to read.” But her law degree was years ahead. First, there was her undergraduate degree in English and philosophy from Chatham College in 1959. Then, in 1967, Wells began her legal studies in Cleveland-Marshall’s evening program, but with four young children at home, she withdrew from the program at the end of the year, returning in 1972 as a full-time day student and graduating cum laude in 1974.

Judge Wells remarks that without the flexibility of the Cleveland-Marshall program, she would have had “no clear way to accomplish her goals.” And that would have been a loss to the profession as well as to numerous local and national educational and community organizations. Judge Wells is a volunteer for the Free Clinic and has served on the boards of Miami University, Chatham College, the Urban League of Cleveland, the Rose Mary Center, the Case Western Reserve University School of Medicine Center for Biomedical Ethics, and the Ohio Governor’s Task Force on Family Violence. She is a founding member of the Ohio Women’s Bar Association and is a member of the American Inns of Court, Cleveland-Marshall’s Law & Public Policy Program Advisory Board, the Judicial Conference of the Eighth Judicial District, the National Association of Women Judges, the Cleveland Bar Association, the Cuyahoga County Bar Association, the Ohio State Bar Association and the American Bar Association. In 1991 she was a Fellow at the National Endowment for the Humanities Institute for Humanites and Medicine.

Judge Wells’s community service is prodigious: She has been active in such non-profit organizations as the Federation for Community Planning, the Joint Mental Health and Corrections Committee of the Federation for Community Planning and Bar Association of Greater Cleveland, WomenSpace, United Way Task Force on Women, and the Cleveland Psychiatric Institute’s Citizens Advisory Board. Finally, she is a frequent lecturer and writer, speaking and writing primarily on subjects that have been personal and professional concerns: law, the family, women and legal-medical issues.

The community and the profession have taken note of Judge Wells’s achievements: She is the recipient of CSU’s Alumni Award for Civic Achievement, Chatham College’s Distinguished Alumna Award, the Women’s City Club Compassionate Judicial Insight Award, the Ohio Supreme Court’s Superior Judicial Award and numerous others.

Judge Wells’s children have all grown up, she has grandchildren now, and perhaps those grandchildren are listening to their grandmother, the federal judge, and dreaming of a future in the law. Those who know Judge Wells or have been in her courtroom hope that will indeed be the case.

Charles R. Emrick, Jr.

Charles Emrick has spent his entire life in northeast Ohio. Born in Lakewood, he and his wife, Lizabeth, the parents of two, live in Rocky River, the suburb where Charles Emrick grew up.

He did not set out to be a lawyer...But, as he explains, somewhere along the way, he “got bit” by the law.

Mr. Emrick’s undergraduate degree and his master’s degree are from Ohio University. Unlike Judge Wells, he did not set out to be a lawyer; he set out to be the best businessman he could become. Thus, following college and military service, Mr. Emrick went right into business. When he enrolled at Cleveland-Marshall, he already had a promising career; in fact, law was a means to an end, for Emrick was convinced that a law degree would help become the kind of businessman he hoped to be. But, as he explains, somewhere along the way, he “got bit” by the law. “Cleveland-Marshall really impacted on my life.” In 1994, Charles Emrick is not only an accomplished businessman, he is also one of Ohio’s most successful...
Most people think honoring lawyers is right up there with celebrating the Great Depression.

Tell 'em it ain't so!

CONGRATULATORY ANNOUNCEMENTS

Yes. I would like to reserve space in the 1994 Cleveland-Marshall Law Alumni Association Annual Recognition Program.

Honoring
Alumni of the Year
Charles R. Emrick, Jr. '58
Honorable Lesley Brooks Wells '74

The Cleveland-Marshall Law Alumni Association Annual Recognition Luncheon will be held on Friday, May 6, 1994 • 11:30 A.M. at Swingos at the Statler

[Checkboxes for Full Page, Half Page, Quarter Page with corresponding prices and instructions for camera ready art work and submission to Mary McKenna.]

Name_______________________________
Address_____________________________
City________________ State____ Zip_____
Phone______________________________

Because program space is limited, artwork and checks must be received by April 15, 1994. For further information, contact Mary McKenna at (216) 687-2368.
SPRING 1994 CALENDAR OF EVENTS

February 19  Alternative Dispute Resolution Practicum
February 26  Consumer Law and Advocacy
March 12  Quality of Life and Simple Wills
March 19  Criminal Law: Financial Concerns, RICO, Prosecutorial Misconduct
April 9  Litigation Essentials: Motion Practice
April 23  Professional Responsibility and Substance Abuse
April 30  Examining the Changing Law of Evidence
May 7  Probate and Estate Planning

TWENTY-FOUR HOURS OF QUALITY, CONVENIENT, TIMELY CLE PROGRAMS

- All programs approved for 3 Ohio CLE credits
- Information and registration information to be sent separately for each scheduled program
- All programs presented in the Moot Court Room, Cleveland-Marshall College of Law
- All programs on Saturday mornings, 9:00 am to 12:15 pm
- Coffee and doughnuts available from 8:30 am
- Attendance required for CLE credit
- Printed materials available for all programs to be distributed at session
- All programs emphasize “current events”
- CLE faculty all outstanding in respective fields
- CMLAA-CLE will submit registration/credit forms to Supreme Court
- Tuition: Advance registration, paid 7 days in advance: $80
  Registration paid less than 7 days in advance: $95
- CMLAA-CLE programs are sponsored by The Cleveland-Marshall Law Alumni Association in cooperation with the Cleveland-Marshall College of Law
- CMLAA MEMBERS RECEIVE A SPECIAL $10 PER PROGRAM DISCOUNT UPON ADVANCE REGISTRATION.

Cleveland-Marshall Law Alumni Association Annual Dues June 1, 1994 - June 1, 1995

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Dues</td>
<td>$50</td>
</tr>
<tr>
<td>General Membership</td>
<td>$25</td>
</tr>
<tr>
<td>1990-1992 Graduate</td>
<td>$20</td>
</tr>
<tr>
<td>1993 Graduate</td>
<td>Free</td>
</tr>
<tr>
<td>Law Review</td>
<td>$20</td>
</tr>
<tr>
<td>(For dues paying members)</td>
<td></td>
</tr>
<tr>
<td>Journal of Law &amp; Health</td>
<td>$20</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Categories</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life*</td>
<td>$1,000</td>
</tr>
<tr>
<td>(If paid in lump sum, otherwise, $1,250 payable $250 per year for 5 years.)</td>
<td></td>
</tr>
<tr>
<td>Personalized desk clock upon receipt of first payment. Name on permanent plaque in Law College Atrium upon receipt of full payment.</td>
<td></td>
</tr>
<tr>
<td>Sustaining Membership*</td>
<td>$100</td>
</tr>
<tr>
<td>My firm or company will match my contribution to support The Cleveland-Marshall College of Law: $ ___</td>
<td></td>
</tr>
<tr>
<td>Enclosed is the Educational Matching Gift check or form.</td>
<td></td>
</tr>
<tr>
<td>*Memberships include Law Review subscription.</td>
<td></td>
</tr>
</tbody>
</table>

Life Membership Dues Fund a Student Scholarship Program

Contributions may be tax deductible.
To insure proper credit, please use this return form. Firms remitting dues for more than one member on one check should return all statement forms or list the names of those individuals. Thank you for your continuing support.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name:</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td></td>
</tr>
<tr>
<td>City:</td>
<td></td>
</tr>
<tr>
<td>State:</td>
<td></td>
</tr>
<tr>
<td>Zip:</td>
<td></td>
</tr>
<tr>
<td>Phone:</td>
<td></td>
</tr>
<tr>
<td>Class of:</td>
<td></td>
</tr>
</tbody>
</table>

Spring 1994 7
U.S. Supreme Court Justice Antonin Scalia engaged a packed auditorium in an interactive and often humorous discussion of constitutional interpretation on Saturday, November 6, 1993. Though this was Justice Scalia's first appearance at Cleveland-Marshall, he is no stranger to the city: Scalia spent seven years here as an associate for Jones, Day, Reavis and Pogue.

Justice Scalia is the second Supreme Court Justice to visit the law school: He was preceded by his colleague on the bench, Justice Harry A. Blackmun, who was a guest of the College of Law in 1988.

Justice Scalia spoke to an audience of 800 alumni, students, faculty, staff and friends of the College of Law. The Justice cast aside two prepared speeches, replacing them with a short, less formal discussion of theories of constitutional interpretation. Then, for almost an hour, he fielded questions from students and others.

The early morning talk was largely a debate over two opposing theories of interpretation: 'originalism' versus 'evolutionism.' Scalia is well-known as the Supreme Court's most adamant advocate of 'originalism.'

An originalist believes all constitutional rights or protections are limited by both the particular language of the Constitution and the intent of the drafters. Constitutional rights provided by the drafters are not subject to incremental change by the "hubris of judges," said Scalia. "That's the whole purpose of a constitution or Bill of Rights."

In comparison, a "non-originalist," as termed by Justice Scalia, argues that words in the Constitution should not be restrained by their precise, eighteenth-century meanings.

Scalia humored the audience with
his criticism of the 1958 Supreme Court case, Trop v. Dulles, which proposed that the text of the Constitution should "draw its meaning from the evolving standards of decency that mark the progress of a maturing society."

Such a theory assumes justices are sufficiently in touch with society. "'Evolving standards of society?' Scalia mused "I haven't had a beer with the boys in years! What do I know about today's evolving standards?"

Much too often, Scalia said, the Constitution is used to resolve issues that should be addressed by legislation. Too many people believe that issues they care deeply about are provided protection by language in the Constitution. "In the past, when something was wrong," said Scalia, "we used to say 'There ought to be a law.' Now people say 'It's unconstitutional.'"

Scalia, not known for his congenial debating style, amused the audience with his irreverent treatment of students and faculty members. "Are you finished?" Scalia asked, interrupting a C-M professor mid-sentence. "Good!" replied Scalia, before the faculty member could answer.

"It's too bad," said one faculty member after the speech. "He is a brilliant jurist, but the way he interacts with people (and fellow justices) leaves him writing the dissents. He would probably win more concurrences (on the court) if he interacted differently."

Others saw it differently. Said one Cleveland lawyer after the speech, "I think (Scalia) did pretty well (answering questions), considering the audience. It seemed like every question was coming from liberal students and faculty members, not to mention the ACLU."

Whatever the political persuasions of the audience and whatever antipathies the Justice's address may have provoked, everyone was in agreement that having a United States Supreme Court justice come to campus is one of the great events in the history of a law school.
Louis Geneva teaches in the demanding areas of tax law and estate planning. He teaches with enthusiasm and delight a branch of the law that is often perceived as a legal dryland, dreary, impersonal, tediously detailed, the kind of law the docile Bob Cratchit would practice, if he were a lawyer and not a character in a Dickens novella.

Inconstant, unstable as politics, likely to change at the whim of this legislature or that judge and notorious for transforming ordinary citizens into some of the profession's most enraged clients is the practice of tax law. This is the story of how one of the law school's most genial, most fun-loving, most unflappable professors wound up teaching students who dreaded tax and estate planning law to love those courses at Cleveland-Marshall.

As a youngster growing up in southern Ohio, Louis Geneva was not thinking of law school, the tax code, or wills and trusts. He had determined on a career as a 'corporate executive.' Though he was unsure what the dimensions of the calling were, he had noticed that the big homes in town and the long limos were occupied by the breed identified to him as corporation presidents or treasurers or secretaries. By 1969, he had earned a BA in economics and math from Ohio's Miami University, had married a fellow Ohioan, Jayne Hurst Geneva '87, from, of all places, Geneva, Ohio, and moved to Boston. He did not yet think about law; in fact, he was about to enter an MBA Program on a fellowship, when his intuitive mother-in-law, a court reporter, put him in touch with some lawyers she respected. "Listen to them," she advised. What Lou learned was invaluable and changed the course of his life.

According to Professor Geneva, "They told me 'an MBA will get you your first job, but after you've been working two or three years, you'll be in the same position as everybody else. Even if you never intend to practice law, you'll go further with a law degree, no matter what you end up doing.'"

First, Lou tried to talk his wife, Jayne, into going to law school with him, but she was busy in her own life, teaching sociology and social psychology in Northern Essex Community College and proving, as the first female president of the faculty senate, that a woman gets the job done.

Louis enrolled in Suffolk Univer-
University Law School's evening division in 1969 and four years later was graduated tenth in his class. All the time he was in law school, he worked full time, teaching tenth and eleventh graders algebra and geometry. By graduation in 1973, he was ready for a career change in earnest, but he decided that, on top of his cum laude law degree, he needed an additional distinction and the following year found him enrolled in New York University's LL.M. program in taxation. Why taxation? As he explains, he could see the need, immediate and practical: Tax law was a tool that he could put to use at once and held the possibility of a career that suited his background in economics and mathematics as well. "Remedies and Procedures are courses you learn to use after you get out. You're learning them as a law student for the first time, just as academic exercises. It takes a long time to see the usefulness and significance of such courses. But I had been doing my own tax returns for years and I was very interested in tax law." It was bound to be a good fit, he thought.

Students studying with Professor Geneva and consistently giving his courses rave reviews, commenting especially on his grasp of the material, his thoroughness and his ability to make the material interesting, will read with surprise that his first semester at NYU was a time of stark terror. "I was sitting in my first class. I had done my homework and was prepared. But people were asking questions that were in hyperspace, questions far, far beyond where I was. And, even more surprising, others seemed to know the answers." Eventually, Professor Geneva discovered that a number of his fellow students had been in practice for four and five years, and that one particularly knowledgeable classmate had worked for the Internal Revenue Service. In a word, says Professor Geneva, "I was intimidated."

"I remember taking my first exam. I walked out thinking I had failed. It was just an awful feeling, devastating." Louis and Jayne remained in New York for two years, teaching, living the spirited, fun-loving lives of New Yorkers and enjoying every minute; nevertheless, two years later, they set out for Connecticut.

"By then we had two children. We loved New York, but we knew how difficult it is to raise children in the city." Louis took a job in a New Haven law firm specializing in tax law. In fact, before the close of that same day, he found his number once more followed by an A and eventually, he was forced to admit, "It must be true."

So true were his accomplishments and so sure his promise as a tax lawyer that the head of the NYU program asked him to stay after graduation and teach in the LL.M. Tax Program. Though Lou had initial doubts, Jayne was overjoyed.

Continued on pg. 36

Jennings Place for Assisted Living

If you have an elderly client who needs help with daily living, then Assisted Living at Jennings Place may be the right alternative. Many people have found that Assisted Living is often an appropriate alternative to nursing care, because Assisted Living emphasizes independence while providing just the right amount of help.

Jennings Place offers gracious residential living with one bedroom apartments where each resident is given personal, individualized attention. Most assistance is part of the monthly rates, and includes three meals daily, weekly housekeeping, scheduled transportation, a wide variety of programs, and monitoring of medications, if necessary.

You have the added assurance of knowing that Jennings Place is one of three facilities managed by The Eliza Jennings Group, which has provided quality retirement living for over 105 years.

If you are interested in more information about Jennings Place or the concept of Assisted Living in general, The Eliza Jennings Group would be glad to assist you. Simply call (216) 226-5000.

Jennings Place

10426 Detroit Avenue • Cleveland, Ohio • 44102
<table>
<thead>
<tr>
<th>Year</th>
<th>Name</th>
<th>Year</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1929</td>
<td>Max Ratner</td>
<td>1962</td>
<td>J. David Horstall</td>
</tr>
<tr>
<td>1940</td>
<td>Hon. William T. Gillie</td>
<td>1964</td>
<td>Henry L. Griffith</td>
</tr>
<tr>
<td>1941</td>
<td>Paul J. Hribar</td>
<td>1965</td>
<td>David S. Lake</td>
</tr>
<tr>
<td>1942</td>
<td>Hon. August Pryatel</td>
<td>1966</td>
<td>Edward T. Haggins</td>
</tr>
<tr>
<td>1947</td>
<td>Benet Kleinman</td>
<td>1957</td>
<td>Frank T. Scavone</td>
</tr>
<tr>
<td>1950</td>
<td>Bernard Moseson</td>
<td>1958</td>
<td>Norman J. Kamen</td>
</tr>
<tr>
<td>1951</td>
<td>Dr. Bernice G. Miller</td>
<td>1959</td>
<td>Theodore K. Kowalski</td>
</tr>
<tr>
<td>1952</td>
<td>Chief Judge Thomas Lambros</td>
<td>1960</td>
<td>William M. Wohl</td>
</tr>
<tr>
<td>1953</td>
<td>John J. Sutula</td>
<td>1961</td>
<td>Stanley Morganstern</td>
</tr>
<tr>
<td>1954</td>
<td>Daniel R. McCarthy</td>
<td>1962</td>
<td>Hon. John E. Corrigan</td>
</tr>
<tr>
<td>1955</td>
<td>Hon. Charles W. Fleming</td>
<td>1963</td>
<td>Herbert Palkovitz</td>
</tr>
<tr>
<td>1956</td>
<td>William T. Monroe</td>
<td>1964</td>
<td>James R. Kellam</td>
</tr>
<tr>
<td>1957</td>
<td>Olga Tisilaclos</td>
<td>1965</td>
<td>Richard A. Morosca</td>
</tr>
<tr>
<td>1958</td>
<td>Daniel E. McCarthy</td>
<td>1966</td>
<td>Robert J. Shindala</td>
</tr>
<tr>
<td>1959</td>
<td>Edward C. Hawkins</td>
<td>1967</td>
<td>William A. Woznja</td>
</tr>
<tr>
<td>1961</td>
<td>Russell T. Adriene</td>
<td>1969</td>
<td>Walter A. Rodgers</td>
</tr>
<tr>
<td>1963</td>
<td>Charles J. Gallow</td>
<td>1971</td>
<td>Dhaminder L. Kampani</td>
</tr>
<tr>
<td>1965</td>
<td>Glenn J. Seeley</td>
<td>1973</td>
<td>James E. Melle</td>
</tr>
<tr>
<td>1966</td>
<td>Peter W. Mozik</td>
<td>1974</td>
<td>Kennedy A. Bossin</td>
</tr>
<tr>
<td>1967</td>
<td>Carol Emerling</td>
<td>1975</td>
<td>Host R. Sindula</td>
</tr>
<tr>
<td>1968</td>
<td>Irene M. Kutilic</td>
<td>1976</td>
<td>William A. Woznja</td>
</tr>
<tr>
<td>1969</td>
<td>William D. Carle, III</td>
<td>1977</td>
<td>Timothy M. Bittell</td>
</tr>
<tr>
<td>1971</td>
<td>Leon M. Plevin</td>
<td>1979</td>
<td>Joyce E. Barrett</td>
</tr>
<tr>
<td>1972</td>
<td>Maynard Kimball</td>
<td>1980</td>
<td>Bert Tomon</td>
</tr>
<tr>
<td>1974</td>
<td>Thomas J. Brady</td>
<td>1982</td>
<td>James A. Lowe</td>
</tr>
<tr>
<td>1976</td>
<td>James Patrick Conway</td>
<td>1984</td>
<td>Michael L. Climaco</td>
</tr>
<tr>
<td>1977</td>
<td>Aaron Jacobson</td>
<td>1985</td>
<td>William P. Farrall</td>
</tr>
<tr>
<td>1978</td>
<td>Julian Kahan</td>
<td>1986</td>
<td>William P. Gibbons</td>
</tr>
<tr>
<td>1979</td>
<td>Hon. Hans R. Veit</td>
<td>1987</td>
<td>Mary Agnes Lentz</td>
</tr>
<tr>
<td>1980</td>
<td>Don C. Iler</td>
<td>1988</td>
<td>W. Frederick Ffner</td>
</tr>
<tr>
<td>1981</td>
<td>Donald L. Guarneri</td>
<td>1989</td>
<td>Hon. Lesley Brooks Wells</td>
</tr>
<tr>
<td>1982</td>
<td>Donald M. Colasurdo</td>
<td>1990</td>
<td>Michael C. Hennenberg</td>
</tr>
<tr>
<td>1984</td>
<td>Eugene A. Kemp</td>
<td>1992</td>
<td>Thomas E. Downey</td>
</tr>
<tr>
<td>1986</td>
<td>Fred Lick</td>
<td>1994</td>
<td>William R. Ffner</td>
</tr>
<tr>
<td>1987</td>
<td>Martin J. Sammon</td>
<td>1995</td>
<td>Dr. Gregory J. Lake</td>
</tr>
<tr>
<td>1988</td>
<td>Paul S. Sanislo</td>
<td>1996</td>
<td>B. Casey Yim</td>
</tr>
<tr>
<td>1989</td>
<td>Richard J. Bogomolny</td>
<td>1997</td>
<td>Dale H. Markowitz</td>
</tr>
<tr>
<td>1990</td>
<td>Robert Wanz</td>
<td>1998</td>
<td>Gerald L. Steinberg</td>
</tr>
<tr>
<td>1992</td>
<td>Clarence L. James, Jr.</td>
<td>2000</td>
<td>William C. Hofsatter</td>
</tr>
<tr>
<td>1993</td>
<td>Lucien B. Karlowec</td>
<td>2001</td>
<td>Deborah Lewis Hiller</td>
</tr>
<tr>
<td>1994</td>
<td>Sheldon E. Rabb</td>
<td>2002</td>
<td>Charles A. Deeb</td>
</tr>
<tr>
<td>1995</td>
<td>Stanley G. Stein</td>
<td>2003</td>
<td>David Ross</td>
</tr>
<tr>
<td>1996</td>
<td>Joseph A. Coviello</td>
<td>2004</td>
<td>Keith E. Belkin</td>
</tr>
<tr>
<td>1997</td>
<td>Lester T. Toit</td>
<td>2005</td>
<td>Michael J. Nath</td>
</tr>
<tr>
<td>1998</td>
<td>Thomas J. Scanlon</td>
<td>2006</td>
<td>Steven H. Slive</td>
</tr>
<tr>
<td>1999</td>
<td>Thomas W. Gray</td>
<td>2007</td>
<td>Charles T. Simon</td>
</tr>
<tr>
<td>2000</td>
<td></td>
<td>2008</td>
<td>Jack W. Bradley</td>
</tr>
<tr>
<td>2001</td>
<td></td>
<td>2009</td>
<td></td>
</tr>
</tbody>
</table>
The Cleveland-Marshall Law Alumni Association welcomes Honorable Leo A. Jackson '50 to its Life Membership. Judge Jackson was born in Lake City, Florida, received his A.B. in 1943 from Atlanta's famous Morehouse College; in 1946, he earned an M.A. from Atlanta University. He was a Cleveland City Councilman for seven consecutive terms from 1958 to 1970. In 1970, Judge Jackson was elected to the Eighth District Court of Appeals, where he served for seventeen years, two as Chief Justice. He is a member of the NAACP, the Citizens League, Kappa Alpha Psi Fraternity, the Cleveland Committee Against Soviet Anti-Semitism, the Advisory Committee of the Chair of Urban Studies and Public Service of the Maxine Goodman Levin College of Urban Affairs and both the Cleveland and Cuyahoga Bar Associations.

Judge Jackson is listed in Who's Who in American Politics, Who's Who In American Government and Who's Who Among Black Americans. He has been the recipient of a host of honors, including the Cleveland Business League Award of Honor, Brothers Keeper Award of the Cleveland Jewish Community Federation, Outstanding Community Service Award of the Cleveland Diocesan Union of Holy Name Societies and the Outstanding Leadership Award of the NAACP, Orange County, Florida, branch. Judge Jackson administered the oath of office to the Honorable Michael R. White upon his inauguration as 54th Mayor of the City of Cleveland.

Judge Jackson lives in Shaker Heights and is the father of two children, Linda Jackson Sowell and Leonard Jackson.

CMLAA WELCOMES NEW LIFE MEMBERS

Susan J. Becker '83
Paul Carrington
Elisabeth T. Dreyfuss '78
Sally M. Edwards '78
Thomas W. Gray '63
Hon. Leo A. Jackson '50
James H. Peak '70
Walter A. Rodgers '70
Steven H. Steinglass
Melody J. Stewart '88

STAR BANK

Trust Financial Services

- Investment Management
- Personal Trust Services
- 401(k) Plan Implementation
- Employee Benefits Plans
- Corporate Trust Services

Call today and let Star Bank start working for you.

Regional Trust Manager
Josephine L. Trotta
623-9226

Employee Benefits
John T. McGregor
623-9286

Personal Trust
Raymond T. Bartel
623-9273

Corporate Trust
Terrence J. Stone
623-9277

PCI Personnel Concepts Inc.

PERMANENT & TEMPORARY STAFFING SOLUTIONS

- Legal Secretaries
- Paralegals
- Office Support
- Accounting Support
- Word Processors
- Accountants
- H.R. Personnel

Prompt, professional service for ALL your Permanent & Temporary staffing needs. Call...

Gretchen L. Oleski

Personnel Concepts Inc.
Bank One Center
600 Superior Avenue, #1300
Cleveland, Ohio 44114
(216) 522-1912
NEW FACULTY AND STAFF LIFE MEMBERS OF THE CLEVELAND-MARSHALL LAW ALUMNI ASSOCIATION

The number of faculty and staff who have become Life Members continues to grow. Law Notes interviewed the six newest members for this edition, asking each what motivated him or her to become a Life Member.

Paul Carrington came to Cleveland-Marshall from Case Western Reserve University's School of Nursing, where he was employed as a clerk typist 3, entrusted with many of the same responsibilities that he assumed when he joined the law school administration in 1988. Primarily, Mr. Carrington provided support to faculty and staff on any number of projects ranging from grant applications to typing examinations, memos, law review articles, and letters. It was not long, however, before everyone realized that Paul was not an ordinary employee and that he would not long remain content with an ordinary workload. Now, heading toward his sixth year at Cleveland-Marshall, Mr. Carrington, as the law school's Software Specialist and Assistant Supervisor and Office Manager of the College's Faculty and Administrative Services, is one of the College's most valuable, and certainly most energetic, administrators.

He is also one of the College's most diversely-talented employees—teacher, musician, composer, Elder of the Love Center Church in Cleveland, Board Member of the Free Baptist Church, also in Cleveland, and the First Baptist Church in Nutley, New Jersey—Paul seldom has an idle moment. In addition to his ministerial and law school activities, he is a member of the Greater Cleveland Council of Churches, the Greater Cleveland Ecumenical Senior Ministry, the Interdenominational Ministerial Alliance of Cleveland, the Gospel Music Workshop of America and Big Brothers of Greater Cleveland. For his community service, Mr. Carrington received commendations in 1992 from Ohio Governor George Voinovich, Cleveland Mayor Michael White, and the Cuyahoga County Commissioners. In 1991, both the Ohio House of Representatives and the Ohio Senate honored him: The House named him Outstanding Citizen of Ohio in Pastoral and Community Service; the Senate recognized his Distinguished Pastoral Service.

Law Notes asked Mr. Carrington, who holds an MBD in Theology, Doctrine, and Christian Education from the Baptist Bible Institute (1988), to compare his ministerial responsibilities with his law school responsibilities, and he replied, "Don't you know, everything is a ministry?" Asked why he decided to become a Life Member, Paul answered, "I wanted to be supportive of the law school. I'm a team player and I like to be involved in my work." He also adds, "I love the law school." To the members of the College faculty and staff who know Paul, this information will not come as a surprise.

Certainly the law school profits from Paul's support and from his many contributions, both as administrator and as minister: He is the person most sought after for advice on computer software, graphics and desktop publishing projects. His mastery over a multiplicity of software programs—perfected through several continuing education programs—has enabled the law school to expand its services to students and alumni. And in the workaday world, it is always reassuring to have a minister on hand. Paul Carrington is welcome to the roster of Life Members of the Cleveland-Marshall Law Alumni Association.

It should surprise no one that Professor of Law Susan J. Becker '83 has become a Life Member. "My experience as a Cleveland-Marshall law student was very positive," she told Law Notes last year when she was featured in the faculty profile section of the magazine. In general, if one is a successful student, as Professor Becker surely was—graduating magna cum laude, ranked in the top six percent of her class and finishing in a swift two-and-a-half years—a graduate will be well disposed toward her alma mater and toward its alumni association. Indeed, Susan says, "The Law Alumni Association showed tremendous support for the law school during the past, so it seemed right for me to support the organization."

Before coming to Cleveland-Marshall as a student, Professor Becker worked for several years as a free lance...
writer and journalist; before coming to Cleveland-Marshall as a teacher, Susan had spent five years in private practice. Yet, she reports, throughout her previous two careers, teaching was always in the back of her mind, and she jumped at the opportunity to teach at Cleveland-Marshall when a visiting professorship became available in 1990. The visiting professorship led to a tenure-track assistant professorship the following year. Now, in 1994, the consensus of her colleagues on the faculty is that Susan Becker has been as successful a teacher as she was a journalist, practitioner and law student. The College of Law and the University have awarded her tenure and promoted her to Associate Professor, effective this summer.

In 1993, Professor Becker received the law school’s Howard Oleck outstanding faculty publication award for her article in the Maryland Law Review, “Conducting Discovery of Former Employees of a Party: The Legal and Ethical Concerns and Constraints.” An extremely popular professor, she is faculty adviser to the Student Public Interest Law Organization, an assignment that suits her well, given her involvement in a number of non-profit organizations, most notably the Boy Scouts Explorer Program. The Law Alumni Association is pleased to add her name to its roster of Life Members.

Legal Writing Instructor Barbara J. Tyler ’89 must be a fan of Robert Frost. Like the narrator of “Stopping By Woods on a Snowy Evening,” she has traveled far and had promises to keep. In 1982, Ms. Tyler, an honor graduate of Cleveland Metropolitan General Hospital’s School of Nursing, had been a registered nurse for 18 years, spending 11 of them as an emergency room nurse at Metropolitan General Hospital’s Level One Trauma Center. Much as she loved nursing, she had always promised herself that one day she would go back to school and earn her bachelor’s degree. “I wanted to read literature, history, psychology,” she says, “all the good things that weren’t part of the nursing curriculum.” In 1982 she did just that, enrolling at Baldwin-Wallace College where her husband, Paul, is Bursar. She did not give up her nursing career; somehow she managed to combine studying with nursing, and in 1986, she graduated magna cum laude from Baldwin-Wallace College with a major in psychology.

By then, Barbara Tyler had been re-born as a student. Law was a profession Barbara had always admired (her father was a lawyer), and she had also promised herself that as soon as she kept the first promise — to finish her undergraduate degree — she would pursue a career in law. In 1986 she began her legal studies at Cleveland-Marshall College of Law, and in 1989 she was graduated magna cum laude. She had kept two promises, had two magna cum laude degrees and had launched a promising career; nevertheless, on her way out the law school door, she made a third promise to herself. And following a year spent clerking for the Honorable Blanche E. Krupansky of the Eighth Circuit Court of Appeals, Barbara set out to keep that one, too.

Barbara Tyler wanted to return as a teacher to Cleveland-Marshall, and she promised herself someday she would. For Barbara was that rare student who loved the arduous years that prepared her for a career as a practitioner. She was unusual in other ways as well; in fact, there was precious little that was usual about student Barbara Tyler. She completed her degree in three years while continuing to work full time at Metro’s emergency room. In such a supercharged work atmosphere, it is not surprising that Barb did most of her studying at home on the weekends when she wasn’t working 12 hour shifts. And that was an accomplishment, too, because Barbara’s home was not like her classmates’ homes. Though many law students have full-time jobs, and many have children few law students have six children, a husband also in graduate school, and a job in the trauma center of the county’s largest public hospital. And fewer than few can lay claim to the most unusual feature of Barbara’s career as a law student: She attended law school alongside her son, Thomas Tyler ’88, often taking the same classes, sometimes sharing notes. Law Notes has been unable to find another mother-son law student combination.

Barbara kept her promise to return to Cleveland-Marshall as a teacher when she joined the staff of the College’s Legal Writing Program in 1991. “I love this school and my job as a writing instructor,” she says. “I became a Life Member of the Law School Alumni Association because I believe that people who take should give back.” Barbara Tyler obviously gives much more than she takes. The Alumni Association is proud to have her as a Life Member.

When Steven H. Steinglass sat down to lunch with U.S. Supreme Court Justice Antonin Scalia during his visit to Cleveland-Marshall in November, it may have been the first time the Professor had broken bread with a Justice, but it was certainly not the first
time he has been in the presence of a member of the U.S. Supreme Court. Professor Steinglass has participated in four cases before the court. In Board of Regents v. Roth (408 U.S. 564) in 1972 and in Felder v. Casey (487 U.S. 131) in 1988, Steinglass was counsel of record and argued the cases before the court. In the 1982 case of Patsy v. Board of Regents of the State of Florida (457 U.S. 469), Steinglass wrote an amicus brief on behalf of the National Legal Aid and Defenders Association, and in the 1990 case of Howlett v. Rose (110 S. Ct. 2430), Steinglass contributed to the briefs. Professor Steinglass’s involvement in all these cases arises from his nationally recognized expertise in Section 1983 litigation. He is the author of numerous book chapters and journal articles on the subject as well as the author of *Section 1983 Litigation in the State Courts* (Clark Boatman Callaghan 1988; updated 1993). Twice he has been called to testify before Congressional committees on Section 1983-related issues and is a much-sought-after lecturer and consultant on Section 1983 matters.

Professor Steinglass came to Cleveland-Marshall in 1980 after 11 years of public interest lawyering in Milwaukee, Wisconsin, and part-time teaching at the University of Wisconsin Law School. In addition to teaching Section 1983 Litigation, he teaches State Constitutional Law, Federal Jurisdiction and Civil Procedure. The Law Alumni Association is particularly gratified when faculty and staff who are not graduates of the College of Law decide to become Life Members. Professor Steinglass, a 1967 graduate of Columbia Law School, is one such faculty member. He became a Life Member, he says, “to show my appreciation for the support that the CMLAA has provided the College of Law over the years.” His support is welcome indeed.

So, what was it like for Steve Steinglass, civil libertarian, who had twice argued cases before the Supreme Court that could only succeed given a liberal, ‘evolutionist’ interpretation of the Constitution, to confront across the lunch table one of the high court’s most outspoken and unabashed conservatives, a champion of ‘originalist’

thinking? As reported in Professor Joel Finer’s *Marshall Memoranda*, Professor Steinglass pointed out with all due respect that the Justice’s memory may have failed him in his recollection of the Seventh Amendment. Apparently, in his remarks earlier in the day, the Justice stated that the amendment preserved the right to trial by jury in civil cases “involving more than fifty dollars,” whereas, as the astute Professor pointed out, the actual wording preserved the right to jury trial in civil cases “where the value in controversy shall exceed twenty dollars.” Was this a mere *lapse* *linguise*, the Professor pondered, or an about-face on the part of the Justice, the first evidence of a decline in the passions of originalist thinking, an adjustment of the text in accord with the realities of the times, inflation and the value of the dollar? Readers of *Law Notes*, along with the rest of the country, await further evidence of a weakening in the conservative temper that has dominated the court in the past two decades. Meantime, around campus, it is generally agreed that it may be unnecessary to import Constitutional scholars to Cleveland-Marshall, since the best ones might already be here.

**Director of the Street Law Program and Assistant Dean for Community Education in the Law**

**Elisabeth Travis Dreyfuss** ’78 became a Life Member of the Law Alumni Association because she had “been working for a long time to advance the law school in the community and this seemed a logical place to work with others also interested in promoting the law school.” Those ‘others’ will have a hard time matching the accomplishments of Liz Dreyfuss in representing Cleveland-Marshall locally, nationally and, most recently, internationally. Not only is Dean Dreyfuss credited with institutionalizing law-related education at Cleveland-Marshall, she is also credited with introducing it to the state and beyond: Cleveland-Marshall’s Street Law Program was the first in Ohio and has been the model for generations of similar programs throughout the nation. So, whoever joins her in promoting the College in the community must be prepared to work long hours and travel far; however, he or she will discover that there are friends of Cleveland-Marshall in the most unlikely of places, Ethiopia, for example, where in 1993 Dean Dreyfuss was invited to lecture to the law faculty and students of Addis Ababa University.

Dean Dreyfuss came to law school with a master’s degree from Case Western Reserve University and with several years of teaching experience, both on the secondary and on the college level. She had been a teacher and curriculum specialist in the Cleveland Heights/University Heights School System and a lecturer in history at Adirondack Community College. For her, the lessons she learned as a student in Professor **David Barnhizer’s** Street Law class opened a whole new world of professional and personal opportunity. She was learning that law had uses she had not anticipated and that its usefulness might be transferable to youngsters struggling with the hazards of growing up in troubled times. In realizing the good that could be accomplished by bringing together law students and high school students, she carved a niche for herself in the profession, and, more important, found yet another way of serving the community.

Liz Dreyfuss joined the faculty of Cleveland-Marshall College of Law initially as its first full-time Director of the Street Law Program; she is presently Director, Street Law Professor and Assistant Dean. In the years that she has headed up the Street Law Program, she has seen it grow into a multi-faceted
program that provides youngsters with the tools of mediation and arbitration, that gives them a chance to participate locally and nationally in mock trials, and that inspires them to continue their education after high school. Cleveland-Marshall's Street Law Program has also reached into the juvenile court system with a number of projects that help at-risk youngsters to respect rather than dread the power of the law.

In addition to teaching and administrative duties, Liz devotes long hours to such community organizations as Cleveland Works, the Cleveland Artists Foundation, the City Club of Cleveland, the Strategic Planning Committee of the Cuyahoga County Mental Health Board, and the Alcohol and Drug Addiction Services Board of Cuyahoga County. Though Dean Dreyfuss's six-year term on the Board of Amnesty International/USA has drawn to a close, she will not rest long: Dean Dreyfuss is a recent appointee to the National Program Committee of the National Association for Mediation in Education and has just been elected Vice President and member of the Executive Committee of the Board of the Health Systems Agency of North Central Ohio. The Law Alumni Association is proud to have her as a spokesperson for Cleveland-Marshall and as a Life Member.

Melody J. Stewart

A good woman is hard to find. And Assistant Dean for Student Affairs / Director of Minority Recruitment and Retention Melody J. Stewart '88 is a good woman who, on most days, is extremely hard to locate. Consider, for example, her first day on the job at Cleveland-Marshall, September 7, 1990. Melody arrived at her office at the College of Law at 8:00 a.m. and by 2:00 p.m., she was nowhere to be found on campus. That was because she was on a plane headed for DeKalb, Illinois, for a Minority Recruitment and Retention Conference. She has been busy ever since. When Law Notes went to interview her for this story, she was on the phone making plans to take three high school students to a basketball game. "They are my mentees," she explained, "part of Ohio State University's Young Scholars Program." Melody has been acting as mentor for four years to these promising inner city youngsters. In the fall, as a result of their success in maintaining high academic averages and as a result of their good luck in having Dean Stewart as their mentor, these three young women will begin their...Continued on pg 39
HOLIDAY PARTY

The Atrium of the law school was once again the setting for a holiday happening as the Law Alumni Association honored its Life Members and Mentors. The Law Alumni Association is grateful for its growing list of Life Members and Mentors willing to help the law students who will be attorneys of tomorrow. The annual event was a perfect way to celebrate the close of a year of giving and helping others, while initiating 1994 as a year of continuing good will.

Life Members – take a bow!
Supportive home care can be the best choice, so choose the best source for home care: the Visiting Nurse Association of Cleveland. The home remedy for rising healthcare costs. For your free home care kit, call 432-0700 ext. 244.

**How to Care for Your Father After He Leaves the Hospital and You’ve Left for Work.**

Moot Court
CHAMPS
by Alison Drake

This year marks the twenty-fifth anniversary of the Moot Court Program at Cleveland-Marshall. From its inception, this program has provided a unique opportunity for students to gain advocacy skills and research and brief-writing experience. Moot Court also provides participants with a wide range of life experiences. Working on a team allows students to hone interpersonal skills and to learn how to coordinate effectively individual research and writing abilities to produce a team brief. Similarly, teamwork enables students to learn how to combine successfully individual oral argument styles into one cohesive presentation. Participants also learn the important lessons that both victory and defeat provide. Defeats, in particular, present opportunities to reflect upon competition factors beyond the participants' control and to take pride in knowing that teams have given their best efforts in preparing briefs and oral arguments.

Interscholastic competitions do not present the only opportunities for Moot Court members to excel. Additional congratulations should be extended to Alison Drake, Guy Rutherford, Michael Spisak, Georgia Stanaitis, Ann Stockmaster, Ellyn Tamulewicz, Jennifer Sorce, Laleyna Weintraub and Richard Zielinski, who were recognized for various individual, academic achievements at the recent Academic Honors Convocation.

Thus far, the 1993-1994 academic year has been extremely successful for the Moot Court program and it holds the promise of even more success. In October, the team of Jennifer Kriauskas, Dee O'Hair, and Terri Richards advanced to the quarterfinal round of the Benton Competition, held in Chicago. The team from Villanova edged out our team and, eventually, won the competition. Jen, Dee, and Terri put forth an outstanding effort and represented Cleveland-Marshall in fine fashion. Since then, other Moot Court members have perpetuated the trend of success initiated by the Benton team.

In November, two teams participated in Cleveland at the Regional phase of the Nationals Competition. One team consisted of John Belt, Greg Gordillo and Rick Zielinski. The other team was comprised of Alison Drake and Guy Rutherford, advocates who had advanced to the semi-final round in the Regional last year. These five advocates achieved a clean sweep at the Regional Competition. Specifically, John, Greg and Rick finished in first place overall at the competition and submitted the second place brief overall. Alison and Guy finished in second place overall and submitted the first place brief overall. Normally, the first and second place winners of the Region advance to the final rounds of the Nationals in New York. Unfortunately, a rule of the Nationals Competition prohibits both teams from arguing in New York when the teams represent the same school. In this situation, the third place team in the Region was sent to argue in place of the second place team.

Professor Stephen Werber, seeking to keep the entire team together in spite of the rule, brought all five teammates to New York. John, Greg and Rick argued in three rounds, before the University of Missouri-Kansas City eliminated them from the competition. Despite this outcome, the three advocates defeated all of their opponents, including Brigham-Young, the University of Kentucky and Missouri-Kansas, in the oral argument aspect of the scoring.

In February, the Moot Court Board of Governors sent two teams to compete in the F. Lee Bailey National Moot Court Competition sponsored by Nova University. The Petitioner team of Robert Gerlack and Ellyn Tamulewicz won Best Petitioner Brief and the Respondent team of Mary Rossley and Michael Spisak won Best Respondent Brief. They tied each other for Best Overall Brief.

Michael and Mary won the entire competition beating out such teams as Villanova, St. John's, Houston and John Marshall. Michael also won Best Oralist in the preliminary rounds and Best Oralist in the Finals.

Additional Moot Court competitions will take place in the spring semester, with outstanding second and third year participants representing Cleveland-Marshall in these competitions. Given the talent and motivation demonstrated by each member of the Moot Court program, there is every reason to believe that Cleveland-Marshall will enjoy continued success at the remaining competitions.

The Legal Department of
WHITE CONSOLIDATED INDUSTRIES, INC.
is pleased
to support Law Notes
STREET LAW STUDENT SPREADS THE WORD ABOUT LAW AND LAWYERS

by Mary Condon Brereton

Cleveland-Marshall’s Street Law Program is well known for sending law students into unusual settings — to elementary school playgrounds, for example, in order to teach non-violent dispute settlement or into the heart of the inner city to counsel at-risk students referred to the Program by the juvenile court system. So, on the surface, third-year Street Law Student Laura Gold’s assignment as a social studies instructor at Mayfield High School may seem rather mundane by comparison. But that is not the case at all.

A devotee of Street Law’s mission, to teach fundamental principles of law to area youngsters from elementary grades through high school, Ms. Gold’s approach to her students is not conventional pedagogy, for neither is Ms. Gold a conventional lecturer nor are the seven youngsters she instructs conventional listeners. Both teacher and students are hearing impaired.

Mayfield’s Hearing Impaired Program has allowed Ms. Gold to teach a subject she loves — law — to students she is uniquely qualified to teach. And everyone seems to enjoy the class and the highly unconventional methods of the teacher, methods which she did not learn in her classes at Cleveland-Marshall, but which both inspire and entertain. On a given day, Gold may, for instance, pull out a bag of Fisher Price toys and, using the little wooden or plastic forms, simulate an arrest from criminal act to sentencing. That’s not how it’s done in the Criminal Law classes where she is student, not teacher, but that’s what works with her Mayfield High students.

Ms. Gold, a Mayfield native, was mainstreamed through that city’s school system under an “oral approach” philosophy. Rather than incorporating sign language into her communication with others, Laura Gold was integrated into an auditory community with a wholly auditory, or oral, approach. Lip-reading has allowed Ms. Gold to move easily from Mayfield elementary schools to Hawken High School and then to earn her undergraduate degree from Boston’s Tufts University.

Hoping to teach children with special needs, Gold majored in Child Study at Tufts, a degree combining education with psychology. In 1990 she decided Continued on pg. 40

When Managing Assets, We Take Someone Else Into Account First.

When it comes to money matters, you must feel comfortable with your advisors. That’s why The Huntington spends as much time getting to know you as we do your financial situation. Recognized experts at wealth preservation and investments, our trust professionals will develop a strategy tailored to your specific financial goals. So give us a call. We’ll take the time to get to know you in person, not just on paper.

Huntington Trust
(800) 272-8045
In Cleveland, (216) 344-6666

® and Huntington® are federally registered service marks of Huntington Bancshares Incorporated. ©1994 Huntington Bancshares Incorporated.
Congratulations to the following alumni who were successful applicants to the July 1993 Ohio Bar exam:

Arunas Apanavicius  
Valerie Arbie  
Frank Arcangelini  
Douglas Arthur  
Susan Ayna  
Donald Bagley  
Todd Bartimole  
Kevin Blum  
David Bokor  
Jill Boland  
Leigh Bowling  
Andrew Burr  
Joanne Buskey  
Mark Buxton  
Christopher Carney  
Adam Carr  
Beth-Anne Chandler  
Robert Clarico  
Mitchell Cohen  
Michele Comer  
Karen Corrigan  
Gregory Costabile  
Paul Cristallo  
John Cullen  
Paul Daiker  
Patrick Daugherty  
Thomas Dean  
John Desimone  
Joseph Dickinson  
Christine Dohl-Peace  
Stephen Doucette  
Donald Drisko  
Anne Drotning  
Beth Dvorak  
John Dyer  
Karen Edwards  
Rachel Eisenberg  
Weldon Ellison  
Paul Endres  
Linda Epstein  
Susan Evans  
Erica Eversman  
Vincent Farris  
Edward Fitzgerald  
Laureen Forkas  
Rebecca Forrest  
Patricia Gaul  
Joseph Giancola  
Mark Gibbons  
Joan Glenn-Katzakis  
Jonell Glitzenstein  
Brian Goldwasser  
Carla Golubovic  
Donna Grill  
Thomas Grist  
Gloria Gruhin  
James Guy  
Kim Hammond  
Tarik Hashmi  
Carole Heyward  
Garin Hoover  
Linda House  
Cecilia Huber  
Mary Hughes  
Louise Hurley  
Gregory Huth  
Joseph Isabella  
Michael Jankowski  
Brenda Johnson  
Michelle Joseph  
Rachel Kadish  
Yvonne Kalucis  
Katherine Keenan  
Robert Kensey  
Gulam Khan  
Crystina Kowalczyk  
Brian Krebs  
Elizabeth Lally  
Meegan Lally  
Michelle Landever  
Howard Lane  
Kimberly Larson  
Charles Lattanzi  
Patrick Lavelle  
William Lamarca  
Robin Leasure  
Lynn Lebit  
Kevin Lenhard  
Marta Liscynesky  
Julie Loesch  
Laura Mather  
Reginald Maxton  
Erin McCafferty-McNamara  
Patrick McCarthy  
Matthew McDevitt  
Robin Meiner  
Lori Moor  
James Moss  
Nancy Nava  
Carl Neidert  
Richard Novak  
Kevin O'Brien  
Michael O'Brien  
John O'Donnell  
Thomas Ostrowski  
Philip Palmer  
James Paterson  
Jennifer Peck  
Frank Piscitelli  
Mary Place  
Jonathan Politi  
Kevin Powers  
Michael Ratajczak  
Michael Reardon  
Jeffrey Richardson  
Mary Riley  
Andrea Rocco  
Matthew Roda  
Jeri-Ellen Rose  
Anne Ross  
Peter Russell  
Michael Sakmar  
Holly Sandrey  
Christine Santoni  
James Sassano  
Gino Scarselli  
Michael Schadek  
George Schmedlen  
Jerald Schneiberg  
Linda Schuster  
William Seligman  
Peter Shelton  
Daniel Siegel  
Howard Skolnick  
Roger Slain  
Robert Somogyi  
Craig Syby  
Lori Thole  
Ruth Tkacz  
Jeffrey Traci  
Gwendolyn Turesdell  
Margaret Vanbuskirk  
Phyllis Vento-Hess  
Wendy Weigand  
Karen Wilmink  
Barry Wurgler  
Richard Yokel  
Gretchen Younker  
Raymond Zanney

Gretchen Younker, Wendy Weigand, Christine Santoni, Lynn Lebit

Prof. Steve Lazarus, Michele Comer
Congratulations to the following students who passed the July 1993 bar exam in other states:

Mohammed Al-Zaidi
Michele Berg
Karen Perme Bruch
Samuel Burrano
Christine Chiriboga
Thomas Constantine
Craig Elgut
Lisa Forcht
Rupinder Gill
Jonathan Kunkel
Brian Macala
David Maisch
Linda Mueller
Christopher Mullen
Mark Nemeth
Steven Orlowski
Richard Ott
Afshin Pishevar
Geoffrey Rossi
John Schoemick
Christopher Sinnott
Tina Wiktorski
Kathleen Wojtaszek
Tracy Yaggi
Jennifer Zalenski
John Ziobro
Craig Zonna

Marie Rehmara wins first CSU Distinguished Service Award

In every workplace there are employees on whom their colleagues know they can always depend, who work long hours but seem tireless, and never appear to run out of enthusiasm for what they do everyday and have been doing everyday for years. The law school has always known it had at least one such person on its staff, Reference Services Law Librarian Marie Rehmara. Now everybody knows.

When CSU President Claire Van Ummersen announced that she was creating the Distinguished Service Award for professional and classified staff members, Dean Steven R. Smith and a number of faculty and staff were quick to nominate Ms. Rehmar for the award.

Letters to the President cited Ms. Rehmara's 15 years of contributions to the Joseph W. Bartunek III Law Library, her assistance in building the law collection, her dedication to assuring that the library resources are state-of-the-art, and her willingness to serve and instruct students, faculty, and members of the Cleveland bench and bar. In September, President Van Ummersen named Ms. Rehmar the University's first recipient of the Distinguished Service Award and presented her with a check for $1,000.

Marie Rehmar, whose MLS is from Case Western Reserve University and MPAs is from the Levin College of Urban Affairs, came to Cleveland-Marshall from the Cleveland Public Library in 1978, just after the Bartunek Library had moved to its present location. Marie was instrumental in selecting materials and developing the collection for the expanded library. When she arrived, the collection included approximately 140,000 bound volumes and microform equivalents. In her first year, Marie supervised the addition of over 50,000 volumes to the collection; in 1994, the Cleveland-Marshall library with over 370,000 volumes is the second largest law collection in the state. Moreover, Marie was an important component in establishing the library as a selective U.S. Government Documents Depository and in creating the depository collection. Everyone who comes to Marie Rehmar—even visitors from China, Russia, Poland, and the Czech Republic—for reference or for instruction in using library resources, soon realizes that he or she has fallen into the good and capable hands of a librarian described by Dean Smith as a "conscientious public employee" and by Professor Michael Davis as a "model, modern librarian, a trained professional whose role and area of competence is substantive, not merely procedural." Other more personal descriptions of Marie may have captured the attention of the selection committee, such as this from the library's Administrative Secretary, Sylvia Dunham, "Marie's enthusiasm is sometimes contagious and other times overwhelming. She is always up and never tires...always thinking of ways to help someone or ways to get the job done."

The College of Law joins with the University in acknowledging the contributions of its state-of-the-art librarian, Marie Rehmar, to the teaching of law and to the mission of the University. As Professor Davis expressed her gifts, "Working within the law school's main resource, Ms. Rehmar has become its own prime resource."

John Schoemick, Steve Orlowski
A Reply to Professor David Forte

by Professor Earl M. Curry, Jr.,
Associate Professor of Law

In the past issue of Law Notes, Professor David Forte sets forth a brief for the Right-to-Life movement to which he belongs. I would like to respond to that brief, since it presents the arguments of only one side. One caveat: I must note that Professor Forte and I, as males, can speak only with limited experience on the subject. This brief must then be only an amicus curiae.

In his brief, Professor Forte does what any good lawyer or master dialectician does to win an argument. He frames the question in such a way as to get the answer he wants. His arguments sound clear and lucid at first blush, perhaps because they are well articulated; however, they present only a narrow and one-sided point of view. I should like to present a different point of view.

Professor Forte starts with the premise that a fetus is a "person" within the legal meaning of that term and, therefore, can be killed. This is a faulty premise. If a fetus is a "person," it should have "rights." The law, however, does not recognize the "rights of a fetus." For example, in Ohio one cannot be charged with vehicular homicide if a fetus "dies" as the result of a car accident. Likewise, while the heirs to the estate of the pregnant woman who dies in the car accident have a wrongful death action, no such wrongful death action is recognized for the fetus. By and large, causes of action for child endangering brought against the pregnant woman on behalf of the fetus have not been successful. Thus, neither the criminal law nor the civil law recognizes the fetus as a person. Society and the law have tipped the scales of justice in support of the rights of the woman over the rights of the fetus. To do otherwise would put the civil liberties of pregnant women in grave danger.

It is from this faulty premise of "fetus as person" that Professor Forte uses the words, "love, justice and power," to condemn those who seek abortions as unloving, unjust people (women) who are wielding power over another life. What then are the persons doing who work to prevent women from seeking and having abortions? Ironically, they may be charged with the same accusations they are making against women.

Do they have love for those women who find themselves pregnant through ignorance, rape, faulty birth control, bad judgment, stupidity or incest? Where is the forgiveness, the mercy, and the charity that embodies the love that Professor Forte so poignantly invokes? Is it love to bear a child that you know will suffer unmercifully because of some horrific deformity, only to die within a year or two? The logic of an argument to support such a position simply escapes me. The greater love in such a case is to prevent the suffering from occurring.

The essence of justice is to respect the rights of others. On that Professor Forte and I agree. According to Professor Forte, however, only the "rights" of the fetus are important. I fear he has no respect for the rights of women or at least he fails to articulate any. He tips the balance between a life that is already in existence here and now in favor of the future expectation of a life that does not yet exist. Justice, he says, is to do no harm. Is it justice to require a young woman (a child herself perhaps) to bear the child of an unknown rapist or the child of her father, uncle or even a neighbor?

I am reminded of a story I was told one Monday morning this past fall while out on the law school's "smoking veranda." A female student who works weekends as a nurse in the emergency room of a local hospital was most upset when she described an event that occurred over that weekend. Tears came to her eyes as she spoke. It seems that a twelve-year-old girl was brought to the emergency room. This twelve-year-old was pregnant and had contracted three venereal diseases. When asked how frequently she had sex, she did not even understand the question. The "adult" that brought her to the emergency room was eighteen and had four children herself. Where is the justice in requiring that child, in turn, to have a child? Where is the love? To me, it perverts the words love and justice to argue that she must bear this child.

Those who deny a woman the right to an abortion are wielding the true power over life, i.e., the life of a woman. In our society power is generally wielded against one's enemies. Query: Are women the enemy then? Do we need to control their decisions on reproduction? If the answer of society is yes, then do we need to legally regulate and control whether women smoke or drink during pregnancy? Should their intake of red meat also be limited? Are we not then reducing women to breeding habitats as opposed to citizens in a free and open democratic society? I fear Professor Forte's answers to these questions would be a bit too Orwellian for my taste.

In conclusion, let me state that the balance of power must not be tipped in favor of the fetus. Rather, the weight belongs on the side of the living, breathing human being, the here-and-now woman. Whether to have an abortion or not is a personal decision.
CLEVELAND-MARSHALL'S TRIAL ADVOCACY PROGRAM

HOW 72 LAW STUDENTS SPENT THEIR WINTER HOLIDAY

Imagine a law student coming back to school two weeks early from the winter holiday break, working eight to nine hours a day, performing daily, often before video cameras, watching his or her performances on television, and, at the end of all of this, conducting a trial before a real judge in a real courtroom. This is exactly what 65-72 Cleveland-Marshall law students have been doing each January since 1988 when law professor Jack Guttenberg, a former Ann Arbor, Michigan, public defender, conceived the idea of a short, intensive course in Trial Advocacy.

Students are not the only ones sacrificing time and devoting energy to the two-week program in Trial Advocacy: Over 80 of some of the area’s most notable lawyers and judges each year join Professor Guttenberg and other faculty members to participate in the experience as well. The visiting practitioners and judges, a number of whom are Cleveland-Marshall alumni, find themselves returning to law school, this time to serve in a program that requires them to be lecturers, coaches, critics, and, of course, lawyers and judges as well. The 1994 Trial Advocacy Program began on Sunday, January 2, and ran through Saturday, January 15, 1994. Trial Ad, as it is called, is like no other course taught at Cleveland-Marshall.

Classes meet from 4:00 to 9:00 p.m. The course is divided into three parts: readings, lectures and demonstrations, and student simulations. The lectures and demonstration are given on all aspects of conducting a trial from jury selection, opening statements, presenting evidence to closing arguments.

“You can watch students grow in skills and confidence,” says Linda Betzer, an attorney in the Cleveland office of the U.S. Attorney, who has been involved with the program for “four or five years” as role model, instructor, critic and, in her words, “confidence-builder.”

Boosting morale and serving as positive role models are certainly among the substantial contributions that Trial Ad attorneys and judges bring to the students. But the primary focus of the course remains always on providing future litigators with the kind of practical nuts-and-bolts skills that are best learned experientially. That goal is accomplished in a variety of simulated pre-trial and courtroom experiences.

Over the two weeks of the course, each student works through two separate cases — a criminal case the first week and a civil personal injury action the second week. For the first week the students are divided into simulation groups of eight, lead by at least one, and often two, experienced trial lawyers. Each student participates in some area of the trial procedure each day and, immediately after his or her performance, receives feedback from the attorneys working with the student. Students also have the highly instructive opportunity to observe themselves in their various trial roles as approximately half of their performances are videotaped. Students are the first to evaluate themselves; they are then critiqued by yet another participating attorney.

The second week the student simulation groups are reduced to six students and each pair of students represents one of the parties in the three-party civil case. Again, the students receive feedback from the attorneys leading their group and half of their performances are videotaped and reviewed by a different lawyer.

The simulation groups are particularly helpful in providing students with the opportunity to work closely with experienced trial lawyers and judges in order to develop important trial skills. The attorneys come from all areas of litigation practice and from large and small private firms, the federal, state and local government, and local aid and public defenders offices.

As stimulating as are the simulation experiences at the law school, nothing quite matches the final Saturday event, when judges, attorneys, professors and students take over 12 courtrooms in the Justice Center and students in groups of six represent their clients in a three-party suit that is tried before sitting Common Pleas and Cleveland Municipal Court judges.

The three-credit course is enormously popular with students, receives enthusiastic student evaluation and enrollment continues to grow each year. Professor Guttenberg is also pleased that the program has earned the respect of so many members of the bench and bar. “These attorneys give very generously

Continued on pg. 40
Cleveland-Marshall Work-A-Day '94, held Saturday, January 29, 1994, was an unprecedented success. According to project directors Rachel Schmelzer and Cyndi Chiaro, over 100 students and faculty participated by volunteering their time at eight selected community service and legal organizations. Each volunteer wore a specially designed T-shirt which identified him/her as a C-M Work-A-Day '94 participant. Sponsored nationally by the ABA-Law Student Division, the project's goals are to stress the importance of consistent volunteer work throughout one's legal education and career while improving the much-maligned image of the typical attorney. The event also served as the kick-off for C-M's new Pro Bono Program. At a reception afterwards in the atrium, Assistant Dean Melody Stewart '88 commended the participants for their activities and read a letter of congratulations from Dean Steven Smith. Special thanks to Cleveland-Marshall's ABA-LSD, SBA, SPILO, BLSA, C-M Criminal Law Society, Women's Law Caucus and Delta Theta Phi for co-sponsoring a smashing success!

The Black Law Students Association Cleveland-Marshall College of Law Cordially Invites You to Attend Its Annual Scholarship Banquet Saturday, April 16, 1994 Cocktails 5:30 pm Dinner and Program 6:30 pm Paradise Party Center 7874 Broadview Rd Parma, Ohio Donation $20.00 Cash Bar

ROSEN & COMPANY, INC. (Cleveland, Ohio) CAN TELL YOU WHAT IT IS WORTH ANY WHERE IN THE UNITED STATES... WE HAVE BEEN DOING IT CONTINUOUSLY FOR 77 YEARS AUCTIONS and APPRAISALS Call the PROFESSIONALS who've been doing them since 1917 Specializing in: • METAL & WOODWORKING MACHINERY • PLASTICS, FABRICATING • TRUCKS, TRAILERS, AUTOS • CONSTRUCTION EQUIPMENT • PRINTING EQUIPMENT • NEEDLE TRADE • ALL TYPES OF INVENTORIES • REAL ESTATE: INDUSTRIAL, COMMERCIAL, RESIDENTIAL Serving Business, Industry & Courts Nationwide Stanley H. Rosen, Kenneth B. Miller, Cliff Henshaw, Ida K. Rosen (216) 621-1860 FAX: (216) 621-4544 ROSEN & COMPANY, INC. AUCTIONEERS • REALTORS • APPRAISERS 319 THE ARCADE • CLEVELAND, OHIO 44114 (216) 621-1860 FAX (216) 621-4544 MERIT REPORTING SERVICES Welcomes advertising in LAW NOTES 327 The Arcade Cleveland, Ohio 44114-2402 (216) 781-7120 Fax (216) 781-7335 SUSAN TALTON, owner Our services are professional & myriad
Dean's Column from pg. 3

applicant. My own view is that such political admissions are inappropriate and unethical.

Law schools should feel a call to justice in the admissions process. Where there are so many more applicants than there are positions in the first-year class, the admission of one student necessarily means the denial of admission to others. The acceptance of a "political admittee" would, therefore, mean the denial of admission to an applicant who is more highly qualified (however "qualified" is defined). Almost everyone would agree that it would be unethical for a law school to change the grades of a student as a way of promoting contributions or favors from the student's friends. A political admission may be even less defensible because, not only does it contain the same element of academic dishonesty as a political grade change, but it also means that another applicant with better qualifications will be denied admission because of political considerations. While the inappropriate grade change is not likely to injure others directly, the political admission would.

Some years ago, a man wrote a number of law schools promising to make a handsome donation to the school if his son were admitted to the law school. (Interestingly, the amount he offered varied somewhat from school to school, which provided an interesting form of law school ranking.) This effort was, of course, widely condemned for what it was, bribery. To trade a law school admission for the hope of some unspecified future benefit to the law school is no more ethically justifiable, and likely to be less beneficial to the law school, than it would be to accept a bribe outright. If the justification for political admission is the benefit to the law school, the direct benefit (bribe) is more defensible than the unspecified or indirect hope of some future gain from a political admission. The argument for basing admission on the qualifications of the applicant is particularly compelling at Cleveland-Marshall. We have a proud history of being a school of opportunity, not available alone to the wealthy, powerful and influential.

This does not mean, of course, that recommendations are ignored or that all students should be admitted on the basis of LSAT and UGPA alone. Rather, it means that applicants should be judged on the basis of their own qualifications and not the influence of their friends or family.

The future of the law school admissions process promises to be exciting. There is a general sense that applications nationally may continue to drop for the next several years, but this may be part of a cyclical process that will in turn produce more applications several years later. Admission testing is likely to become more sophisticated and improved. Someone may develop a reliable alternative to the standard admissions test and we may develop better ways of determining and even measuring some factors we currently describe as "intangible." It is a process in which the profession should maintain an interest as a way of improving the profession. We would welcome suggestions from alums and others on how to continue to improve admission to Cleveland-Marshall.

IN MEMORIAM
Frank Leonetti, Sr. '28
Sidney R. Davis '51
Angelo J. Gagliardo '51
Michael D. Mitchell '58
Robert E. Dowd '74
Richard R. Paskert '60
Roger W. Pryor, Jr. '83
David J. Bickoff '89
Robert K. Kensey '93

In the Best Location in the Nation

We're proud to be satisfying the electric energy needs of our customers, safely, at reasonable prices and with quality service.

The Illuminating Company
The Energy Makers.
A Centerior Energy Company

Spring 1994 27
D.C. Area Alums
Reunite in Style

Through the courtesy of class of 1968 alumnus, the Honorable Bohdan Futey, the Dean and several administrators were able to entertain alumni from the Washington, D.C. area in the beautiful century-old Tayloe House, adjacent to Judge Futey's chambers and courtroom. The October reception brought together many alums missing from previous reunions and gave each an opportunity to learn what others are doing with their law degrees. While graduates catch up on the latest news from their alma mater, College of Law personnel broadcast the good news about the benefits of joining the Law Alumni Associations.
WE'D LOVE TO GUARANTEE YOU UNBELIEVABLE SUMS OF MONEY.
OF COURSE, WE COULDN'T GET THAT PAST OUR LAWYERS.

The people at McDonald & Company believe in building relationships that last. Relationships built on trust...and performance. This belief has helped us build the financial strength of communities, businesses, and investors for over 60 years. Whether it is asset management, trust services, corporate finance, or individual investment needs, we believe there is a powerful argument for building a relationship with McDonald & Company.
Alumni Happenings

1954
After retiring as Cuyahoga County Assistant Prosecutor, Albin Lipold has joined Misny and Associates Co. Prior to joining the County Prosecutor’s office in 1965 as a trial lawyer, Mr. Lipold worked in the Cleveland Municipal Court as a bailiff. Since that time, he has been supervisor of the career offender program, supervisor of the major trial division and first assistant prosecuting attorney under Judge John T. Corrigan. He also worked for more than two years under Judge Stephanie Tubbs Jones.

1957
Phillip H. Marshall, an attorney with his own private practice, was appointed permanent umpire for the Reynolds Metals Company and the labor arbitration panel of the United Steelworkers of America AFL-CIO/CLC Labor Arbitration Panel.

1961
Ronald B. Cohen has been elected president of National Small Business United, which represents the interests of small business throughout the country. He is the founder and senior partner of Cohen and Co., one of the top 100 CPA firms in the country, which, for the seventh year in a row, has earned the CPA Digest 50 Award from Harcourt Brace Profession Publishing Group, publisher of “CPA Digest.” Cohen and Co. is the only firm in the country to have been named a winner in each of the seven years the award has been presented. Mr. Cohen and his wife, Marilyn, reside in Shaker Heights.

1965
Murray J. Edelman was named President of Centerior’s Cleveland Electric Illuminating Co. He joined the company in 1961 and in 1982 was promoted to Vice President. Among his responsibilities was to oversee construction of the Perry nuclear power plant. In 1988, Mr. Edelman was named President of Toledo Edison and two years later was promoted to Executive Vice President of Power Generation. In June he was named Executive Vice President for Engineering and Operations, a title he retains.

CMLAA Life Member Stanley Morganstern has been elected a Fellow in the American Academy of Matrimonial Lawyers. He has also been re-appointed general editor of the Domestic Relations Journal of Ohio and co-editor of Banks Baldwin’s Ohio Domestic Relations Law.

1968
CMLAA Life Member Robert I. Zashin of Pepper Pike is the new President of the Ohio Chapter of the American Academy of Matrimonial Lawyers.

1969
Gregory L. Rutman, formerly a staff Vice President and Assistant General Counsel for the B.F. Goodrich Co., has been named Vice President, General Counsel and Secretary of the Geo Co., Cleveland’s newest Fortune 500 Company. Rutman lives in Hudson with his wife, Louisa, a teacher in the Hudson School System.

Neil Hubbard is President and CEO of Northern Savings & Loan Co. in Elyria. He serves on the board of the Elyria Childcare Center, the EMH Regional Medical Center and Foundation and on the advisory board of the Elyria Salvation Army.

Robert A. Wood has joined the legal staff at the Cleveland office of Midland Title Security. Before joining Midland, Wood was the Southern Virginia District Counsel for Stewart Title Guaranty Co. Prior to that, he was Virginia and West Virginia claims counsel for Lawyers Title Insurance Co. He is a member of the Cleveland and Ohio State Bar Associations, the Naval Reserve Lawyers Association and the Appalachian Mountain Club.

1971
C. Terrence Kapp, partner in the law firm of Marshman, Snyder and Kapp, has been elected President of the Board of Directors of the Cleveland Athletic Club.

1972
Attorney Bruce E. Gaynor was one of the featured panelists at the 15th annual Real Estate Law Institute held at the Cleveland Bar Education Center. The event was presented by the Real Estate Law Section of the Cleveland Bar Association. Gaynor is a principal with the law firm of Kahn, Kleinman, Yanowitz and Aronso, L.P.A. in the Real Estate Practice Group.

1973
Emery Smith of Highland Heights has been appointed Assistant General Counsel and Assistant Secretary at Cleveland-Cliffs, Incorporated. He has been associated with the company for 25 years.

James Todoroff, a partner in the law firm of McNamara, Lucci, Todoroff & Loxterman, was the subject of "Today's Profile" in the Plain Dealer. He lives in Concord Township with his wife, Jeanne, and daughters, Kristen and Sharon.

David W. Whitehead, Director of Governmental Affairs for Centerior Energy Corp., has been appointed a Commissioner of the Cleveland Metroparks. He worked in private practice until joining the Cleveland Electric Illuminating Co. in 1979 as a senior counsel in the legal department. He was named General Counsel in 1989 and was named to his current post in July. He and his
Alumni Happenings

wife, Ruvene, live in Beachwood with their two daughters.

1974
Leonard Young has been appointed to the Visiting Committee of Cleveland-Marshall College of Law.

1975
Jose Feliciano, a partner in the Cleveland office of Baker & Hostetler, was elected a Fellow of the American Bar Foundation. Fellows are elected by their colleagues based upon outstanding dedication to the welfare of their communities and to the objectives of the American Bar Association in their professional, public and private careers.

CMLAA Vice-President Deborah Lewis Hiller was recently named President and Chief Executive Officer of the Eliza Jennings Group, an organization that operates several health care facilities, including the 106-year-old Eliza Jennings Home in Cleveland and the Renaissance in Olmsted Township. To take the CEO post, Ms. Hiller resigned as a partner of Calfee, Halter & Griswold law firm, where she concentrated in antitrust and health care issues. Ms. Hiller has a son, 11, and two older stepsons. Her husband, Alan Ross '75, is an attorney with Fay, Sharpe, Beall, Fagan, Minnich & McKee.

1976
Attorney M. Colette Gibbons was a featured speaker at "Ethical Issues for Everyday Practice" at the Sheraton Cleveland City Center. Gibbons is a principal with Kahn, Kleinman, Yanowitz & Arnsn Co., L.P.A. She lives with her husband, Harlan Hertz, and her son, Brian, in Bay Village.

1977
Anthony J. Russo recently completed his first year as a judge in Cuyahoga County Domestic Relations Court. Russo came to the bench from the law firm of Russo, Roth & Co., where he was a partner.

1979
Maria E. Quinn joined the firm of Hahn Loeser & Parks as Of Counsel. She had been in private practice since 1979, concentrating in the areas of estate planning, the administration of probate and guardianship estates and Medicaid consultations. Ms. Quinn also served as the Assistant Director of Law for the City of Euclid from 1980 to 1987. She and her family live in Gates Mills.

David B. Roth’s Cleveland Works, Inc., which provides job training and legal advice to the long-term unemployed, has moved its offices to the Caxton Building on Huron Road. Roth, a Cleveland native, and his wife, Sallie, have two children, Matthew, 11, and Joria, 7, and a golden retriever named Barley.

Henry I. Reder, a licensed architect as well as a practicing attorney, serves his clients in the design and construction business exclusively. He uses his knowledge to develop specifications for buildings and to represent architects and builders in contractual matters. Mr. Reder is a member of the Ohio State Bar Association and also the President of the Cleveland chapter of the American Institute of Architects. He lives in Chester Township with his wife and two daughters.

CMLAA Past President Sheryl King Benford has been appointed to the Visiting Committee of Cleveland-Marshall College of Law.

CMLAA Trustee Janet Burney announced that she will run for the seat previously held by Common Pleas Court Judge Lesley Brooks Wells ’74. Ms. Burney is currently in private law practice with the law firm of Wesley A. Dumas, Sr. and Associates.

1980
Joseph M. Kraus has been named General Counsel at Central Vermont Public Service Corp. He will continue to serve as the firm’s Corporate Secretary and as General Counsel of two CV subsidiaries, SmartEnergy Services and Catamount Energy Corp. Mr. Kraus is married and has two children.

1981
Vincent T. Lombardo has been appointed Chair of the Certified Grievance Committee of the Cleveland Bar Association.

Congratulations to Paul Colavecchio and his wife, Diana Marie, on the birth of their daughter, Gabrielle Marguerite. Paul is a staff attorney with the UAW Legal Plan.

Darrell D. Maddock is a staff attorney with the UAW Legal Plan.

Patricia A. Walker, an attorney with Walker & Jocke in Medina, has been named a Fellow of the Ohio Bar Foundation.

Congratulations to Fred Widen and his wife Alyson on the birth of their son Charles who joins sisters Elizabeth, Madeline and Katherine and brother, Robert.
1982
Merl H. Wayman has moved from Assistant Chief, Workers’ Comp. Section, Ohio Attorney General’s Office, to Managing Associate in charge of the Workers’ Compensation Team at Baritane Neff Co., L.P.A., in Columbus, Ohio.

Michael Karnavas is working in the Anchorage Office of the Alaska Public Defender Agency.

1983
Kathleen Ende Kukuca joined William Silverman and Co. as a senior associate. Her responsibilities include internal and external corporate communications, marketing and public relations and nonprofit institutional advancement.

Arthur M. Kaufman has become a partner in the firm of Hahn Loeser & Parks. He has been associated with the firm since 1986, concentrating his practice in the area of litigation. He and his family live in South Euclid.

1984
Maribeth Gavin has become a partner at Millisor & Nobil, a management-side labor and employment law firm in Brecksville. She also heads the firm’s Human Resources Management Group, a consulting unit that provides clients with a range of services from seminars on improving in-house communications to advice on hiring or terminating workers. Ms. Gavin lives in Beachwood.

M. Patricia Culler has joined Hahn Loeser & Parks as an associate, focusing her law practice in the area of estate planning and probate. She and her family live in Bay Village.

John H.M. Fenix, has been elected a partner at Baker & Hostetler, where his practice is concentrated in the area of labor and employment law.

1985
Patrick Lewis has joined Buckingham, Doolittle & Burbroughs in the Workers’ Compensation department.

Tim L. Collins has joined the firm of Donahue & Scanlon as an associate. He will continue to practice in the areas of computer technology law and general civil litigation.

1986
John T. Wallace, an attorney for Edwin C. Johnston, has been appointed to the Board of Appeals in Logan, Ohio.

Jonathan R. Cooper has been elected a partner with Benesch, Friedlander, Coplan & Aronoff and will practice in the area of litigation.

1987
Congratulations to CMLAA trustee Laurence J. Powers and his wife, Elizabeth, a neonatal intensive care nurse at Rainbow Babies and Children’s Hospital, on the birth of their second daughter, Olivia Nicole. Olivia joins Cassidy Rose, who’ll be two in September.

Kudos to Timothy Gilligan who was elected judge of the Parma Municipal Court.

1988
Attorney Dorothea M. Polster, an associate with the law firm of Kahn, Kleinman, Yanowitz & Arnson, has been elected chairperson of the New Leadership Roundtable of the National Conference of Christians and Jews. She lives with her husband, Michael, and their 16-month-old son, Zachary, in Pepper Pike.

Jane S. Flaherty has been appointed trust officer in the personal trust administration department of National City Bank. Ms. Flaherty and her husband reside in Cleveland Heights.

1989
Congratulations to CMLAA Vice President Gary Maxwell and his wife, Kathy, on the birth of their baby boy, Joseph, born in October.

Richard T. Reminger, Jr., has become an account executive with Johnson & Higgins of Ohio, Inc., a national insurance broker. He will be working with the national sales & marketing department.

Kathleen McCrone is engaged to entertainer Wayne Newton. Ms. McCrone hopes to be able to pursue her law practice in both Missouri and Nevada.

Timothy J. Riley joins the Garfield Heights Law Department as Assistant Law Director/Police Prosecutor. He was associated with the law firm of Fillon & Siskovic for four years, where he gained both civil and criminal trial experience. He will continue his own practice working with the firm in addition to his duties with the law department. His previous government experience includes serving a judicial externship with the U.S. District Court for the Northern
Jill D. Fehr is a new associate with the Law Office of Robert Cleveland. Ms. Fehr lives in Cleveland with her husband, Cyndi.

1990
Congratulations to Tim Spackman and his wife, Jean, on the birth of their baby boy, Ryan, born in December. He joins big brother, Kevin, 2.

Jill D. Fehr is a new associate with the Elyria law firm of Fauver, Tattersall & Gallagher. She is a former criminal investigator with the U.S. Customs Service. Ms. Fehr lives in Oberlin with her husband.

William J. Koval, Jr., has joined the law firm of Wickens, Herzer & Panza. He will be working in the business organization and tax department.

Congratulations to Susan Riddle upon the birth of her first child, daughter Michaela Emily. Ms. Riddle left her position with the Department of Justice and joined Truesdale Associates, Inc., in Florida, where she will be practicing immigration law.

1991
CMLAA trustee James R. Tanner, Jr., has recently accepted a position as Assistant Prosecuting Attorney for Cuyahoga County. Mr. Tanner also maintains his own private practice with offices located in downtown Cleveland.

Armand Grunberger, LL.M., a certified public accountant, is a Visiting Assistant Professor of Accounting and Taxation at Robert Morris College this year. He resides in University Heights.

1992
Jayashree Bidari is a member of the Board of the Association of Asian Indian Women. The group’s primary goal is to provide Asian-Indian women with information and volunteer experiences in order to make the transition to American society smoother. She emigrated from Bangalore, India, in 1981 and is married to Dr. Timmappa Bidari. They have two children, Sandeep, 11, and Kiran, 9, and live in Westlake.

1993
Double congratulations to Cheryl A. Handy who passed the July 1993 Illinois bar exam and joined the firm of Dobbins, Fraker, Tennant, Joy & Perlstein in Champaign, Illinois, as an associate. She will be practicing in the areas of health care and professional liability defense litigation.

Stephanie W. Turner has been promoted to Assistant Vice President, corporate compliance, National City Bank. Ms. Turner and her family reside in Shaker Heights.

Michelle J. Joseph and Christine Santoni are practicing law together at Reminger & Reminger Co., L.P.A.

FUTURE

"FROM HEAVEN ABOVE"

Law Notes received the following note from Funic (Mickie) Clavner ’85 regarding her presentation of the 1993 J. Patrick Browne Scholarship Award:

"Considering Pat's impish sense of humor, a funny incident happened as I was explaining the criteria for the scholarship. As I was standing at the lectern, a knocking came from one of the side doors of the Moot Court Room. Professor Tabac and Dean Sierk ignored the knocking in hopes that it would stop. However, the knocking became louder and more insistent. Professor Tabac opened the door and a young man in a Browns jacket entered the Moot Court Room, stopped long enough to see a filled auditorium, walked across the front of the Moot Court Room behind me and out the other side door. No one knew quite what to make of him and no one seemed to recognize him. Later, in the atrium, the young man got in line for refreshments and then left by the front door. None of the faculty seemed to recognize him...it had to be Pat who wanted to add a little bit of levity to the whole ceremony or who decided that he wanted to make a personal appearance, even if in another form!"

Point of View from pg. 24
that must be made according to the dictates of one’s conscience. In our society, the development of one’s moral values and standards, i.e. conscience, has traditionally been left to religious organizations and/or the family structure. Neither the institution of the church nor of the family has broken down to the extent that warrants the intrusion of law.

In a free society, government should stay off the backs of the citizens and out of their private lives to the greatest extent possible. For all of the foregoing reasons, this view supports the woman over the fetus, the here and now over the expectation, the person over the nonperson. This is my point of view.
SCHOLARSHIP AND
STUDENT ASSISTANCE
By Laura A. Williams

The main objective of the Scholarship and Student Assistance Committee is to help the Cleveland-Marshall law student in a variety of ways. The Committee is comprised of two separate divisions: Scholarship and Student Assistance. Each division has its own agenda. A brief summary of both is provided below.

SCHOLARSHIP
This division was established in 1990. Since its inception, every year a maximum of ten scholarships, up to $500 each, has been awarded to worthy post-first-year students in good standing. Two of the scholarships have been named in honor of Franklin Polk and Professor J. Patrick Browne. This year, the honorees will be selected from approximately 40 applicants. Criteria to be used as guidelines include: scholastic achievement, law school involvement, civic activities, financial need, employment experience and unique life circumstances. The Awards Ceremony will be held on Thursday, April 21, 1994, at 5:30 in the Moot Court Room of the law school.

STUDENT ASSISTANCE
This division is in the early stages of development. In conjunction with the Professional Opportunities Committee, its primary goal is to encourage interaction between alumni and students. Plans are underway to evolve programs that will seek employment for students with alumni, help improve the marketability of students, expand the mentor concept to recent graduates, provide a bar exam preparation course and coordinate CMLAA programs to achieve the maximum benefit for students.

All one has to do is look at the overall picture of the Scholarship and Student Assistance Committee to understand why serving as Chairperson has been both challenging and rewarding. I encourage all alumni to get involved.
You are here.

Alas, someday you won't be.

Which is one good reason to go here.

National City Trust
Going the distance for you

As your trustee, we'll always be here. You can count on us to manage your estate for your children and grandchildren...and manage it well. In fact, the quality of our service and investment performance may well surprise you...as you'll discover when you compare our results to the DOW and Standard & Poor's 500 Index. And that means there's also a great deal we can do for you while you're still here. For more information, please call Bert Zahn in the Trust Department, National City Bank at 575-2505.

©1994, National City Corporation

Outstanding Alumni from pg. 5

attorneys.

Those law school years were not easy or restful times. Mr. Emrick continued to work full time as a salesman and spent long hours traveling the state, but they were satisfying times: His life as a businessman and as a law student was gratifying and he recalls fondly a study group where friendships were forged that continue today. As it turned out, Mr. Emrick, the student who didn't want to practice law, was the only member of his group who ended up doing just that.

After law school, Emrick practiced with two Cleveland firms, then left to join Calfee, Halter & Griswold. He was the 21st lawyer to join the firm. Today, due in no small part to the acumen of Mr. Emrick, it is a firm of 146 attorneys. Mr. Emrick's primary concentration is in the area of mergers and acquisitions and estate planning.

Mr. Emrick's professional life is demanding: He is a member of the Advisory Board of Manco, Inc., Sherwood Plastics, Strang Corporation and ComfortCare, Inc. In addition he serves on the Board of Directors of Bethel Corporation, Bil-Jac Foods, Fairmount Minerals Corp., GAR Holding Company, Great Lakes Lithograph, Someset Technologies, Hunter Mfg., Ken-Mac Metals, Inc., and many others. He is a member of the American Bar Association, the Cleveland Bar Association and the Ohio State Bar Association.

Charles Emrick has given much to the citizens of the state where he has spent his life. He is a trustee of these civic and non-profit organizations: the Cleveland Zoological Society, the Rocky River Public Library, Southwest General Hospital and the Rocky River Educational Foundation. He is a member of the United Way Special Gifts Cabinet, former chair of the YMCA's Inner City Branch Board of Trustees and former trustee of the Northern Ohio Division of the American Cancer Society, of the Rockport United Methodist Church, of the Cleveland Metropolitan YMCA, and of the Lake Erie Junior Science and Nature Center.

Mr. Emrick, who taught business law at Baldwin-Wallace College and was an instructor in the Chartered Life Underwriters Program, has also served a number of educational institutions, including Lake Ridge Academy, Ohio University, Case Western Reserve University and, of course, Cleveland-Marshall College of Law. Emrick and his wife, Lizabeth, jointly established a perpetual merit scholarship for a graduating senior to study journalism at Ohio University.

Charles Emrick began his legal education in order to become a better businessman; his juris doctor degree did indeed make him a better businessman, and along the way, he succeeded in becoming a splendid lawyer as well, one whose career has enriched the business and cultural life of the city and continues to make his fellow attorneys proud to be a member of the profession.
Faculty Profile from pg. 11

those days, even in a firm with a specialized practice, it was considered good policy to know all sorts of law, and eventually Lou found that he was deeply immersed in estate planning and loving the practice. So much that he began to picture himself teaching it. Unfortunately, as Geneva explains, the firm frowned on teaching. “Teaching was not rainmaking, and any extra time an associate had to spend should be spent in the office.” At year’s end, Lou had a splendid review and was assured that, all things being equal, in five years he would be made partner in the firm. Strangely, the good news did not fill Louis Geneva with joy. It was not at all like his delight at earning A’s when he expected much worse. The prospect of spending the rest of his life practicing law in a firm, even as a partner, even in the highly lucrative area of tax and estate planning, caused him once more to examine his career goals. For, excluded from that bright future was the prospect of returning to the classroom.

“In five years, I’m going to be a partner in this firm,” he told his wife as they headed home for the holidays to Ohio where both sets of in-laws now lived. “Is this what I really want?” Somewhere between Connecticut and Ohio, the Genevas had decided that their future was not on the east coast, not in the partnership that was as close to being a ‘corporate executive’ as most lawyers ever come. “We pulled up stakes with very little money and set up this office in Chardon, Ohio. One of the first things I did was contact a former NYU student of mine who was teaching at Cleveland-Marshall to see if there was some chance I could teach there. He said I can’t believe you called. School is about to open, and our Estate and Gift Tax teacher just died. Would you be interested in teaching those courses? I came in, I met the Dean, they arranged a visitation, I taught three courses, I enjoyed it and they asked me back. This is the best of both worlds, I told myself.” Eventually, to everyone’s satisfaction, Professor Geneva chose to teach full time, was promoted to associate professor and granted tenure.

Louis began teaching at Cleveland-Marshall in 1978. By then the Genevas had three children, Scott, Ty, and Keith. Their fourth child, Shayne, was born in 1980. Jayne Geneva, who had been thinking about law school for a long time, decided the time had come at last, and in 1983, she enrolled in law school under the name of Jayne Hurst. Though few knew she was the wife of the tax professor, most knew she was the hardworking and resourceful Editor of the Journal of Law and Health and all knew she was destined to be a credit to her alma mater. Which she has been. Jayne Hurst Geneva has been employed at Malitz and Baker since her graduation in 1987.

When Louis Geneva left Suffolk University Law School, even when he left New York University, he had never taken a course in Estate Planning; for all practical purposes he learned it on the job when he was practicing in Connecticut and he has continued to learn it on the job as a teacher. In the evaluations of faculty that students routinely fill out at the end of their courses, the thread that runs so true through the reports on Professor Geneva is the discovery by his students of the delight he discovered himself when he ventured into Tax and Estate Planning. It is an infectious and stimulating delight. It is also rare. In fact, it would be hard to find a faculty member as enthusiastic about a course he teaches and has been teaching steadily for 16 years as Professor Geneva is about his Estate Planning course. “That first time I taught that course, it just opened my eyes; it was so wonderful. I had so much fun, a wonderful academic experience.” He is astounded and incredulous that other faculty are not clamoring to teach Estate Planning, for, as Geneva was soon to discover, he was steering students into a practice that had hidden benefits: “Estate Planning is a helping profession. The reward you get is helping people and having them say they’re appreciative of what you’re doing. There is a lot of hand holding, there’s a lot of concern about your client. It’s a good feeling, it’s very rewarding, very gratifying.” Better, he will tell you, than the big houses the corporate executives inhabited in the dreams of his youth, better even than the memory of the sleek autos whizzing by.

Louis Geneva left private practice in part because he did not want to be a rainmaker at the sacrifice of being a teacher. So, it is a fine irony that in his teaching career Louis Geneva has been one of the law faculty’s most successful rainmakers. Eight years ago at an Ernst & Young educators’ seminar in Washington, Louis discovered that the company’s charitable foundation gave matching grants to schools. Louis reasoned that since the law school had a number of graduates working at E & Y, Cleveland-Marshall should seek foundation money for its students. That was the genesis of the College’s Ernst & Young Scholarship which every year provides scholarships to high-achieving tax students from monies raised by E & Y’s Cleveland-Marshall alumni/ae and matched by the company. Then, Louis had another idea. He conceived the notion of sponsoring a conference on Federal Wealth Transfer with IRS experts on hand. Proceeds from the conference would be used to build a scholarship fund as well. Professor Geneva’s 1994 Internal Revenue Service Cleveland District Director’s Federal Wealth Transfer Conference will be the fifth held at the College of Law, continuing to build the scholarship that will eventually underwrite the entire tuition of a first-year student.

Now, it would seem that Professor Geneva had done enough for Cleveland-Marshall: He has had 16 years of teaching inspiring and joyfully a course others shun teaching, he had initiated two scholarship funds, and, in numerous public speeches and lectures, he had demonstrated the high quality of the Cleveland-Marshall professorate. But apparently he still had not done enough, and recently he found something else to do for the law school: Louis Geneva, non-alumnus, became a Life Member of the Cleveland-Marshall Law Alumni Association. The Alumni Association thanks him and welcomes him with pride into its membership.
Faculty & Staff Happenings

Professors Deborah A. Geier and Susan J. Becker '83 have been awarded tenure and promoted to Associate Professorships, effective summer 1994. Professor Geier authored the 1993 Important Development Report on behalf of the ABA Tax Section Committee on Individual Investments and Workouts. The report will be published in the June 1994 issue of the Tax Lawyer. Professor Becker’s most recent publication is "The Immorality of 'Outing' Private People" appearing in the spring issue of the Oregon Law Review.

Other law school promotions include those of Assistant Dean Melody Stewart '88 and Manager of Faculty and Staff Services Laverne Carter. Both were promoted to Professional Staff IV.


Cindy Marizette, Secretary to the Office of Career Planning, and Assistant Dean Louise P. Dempsey ‘81 teamed up to chair a Valentine’s Day benefit for the homeless of Cleveland’s New Life Community.

Ms. Marizette and Paul Carrington, Software Specialist and Assistant Supervisor and Office Manager of the College’s Faculty and Administrative Services, gave many hours to another worthy benefit, the United Negro College Fund’s 1993 Lou Rawls “Parade of Stars” Telethon Super Viewing Party. For their work on the fund-raiser, they received the commendation of the Chair and the Director of the Fund.

An article by Professor James Wilson, "The Role of Public Opinion in Constitutional Interpretation," is forthcoming in the Brigham Young University Law Review.

Professor Dennis Keating was a panelist at the National Fair Housing Summit in Washington, D.C., in January. "Federal Housing Policy and HUD: Past Problems and Future Prospects of a Beleaguered Bureaucracy" appeared in the September issue of the Urban Affairs Quarterly.

Perhaps in preparation for the College’s faculty exchange with Russia, a number of faculty and staff are gathering on Saturday mornings to study Russian. Among these are Professor Susan J. Becker ‘83, Assistant Dean Louise P. Dempsey ‘81, Professor Lizabeth A. Moody, Professor Patricia A. McCoy, and Law Librarian Marie Rehrman.

In November, Professor Patricia McCoy was the lead speaker at the Fair Lending Institute in Washington, D.C., where she presented a paper on new developments in fair lending and community reinvestment. That same month, she presented a paper entitled "The Ephemeral Business Judgment Rule for Bank Directors" at the Third Annual Banking Law Seminar sponsored by the Progressive Casualty Insurance Company in Cleveland.


Former Street Law Staff Attorney Sonia Winner joined the law school staff in February as Assistant Director of Career Planning. Early in March, Director of Career Planning Cynthia Applin will travel first to Washington, D.C., to attend the 1994 National Association for Women in Education’s annual meeting and then to Indianapolis for the 1994 annual convention of the American College Personnel Association, where she will speak on “Careers in Law School Placement Services.” At the end of March, Ms. Applin will attend the National Association for Student Personnel Administrators' annual conference in Dallas, where she has been invited to speak on "Making the Transition from College to Career.” She will be traveling for the law school in April as well. Ms. Applin will address the National Association for Law Placement’s annual meeting in Orlando on "Serving the Needs of the Part-Time Evening Student.”

In January, Street Law Associate Director Pamela Dailer-Middaugh ’88 joined the Cleveland Rape Crisis Center’s Board of Trustees. Ms. Dailer-Middaugh has been a hot-line volunteer at the center for the past three years.

Sonia Winner

Victoria Plata

College of Law Budget Director Victoria Plata spent a week in Hawaii during November; then, in January, she participated in the Professional Ski Instructors Association Ski School in Snowmass (Aspen), Colorado.

Professor Tayyab Mahmud’s "Jurisprudence of Successful Treason: Coup d’Etat and Common Law" was published in 27 Cornell International Law Journal.

Spring 1994 37
Faculty & Staff Happenings

Thanks to the national reputation of the College's Street Law Program, its Director, Assistant Dean Elisabeth T. Dreyfuss '78, Ms. Daker-Middaugh and Street Law Student Liaison Artemus Carter, the College of Law was one of three sites selected for a pilot project aimed at curbing violence in school. "We Can Work It Out: Mediation Showcases," sponsored by the National Institute for Dispute Resolution and the National Institute for Citizens Education and the Law, enrolled 70 youngsters from Cleveland-area middle schools who demonstrated the mediation skills acquired in a four-month conflict resolution program.

Professor Alan Miles Ruben completed his assignment as Fulbright Scholar at Fudan University, Shanghai, China, and was appointed "Advisory Professor of Law," the fourth lawyer in the 100 year history of Fudan University to be so honored. In the ceremony conferring the title, Vice-President Shi Yue-Quin praised Professor Ruben's contributions "to the forming of the Chinese legal system and to law education." Returning to Cleveland-Marshall in December, Professor Ruben spoke on "The Dragon Awakens: Legal and Business Developments in the People's Republic of China" to a gathering of law school and university faculty.

In November, Professor Linda Ammons lectured on Clemency at the First National Family Violence Conference, sponsored by the U.S. Department of Health and Human Services. A photograph by Professor Ammons was accepted in the National Juried Show sponsored by the Toledo Art Museum's Friends of Photography. Other photos placed third and received Honorable Mention in the Minnesota Ink Photography Contest.


Professor Dena Davis presented "Religious Studies and Bioethics" at the Association for Professional Ethics and "Should the U.S. Government Legalize Assisted Suicide?" at the Great Health Debate (with Dr. Stuart Youngner of CWRU) at Mentor Park Center for the Aging in October.

"Vestigial Constitutional Law: The History and Significance of the Right to Petition" was the subject of Professor Gregory Mark's November 1993 address to the Legal History Colloquium at New York University.

Professor David Forte spoke on "Bill Clinton, Boutros-Ghali, and the Unmaking of American Foreign Policy" before the Cleveland City Club in November. "The Spontaneous Order of the New World System" was his topic at the International Studies Association in Acapulco, Mexico, in March while "War Crimes in Former Yugoslavia" was the subject of his address to the Cleveland City Club Round Table in June.

Dean Steven R. Smith's most recent publications include the Atlas of Laparoscopy General Surgery's chapter on "Laparoscopy and the Law." Forthcoming are the chapter on "Institutional Liability in Administration and Policy in Mental Health and the chapter on "Treating Minors" in Adolescent and Pediatric Gynecology. Also soon to be published are Dean Smith's articles, "The Practice of Psychology and the Supreme Court" in The Independent Practitioner and "Liability and Mental Health Services in the American Journal of Orthopsychiatry.

Professor Stephan Landsman is away this year, serving as Visiting Professor at DePaul University in Chicago.

Professor Joel Jay Finer recently published his second edition of Marshall Memoranda, the law school's in-house information forum, which Professor Finer conceived, writes, typesets and edits.

In February, Professor Sheldon Gelman's article, "Life and Liberty: Their Original Meaning, Historical Precedents and Current Significance in the Debate Over Abortion Rights," appeared in the Minnesota Law Review.

CSU freshman, Hazel Salviejo, daughter of Word Processing Specialist Yolanda Salviejo, is seeing a lot of her mother during school hours. Hazel helps out in the law school's Office of Financial Aid. Yolanda Salviejo's two other children, Maximo and May, are honor students at St. Ignatius High School and Trinity School, respectively.

The Ministry of Trade of Argentina has asked Professor Michael H. Davis to organize a meeting of third-world-country representatives to consider the implications of GAT policies for those countries. Health Affairs published Professor Davis's article, "A Different Kind of Drug War," and Bio/
Tech published his article on "The Human Genome Project."

Professor Alan Weinstein's revisions of the chapters on Exclusionary Zoning and Zoning Amendments in Zoning and Land Use Controls have been submitted for publication in 1994, and his revision of the chapter, "Incentive Zoning," will be submitted in June. Professor Weinstein attended the ABA Midyear Meeting in Kansas City, Missouri, in February, where he submitted the report of the Subcommittee on Land Use and the First Amendment to the Section of Urban, State and Local Government. The report will be published in The Urban Lawyer in late 1994. In April, Professor Weinstein will attend the National Conference of the American Planning Association in San Francisco, where he will lead a session on Sign Regulation. Forthcoming in the spring are two articles: "Regulation of Adult Businesses" in Land Use Law & Zoning Digest and "Land Use Control of Large-Scale Retail Development" in Zoning & Planning Law Report. Finally, Professor Weinstein, Director of the law school's and Levin College's Law & Public Policy Clinic, reports that the Clinic, in conjunction with the Levin College’s Urban Center, has received a challenge grant of $110,500 from the Nord Family Foundation and the Norse Foundation to undertake a study of the utilization of minority-owned and female-owned businesses by four governmental entities in Lorain County.


Life Members from pg.17

freshman year at Ohio State.

The instinct that propels Dean Stewart to make herself available to these high school students is the same instinct that has made her a valuable part of the lives of the many Cleveland-Marshall law students with whom she spends long hours as adviser, tutor and mentor. In fact, when in 1990, the University created the law school's new Assistant Deanship with a primary mission to improve the retention and recruitment of minority law students, the job seemed to have been created with Melody Stewart in mind: an attorney in public service who attended law school as a Patricia Roberts Harris Fellow, was active in the Black Law Students Association, a member of the editorial board of the Journal Of Law And Health and of the 1987 nationally-acclaimed Moot Court Team, as well as the recipient of numerous other academic honors. If anyone knew what the law school experience is like for minorities, it was surely Melody Stewart; and if anyone knew what it takes to succeed in law school, that person was also Melody Stewart. The job, however, was not created with her in mind: Dean Stewart was chosen from a roster of national candidates, and it has been the continuing good fortune of the law school to have been able to have a person who knows the school, the community, and the profession as well as she does; and it is the continuing good fortune of the law students who count on her for personal and academic guidance to have Melody Stewart to turn to.

The same instinct that makes Dean Stewart so effective with high school and graduate students is perhaps also what motivates her to reach out to the community; so, when she is not traveling for the college, tutoring students, or taking her high school mentees shopping and helping them with their homework, she might well be in meetings at Cleveland Works, Inc., of whose Legal Advisory Board she is a founding member, or at a meeting of the New Leadership Roundtable of the National Conference of Christians and Jews, Inc., or helping out at an event at Beaumont School, where she spent her high school years and recently completed a term on the Board of Trustees.

Dean Stewart has fulfilled the expectations of the faculty who educated her and the College and University personnel who knew a good woman for the job when they found her. Minority applications, enrollment and retention have climbed steadily in the past three years, thanks in part to Melody's rapport with students and thanks in part to a number of projects she has initiated on their behalf.

Asked why she had joined the Life Membership, Melody replied: "I wanted to show my commitment and support for an organization that has repeatedly shown its commitment and support of our school and students." The Law Alumni Association is aware already of Dean Stewart's commitment to the organization. She has served on its Board for three years, the last as chair of the Publications Committee. The Association is appreciative of this latest gesture of support from an alumna it knows it can count on. LFM
to follow in the footsteps of three lawyer uncles, her lawyer brother, and her cousin, Lynn Lebit '93, and applied to law school. "I thought I could incorporate my undergraduate degree with the flexibility of a law degree," she said. She started at Cleveland-Marshall in 1991 and says without hesitation that "Street Law has been my favorite class."

Two days a week, for 40 minutes each day, Laura Gold teaches a very special social studies class about what she calls "practical law." Ms. Gold explains, "I teach them how the law works and how it affects them every day." In addition to teaching the bi-weekly classes, she attends seminar classes taught by Street Law Director and Professor Elisabeth Travis Dreyfuss '78, Assistant Dean for Law-Related Education. She also must turn in a weekly lesson plan.

The Street Law Program allows law students to choose the area of law on which they would like to focus. Laura Gold chose the area of criminal law. "With my students, like any other high school students, I had to start with the basics," she said, "like who makes the laws, how to find an attorney, or what is a public defender." In her first class in September 1993, Gold opened the semester by asking: "What is a lawyer?"

"They only knew lawyers 'keep bad people out of jail,'" Ms. Gold smiled. "I had to teach them what a lawyer's other duties are, about such basic tasks as preparing legal documents like wills."

Ideally, Laura would like to combine her law degree with her background in the education field, possibly by continuing to teach law-related classes; however, Gold notes that she clerked in the appellate and felony divisions of Cleveland's Public Defender's office and would perhaps enjoy a post-graduation position with that office.

Ms. Gold becomes most animated, though, when she speaks about making a difference in the lives of her seven special students. By way of describing how she teaches the Mayfield students, Gold recalls gathering up some toys she played with as a child. "I found a Fisher Price village," she said, "and all the little Fisher Price people had roles to play."

Her fingers marching across a table in front of her as she relates the hypothetical, Laura Gold describes her fall semester finale at Mayfield High School. "I had one of the little 'people' drink six or seven beers in a bar," she smiled. "Then, I 'walked' the little drunk man out to his little car. As one might expect, the little drunk driver drove through a red light, hitting and killing a little pedestrian."

Using the toys, Ms. Gold took her students through the criminal and trial processes, from Miranda warnings to jury voir dire to final judgment at trial. "Fortunately, I had enough toy people to represent a prosecutor, a public defender, the defendant and a jury," she said. And, because apparently Fisher Price doesn't think of everything, she made a little black robe for the judge.

Laura Gold is looking forward to the spring semester at Mayfield High School, when she hopes to hold an election and supervise a mock trial. "High school students, especially those with hearing impairments, learn well through role play and practical exercises," she notes.

Because of Laura Gold's enthusiasm and her innovative teaching methods, seven hearing impaired students at Mayfield High School have heard more about the law in a semester than most hearing students will in a lifetime.

Winter Holiday from pg. 25

of their time," he notes, and "often provide the students with valuable contacts in the legal community. Many of them have been with the program since its beginning."

One such veteran participant is Common Pleas Judge Patricia A. Gaughan, formerly an Adjunct Professor at Cleveland-Marshall, who began working with Triad Ad several years ago and who this year lectured students on preparing and delivering the opening statement. Trial Ad is "an excellent student support program," Judge Gaughan says. "Very few courses match it for teaching the practicality of the law." Judge Gaughan's praise is echoed by another participating Common Pleas Judge, Kathleen A. Sutula '76, who considers the Trial Ad experience "one of the most important things a law school can do for its students."
ALL THE NEWS THAT'S FIT TO PRINT

Please keep us informed for Alumni Happenings (and correct mailing address)

Name: __________________________________________
Class of: _________________________________________
Address: _________________________________________
City: __________ State: __________ Zip: ________
Phone: ____________________________

News, comments, interests, births, weddings, hobbies: ______________________
............................................................................................................................
............................................................................................................................

Mail to: Mary McKenna, Executive Director
Cleveland-Marshall Law Alumni Association
1801 Euclid Avenue
Cleveland, Ohio 44115

CAREER OPPORTUNITIES

Anticipated opening for [ ] third, [ ] second, [ ] first year law students, or [ ] graduate attorney

Date position(s) available: ________________________________

Employer's name: ______________________________________
Address: _____________________________________________
City: __________ State: __________ Zip: ________
Phone: ____________________________

Person to contact: ______________________________________

Requirements/Comments: _________________________________

[ ] I am willing to serve as a resource or contact person in my area for law school students

[ ] I am interested in interviewing students at the law school for possible placement

Mail to: Mary McKenna, Executive Director
Cleveland-Marshall Law Alumni Association
1801 Euclid Avenue
Cleveland, Ohio 44115
Cleveland-Marshall Law Alumni Association
1801 Euclid Avenue
Cleveland, Ohio 44115

ALUMNI OFFICERS
AND TRUSTEES

Officers
President
Scott Spero '89
President-Elect
Scott Finerman '87
1st Vice President
Gary Maxwell '88
2nd Vice President
Deborah L. Hiller '75
Secretary
Tina Weckslor '85
Treasurer
Frederick N. Widen '81
Immediate Past President
Sheryl King Benford '79

Hon. Patricia Hemann '80
Edward Kraus '86
Dennis R. Lansdowne '81
Brent Larkin '87
Michele M. Lazzaro '81
Dale H. Markowitz '75
William T. Pless '71
Dale D. Powers '60
Laurence J. Powers '87
Maria E. Quinn '79
Linda Rich '77
David Ross '76
Stephen Rowan '80
Melody J. Stewart '88
Emily M. Sweeney '81
James R. Tanner '91
James Tavens '86
Joseph Teegreene '84
Laura A. Williams '82

Rachel Harley '91
Susan L. Gragel '80
Hon. Terrance P. Gravens '77
Hon. Leodis Harris '65
Irving L. Heller '57
Hon. Leo A. Jackson '50
Richard S. Koblenz '75
Ann T. Mannen '80
Hon. John Manos '50
Daniel R. McCarthy '54
J. Timothy McCormack '72
Hon. George McMonagle '30
Howard Mishkind '80
William T. Monroe '53
Karen B. Newborn '76
Hon. Donald C. Nugent '74
Michael O'Grady '79
Herbert Palkovitz '68
Hon. John T. Patton '58
Leon M. Plevin '57
Hon. Thomas J. Pokorny '80
Richard T. Reminger '57
Leo E. Rossmann '29
Hon. Louis Stokes '53
Hon. Kathleen A. Sutula '76
John J. Sutula '53
Donald F. Traci '55
Hon. Hans R. Veit '60
Gerald R. Walton '80
Hon. George W. White '55
Robert I. Zashin '68

Honorary Trustees
Hon. Anthony C. M. Calabrese, Jr. '61
Thomas L. Colaluca '78
Hon. Timothy G. Cotner '68
Hon. John J. Donnelly '69
Hon. Ann K. Dyke '68
Hon. Dennis Eckart '74
Jose Feliciano '75
Hon. Stanley M. Fisher '50
Hon. Timothy Flanagan '71
Hon. John W. Gallagher '70

Deborah Akers '76
Goldie K. Davis '86
Thomas Bondur '92
Janet Burney '79
Gregory F. Clifford '81
Michael L. Climaco '72
Mary Llamas Courteney '78
William J. Day '79
Mary C. Groth '83
John L. Habat '83

Nonprofit Organization
U.S. Postage
PAID
Permit No. 500
Cleveland, Ohio