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Solid footing
C-M alum and *Plain Dealer* opinion editor Brent Larkin, on how law school helps no matter what field you choose.
CAREER, PAGE 4



Finger-pointing
Columnist Ross Matlack is surprised states get away with suing big business for their ills. Now he wants to join in.
OPINION, PAGE 8

Kids say the darnedest things
Winning fifth-grade answers in the first-annual "What is Law?" essay contest. **SIDEBAR, PAGE 10**



THE GAVEL

VOLUME 47, ISSUE 4 ■ FEBRUARY 1999

THE STUDENT NEWSPAPER AT CLEVELAND-MARSHALL COLLEGE OF LAW

While world waits, Europe anticipating euro's success

By Sonja Lechowick
CONTRIBUTING WRITER

"Uncharted territory" seems to be the globally defining phrase for the beginning of 1999. Locally, C-M students were preparing to learn the personally uncharted law in our new spring classes. Nationally, the United States was preparing for its first presidential impeachment trial in over a century, and across the Atlantic, 11 European nations were implementing an exciting experiment, a new monetary currency — the euro.

You've perhaps heard about all the preparations as each participating country rushed to meet the strenuous requirements for membership in the European Monetary Union. Skeptics said that it would never happen, but European cooperation and preparation has proven them wrong. Jan. 1, 1999, was the de-

See **EURO**, page 4



COURTESY PATRICIA BUTLER

Nearly destroyed in World War II, this palace is a jewel of St. Petersburg, Russia, where C-M will host its annual summer law institute.

St. Petersburg applicants sought

GAVEL STAFF

Professor Jane Picker is seeking applications from students wishing to enroll in the fifth-annual St. Petersburg Summer Law Institute, C-M's ABA-accredited summer program in Russia.

Emphasizing international law, the institute offers four 3-

credit-hour courses taught by law professors from three schools and a lawyer from the International Monetary Fund.

The program runs from June 27 to July 28, 1999. Students should contact Prof. Picker for more information at (216) 687-2528 or at JANE.PICKER@LAW.CSUOHIO.EDU.

Moot court keeps rolling

Impressive finishes in recent duels keep team's unbeaten streak alive

By Patrick Holtz
CONTRIBUTING WRITER

For almost two decades, members of the C-M moot court board of governors have been highly successful in interscholastic moot court competitions by maximizing their talent, appellate practice learning and dedication. Last spring, two C-M teams advanced to the final rounds of the American Bar Association National Appellate Advocacy Competition, where C-M received the award for best brief of more than 150 submitted. The members of those teams



Top advocate Dawson

— Donna Coury, Rebecca Kelley, Rebecca Maggiano, Mark Miller, Linda Mrowca and Patrick Quallich — and the board's overall tradition of excellence, were recognized by the university at the 1998 Annual Convocation. This tradition continues to grow.

This fall semester, the board of governors entered three teams in two major competitions. At the National Moot Court Competition in Information Technology and Privacy Law, held at John Marshall Law School in Chicago, our board team of Coury, Kelley and Miller, with the guidance of special team advisor Karin Mika, took first place overall from among 27 teams including Indiana, Boston University,

See **TRADITION**, page 6

Students give mixed reactions to library's atrium decorations

'I have never pretended to understand art and this fits perfectly,' says one

Compiled by Eileen Sutker
STAFF EDITOR

C-M students have given *The Gavel* an earful on the new law-related quotations lining the library atrium walls. Some quotations of their own:

- "The wall is eye-catching and different. The colors really stand out."
- "It's very hard to read, so it doesn't reach out and touch me."
- "It looks like we're just copying the business school."
- "It's very modern and relevant to our studies."
- "I never noticed it."
- "I hate it. The place was

nice and clean looking; this looks like it was just thrown up there."

■ "They seem as if they'd be nice to read, but I've never learned Chinese."

■ "I'm sure it cost a lot of money — there's my tuition at work."

■ "It's nice, and everybody I've talked to likes it. We like the constant improvements."

■ "Pictures of the chief justices would have been more appropriate."

■ "I have never pretended to understand art and this fits perfectly."

■ "Talk about permanent graffiti."

For discussion on the creators of the new library artwork, see the regular column by Dean Steven Steinglass, page 2.



COURTESY EDITH GARVER

Mary Grossman, a 1912 graduate and the first elected female municipal judge in the country.

Looking past the portrait

The storied career of Mary Grossman, C-M alumna and pioneering judge

By Jeanine Fisher
STAFF WRITER

March is Women's History Month and C-M has its share of accomplished women alumni. Judge Mary Grossman, an alumna elected to the Cleveland municipal bench in 1923, became the first elected female municipal judge in the country. A portrait of Judge Grossman hangs in the entrance lobby of the law library, a gift from the Garver family. A friend visiting the law school recognized the portrait from his childhood; his recollections led me to Grossman's niece, Edith Garver, who graciously invited me to her home to talk about her aunt.

Mary Grossman was a 1912 graduate who de-

See **GROSSMAN**, page 7



'Black Art from Prison' continues with inmate documentary

Throughout the month of February, the Cleveland State University Black Studies Program has been exhibiting "Black Art from Prison," a collection of works from men who are incarcerated at Grafton Correctional Institution.

The exhibit is a collaboration between the CSU Black Studies Program, the East End Neighborhood House, the National African American Male Collaboration, the CSU Prison Media Literacy Project at Grafton Correctional Institution, the North East Pre-Release for Women and the CSU Art Gallery.

All events are free and will take place in CSU's African American Cultural Center in room 103 of University Center, 2121 Euclid Avenue.

On Friday, Feb. 19 at 6:30 p.m., as part of the Black Community Film Festival, there will be a screening of "Slave-ship Injustice," a documentary on the making of a theatrical production by inmates in Grafton. The producers will be present to talk about the making of the documentary and their negotiations to have it aired nationally.

The "Black Art from Prison" exhibit will close Friday, Feb. 26 after a 6:30 p.m. panel discussion, which will be moderated by Julius Simmons, CSU professor of social work, and include community representatives, activists, scholars, corrections professionals and ex-convicts. The discussion will focus on the process of re-entering the community after incarceration and initiatives that are needed for those who have been affected by the criminal justice system.

The final event in this series on incarceration will be Tuesday, March 2 at noon. Willa Hemmons, CSU professor of social work, will present a lecture titled "To Be Young, Gifted, Black and Incriminated" as part of the Curtis Wilson Colloquium Series.

For additional information, students are encouraged to contact the Black Studies Office at 216-687-3655.

— FROM A NEWS RELEASE

My elections-law ambush

Opposing a statute unfair to political associations, I took my conviction all the way to the Ohio Supreme Court

By Donald Lesiak
CONTRIBUTING WRITER

Polish Americans, Inc. (PAI), was founded around 1964 by several Clevelanders, including former Assistant U.S. District Attorney Bernard Stuplinski, a UAW leader and others.

For many years, PAI has held a candidates' night for local, county, state and federal primary and general elections whenever they occur. Other organizations in Ohio, particularly in Northeast Ohio, have run similar events and have requested money from political candidates during their events to cover expenses and advertising costs for candidate endorsements. This has changed, though it is unknown to what extent, since June of 1996, when a court of appeals candidate reported PAI's and my solicitation of funds to the Ohio Elections Commission as a violation of the Ohio Revised Code.

The candidate, Republican Carl Carmony, filed the complaint against PAI and me personally. The *Free Times* reported in a recent article that the encounter which began the dispute was actually between Carmony and John Anthony, then-president of another political association in town, the Cosmopolitan Democratic League of Cuyahoga County. It was reported to have occurred in June 1996 in the hallway outside the Alliance of Poles Hall, before a candidates' night forum.

PROFILE: Donald Lesiak

- Since 1996 has been a student in the Project 60 program, permitting people over 60 to audit law courses.

- Is a certified government financial manager and professional engineer.

- Lobbied Congress unsuccessfully for appointment to the vacant position of U.S. Comptroller General in 1996.

- Was the deputy state auditor in charge of City of Cleveland audits for Mayors Perk, Kucinich and Voinovich. Was transferred during the city's default for violating a gag order and unsuccessfully petitioned the United States Supreme Court twice on First Amendment claims.

Carmony later refuted that allegation in a letter to the *Free Times*, stating "Mr. Lesiak was the first person from Polish Americans, Inc., who I contacted about the election law problem, when I faxed and mailed a letter to him 11 days before the meeting."

I was then and I currently am corresponding secretary of PAI, and in this capacity I wrote the solicitous letters to candidates, which were approved by PAI President Edward J. Wojniak. After the complaint was filed with the Elections Commission, Wojniak found a volunteer attorney to represent PAI by mail and I attended the hearing in Columbus with my attorney.

At the hearing, PAI and I were convicted of an administrative violation (carrying no criminal penalty) of the revised code. PAI accepted conviction without appeal; I decided to defend myself and I hired another attorney, who happened to be the former legal counsel for the Elections Commission. We lost the appeal in Franklin County common pleas court, its court of appeals, and the Ohio Supreme Court. We are now attempting to lobby the General Assembly in Columbus for a change in the elections statute, which in my view is overbroad.

If you compare this Ohio elections law to federal elections law and current methods of political fundraising for federal offices, the differences are striking. Though mine was a grain-of-sand problem, I hope its effects will improve the way funds are raised nationally for federal elections in the near future, and open up legal ways for Ohio's political organizations, like PAI, to raise enough funds to be politically effective.

Inspiring library art traces rule of law

By Steven H. Steinglass

I hope all of you will take time to appreciate the two new art installations in the law library. Both were funded through grants from the Ohio General Assembly's Percent for Art program. Through this program, one percent of the monies funded for public buildings is designated for artwork. In the case of the C-M law library, a national and a local artist

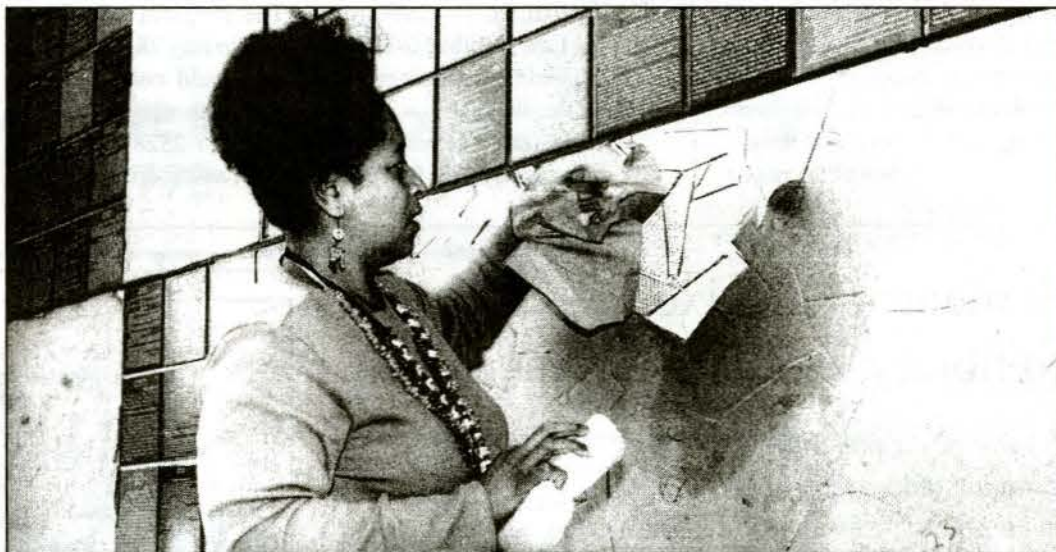


The Dean's Column

competed for commissions to create works of art that reflect the historical development of the rule of law in past civilizations and in our own country.

Washington, D.C., sculptor Jim Sanborn and Cleveland ceramicist Angelica Pozo were selected for the projects.

Sanborn's 14 bronze manuscript plates trace the emergence of a system of justice in many cultures, beginning with the sixth century B.C. laws of Solon and ending with Supreme Court decisions from the 19th and 20th centuries. The plates encircle the



COURTESY THE DEAN'S OFFICE

Acclaimed Cleveland ceramicist Angelica Pozo installs one of two new sculptures in the library reading room.

second-floor rotunda and, in bright sunlight, cast a reflected image on the library's main floor. Sanborn also erected the sculpture on E. 18th Street outside CSU's new business building.

Called by the *Washington Post* "Washington's premier sculptor," Sanborn has created installations worldwide. Archaeological and geological references are his trademarks and, in the case of the C-M plates, a reverence for human history.

On the southeast wall of the law library's reading room, Pozo

has erected a large collage of ceramic tiles, each imprinted with excerpts from 40 federal statutes, including the Homestead Act of 1862, the Securities Exchange Act of 1934 and the Civil Rights Act of 1964. The tiles are installed on three large panels — one 18-foot wide and two 12-foot wide — and spell out the word *law* in giant letters through a design of contrasting shades of dark and lighter colored tiles. "I decided I wanted this piece to represent how law is often a matter of interpretation of facts and pre-

cedents and can't always be based on clear-cut black or white issues," Pozo said.

When Pozo decided on federal statutes as her text, the library's reference staff, especially Laura Ray, compiled a list of significant statutes.

We are very pleased for our students to be surrounded by these inspiring reminders of our past history and our present responsibility to preserve a system of justice based on the rule of law.

Steinglass is dean of C-M College of Law.

Memo to the dean: publish professor evaluations

Editor's note: *The following is an actual proposal submitted by the author to Dean Steven Steinglass. It is reprinted in its entirety.*

By Kristina King

CONTRIBUTING WRITER

This proposal entails compiling an average of all of the numerical students' evaluations of professors for each type of class that the professors have taught the previous semester. The average of evaluations will include the median and the mean for each question posed, so when the word average was utilized previously and in the following explanation, it is being used generically. The averages would then be published in *The Gavel* for the purpose of facilitating students in determining whether or not to enroll in a particular class. Publishing the evaluations in this manner would be beneficial to students and to the preservation of C-M's academic excellence.

Benefits of publication

Besides student evaluations of professors aiding professors in improving the quality of their classes, the publication of students' evaluations serves many other esteemed purposes. Evaluations of professors not only serve as an open forum in which the voice of the student populous is heard, but they also allow students to make informed decisions about what classes in which to enroll. When students are given

averages of professor evaluations, students' decisions are more informed because they are given access to the evaluations of the entire population of a particular class, instead of a jaded synopsis of evaluations derived from personally asking only a small sample of the class. Published students' evaluations of professors are also valued because they reward those professors who are excellent by encouraging student enrollment in their classes, while they also serve to inform students about professors whose classes are less desirable. The abatement of enrollment in less desirable classes puts the administration on notice that there possibly is a problem with a particular professor, and in turn, the actions taken by the administration to remedy the problem contribute to the preservation of C-M's academic excellence. Therefore, the publication of students' evaluations of professors is a practice that benefits students as well as the school as a whole.

The current system

The system C-M now utilizes to publish its students' evaluations of professors defeats many of the purposes for which the evaluations are deemed useful. The system, as it now exists, consists of many encyclopedia-sized volumes located behind the circulation desk in the library. Each volume contains only a few professors, but every students' evaluation from a particular

Evaluations of professors not only serve as an open forum in which the voice of the student populous is heard, but they also allow students to make informed decisions about what classes in which to enroll.

class. There are not, however, any averages derived from these compilations of each student's evaluation. This seems like a good system in theory, until one discovers how user-unfriendly it really is. For the student who is scheduling and wishes to choose five or six classes out of 15 that he or she is considering, the student would have to ask the person at the circulation desk for close to 15 encyclopedia-sized volumes, one at a time. Then, the student would have to sift through as many as 70 evaluations to get a general idea of whether he or she should enroll in the class. Few students are likely to have the time or patience for such a daunting task and, therefore, all of the valued purposes for having students' evaluations of professors are likely to be thwarted simply because the current system of publication is very inconvenient.

The new plan

The new proposed system of publication is very user-friendly, and the old system could still

exist for record purposes. Under the new system, averages for every type of class taught by every professor will be published semi-annually in *The Gavel*, before scheduling for fall and spring semesters. The averages of evaluations for the previous summer semester will be published along with the fall evaluations, spring semester, so that they are published closer to scheduling for the following summer. The evaluations ask several questions to which the student has the option to give one response by circling one through five, one being poor and five being excellent. The averages of the evaluations will reflect how many students responded for each one through five possible answers to a given question. Then, for each question the median and the mean will be given. These averages will be given for every question involving a numerical answer, and will exclude written responses. The averages will, however, include the average for the yes/no question as to whether or not the student would recommend the pro-

fessor. The averages of the evaluations will also include the number of students in the class, so that the students reading the averages will be aware of the population size and take that into consideration when determining the reliability of the mean and the median. A few samples of the written comments reflecting the general tone of students will also be given. In addition, students who are involved in compiling these averages will not be permitted to compile averages of evaluations for those professors in whose classes they were enrolled in the past or are presently enrolled. This will eliminate any chance for bias on the part of those compiling the averages.

Practicality

Fortunately, C-M already has the resources necessary to implement this proposal. The evaluations are already drafted, distributed and compiled. All that is necessary to execute this proposal is to analyze the data that will be collected and publish it in a different form. The data can be analyzed by using Excel, which is a program C-M already has. (The current *Gavel* editors are interested in publishing the results, but this policy is subject to change by future editorial boards.) Therefore, the students of C-M and the law school as a whole have nothing to lose and numerous benefits to gain from the implementation of this proposal.



Deadline for graduation applications

Graduation applications must be submitted by March 1.

Additional lodgings for bar-takers

Make your hotel reservations for the Ohio bar exam (for the February and July exams). The list below includes hotels in addition to those published in the previous issue. Hotels in the Columbus area are as follows (area code 614 unless noted):

- Adams Mark: 228-5050
- Bargaintel: 436-0800
- Clarmont Motor Inn: 228-6511
- Doubletree Hotel: 228-4600
- Hilton Inn: 436-0700
- Holiday Inn: (800) HOLIDAY
- Hyatt Regency: (800) 228-9000
- Imperial House: (800) 762-4712
- Marriott Courtyard: 228-3200
- Radisson: (800) 333-3333
- Westin Hotel: (800) 228-3000

Bar exam supplemental applications

The Ohio bar exam supplemental applications are due by April 1. However, applications will not be accepted by the Supreme Court before March 1. Payment by money order or bank check in the amount of \$150 must be included.

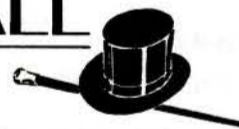
Mandatory substance abuse seminar

All applicants for the Ohio bar exam are required to attend one hour of instruction on substance abuse, which includes discussion on causes, prevention, detection and treatment alternatives. C-M will offer a free substance abuse education seminar on Friday, April 23 at 5:30 p.m. Pre-registration is required. Pick up a form in LB 142.

— COMPILED BY GAVEL STAFF

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AT FIRST BLUSH, IT makes absolutely no sense.

Why would anyone in their right mind hold down a full-time job, attend law school every evening for nearly 40 consecutive months, and then use that hard-earned degree as nothing more than a wall decoration?

Alumni Advice

That's something I've been asked on countless occasions since graduating from C-M more than a dozen years ago.

Actually, I do have some experience in the practice of law, but the truth is that experience is both small and unimpressive. It has been some years now since I made the decision that I did not have the time to practice law part-time, nor did I especially enjoy it. As a result, I became an inactive member of the Ohio bar, which both saves money and conveniently serves to toll those dreadful CLE requirements.

But not practicing law should not be mistaken for regret over my decision to pursue and obtain a degree from C-M. To the contrary, attending law school was the most rewarding educational experience of my life.

Law school teaches discipline. It teaches strategic thinking and reasoning. And it demands of its students an ability to conduct thorough and effec-



If law isn't in the cards

A newspaper editor says there's more to Marshall than the degree on his wall. **By Brent Larkin**

And one of those professions is journalism.

And one of those professions is journalism.

As a reporter, a columnist and later an editor at the *Plain Dealer*, my C-M experience has served me well in all the ways I previously mentioned. Over the past decade there have been doz-

ens of times when *Plain Dealer* stories, columns and editorials were enhanced by my use of the resources available at C-M's law library. What's more, my C-M experience allowed me to meet

and study under some instructors whose knowledge and legal wisdom I continue to rely upon in my role as a journalist.

The percentage of students who attend law school with the intention of eventually practicing law is undoubtedly well into the 90s, which is probably as it should be. But my experience tells me one needn't practice law to benefit from the experience of studying law.

Now if only I could figure out a way to put all that "future interest" garbage to good use.

■ **About Brent Larkin:** A life-long resident of Greater Cleveland, Brent Larkin is a 1965 graduate of Brush High School and earned a B.S. in journalism from Ohio University in 1970.



He attained a doctorate of law from C-M in 1986 and was admitted to the practice of law in 1987.

Larkin, 51, worked at the *Cleveland Press* from 1970 to 1981. From 1971 to 1976 he covered *Cleveland City Hall* and in 1976 was named the newspaper's politics editor. He joined the *Plain Dealer* in 1981, first as a politics writer and later as a columnist. In 1991, he was named to direct the newspaper's opinion pages.

Though rewarding, teaching legal writing as a profession not to be approached lightly

By Karin Mika
LEGAL WRITING PROFESSOR

■ **How and why did you decide to teach legal writing rather than practice law? Are there opportunities in that field?**

As most of us know, life happens while we make other plans. I actually decided to attend law school in order to take a "breather" from serious study of

literature and, initially, I planned only a brief stay. I kind of decided I wanted to teach legal writing the very first day of law school. After spending much of my life learning about something that few people cared about, I became enamored of the idea that there existed a job that enabled an individual to teach writing to students who were there because they wanted to be there. I also aspired to have the type of impact that my teacher (Deborah Klein) had on me.

Despite what I still consider to be a good educational back-

ground, it was not until after first-year legal writing that I truly understood that the components making for a good piece of writing were identifiable, and that good writing was accomplished through a lengthy, orderly process. Working in this field affords ample opportunity for involvement in the "real" practice of law, just not on a full-time basis, and usually not as the integral part in ongoing litigation. As far as opportunity, legal writing instruction appears to be a growing field, but for those who are not yet situated at a school, it would seem suited for those who crave a nomadic existence or can be extremely flexible. (The same holds true for those who aspire to be law school professors.)

Legal writing is an extremely labor intensive field and is not a springboard into other faculty-type positions. It is not a position for people uninterested in the rigors of legal practice, nor is it a position that people should "try" for a while to see if it suits them. First-year students will not appreciate the experimentation.

EURO: World watches eagerly as new Euroland currency makes its entrance

CONTINUED FROM PAGE 1

but for the currency in its new home, known now as Euroland (consisting of Austria, Belgium, Finland, France, Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal and Spain).

Cooperation on such a currency venture as this is unprecedented, not only on the European continent, but in the entire world. Never have so many countries agreed to abandon their own currencies to adopt one all-encompassing monetary device. That is why the entire world is watching and waiting to see how the euro performs — economic strength with the euro could be the catalyst that encourages other economic regions to enhance their cooperation and perhaps adopt a similar venture.

The euro has many expected benefits for the region, once it is fully completed. The single currency will reduce business costs for trading. Investors will no longer choose one country over another because of its currency. It will make life easier for tourists and those who live near



Cooperation on such a currency venture as this is unprecedented, not only on the European continent, but in the entire world. Never have so many countries agreed to abandon their own currencies to adopt one all-encompassing monetary device.

borders. Prices are expected to drop substantially as a result of

increased competition. But for Europe as a whole, there will also be one significant political advantage: Finally Europe will have the financial and economic influence that it has been seeking for decades by assembling together. It will have a joined economy to rival powerhouses Japan and the United States. This will also be incentive for those countries that did not join in the first round of membership.

So how is Europe's newborn performing? It was traded officially for the first time on Jan. 4, and as shares were quoted in euros, stock and bond markets had high expectations. On Jan. 12, the euro exchange rate with the dollar was 1.1564, or \$0.86 to the dollar. Today the euro exists in all forms except bills and coins. Consumers can already pay in euros using credit cards and checks, but each country's currency will continue to circulate until the actual money is introduced in 2002.

Lechowick is a part-time 2L and executive director of the French-American Chamber of Commerce of Northern Ohio.

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TRADITION: Unbeaten moot court team continues its streak of national domination



COURTESY STEVEN WERBER
Moot court teammates, from left, Rebecca Maggiano, Patrick Quallich and Linda Mrowca.

In last fall's John Marshall competition in Chicago, one C-M team took first among 27 teams from around the country, including Villanova, Boston University, Cardozo and Texas.

CONTINUED FROM PAGE 1

Wisconsin, Villanova, Cardozo and Texas. This team also wrote a first-place brief that scored five points higher than its nearest competitor.

Their brief will be published in the John Marshall Journal of Computer and Information Law.

The board achieved similar results at the National Moot

Court Competition, Region VI, held in Lansing, Mich. In the semifinal round our respondent team of Quallich and Melissa Day faced our petitioner team of William Dawson, Patrick Holtz and Khara Singer. The petitioner team prevailed in what Faculty Advisor Stephen J. Werber said was the closest argument either team had. The petitioner team went on to defeat Ohio State in the final round. The Dawson-Holtz-Singer team received first-place team and brief awards. In addition, Dawson won the award for best advocate in the final round. The Day-Quallich team received the award for best respondent brief.

The C-M board will tote its two first-place team awards and three best-brief awards in the last two competitions, plus a 14-0 record against other law schools from across the nation, to its three competitions during the spring semester.

■ *E-mail The Gavel with updates about your student organization:* TAMMY.BOGDANSKI@LAW.CSUOHIO.EDU.



Feb. 17

■ Forums with Dean Steven Steinglass. Moot Court Room, 12 p.m. and 5 p.m.

Feb. 18-21

■ SBA Casino Weekend. Knights of Columbus hall in Painesville. Contact SBA for event hours.

Feb. 20

■ C-M Community Service Project. Benjamin Rose Institute for the Elderly, 10 a.m. to 3 p.m.

Feb. 22

■ BLSA honors Norma Fleming and displays her paintings in "Living Portraits: African American Women in Greater Cleveland." Atrium, 6 p.m.

Feb. 23

■ Red Cross Blood Drive. Atrium, 10 a.m. to 5 p.m.
■ C-M reference librarian Schuyler Cook conducts a Scholar/OhioLink session. Library Lab A, 5 p.m. to 6 p.m.
■ C-M Alumni/Career Planning present Terrific Tuesday.

March 7-14

■ Spring break. No classes.

March 20

■ Annual SBA/Alumni Association Barrister's Ball. Terrace Club at Jacob's Field, 7 p.m. to 12 a.m.

March 25

■ Visiting Professor Joshua Dressler lectures on "Battered Women, Sleeping Abusers, and Criminal Responsibility." Moot Court Room, 5 p.m.

March 27

■ Professor Arthur Landever chairs the discussion "Gender Issues and the Law in Literature." Library Conference Room, 10 a.m. to 2 p.m.

March 30

■ WLSA hosts a video presentation of interviews with C-M alumnae from four generations. Also featured will be a commemoration of women judges. Moot Court Room, 4:30 p.m.

— Gavel staff

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GROSSMAN: First female municipal judge was a Marshall graduate, a tough jurist

CONTINUED FROM PAGE 1

cided to attend law school after working at her cousin's law firm as a bookkeeper for 16 years. She ran her first race for municipal judge in 1921 and lost. Undeterred, she ran again in 1923 and won. She ran six more times, leading the ticket each time. She retired from the bench in 1959 at the age of 80.

Grossman's nickname was "Hard-Boiled Mary," a name she may have earned simply because she was a woman in a man's world. She was just following the rules, always trying to avoid even the appearance of impropriety. When a group of lawyers sent her some wine for the Christmas holidays, she sent it back, offended that an attorney would even presume to have the right to send a gift to a judge. She kept a high level of decorum in her courtroom, chastising attorneys who dared to lean back in their chairs.

Her nickname and reputation in court did not carry over into her personal life. She was very close to the Garver family, having lived with her niece Edith, Edith's mother, and another one of her sisters for many years. After Edith married, Mary continued to live with her sisters and remained close to her, her husband and her two sons. One of Edith's sons, Jonathan Garver, was reluctant to part



Her nickname was "Hard-Boiled Mary," a name she may have earned simply because she was a woman in a man's world.

with the portrait of his great-aunt, and would only do so after a copy was made for his brother and himself. A. G. Warshawsky, Mary's close childhood friend, painted the original portrait. Jonathan also has the gavel Grossman used during her career which he treasures.

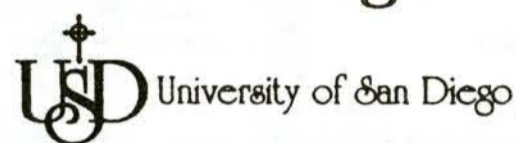
Grossman had a wonderful sense of humor, loved traveling and music, and was a big Indians fan. She was apparently a terrible driver. One Tuesday evening, when she came to pick up the Garver family for dinner, Edith found her driving around in the backyard in order to avoid having to back out of the driveway.

Garver didn't have many stories to tell about Mary's experiences in law school or on the bench. Mary never discussed school or cases at home because she felt it was not proper to bring them from the courtroom.

When Grossman finally left the bench in 1959 it was her time to retire. She traveled after retirement and died in 1977 at the age of 98. Her funeral was sparsely attended, partly because of blizzard-like weather, and partly because she had, in the words of the rabbi, "outlived her own funeral." Garver said, "One lives on in memories created, and through one's family and friends. Mary created some wonderful memories."

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Ohio State Bar Association

How the loud music might be quieted

A different look at the Copa noise issue reveals remedies yet untested: frivolous actions for money damages. Anyone with me?

By E.M. Sutker
STAFF EDITOR

In the previous issue of *The Gavel*, Gary Norman voiced his feelings about the noise level coming from the Copa Bar and Rascal House. He believes Viking Hall residents have contended with this nuisance long enough to justify a boycott of those businesses.

Let's assume the noise rises to the level of an actionable nuisance. (Ideally, we all know what that involves by now.) The real issue becomes: Who are the possible parties? The students have suffered the injury, but students come and go. Anyway, no one has the time or energy to pursue this kind of complaint against local businesses. For Viking Hall residents, CSU isn't going to take action against its neighbors. And certainly *The Gavel* isn't in the business of offending its advertisers for no reason.

Michael Frangos responded to the concerns in Norman's opinion piece with a statement to the effect that Rascal House believes this dispute should be handled directly by Viking Hall residents and Copa owners — but not by Rascal House, which has no ability to control Copa's actions. (See letter, page 9, this issue.)

A creative lawyer might find a class action suit against CSU for failing to provide an environment conducive to study, and in that way any other deficits of the facilities could be covered. But the only one who wins in a class action suit is the lawyer, right? So maybe the best solution involves individual action, as Norman initially suggested. The form of that action need not be a boycott. Investing in industrial earmuffs, renting a hotel room for study, and even permanently moving away from the noise (constructive eviction, anyone?) have all been suggested. If you can think of any better solutions to the problem, please let Norman, care of *The Gavel*, know.

When responsibility fails

I AM NOT AS FAT AS I once was, but I still need to drop another 50 pounds. I've spent a lot of time dedicated to this effort over the past nine months, and in that time I have been able to reflect on the question: "How did I ever get this fat?"

The answer to this question came to me in a flash last night while I watched the evening news. The Answer, as I now refer to it, was provided to me by digesting the "lessons" that can be taken from two national news stories. Specifically, I found this Answer in the tobacco settlement and in the lawsuits recently initiated by cities against gun manufacturers. It has a logic all its own.

The tobacco settlement has troubled me since the day the initial suits were announced. The major tobacco producers have agreed to pay billions of dollars to individual states to "compensate" them for the cost of providing Medicaid benefits to individuals with smoking-related diseases. On its face it seems to be fair idea; after all, the producers of harmful products should be held accountable. That's simply good public policy. Unfortunately, this logic misses the underlying points — namely, that the individual smoker continued to engage in the harmful activity, and more importantly, that the government has actively supported tobacco production. If tobacco is evil, let's outlaw it entirely. It does not make legal or logical sense to hold the producers account-



As long as the money's there, Americans love to blame the other guy for their troubles — tobacco, gun makers and anyone else we can think of. Who's our next big target?

able for harm if we are simultaneously going to subsidize their existence. Instead of eliminating Medicaid coverage for smokers, the states have sent the message that individuals in this country are no longer responsible for

their own actions. It must be someone else's fault. This is the first part of the Answer!

The next story that caught my attention was the recent announcement that a group of major U.S. cities are suing gun

manufacturers to recover the costs of fighting gun-related crime. When do we move on to suing car manufacturers for the costs policing the streets and highways? When a product is produced legally, distributed legally and purchased legally, how do we get to the point of liability when an individual uses that product in a criminal or negligent manner? Why isn't the individual responsible? The answer to this question is the second part of my Answer: money. Once it has been established that it must be someone else's fault, the next step in modern America is to find out who has the most money and then to sue them. How we got to such a ridiculous point in legal development is almost irrelevant. Maybe it was the '60s generation growing old, or perhaps the rise of the rainmaking ambulance chasers, or maybe it is happening because of an amoral White House. Regardless of causation, society has provided my Answer!

This brings me full-circle to my own waistline. I'm fat and it must be someone else's fault. McDonalds, Domino's, and Taco Bell have a lot of money. Hmmm... I ate a lot of junk food while in graduate school. Somewhere the voice of my conscience is saying, "For shame! You shouldn't have eaten so much. It's your fault you're fat." Thankfully, I can easily reject this notion by citing the above cases as precedent! I can see it now: Matlack v. McDonalds Corp. et al. Any takers?

Matlack is a part-time 2L and a hospital administrator.

The many underlying shades of red

For the blind, color is a richer experience beneath its surface

By Gary Norman
STAFF WRITER

What is color?

Is it the multiple hues of the infrared spectrum that people see in their daily lives? There are as many colors as there are names for them, but generally, they are mixtures of the three primary bands: red, green and blue.

For the sighted, color is merely a visual experience. Take a moment and close your eyes. Try to rethink the issue of color. Color is a different experience for the blind. It is not only a visual display, but it is also an association and externalization of the particular object.

A blind person does not see color, but senses it instead. Perhaps it is between the two poles of visual stimulation and sensory experience that the true definition of color lies. For example, the hue red is not merely a band of the spectrum; perhaps it's more a tangible thing. Red also exists as representing certain feelings or things in the world. Red is a "hot"

color because of its association with fire. Red is associated with feelings of love. I think red would probably not exist as such if people didn't carry some feeling or thing associated with and externalized with the color.

Perhaps a different and more practical definition of the color lies in how it permits the association and externalization of the self with the environment. Without color the world would become inexplicable and unreal to the senses.

Be published!

Gavel editors welcome your articles, commentary and letters on topics of interest to the C-M community. Please drop off your hard copy and disk at *The Gavel* office, LB 23, or send by e-mail to TAMMY.BOGDANSKI@LAW.CSUOHIO.EDU. Unsigned submissions will not be published. We reserve the right to edit your work.



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Counterpoint: God in our government

AS A FACULTY MEMBER WHO regularly deals with First Amendment issues, I was gratified to find these matters discussed in Matthew Lombardy's recent article "Democracy, Religion and America" (December 1998). At the same time, I was distressed by several inaccuracies in the article, and take issue with what I believe to be his major thesis.

As an example, the article begins by stating: "Recently, a court in Ohio decided that the inclusion of a holy cross on the seal of the city of Stow did not violate the First Amendment." Not only is this statement untrue — the federal district court for the Northern District of Ohio ruled that the inclusion of the Roman cross on the city's seal violated the First Amendment's Establishment Clause — but the case had not even been decided when this article appeared in the *Gavel*.

Perhaps Lombardy confused the Stow case with a 1998 decision from the Southern District of Ohio. In *American Civil Liberties Union of Ohio v. Capitol Square Review and Advisory Board*, the court ruled that engraving the state motto — "With God all things are possible" — on the granite plaza at the entrance to the State Capitol did not violate the Establishment Clause by favoring the Christian religion over others, first because the motto was not attributed to its New Testament source, and also because it did not impermissibly favor religion generally since it was an acknowledgment of religion as forming part of the "fabric of our society" — of the same type allowed at the time the Constitution was adopted.

Lombardy also appears confused in his contention that "the successful assaults on religion by the ACLU could be construed as unconstitutional. They violate the First Amendment guarantee that Congress will make no law restricting the free exercise of religion." There is a substantial body of law that addresses the issue of the inherent tension between the Free Exercise and Establishment clauses. Nowhere in these cases is there support for his assertion that when a private plaintiff successfully litigates an Establishment Clause claim, it could be "construed" as a Free Exercise violation.

I now turn to my disagreement with what I take to be Lombardy's main the-



Religion can and should play a vital role in a free society. But government should not be allowed to identify itself with any one religion in particular.

sis: that the ACLU is wrong (or even violating the Constitution) when it challenges government endorsement of religion, because religion is necessary to maintaining a democratic and free society. First, I agree with Lombardy that religion can and should play a vital role in a free society. But we disagree on the degree to which government may be allowed to identify itself with a particular religion, or even religion generally.

Lombardy argues that it is not constitutionally wrong for the City of Stow, an Akron suburb, to display the primary symbol of Christianity, the cross, on its official seal. But what message does that convey to a non-Christian Stow resident? For Judge Polster, the clear message was: "We see Stow as a Christian community and so you're not really one of us."

Today the news brings an even clearer example of how official endorsement of religion excludes citizens who are non-believers. The mayor of Miamisburg, Ohio, a Dayton suburb, recently issued a proclamation encouraging all city residents to read the New Testament for five minutes each day. When the ACLU protested, the mayor — ironically, its Mayor Church — argued that he saw nothing wrong with his statement. But wouldn't a Jew, Muslim or Hindu see something wrong with an official statement encouraging everyone — not just Christians — to read the New Testament? What message does this deliver? Is it a message that Lombardy would also view as unobjectionable? If so, then would

it also be acceptable for Mayor Church to issue an official proclamation at Easter encouraging all Miamisburg residents to reflect on the meaning of the Crucifixion in their lives or attend church on Good Friday and Easter?

I would suggest to Lombardy that while religion should play a vital role in the lives of individuals and, through them, in society at large, there are constitutional limits to the degree to which official actions of government may identify with and endorse religion.

ALAN C. WEINSTEIN
Professor

Rascal House not to blame for noise

Rascal House read Gary Norman's column of December 1998 ("Local Bar's Noise Levels Never Music to My Ears"), in which he emphasized his concerns about the noise level of the music emanating from the Copa Bar and Grille and the resulting effect on residents of nearby Viking Hall. Unfortunately, Norman's article contained numerous misstatements which recklessly portray Rascal House as the source of Norman's problem.

Copa is a private operation not affiliated with Rascal House. Stated simply, Rascal House does not possess the legal power to intervene to resolve a dispute between the operators of the Copa bar and tenants of Viking Hall.

We are disappointed that Norman used the power of the pen to wrongfully accuse Rascal House of lack of compassion arising out of the disputes over Copa noise levels. Had he properly investigated the situation prior to writing the commentary, he would have learned and hopefully written that Rascal House and I personally cannot dictate the noise level at the Copa, the tolerance of Viking Hall residents for noise, or the resolution of disputes between the Copa and Viking Hall. Norman should be aware that avenues for relief exist without resorting to writing reckless and defamatory columns.

MICHAEL FRANGOS
Owner, Rascal House Pizza

CSU fails to give C-M its due respect

By Jeanine Fisher
STAFF WRITER

I missed last month's deadline for *Gavel* submissions but that doesn't mean I had nothing to whine about. The focus of my whining this month is Cleveland State. I hate CSU! Don't get me wrong, I don't hate C-M, I just hate CSU. I think I've figured out the relationship between law students and CSU. We are the ugly stepchildren of the university. They say they want us, but we all know they're stuck with us, consoled only by the fact that we shovel money their way over and above what it takes to maintain us.

What else could explain the treatment law students get? Unless of course all students are treated as shabbily as law students are. I dread stepping beyond the sanctum of the law school to deal with Fenn Tower, the parking department, and worst of all, the bookstore. As soon as they find out you're a law student the attitude starts. You can actually hear it in their voice. "Oh, you're a *law student*." That translates into "this will cost you more."

We should get preferential treatment precisely because we *are* law students. Other universities treat their graduate students better than the undergrads. Why should we have to fight for parking spaces with undergrads? We pay twice the tuition they do! If they miss a class because they can't park, it's no big deal. We have an enforced attendance policy.

The thing that really set me off this month was the bookstore. Because they ordered the wrong book I bought the wrong book. I had to wait in line to get a refund, and the new book was not in even though they said it would be. That meant I had to make a third trip to the bookstore and wait in line again to purchase the book. Barnes & Nobles makes enough money from law students that there should be a satellite store in the law building. I don't care if it's only open the first two weeks of the semester; they can haul all the stuff down here for us. Am I too lazy to trek to the bookstore? Damn right! Besides, I am way too busy to make three trips to get one book.

While I'm on the subject of services (and the lack thereof), I might actually buy lunch more often at the coffee shop if they offered hot foods other than soup and hot dogs.

I've never had any problems dealing with any departments in the law building. If only I never had to venture outside the law building! Thanks to some new blood pressure medicine and my new mantra, I have begun to mellow out. I just take one capsule every morning and repeat over and over, "May 22, May 22, May 22 ..."

Class of 'less fortunate' should be more restricted

My poverty law class had a mock argument. The issue was whether federally subsidized legal aid organizations should be able to represent the poor in

Matthew Lombardy

class-action lawsuits. Though I am an e-e-e-evil conservative, I believe this right should be afforded to the less fortunate. However, less fortunate must be defined correctly.

I was sitting as a justice and counsel began to present his argument. He stated that Thomas Jefferson would be turning over in his grave if he knew that there were Americans devoid of competent legal aid. Then he followed by stating that he would have never allowed a disabled veteran of the Revolutionary War to go without the necessary help to lead a decent life. I im-

mediately retorted by saying that you cannot compare the men who bled the battlefield red at Lexington and Concord to a bunch of street urchins.

This is where I arrive at my point. We are a great nation with a rich history of aiding those who are truly less fortunate. Our boys died the most grievous deaths in defiance of the Southern tyranny that was slavery. Our boys left their hearts and souls on the shores of Normandy fighting to destroy the most ruthless dictator in the history of the human race. We as a nation believe in helping those who are truly in need of support: Americans who are stricken with debilitating illness, Americans who must endure their lives coping with retardation, the sick, the elderly, the weak, those who simply cannot fend for themselves. It has been our great con-

tribution to the history of this planet to defend those who cannot defend themselves.

What sickens me is the liberal concept that we also must support those who can fend for themselves but simply refuse to do so. These are the street urchins to whom I refer. The people who can obtain employment will not do so. The folks who are too lazy or self-righteous to help themselves and then expect everyone in America to do the job for them. Those who expect to receive exactly what they desire without working to obtain the object of their affection. Those who expect to live off the hard work, blood, sweat and tears of the people who get up everyday and make this economy operate. The Americans who create the wealth that the able bodied poor so selfishly confiscate for their own. It is my contention that

What sickens me is the liberal concept that we must support those who can fend for themselves but simply refuse to do so.

Thomas Jefferson would turn over in his grave twice if he knew that able bodied Americans with no job were gaining access to tax dollars in any way, shape or form. Tax dollars that are the result of the hard work of Americans of every race, creed, color, sex, economic level, national origin or age.

God bless you all and God bless America.

Lombardy can be reached at MYCOLUMNS@AOL.COM.



What is law?

THAT'S THE QUESTION we posed to Mary Droescher's fifth-grade class at St. James Elementary School in Lakewood. As winners of *The Gavel's* first-annual "What is Law?" essay con-

test, sponsored by Cleveland attorneys Joseph Feighan and Dennis Butler, five students win \$10 cash. We've reprinted their essays below, plus a few choice snippets from the honorable mentions:

WINNER

Laws are rules that people have to follow to make a place safe and in order. A law starts as an idea and is written on paper as a bill. Then it is voted on by the Congress and if they say yes then it goes to the president and he decides if it should be a law. If he says no or vetoes it then it goes back to the Congress and they vote again but this time the Congress can say yes and the president has no choice but to make it a law. Then it is signed and becomes a law.

Douglas Fink

WINNER

The law is the ultimate supervisor. It puts forth an effort to keep you from killing people, and setting houses on fire. These are some of the crimes the law can lock you up for. The law is strict and unforgiving to anyone that chooses to break it. Anyone stupid enough to break the law deserves the harsh punishment. The law can be your friend, who brings you justice, or your absolute foe for not letting you go!

Drew Smith

WINNER

Law is just a bunch of practically worthless rules that practically no one wants to follow. This is a problem, because the people who write these practically worthless rules want all of these practically worthless rules to be followed, even though they are practically worthless. I say practically, because only 3/4 are moronic. For example, I heard about someone who was thrown in prison for years for stealing a peanut. On the other hand, I heard about a man that got a speeding ticket but had no money, but was arrested anyways. While he was in jail, he had a heart attack and the law had to pay for it.

Mitzi Gray

The Gavel wishes to thank Mary Droescher and her class for their input. Watch for next year's question, "What do lawyers do all day?"



WINNER

Law are major rules that must be followed or you will be punished badly. Law to me is very important because alot of people kill somebody, which is a law that stupid people break, and then get sentenced to ___ years in jail and there's another person gone from the world. I think there should be more people who want to stop this lawbreaking such as policemen/women. Even kids can help by making signs about laws. Laws are rules broken by dumb people in the world who kill or hurt somebody badly and then their lives turn into hardworking, boring lives.

Mark Blades

WINNER

Law is a rule or group of rules, that not one person, but everyone has to follow in an area to make a law work. If nobody followed the law then the world would be a very bad place to live. If there were no laws the earth would be carefree; and even if everyone would like to live carefree, this carefree means that everyone would start to hurt each other, or even themselves because there wouldn't be a law to tell them not to. So what is law? I just gave you four simple sentences what I think law is; but now I guess the real question is, What do you think law is, and will you follow it?

Lindsey Frear

HONORABLE MENTION:

Shannon Lee: "If you don't follow the law, you could get in trouble ... and we are talking serious trouble. [I]f you did something really bad, you could be

killed. So here's a tip: if you want to keep out of trouble or even save your own life, follow the law!"

Mary Lynn Mizenko: "Some laws are important, some are just

there to keep people safe. ... If you do not follow a law ... the punishment might be harsh or it might just be a year in jail."

Patrick Butler: "Laws help the

countries that have laws."

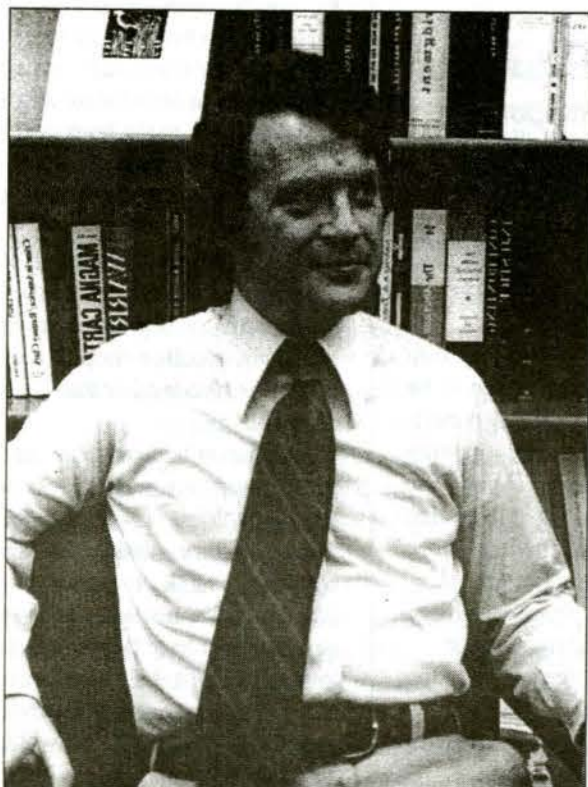
Meaghan Dingman: "Laws can help us be safe and keep us off drugs."

Catherine Barath: "They pre-

vent you from doing harmful things like drinking and driving."

Dan McGinnis: "[O]ur world would be messed up and dirty if we didn't have laws."

Have you seen this man?



FILE PHOTO / REVERSED

CANYOU GUESS which C-M celebrity this is? Some hints:

- He was born and raised in West Virginia, which roots he defended with fervor in a 1995 *Law Notes* article: "West Virginia has a middle class, and I came from that."

- He is best known for his skill at arbitration, and teaches alternative dispute resolution and arbitration regularly.

- Though his studies have taken him to New York City, the photo at left indicates he never majored in fashion design.

The first three students to correctly identify this guy win a shirt with a similar collar courtesy of *The Gavel*, provided we can find some. Slide your signed, dated answers under the office door, Room 23. Good luck!

- **CONGRATULATIONS** to last month's winners, who correctly identified our celeb as Schuyler Cook, C-M reference librarian. **Ann Vaughn, Andrew Johnston** and **Cheryl Hathaway** each wins a groovy, though not sweaty, headband.

Answer key to the crossword

Puzzle on next page

S	T	A	R	E	D	E	C	I	S	I	S		P	A	
A	D	J	U	D	I	C	A	T	E			E	S	A	U
D		A			I	S	T	L	E			W	W	V	W
A	P	R		T	C		C	R	E	A	S	E	S		
M	A		Z	O	O	B	E	A	S	T		L		W	
	R	A		R	V		S	T	E	E	L	T	O	E	
P	T		O		E	D		E		R	E	E	L	S	
A	N	S	W	E	R		A	D	D			D		E	T
P	E	N	N	O	Y	E	R			A	L		I	I	
E	R	I	E				T	E		G	U	Y		C	B
R		D	R	S			H	A	L		R	O	E		U
W	R	E	S	T			E	A			E	R	R	O	R
O	N		H	E	A	R	I	N	G			K	I	N	G
R	A	P	I	E	R		N	A	P	A		N	E	E	
K		A	P	P	R	E	C	I	A	T	E			S	R

Crossword Puzzle

Civilly appropriate

By Eileen Sutker
STAFF EDITOR

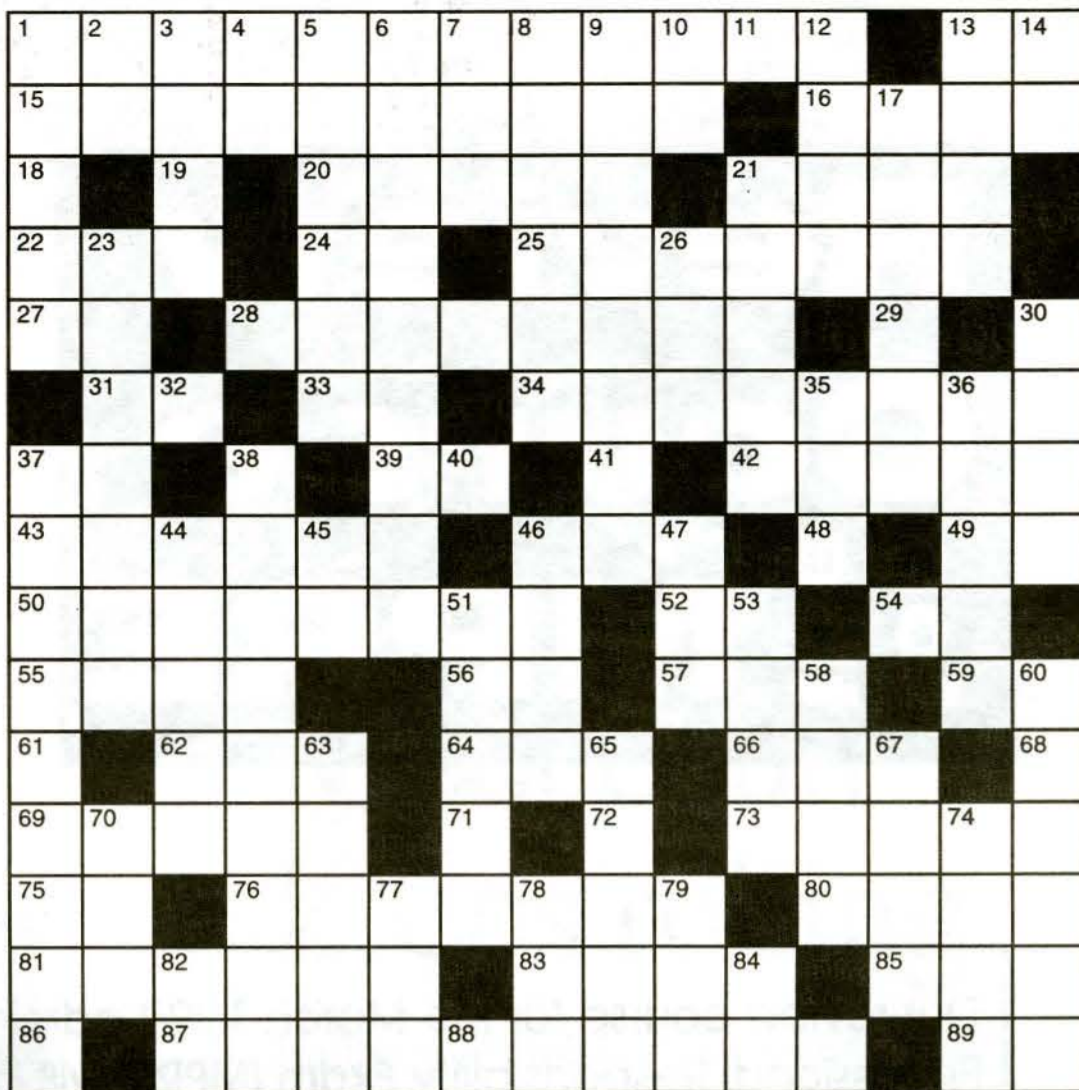
ACROSS

- 1. Things never change
- 13. State to the east
- 15. To hear and decide
- 16. Alienated his birthright
- 18. Dwight ___ Eisenhower
- 19. First letter
- 20. Am. tropical fiber
- 21. ___ v. Woodson
- 22. After Mar.
- 24. Technetium
- 25. Fold and press
- 27. Not pa
- 28. Captive critter
- 29. After K
- 30. Pre X, Y, Z
- 31. Egyptian sun god
- 33. Motor home
- 34. Protective boots
- 37. Past tense or part
- 38. Vowels, with 68A, 71A, 72A, & 11D
- 39. Short for 5D
- 41. Fifth letter
- 42. Frames for films
- 43. FRCP 7 & 12
- 46. Amend
- 48. See 18A
- 49. And the rest
- 50. ___ v. Neff
- 52. See 49A
- 54. Roman math: ci-ic
- 55. ___ v. Thompkins
- 56. Tellurium

- 57. Not gal
- 59. Truckers radio
- 61. 18th letter
- 62. AMA members
- 64. 2001 computer
- 66. ___ v. Wade
- 68. See 38A
- 69. A forceful wrenching
- 71. See 38A
- 72. See 38A
- 73. Mistaken judgment
- 75. Not off
- 76. After pretrial or committee
- 80. With 60D; ___ v. Rudzewicz
- 81. wit or sword
- 83. Calif. Wine valley
- 85. Formerly was
- 86. 11th letter
- 87. Increase in value
- 89. Not Jr.

DOWN

- 1. ___ Hussein
- 2. Football score
- 3. Slightly open
- 4. Birth control ___ 480
- 5. Gets ready to publish
- 6. FRCP 26 & 36
- 7. Gr. outside; Not et cetera
- 8. Crumbly residues of combustion
- 9. To utter repeatedly
- 10. Selenium
- 11. See 38A
- 12. Fine stitches
- 13. Animal feet



- 14. Gold
- 17. Sleek
- 21. Subject for CWA
- 23. At top of the firm
- 26. Direction
- 28. 26th letter
- 30. Not Lexis-Nexis
- 32. See 72A
- 35. Guided
- 36. Type of oil
- 37. Shuffling of pages
- 38. Right to use property
- 40. See 18A
- 44. Derisive
- 45. Pres. gives these
- 46. Tract of ground
- 47. Hanging end
- 51. Knock out gas
- 53. Tempt
- 54. See 11D
- 58. ___ v. Guaranty Trust
- 60. With 80A; ___ v. Rudzewicz
- 63. Sharp rise in slope
- 65. Hawaiian veranda
- 67. Ireland
- 70. Not DNA
- 74. Singles
- 77. Airport term
- 78. Corp.
- 79. #/4.0
- 82. See 13A
- 84. On, in, near or by
- 88. See 41A

Best corned beef, New York-style

By Lilia Mercicky
STAFF WRITER

I grew up in New York City. My dad's violin shop was just up the street from the Stage Delicatessen (the original Stage, when Max Asnas owned and operated it in the '50s), and a short walk from Wolf's.

I know what a deli is. They serve, almost exclusively, corned beef. They employ disagreeable, ancient Jewish men as waiters. The occasional waitress is short, muddled-aged and impatient, but will sometimes call you "Hon" or "Dear" (pronounced DEE-ah). She snaps gum. They hide the white bread somewhere in case a tourist has the audacity to ask for it.

Downtown Cleveland just doesn't have any of these. It does, however, have a very pleasant version of the genre. After being away from the Big Apple for more than 30 years, I'm willing to call them delis.

■ **Johnnie's.** 1840 Euclid Ave. (216) 241-1818. Hours: 5:30 a.m.-2:30 p.m. Monday through Friday, 6 a.m.-1 p.m. Saturday.

Being right across the street

KEY TO RESTAURANT REVIEWS

PRICE	SERVICE	DISTANCE	OVERALL
\$ Under \$5	★★★ In and out	📍 Next door	🌟🌟🌟 Great for the price
\$\$ Over \$5	★★ Hold on, I'm comin'	📍 A pleasant stroll	🌟🌟 What you pay for
\$\$\$ Let them pay	★ Cut your next class	📍 A hike	🌟 Just grub

from the main entrance of the law school, Johnnie's has become a very popular spot for breakfast, lunch and coffee breaks. They have a great breakfast special — bacon, ham or sausage, two eggs and homefries for \$2.99 — plus pancakes, waffles, french toast and omelets. The bagel special is breakfast in one hand.

Lunch items include a nice variety of deli sandwiches, including the mandatory corned beef, which is lean and juicy and meets New York standards. The "junior" corned beef sandwich is enough to fill the hungriest law student, but if you're adventurous, go ahead and order the regular size. Be prepared to open wide!

The daily hot food specials are classic diner fare — well prepared, tasty, with better than average portions. Soups are great for a light meal. The service is efficient and exceedingly friendly. Everything is available for take-out, by phone or in person.

\$\$\$★🌟🌟🌟

■ **Otto Moser's.** 1425 Euclid Ave. (216) 771-0096. Hours: 11:30 a.m.-7:30 p.m. Monday through Saturday.

Until its recent move to Playhouse Square, Otto Moser's had been a Cleveland institution in its former digs on a narrow side street between Euclid and Prospect. Not much except the location has changed. This is about as classic a deli as you can get downtown. The menu includes specialty sandwiches, which are a combination of classics and some inventive combinations of meats, cheeses and condiments, with names like "Fanny Brice," "Al Jolsen" and "Hotto Otto." The deli sandwiches are standard fare, including the requisite corned beef. A selection of salads rounds out the regular menu, but the daily specials run from meatloaf to stew and are usually hearty and very good. Bar service is available. Take-out is available in person, by phone or by fax.

\$\$\$★🌟🌟🌟

Word Search

This court is in session

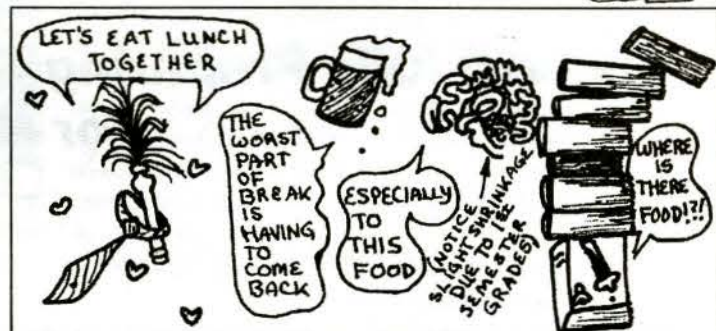


By Eileen Sutker
STAFF EDITOR
Find these words: analysis, appeal, appellant, appellee, case, defendant, drip, element, fact, fault, hold, loud, petition, plaintiff, prey, profit, ruled, secret, shepard, stop, tenant, time, toll. Leftovers identify who's in charge.

■ COMIC

Barristers But ...

By Lilia Mercicky & E.M. Sutker



Review Course for the MPRE

Sat., Feb. 27th

9am-2pm

**Ada • Akron • Cincinnati • Cleveland •
Columbus • Dayton • Toledo**

Our review course for the March 1999 administration of the Multistate Professional Responsibility Exam (MPRE) will be held on Saturday, February 27, 1999 from 9am to 2pm.

To register for the review course, simply complete and submit a yellow BAR/BRI MPRE Review Course Application, along with the appropriate fee, to the BAR/BRI office. BAR/BRI MPRE Review Course Applications are available from the BAR/BRI table, a BAR/BRI student representative, and from the office in Columbus.

The MPRE is administered three times a year -- March, August and November, and applications to take the exam can be obtained from the law school, the BAR/BRI table, and the office.

If you have any questions about our MPRE Review Course or our program in general, please call us at (800) 937-2778.

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For More Than 30 Years!**