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Trinity Cathedral Selected
For June Graduation Ceremony

Trinity Cathedral will be the location for this June's graduation ceremonies. The majestic yet intimate interior of Trinity Cathedral should provide the perfect setting for the ceremony marking the end of four years of endeavor.

The Cathedral, which has a seating capacity of about 1000 is of perpendicular Gothic architecture. The structure was completed in 1967 and has the appearance of indestructibility. It is located on Euclid Ave. at East 22nd.

Stained glass windows are complemented by the rich marble and oak interior. Certain designs were suggested by areas in Winchester Cathedral in England. Included in the construction is a large oak bâss which was originally in the Cathedral at Southwark, England which is the "Churche" of Caucer's Canterbury Tales.

Interviewer: Do you think there is any justification for the popular-held notion that sharp criminal attorneys "beat" cases, not winning them?

Judge Angelotta: I would agree that is the popular idea, although it's a misconception postulated on a lack of understanding and experience with law in our system of jurisprudence. We forget that innocence, not guilt, is the presumption in a criminal trial.

I wouldn't disagree that not guilty verdicts are most likely to be obtained by lawyers of superior qualifications - ones who make the prosecutor work a little harder. But I don't look upon them as "technicalities." I think that they are just extremely capable lawyers. The principle behind all this goes much beyond the individual defendant. Not all people on trial for crimes are the cream of society. It might be me or it might be you - and this is the theory behind our Constitutional protections which apply to all people.

Interviewer: How do the so-called liberal decisions of the Supreme Court of recent years fit into this picture?

Judge Angelotta: A lot of people look upon them with disfavor. I do not. For over 150 years, we have not been giving defendants the rights which are theirs by virtue of the Constitution. As far as the public is concerned, these are new rights. They're not new - they're old rules; and if the public doesn't feel that they are good rules, then they should change to amend the Constitution. The one new feature is that the authorities are obliged to advise a suspect of his rights. Now the professional criminal knows his rights; you might know your rights; but you take the Kessels and the Mirandolas and they are either unaware or scared and don't avail themselves of these privileges. It's the poor man, the uneducated man who suffers when he is denied the rights and privileges which are his.

Interviewer: Public opinion of the Supreme Court decisions seems to indicate that Americans are somewhat...

By Ralph Kingzett
A June graduate of Cleveland-Marshall Law School, inspired by what he learned in class, is pioneering a technique to make sure the guilty will hold up in court.

The grad, Dr. Robert J. Bogus, a dentist and electronics enthusiast, came up with the idea of tape-recording the signing of wills in the office of his attorney. He was to introduce such tapes as evidence.

But such tapes are relatively easy to alter. For years, Rippner had been urging students to tape-record the signing of wills which might later be contested. In fact, in a landmark case last year, Rippner won the right to introduce such tapes as evidence. Dr. Bogus' technique was based on those experiences.

Then Dr. Bogus came up with the answer - a Sony Videocorder. It's a TV camera, tape recorder, and monitor screen. All units are portable, and total cost is $1,400.

The dentist had been taping oral hygiene programs on it, for use with his patients, when Rippner's thoughts turned to the legal profession.

"He made quite a point of this in class and I remember him saying he wished there was something like this, and here it was. So I called him," Dr. Bogus said.

Rippner had him bring the unit to his office, where he spent the day experimenting with it. He liked the idea so much, he ordered his own Videocorder.

"Every lawyer is going to buy one when the word gets around," Rippner enthused. "They can afford not to get one."

(Continued on Page 4)

Student and Professor Unite for Progress

Asst. Prof. Griffith

New Faculty Appointment Set

Asst. Prof. Elwin J. Griffith has recently been appointed to the faculty of Cleveland-Marshall and has been teaching with the new year.

Mr. Griffith did his undergraduate work at Long Island University, received his LL.B from Brooklyn Law School in 1963, and practiced in New York City during 1963-1964. He then joined the Chase Manhattan Bank in its Real Estate and Mortgage Department where he worked until 1967. In 1968 he was also an instructor at Long Island University.

At Cleveland-Marshall Professor Griffith will teach Real Property and Mortgages.

Judge Angelotta

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I know what power can do to the person. I'm mindful of Germany in the '30s and '40s.

It's certainly confusing, at best, when you consider on the one hand the public's militancy against a criminal's rights. I think it's a matter of education. In fact, and the news media can provide that education.

Soft-spoken, ex-Marine Judge John L. Angelotta was appointed to the Common Pleas bench in 1965 by Gov. James A. Rhodes. While serving with the Criminal Branch of the court, former prosecutor Angelotta, out with a panel of three judges on the Colby murder trial.

Interviewer: Your Honor, another area that the public seems to hold in disfavor - along with the "technicalities" that get clients off - is the matter of pleading. The insanity plea seems to be scoffed at by by and large. Your experience with the Colby case might furnish some interesting comments in this regard.

Judge Angelotta: The plea that is made in: "Not guilty by reason of insanity." The plea, in and of itself, is misconceived and misleading. The Colby case is a good example of that. Mary Ann Colby was not "not guilty" - she was guilty of the crime. It was premeditated, first-degree murder. We never got to that question because she was found insane. But she was not "not guilty by reason of insanity," she was guilty but not responsible by reason of insanity.

I recall when the judgement was rendered that I was a judgement, not a verdict, in an insanity case that the newspaper came out with the headline: MRS. COLBY NOT GUILTY - ISENSE. Now when you say "insane" that equals not guilty - and the newspaper caused a lot of criticism.

This is not fair to the public - the public should not be put in a position to be critical of the law, and I don't say this in the sense that I was one of the judges. I think that it would be much better if he public understood that Mrs. Colby was not responsible for the
Vindicate the Innocent...

(Continued from Page 1)

crime by reason of insanity. If the public understood this, then the subject mater would be much more palatable, and the public would be more concerned about this personally, nor are the other judges. What I'm suggesting is that we bring the case to the public and when you create a disrespect for law you talk in terms of stigma for the Colby family and what things apply to the Supreme Court decisions on criminal procedure. I think that if the public were given a more factual presentation of these matters, that they would be more inclined to accept it.

Interviewer: Back to the Colby case. As I recall, people were saying, yes, she would be eligible for liberalizing of this 1843 rule. Judge Angelotta: Well, it has been about two years now and she's still in the Lima State Hospital. I commented (and for print, but it was never printed), that if the woman was ever released from the Lima State Hospital it would be a case that I'd resign. That's how strongly I felt about it.

When you have a civil case, a hearing, and if she were adjudged insane, would she be entitled to release, because she'd be entitled to release because she'd be insane for the purpose of rehabilitation than punishment?

Interviewer: Ohio uses the M'Naghten Rule for testing insanity. Do you find between those two laws? Was he a psychiatrist. Those are the three persons who would decide that.

Judge Angelotta: Yes, but even a psychiatrist who's a witness that the most insane thing she did was that she blamed it on her own son.

Interviewer: Did her defense attorney actually have much to do with "getting Mrs. Colby off?" because of insanity, or was it a matter of the psychiatric testimony "getting her off" as the public says? Did Jerry Gold, her lawyer, work technicalities? Was he a lawyer, or did he protect a person who was-guaranteed protection.

Judge Angelotta: First of all, you must accept the judgment of insanity, as compared to an innocent person — one second murder who didn't do it.

There are few lawyers who would have advised Mary Ann Colby's so-called "acquittal." The reason she was "acquitted," I found was because of the depth of the understanding of Jerry Gold. He studied this case from the standpoint of the legal, legal standpoint, but from the medical standpoint. He was thoroughly prepared.

Now — Who pays? When? How much?

However, the man in the street, the very one who would profit from such an ideal system, refuses to vote the funds necessary. Thus, we must seek a less than ideal solution.

One old, large insurance company, the Insurance Company of North America, has printed a full page ad in the "Wall Street Journal" and the "U. S. News and World Report," stating that the

(Continued on Page 4)
Proposed Auto-Claim Alternatives: A Threat to the Adversary System

By Robert M. DuNuck

The Keeton-O’Connell plan has been heralded by some as a panacea which will cure all the evils engendered by claims resulting from automobile accidents. Advocates of the plan authored by two esteemed law school professors, who have authored a plan authored by two esteemed law school professors, who have advocated that the insurance companies would have to throw away their present insur ance policies and purchase new ones which would have to be explained in great detail because of the complexity of the plan. The plan would develop new rate schedules without the benefit of significant actuarial experience, the bar and the public would have to learn to meet and cope with a vast array of new problems. In short, the plan is a mess.

Proposed cats a radical departure from the automobile collision laws. Professor Keeton authored a plan which would necessitate an enormous plan, the insurance companies would have to draw up new policies and present new actuarial experience, the bar and the public would have to learn to meet and cope with a vast array of new problems. In short, the plan is a mess.

The authors of the plan concede that it is not designed to have any effect on highway safety or to curb the mounting spirals of court and insurance rates. It is believed by some critics of the plan is that injury in a large metropolitan area cost savings would range between $10,000 and $20,000. Indeed, a principal critic of the plan, Mr. James S. Jenner, President of the Keeton-O’Connell plan has been labeled an “unfairly discriminatory rates at $5,000.00 in a large metropolitan area cost savings would range between $10,000 and $20,000. Indeed, a principal critic of the plan, Mr. James S. Jenner, President of the plan, has opposed the plan if it is clear that the burden of proof rests with the “plaintiffs” Keeton and O’Connell.

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But these problems and projections are not the only obstacles to the plan. The plan is not designed to have any effect on highway safety or to curb the mounting spirals of court and insurance rates. It is believed by some critics of the plan is that injury in a large metropolitan area cost savings would range between $10,000 and $20,000. Indeed, a principal critic of the plan, Mr. James S. Jenner, President of the plan, has opposed the plan if it is clear that the burden of proof rests with the “plaintiffs” Keeton and O’Connell.

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The Keeton-O’Connell plan provides that any individual injured while maintaining or using a motor vehicle shall recover from his own insurance company up to $10,000. He is compensated only for net economic loss (death, house bills, lost wages, etc.). Col­lisions are the Blue Cross and Blue Shield type of benefits, are reduced to the compensation. His first $100 of net economic loss is uncompensated. Payments are made on a periodic basis. All payments under the plan are made regardless of who, if anyone, was at fault. An individual is not pro­hibited from also instituting a claim against a party who believes is at fault. But, he may only recover from two insurers for net economic loss which exceeds the $10,000 he can recover from his own insurance company, and damages for pain and suffering in excess of $5000.
Trustees Grant J. D. Degrees to All Grads

What's Happening to Alumni

Jacob Fridline, ('67) appointed Assistant Law Director and Prosecutor for the city of Ashland, Ohio. . . . Frank F. Bonaiuto, ('57) has been admitted to practice before the U.S. Supreme Court. . . . Frederick M. Coleman, ('53) recently sworn in as municipal judge in Cleveland. . . . Mrs. Ruth Williams, (CM '46) heads Catalyst for Youth, a U.S. Office of Education Program to help youngsters from economically deprived homes. . . . Frederick Heiter, ('54) teaching Constitution and Administrative Law in the Political Science Department, Nevada Southern University at Las Vegas. . . . C. Daniel Nash, ('63) elected secretary of the Cleveland Bar Association. . . . Leonard Davis, ('65) running in Democratic primary for State Representative. . . . Michael A. Sweeney, ('51) will be a candidate for Congress in the Democratic primary.


In Memoriam

Memorial services were held on Friday, December 15, 1967, for Sidney B. Fink, comptroller of Cleveland-Marshall Law School, who died suddenly, the result of a heart attack.

Mr. Fink had long served this law school with honesty and dedication and his distinguished services will be greatly missed.

The faculty, students and Alumni Association of Cleveland-Marshall all extend their sympathies to his family.

To Be Awarded to All With LL. B. Diplomas

The Board of Trustees of Cleveland-Marshall Law School have announced the approval of the award of the Doctor of Laws Degree (J.D.) to all living graduates of Cleveland-Marshall Law School or its predecessor institutions.

The degrees will be awarded in special ceremonies at the Sheraton-Cleveland Hotel Grand Ballroom on Thursday evening, March 14, at 8 p.m.

Those eligible to receive the Doctor of Laws Degree are those who now hold a Bachelor of Laws degree (LL. B.). The LL.B. diploma must be surrendered to the school in exchange for the J.D. diploma.

All graduates of the law school for whom the school has an address are being sent a notice of the event, along with an application to be filled out and returned to the school. These applications must be returned to the school, properly filled out, not later than February 15, 1968, along with a fee of $25.00 to cover the administrative, printing and other expenses.

Said Professor Sheard, chairman of the committee in charge of the ceremonies, "We hope that the applications are sent in as soon as possible, in order to equalize the burden of the law school in processing the applications and the diplomas."

Although space will be limited, each recipient of a Doctor of Laws degree will receive a ticket admitting his wife or escort to the ceremonies. Degrees will be awarded to class representatives on behalf of the entire class, since it would be impractical to hand out degrees to every single alumnus present.

Procedures for handing out degrees that evening to all recipients will be announced.

Any questions, via mail or telephone, should be directed to Mrs. Jane Edwards, at the law school, 1240 Ontario Street, Cleveland, Ohio 44113. (telephone: 781-6612).

DON'T FORGET!

J. D. Degrees to be awarded

MARCH 14 • 8 P.M.

Grand Ballroom, Sheraton-Cleveland Hotel
A Likely Alternative . . .

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A threat to Adversary System . . .

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The Gavel

Cleveland-Marshall Law School of
Bowen-Wallick College
Cleveland, Ohio 44113

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THE GAVEL

Jan. 22, 1968

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